



THE FACULTY OFFICE OF THE ARCHBISHOP OF CANTERBURY  
REVIEW OF THE POST-QUALIFICATIONS ENVIRONMENT  
PROBATE AND CONVEYANCING SUPERVISION  
CONSULTATION ON RULE CHANGE  
FEBRUARY 2026

## Background

The Faculty Office issued a [call for evidence](#) in February 2024 to consider whether the level of supervision for new notaries who wish to practise in conveyancing and in wills, probate and administration is at the right level. A [response to the consultation](#) was published in August 2024.

While not wishing to repeat our existing policy positions which were stated in the call for evidence paper the evidence received has aided us to take the following views:

- We consider that the level of supervision for notaries who wish to practise in conveyancing and/or probate should be increased. The level of supervision is less than in equivalent branches of the legal sector.
- That difference is largely down to most notaries practising as sole practitioners and because, in relation to notarial practice, there is no other way that supervision can realistically be achieved. Most notaries don't practise in firms where there are other notaries and so supervision must allow for supervision at a distance.
- We are aware from data before the Qualifications Board that more applicants for leave to enrol on the notarial practice course at University College London are recent university graduates as opposed to existing practitioners from another branch of the legal profession.
- Anecdotally we are aware that many of these graduates will not have had much prior practical experience in an office environment and could potentially proceed to practise as a notary only without the benefit of a firm-set up and the support of colleagues.
- We are therefore proposing **requiring new notaries to have in-person supervision** (whether physical or virtual) for their day to day conveyancing and probate work to be supervised. This need not be by another notary. **The supervisor could be a solicitor, legal executive or licenced conveyancer.** In practice this would require a supervisor signing off work done by the supervisee and having continuing active monitoring of the supervisee's case work.
- That is unless the notary had already trained in a firm and become experienced in probate and/or conveyancing. **An exception** would be made to the requirement for

person supervision if the notary had already come through a supervision route in another branch of the legal profession that the Faculty Office recognises as suitably robust. This would allow newly qualified notaries who have been eg conveyancing solicitors to migrate into doing the work as a notary.

- This would reduce the flexibility and usefulness of a notarial faculty so that notaries would not be able to set themselves up as sole practitioner conveyancers and probate practitioners before they had completed their period of supervision. However we consider this to be outweighed by the benefit of ensuring that conveyancing and probate supervision is day to day and is substantive.
- At the moment notaries are supervised for two years unless they want to do conveyancing and/or probate as a notary, in which case the period is three years for those areas. On the basis that in-person supervision is more intensive and comprehensive we would **propose to reduce the supervision period for conveyancing and/or probate to two years which is in line with other professions**, such as solicitors. We would retain the ability to lengthen the period of supervision in particular cases as needed.
- **We have contemplated introducing a mandatory inspection following a notary having completed their supervision.** In our original call for evidence we set out the positives and negatives as follows:

Positives:

- Uses an existing regulatory tool.
- Inspections are rigorous and consistent.
- Inspections are independent of the supervisor.
- Inspection would help ensure the notary is working properly as soon as possible after “day 1”

of completing the post-admission requirements.

Negatives:

- Puts more pressure on the inspections system and takes capacity from other cases.
- Would not find failings until after the three year or so period of supervisory practice.

The proposal has received some criticism from our Advisory Board along the lines that such an inspection would undermine the position and cut across the critical judgment of the supervisor who has signed the notary off, would add nothing to what the supervisor has done, would add to the costs of regulation and take inspections away from more deserving cases.

We genuinely have an open mind about the proposal and would welcome views. Originally, the proposal was in the context of probate and conveyancing and so the mandatory inspection could be restricted to notaries practising in those areas only and just be about the probate and conveyancing. The rule change could be limited to that. Alternatively, we could decide not to proceed with the proposal at all. Another alternative would be not to have the inspection early on after the supervision, but sometime later but within a period of three years from ending supervision. That would allow some time for the notary to have practised unsupervised and allow for the possibility that the notary’s situation had changed.

We have prepared draft rules which would, if approved, implement these changes. Two versions of the rules are provided. One with the changes against the existing rules, and the other with those changes shown as made. Only those notaries admitted to practice after the proposed rules come into force would be subject to the new rules. Those notaries admitted to practice prior to the proposed rules would continue under the existing arrangements.

### Consultation questions

1. At the moment notaries working under supervision do not need to work in the same office as their supervisor. Do you agree that in-person supervision for newly admitted notaries is a suitable and proportionate response to the risks associated with conveyancing and/or probate work?
2. Do you agree that the supervisor for conveyancing and/or probate work need not be a notary if:
  - (a) the supervisor has been in continuous unsupervised practice as a solicitor or other authorised person for a period of 5 years immediately prior to commencement of a period of supervision
  - (b) they have carried out conveyancing and/or probate (as applicable) as a substantial part of their practice in the previous 5 years?
3. Do you agree that the period of supervision in conveyancing and/or probate can be reduced from three to two years if the supervision is to be in person as proposed?
4. Do you agree that there should be an exception from supervision if the notary has already fulfilled the supervision requirements of the regulator of another profession of lawyer authorised to conduct conveyancing or probate and the Master considers such prior supervision to have been satisfactory?
6.
  - (a) Do you consider that when a notary is released from supervision that the notary be selected for a mandatory inspection or would this be disproportionate?
  - (b) Should an early mandatory inspection be limited to notaries' probate and conveyancing work?
  - (c) If there is to be an early mandatory inspection, how early is it to be: within the first year, within the first three years or some other period?
7. Do you have any comments about the way in which the proposed rules have been drafted?
8. Do you think that there needs to be any additional questions in the template reports in the schedule to the draft rules asked of supervisor which are specific to conveyancing or probate work?
9. Should the Faculty Office consider any other changes to the supervision framework contained in the proposed rules?
10. Do you think that the changes will impact adversely notaries (or indeed consumers) who have protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation). If so, in what way?

## HOW TO RESPOND

Please respond in writing by 5pm on Thursday 9<sup>th</sup> April 2026 to The Faculty Office:

By email to:

[consultations@1thesanctuary.com](mailto:consultations@1thesanctuary.com)

Please put "SUPERVISION CONSULTATION" in the subject line of your email

FACULTY OFFICE

February 2026