



FACULTY OFFICE

**Minutes of the Meeting of the Advisory Board held
remotely via video conference
on Tuesday 02 March 2021 at 11:00am**

Present: Mark Craig (Chair)
Michael Heap
Elaine Standish
Christopher Vaughan
Michael Lightowler
Edward Gardiner

In attendance: Howard Dellar, Registrar Faculty Office
Ian Blaney, Deputy Registrar Faculty Office
Neil Turpin, Chief Clerk Faculty Office & Clerk to the Board
Mili Bhanji, Risk, Compliance and Investigation Officer and Deputy Chief Clerk

Part I – open

1. Apologies

Apologies were received from Jonathan Coutts. Edward Gardiner represented the Society of Scrivener Notaries in his place

2. Minutes of the last meeting

The minutes of the meeting held on 01 December 2020 were circulated and approved.

Neil Turpin confirmed that all items identified for publication at the last meeting had been uploaded on to the Faculty Office website.

3. Matters arising not otherwise on the agenda

Updated Code of Practice (CoP)

Neil Turpin provided details of the number of “Hits” on the Faculty Office Website in particular the section on the Code of Practice during the last 30 days.

However, there was no way of identifying whether the viewer was a notary, student, or member of the public.

Action: For additional background, the Faculty Office to provide details to Board members by the end of March on the use of the terms “bounce rate” and “percentage exit”.

Gender Neutral policy

The Board agreed that this matter had been discussed at some length previously and there was nothing more to add on this subject.

Notaries (Conduct & Discipline) Rules 2015 amendments – remote hearings

Neil Turpin reported the LSB had agreed the proposed amendments on a temporary basis under the coronavirus exemption (Exemption Direction 149) and these were currently with the Master for formal approval.

LSB Governance review

Howard Dellar confirmed that the Faculty Office had received the interview transcripts but not the review report.

4. Faculty Office updates

Diversity Data

Neil Turpin provided an initial analysis of the raw diversity data indicating that movement was in the right direction in terms of the balance of gender, ethnicity, and other protected characteristics, although there is still a way to go to reflect society at large.

Christopher Vaughan pointed out that 76% of the participants identified themselves as white British, which is in line with the government’s last census findings. This led to a discussion about whether the diversity data reflected British society in general and the board agreed that in this overall context the data generated through the diversity survey reflected positively on the profession’s ongoing commitment to develop a more diverse profession, within the actions available.

Ian Blaney pointed out that whilst there were a good portion of Asian and Asian British notaries, the numbers of Black/African/Caribbean/Black British notaries were low. Also, there were very few notaries with a stated disability, although it was unclear whether certain disabilities would disbar a Notary entry from carrying out notarial work effectively or whether those with a disability were being held back unnecessarily and more needed to be done to encourage disabled candidates. The gender split was not yet fully reflective of society, although progress was being made.

Mark Craig invited Christopher Vaughan in his capacity as secretary of The Notaries Society, and Edward Gardiner for the Scriveners, to seek feedback from the Council on this subject and report back at the next meeting, which they agreed to do.

Advisory Board Lay membership

The Faculty Office confirmed that the advertising had failed to attract a single suitable candidate and the Board agreed that reasonable effort had been taken to fill this post through advertising.

Mark Craig confirmed that under the circumstances, it was appropriate to explore other ways to draw interest, initially for the remaining three meetings of the year.

The Board agreed that it was useful to have someone with accountancy experience or bring fresh perspective from different fields such as politics background.

The Board agreed to take a new approach and bring suitable candidates forward using a degree of persuasion, with the two societies in particular agreeing to use their good offices to try to secure suitable candidates.

5. AML/ OPBAS

Mili Bhanji confirmed that a meeting with OPBAS was scheduled for next week to discuss progress against the agreed action plan.

Work on a bespoke risk assessment was on track and the first layer of risk profiling had been completed.

The Board noted that Part one of the Legal Sector Affinity Group guidance had been published on the Faculty Office website. Part two was due to be published soon.

6. Additional KPIs

To open a discussion on this subject, Mili Bhanji presented a paper containing ideas for establishing new KPIs.

By way of example, one KPI could be for the Faculty Office to undertake a review of the inspection process to identify whether there are gaps or inconsistencies in this process and then to propose changes based on the findings.

The Board commented that:

- the current KPIs were adequate
- additional KPIs could be resource intensive
- KPIs create artificial time constraint and increase risk of judicial review
- One additional KPI relating to public confidence may be beneficial, as the Master was interested to introduce additional KPIs

Based on these observations, the Board concluded that it was appropriate to propose that the Faculty Office prepare one further KPI concerning public confidence to refer to the Master.

7. Improving transparency of quality indicators

The Board noted the accompanying LSB paper, and this led to a discussion on the possibility of a quality comparison tool for notaries.

Action: The Faculty Office to respond to the LSB paper.

8. Ten Thousand Black Interns – www.10000blackinterns.com

This is a cross sector initiative which offers the notarial profession the chance to increase the prospects of young black graduates accessing the profession through paid internship. The Faculty Office has registered to participate in this programme, but this has not yet been confirmed.

9. Law-tech/AI

See Part II.

10. Any other urgent business

There was none.

11. Dates of next meetings

01 June 2021

21 September 2021

07 December 2021

Part II – closed