



THE FACULTY OFFICE

## **Business Plan 2022-2025 – The Master’s Priorities**

The Master of the Faculties is the Approved Regulator of the profession of Notaries Public in England & Wales and the Faculty Office (led by the Registrar) assists the Master in her functions in the public interest.

If you would like a version of this document in hard copy or in an alternative format, please contact [faculty.office@1thesanctuary.com](mailto:faculty.office@1thesanctuary.com) or telephone 0207 222 5381

# Foreword by the Master – Morag Ellis QC

I am delighted to introduce my priorities for the next three-year period (the Plan). These are my first set of priorities since becoming Master and I welcome the opportunity to outline my vision for the continued transparency of the notarial profession for the benefit of the consumer, the wider public and the profession itself.

The priorities set out in the Plan have been finalised towards the end of very busy period for the Faculty Office. Much of what we do can be described as “day to day business” ie the usual regulatory activities; but on top of this we have had over the last couple of years the LSB’s Well Led Review which has engaged the staff in detailed work culminating in a helpful [Governance Manual](#) and an action plan. In the midst of my first couple of years as Master, the Covid pandemic has dominated our world and our lives and now the whole world is threatened by a very serious cost of living crisis and a war in mainland Europe. At the time of writing it is not clear what this latest significant turbulence will have on the activities outlined in the Plan but we know from our experience of the Covid pandemic any plan must be subject to necessary change and we expect we will need to issue a revised plan to take account of unexpected challenges.

As always most of our focus will be on our core regulatory activities enhanced by [the nine specific priorities which are outlined in the Plan.

In December 2021 I met with the Officers of the Faculty Office to discuss its strategic direction at a facilitated Away Day and decided we needed to look at the next three-year period to plan our work streams effectively.

All our regulatory work is undertaken in the public interest and we remain committed to providing a first rate service at a reasonable cost. There is more information about our planned income and expenditure in our three yearly budgets annexed to this Plan. Unusually high inflation will inevitably mean these budgets are likely to be subject to a greater degree of change than in the immediate past.

We will formally review progress against our Plan on an annual basis and we will prepare annual assessment reports; but it will also be kept under review at our Quarterly Council meetings.

A handwritten signature in black ink, appearing to read 'M. Ellis', followed by a long horizontal line extending to the right.

**The Master of Faculties**

# INTRODUCTION

## Howard Dellar - Registrar

It has been a great pleasure to work with the new Master on her priorities for the next three-year period. We have looked again at ourselves aided in part by the LSB's well led review and by taking time out at a team away day. We have re-examined our values and checked that we are responding to the right things. It's a moment to remind ourselves of the regulatory principles that should underpin all we do.

I am encouraged by the positive feedback we at the Faculty Office have received and the initiatives we have taken since the new Master's arrival. May I mention five.

Firstly, we strengthened our advisory board by recruiting two additional lay members, one of whom is a British Sign Language user who brings a fresh perspective to our deliberations and helps us, we hope, to focus our energies on the consumer and the public interest.

Secondly, we expanded our team at the Faculty Office by recruiting a risk, compliance and investigations officer as Deputy Chief Clerk.

Thirdly, the successful consumer survey will aid our understanding of the users of notarial services.

Fourthly, we look forward to our first intern under the 10,000 black interns scheme (<https://www.10000blackinterns.com/>) joining us later in the year.

And finally, we have been praised for the positive way in which we worked with our oversight regulator during the Well Led Review.

So the Plan is designed to help us move forward with all we have learnt from the past few years and concentrate even more on those regulatory objectives that are at the core of what we are about. Once we have taken into account the feedback from the consultation on our Plan we will finalise a delivery / action plan for publication in September.



Howard Dellar

# THE MASTER'S PRIORITIES

The priorities for the Faculty Office are as follows and have been grouped into the regulatory objectives highlighted in bold.

## **Protecting and promoting the interests of the consumer**

- 1) We will aim to complete the next phase of the Faculty Office's Entity Regulation project. We will continue to work with the Ministry of Justice and other stakeholders for the Order under section 69 of the Legal Services Act 2007 to enable the Faculty Office to have the legislative underpinning and begin its implementation. Brexit and Covid has delayed this project but this is an important priority for us and necessary for consumer protection. We will look to work with other regulators as entity regulation for the notarial profession is rolled out.
- 2) Insurance minimum terms, run off cover and the level of cover all need consideration and relevant changes made to our rules following a suitable consultation and after taking into account the findings of the LSB's research into the state of the professional indemnity market.

## **Protecting and promoting the public interest and promoting and maintaining adherence to the professional principles.**

- 3) The Faculty Office discipline system is due for a review and there will be a Call for Evidence. We will start with a listening and consultation exercise with the expectation that some changes could be made to it. Given most notaries are non-contentious practitioners there is a potential shortage of suitably qualified "nominated notaries" (who act as investigators/prosecutors) for the range of disciplinary cases brought.
- 4) We will continue to review our regulatory arrangements with particular emphasis on the three sets of accounts rules: the Notaries Accounts Rules 1989 (as amended), the Notaries' Accounts (Deposit Interest) Rules 1989 and the Notaries Trust Accounts Rules 1989, as they are in need of modernising and consolidation.
- 5) The Faculty Office will continue to re-inforce the sanctions regime as outlined in its sanctions action plan and keep this work stream under review.
- 6) At the Faculty Office we will continue to build up the Faculty Office's reserves to the equivalent of six month's expenditure. Some additional funding will be allocated towards governance improvements at the Faculty Office particularly around the clerking of meetings.

### **Encouraging an independent, strong, diverse and effective legal profession**

- 7) Diversity – we will work with the profession and, in particular, with projects like the Notaries Society bursary scheme to widen the access to the notarial profession. We are committed to reviewing how to widen and diversify pathways into the profession and developing a proposal as to how this might be achieved and its impact on our regulatory arrangements.
- 8) Post-qualification requirements: we will consider the post-qualification environment for notaries who wish to practice in conveyancing and in wills, probate and administration to ensure that the right level of supervision is in place.
- 9) Wellbeing: we will consider how to better promote wellbeing amongst notaries, seeking to mitigate poor mental health and decision making, for example through the regime of continuing professional education.

### **Supporting the constitutional principle of the rule of law**

- 10) The Faculty Office is committed to education initiatives on this regulatory objective and we are looking to hold a high-profile seminar to explore the importance of notaries in upholding the rule of law.

### **Increasing public understanding of the citizen's legal rights and duties and improving access to justice. Legal Education.**

- 11) We remain committed to the Legal Choices project and developing it further.

**The Faculty Office**

**26 June 2022**

## Annex I - Faculty Office Budgets 2022/23, 2023/24 & 2024/25

### FACULTY OFFICE BUDGET YEAR ENDED 31 MARCH 2023

#### NOTARIES

##### Income:

##### Practising Certificates:

##### England & Wales & Overseas

Accrued income April-October 2022	281,324
725 certificates (Nov 2022-March 2023)	200,946
Levy - 2nd Instalment	76,215

-----  
558,485

##### Channel Islands Registrations:

Accrued income April-December 2022	11,343
52 Registrations @ £275 (Jan 2023-March 2023)	3,575

-----  
14,918

UK Appointments  
30 x £625

18,750

Overseas Appointments  
10 x £700

7,000

Certificates of Exemption (55)

8,250

##### Total Income

-----  
**607,403**

##### Less Expenditure:

Management Charge (60%) 278,550

Direct Expenditure 191,200

##### Total Expenditure

-----  
**469,750**

##### Projected Notaries Surplus 2022/23

-----  
**£137,653**  
=====

**FACULTY OFFICE BUDGET  
YEAR ENDED 31 MARCH 2024**

**NOTARIES**

**Income:**

**Practising Certificates:**

**England & Wales & Overseas**

Accrued income April-October 2023	281,324	
725 certificates (Nov 2023-March 2024)	200,946	
	-----	
		482,270

**Channel Islands Registrations:**

Accrued income April-December 2023	10,725	
52 Registrations @ £275 (Jan-March 2024)	3,575	
	-----	
		14,300

UK Appointments		
30 x £625		18,750
Overseas Appointments		
10 x £700		7,000
Certificates of Exemption (55)		8,250

**Total Income** **530,570**

**Less Expenditure:**

Management Charge (60%)	285,300	
Direct Expenditure	206,200	
	-----	
<b>Total Expenditure</b>		<b>491,500</b>

**Projected Notaries Surplus 2023/2024** **£39,070**

=====

**FACULTY OFFICE BUDGET  
YEAR ENDED 31 MARCH 2025  
NOTARIES**

**Income:**

**Practising Certificates:**

**England & Wales & Overseas**

Accrued income April-October 2024	281,324	
725 certificates (Nov 2024-March 2025)	200,946	
	-----	

482,270

**Channel Islands Registrations:**

Accrued income April-December 2024	10,725	
52 Registrations @ £275 (Jan-March 2025)	3,575	
	-----	

14,300

UK Appointments  
30 x £625

18,750

Overseas Appointments  
10 x £700

7,000

Certificates of Exemption (55)

8,250

**Total Income**

-----  
**530,570**

**Less Expenditure:**

Management Charge (60%)	289,680	
-------------------------	---------	--

Direct Expenditure	204,170	
	-----	

**Total Expenditure**

-----  
**493,850**

**Projected Notaries Surplus 2024/2025**

**£36,720**  
=====