



Minutes of Faculty Office Senior Officers' Meeting

Held on Monday 18 May 2020 at 14:00 via video conference

Attendees: Charles George QC, Master
Howard Dellar, Registrar
Ian Blaney, Deputy Registrar
Neil Turpin, Chief Clerk
Sue Goss, Accountant
Emily Fellows, Trainee Solicitor

The Minutes of the meeting held on 27 April 2020 had been circulated and were approved.

PART I - Ecclesiastical Matters

PART II – England & Wales Notarial Matters

1. Update on recruitment of Risk and Compliance Officer

An advertisement for a Risk, Compliance & Investigations Officer and Deputy Chief Clerk had been placed on the Guardian Jobs website and the Faculty Office website. Applications were already being received and it was hoped an appointment could be made by the end of September 2020.

2. Budget for 2020/21, 2021.22, 2022/23, including determination of Practice Certificate fee for 2020/21

The proposed budgets for 2020/21, 2021/22 & 2022/23 were discussed and approved subject to any further comment from Neil Turpin, to be received within 7 working days of this meeting.

There was a detailed discussion on whether the Contingency fee should be reduced this year or whether the fee should remain the same. It was agreed that the fee should be frozen for the coming year.

3. Update on Audit Committee

The draft terms of reference for the Master's Audit Committee were reviewed and discussed, including attendance at the Master's Quarterly Council, the normal attendance of the Registrar at the Committee meetings and the AML matters to be reviewed by the Committee.

Subject to certain agreed amendments the draft terms of reference were approved. It was hoped that the first meeting of the Committee could be arranged before 7 June 2020.

4. HD's letter of 27 April 2020 to LSB and CE's response

Howard Dellar sent a letter on 27 April 2020 to the LSB setting out the Faculty Office plan to improve its performance assessment. An encouraging response from the LSB was received.

Howard Dellar reported that his meeting with the Regulatory Chairs had been useful and had identified transparency as a top priority for the coming year.

It was agreed that the first Master's Council meeting should be held when the new Master is appointed.

5. KPI Briefing paper

The KPI Briefing paper was reviewed and discussed. Subject to minor amendments the KPI targets were approved and permission for publication was granted.

6. Update on Risk Assessment & Assurance policy

The Risk Assessment & Assurance policy was reviewed and revised in April 2020. The policy had been published on the Faculty Office website.

7. Update on Internal Risk Register

The draft Faculty Office internal Risk Register was considered and discussed. The revised Risk Register was provisionally approved subject to further review by Senior Staff and the Master's Audit Committee.

The Master re-emphasised the need for the document to be constantly under internal review and for a formal review to take place at each Master's Council Meeting, on a quarterly basis.

8. Update on Covid-19 guidance document, and response to Michael Clancy

The Faculty Office Covid-19 Guidance on remote notarisation had been published on the Faculty Office website. It was confirmed that this guidance had been shared with Michael Clancy who was seeking primary legislation on the matter in Scotland.

9. Inspections update

The Faculty Office confirmed their commitment to continuing the inspections regime during lockdown. A meeting with the inspectors had been organised for Friday 22 May 2020 to discuss how inspections could be conducted remotely and to ensure a consistent approach by all the inspectors.

The Master expressed his enthusiasm for adapting inspections to continue whilst lockdown measures were still in place.

10. Update on meeting with MOJ drafts person on Practice Authorisation

No meeting had been arranged however correspondence on drafting had been resumed. Work on the drafting was ongoing and included identifying the powers currently held by the Master and separating these from those requested in the Statutory Instrument.

11. New lay members of the Qualifications Board

The two new lay members of the Qualifications Board had been invited to attend the meeting in June 2020. After this meeting the Registrar would issue letters of appointment to the members should they wish to continue on the Board.

It was agreed that the IGR statement would be checked to ensure compliance in appointing these new members.

12. Update on Barry Holland's article in recent The Notary (his 2 emails of 1 May 2020)

The Master had corresponded with Barry Holland regarding his article in The Notary and was reassured that the views expressed in the article were his own, personal views and not that of the Notaries' Society. Clarification was also received on Barry Holland's views on the LSB's regulation and understanding of the profession.

The matter was discussed generally and it was agreed that no further action needed to be taken.

13. Response to BSB's letter on Public Legal Education of 30 April 2020

No official invitation had been received and so no formal response had been made.

14. Update on disciplinary cases

Re CC, a notary: the Nominated Notary was investigating a further complaint with the intention of adding this to his Report. A formal complaint was still awaited.

Re GS, a notary: confirmation of details of misconduct was still awaited from the SRA.

Re VM, a notary: the notary's suspension had been extended pending the notary's appeal against the SDT decision.

A discussion was had around whether virtual hearings would be necessary and if so whether any rule changes would be necessary. It was agreed that Howard Dellar would contact the Commissary to obtain advice on the matter so that any Rule changes could be completed before a hearing date was set.

15. AML update

The OPBAS supervisor assessment was due to take place on 2 June 2020. It was reported that all of the information requested was being compiled ready to be sent on 19 May 2020 and the letter accompanying the information had been drafted.

PART III – Overseas Notarial Matters

16. Any other business

There was none.

17. Date of next meeting

To be confirmed.