



## ADVISORY BOARD

Hybrid meeting held in person and via Zoom on Tuesday 10 March 2026 at 11 am

at 1 The Sanctuary Westminster SW1P 3JT

- Present (In Person): Michael Heap, (MH) Acting Chair  
Robert Kerss (RK)  
Michael Lightowler (ML)  
David Pope (DP)  
Elaine Standish (ES)
- Present (Online): Claire Curtis-Thomas (CCT)  
Christopher Matthews-Maxwell (CMM)  
Robin Williams (RW)
- In attendance: Howard Dellar, Registrar (HJD)  
Ian Blaney, Deputy Registrar (IB)  
Neil Turpin, Chief Clerk (NT)  
Mili Bhanji, Deputy Chief Clerk (MB)  
Jaymisha Tailor, Administrator (JT)

## AGENDA PART I – open issues

### 1. Apologies for absence

Apologies were received from Iain Ostrowski-Rogers

### 2. Minutes of last meeting

#### a. Approval of minutes

The minutes of the meeting held on 09 December 2025 were approved as a true and accurate record, subject to an amendment at 4(e) on Draft Digital Standards, which read as follows:

*It was observed that the requirements are based on HM Land Registry guidance, and that while that guidance uses wording “you must”, it was suggested this could be changed to “you should” in order to provide a “safe-harbour” as intended.*

This is to be corrected to:

*It was observed that the requirements are based on HM Land Registry guidance, and that while that guidance uses wording “you must” to establish a “safe-harbour”, using alternate language such as “you should” may not provide the safe harbour as intended.*

In other words, compliance framed as a recommendation rather than a requirement may leave the notary without protection that the guidance seeks to provide.

The Board agreed the alternate wording.

#### **b. Confirmation of documents uploaded to website**

The Minutes of the meeting held on 09 December 2025 were confirmed as uploaded to the website [Board & Council Meetings - The Faculty Office](#). The amended version shall be published.

### **3. Matters arising not otherwise on the agenda**

CCT reported that she has been in contact with Jess Phillips MP, Secretary of State at the Home Office, regarding electronic signatures and e-apostille, in the context of married women not being able to use their professional name if different from their married name. CCT provided Jess Phillips with a broad description of the challenges faced and has requested a note from the Faculty Office outlining the issue and specifying the objectives we hope to achieve. The Faculty Office agreed to providing a note for this purpose.

Elaine explained that a Digital Names Committee has been established, for this purpose. The Committee has produced a summary report outlining the current status, and two test cases are currently in the implementation stage with the Passport Office. Elaine kindly offered to put Claire in touch with the committee.

### **4. Faculty Office updates**

#### **a. Future of Notarial Work working party – notes of last meeting**

The Board considered the meeting notes of the Future of Notarial Work.

The principal item on the agenda is to encourage notaries to store documents digitally upon retirement or departure from the profession, and to consider how records could be deposited. The working group examined best practice and concluded that, rather than creating formal rules and regulations, the Faculty Office could provide guidance that includes examples of good practice, which could then be disseminated to notaries.

ML expressed concern that NotarySafe is not been fully utilised or actively promoted. He noted that some users find NotarySafe difficult or not intuitive. ML highlighted that he personally finds it easy to use, and that deletion of records at the end of the relevant period is straightforward. He also noted that NotarySafe has additional functionality for storing records indefinitely and suggested that attempts to create alternative solution may risk ‘re-inventing the wheel’.

ES expressed a similar view, noting that the majority of notaries do use NotarySafe. However, she explained that she would like the rules to be changed to specify a finite period for how long records are stored.

NT explained that an issue can arise where a notary dies while still in practice. Although occurrences are rare, there have been instances where records of the deceased notary could not be located. This has created difficulties, particularly where access to those records is required.

The question remains as to whether a fixed term retention period is desirable, together with clarity on responsibility for associated costs and the practicalities of implementation, particularly given then volume of paper records requiring conversion to electronic format. It was asked whether the Faculty Office has any statutory duty in this regard. It was confirmed that there is no legal obligation to preserve such records, although doing so would be in the public interest.

The Annual costs of NotarySafe is £144 (£12 a month), irrespective of the volume of the data stored. The Society retains control of the software, and the individual operating it acts as custodian of the files.

A secondary point arising from that meeting concerned the Assisted Dying Bill, which is currently in Standing Committee in the House of Lords and may fall due to the parliamentary timetable. Notwithstanding this, it was considered worthwhile to write to the Chair of the Committee to raise any concerns, set out our views and seek clarity in the event that the Bill becomes law. It was noted that Jersey has recently approved assisted dying within its legislature.

Cari Hyde-Vaamonde, member of the working group had offered to instruct a cohort of students from the University where she works, to devise a computer program for the Faculty office, namely a “hackathon” aimed at improving accessibility to regulatory guidance, for example through a chatbot interface. This has not yet been taken forward by the Faculty Office but may be a viable option for consideration.

#### **b. AI working party – notes of last meeting**

The Main item of the meeting was to explore the extent to which notaries are currently using technology and the role of the Faculty Office in this area. The group expressed the view that it is for the regulator to set the appropriate standards.

#### **c. Draft Digital Standard for Verifying Identity**

This item was discussed in detail at the previous Advisory Board meeting, and the feedback was subsequently considered by the working group. Jonathan Hewitt has written to IB proposing amendments to the digital standards to reflect the feedback. IB will consider the proposed changes.

#### **d. Notaries Accounts Rules**

An application for the rule change will be submitted to the LSB for approval before Easter.

#### **e. Draft Notaries (Post Admission Supervision and Training) Rules – Consultation**

The Faculty Office have published a consultation paper, reviewing changes to the rules. The consultation closes on 9<sup>th</sup> April 2026.

#### **f. Review of Insurance arrangements for notarial practices**

Consultation on insurance arrangements is expected to go live in early summer.

#### **g. Draft chapters on Electronic Documents and Remote Appearance - response to consultation**

The Faculty Office launched consultation on the Draft Chapters on Electronic Documents and Remote Appearance, receiving twenty responses. The feedback ranged from opposing any use of virtual appearances to providing detailed comments on the wording of the text.

It was noted that ensuring that documents are signed correctly and handled appropriately has been a discussion point for numerous notary associations worldwide. The aim is to establish a reasonable and sensible standard that is comprehensive. It is important to communicate this guidance to the notarial community, and it was suggested that the Faculty Office could consider sharing its consultation response with other notarial associations globally, who regard us as the leaders in this area, to see if they reach similar conclusions.

In response to this, it was acknowledged that the fundamental requirement is ultimately to ensure that the document is accepted by the relevant third party. Concerns were raised regarding sharing the consultation response overseas. It was emphasised that any guidance must be accurate and should not diminish our position.

#### **h. Faculty Office response to LSB EDI consultation**

The Board considered the Faculty office response to the LSB EDI consultation.

It was noted that, in preparing this response, a meeting had been arranged with other regulators, and we were able to review their draft responses. It appears that views are generally aligned.

The Board collectively approved the response.

### **5. Board Training needs**

Board members were invited to suggest any training needs.

Suggestions included attending Notaries Society and Scrivener Society events, as well as shadowing a notary or visiting a notary office. The Faculty Office agreed to put members in touch with notaries in their locality.

Notwithstanding that this Board is not a conventional Board, reference was made to the Financial Reporting Council's Corporate Governance Code, which provides guidance on Board's effectiveness. This guidance is not intended to be prescriptive but may encourage best practice.

Training needs will be reviewed in 2027.

### **6. Review of the Legal Services Board: call for evidence -**

<https://consult.justice.gov.uk/digital-communications/legal-services-board-public-bodies-review/>

The Board considered The Legal Services Board call for evidence.

The government has launched a review of the Legal Services Board (LSB) to ensure current regulatory arrangements are effective and do not duplicate initiatives of frontline regulators. The last review of the LSB was completed in 2017 and there have been significant developments in the legal sector since. The review will consider the LSB's statutory remit, its strategic clarity, governance and accountability arrangements, and the LSB's current capabilities.

It will also assess how the LSB and the Ministry of Justice should work together to deliver value for money and ensure sufficient focus is maintained on the evolving priorities of legal services consumers and the wider sector. The Consultation closes on 10 March.

The Master proposed that a provisional response be submitted by the Faculty Office initially, followed by a substantive response and a request for a formal meeting to discuss the uniqueness of the regulation.

## **7. Review of Policies:**

### **a. Complaints policy**

The Board considered the existing Complaints Policy.

The following points and suggestions were raised:

- How does one make a complaint about the Registrar? It was confirmed that clause 12 of the policy provides that complaints concerning the Registrar should be reported to the Master of Faculties. It was suggested that the Master's email address could be included for ease of contact.
- Language of the policy ought to be gender neutralised.
- Guidance link on page 3 needs to be corrected
- Timeframes for acknowledging complaints to be included.
- Retitle to differentiate between FO complaints and Notaries complaints
- To include the circumstances in which a request can be made for the Master of Faculties to review a complaint, and to provide associated timescales.

The Policy will be revised and presented at the next meeting.

### **b. Transparency policy –**

The Board considered the existing Transparency Policy.

A question was raised regarding how decisions are made on what constitutes confidential information, noting that items could be commercially sensitive or in development and therefore not suitable for disclosure.

It was suggested that the Transparency Policy and the Publishing Policy could be combined.

### **c. Whistleblowing policy**

The Board considered the existing Whistleblowing Policy

Suggestions for improvement:

- Review of the complaints and discipline page on the website and a review of what each section does.
- Under the heading '*concerns about notaries*' a different link is required.

### **d. Publishing policy**

The Board considered the existing Publishing Policy

The following points were raised for consideration:

- To combine it with the Transparency policy
- Access by third parties to data

- Whether a social media policy is required if we make references to Twitter, for example.

#### **e. Consultations policy**

The Board considered the existing Consultation Policy

No comments or suggestions for improvement were reported.

### **8. Law-tech/AI not otherwise on the agenda**

ML reported that the Hague Convention on Private International Law organises a forum every three to four years to discuss electronic apostilles. This is an important discussion point and requires review. A number of countries have now adopted electronic apostilles, which makes the process quicker and more cost-effective.

However, there is a concern that not enough member countries are willing to accept electronically signed documents and apostilles. When enquiries are made, the reasons given include a lack of trust in technology or that their own jurisdiction does not recognise electronic signatures, resulting in a return to paper-based processes.

The advantage of the forum, to be held later this year, is the opportunity to discuss with delegates why their countries do not accept electronic formats. Once the reasons are understood, appropriate safeguards can be introduced.

The forum is scheduled for 12 May in Marrakech, Morocco. ML will attend and report back to the Board at the next meeting. [HCCH | 14th International Forum on the e-APP](#)

### **9. AML/OPBAS matters – general update**

MB reported on the following AML updates:

- HM Treasury has published a survey in preparation for the UK's 2027 mutual evaluation by the Financial Action Task Force (FATF), to demonstrate the strength of the UK's AML and CTF framework. Firms with exposure to terrorist or proliferation financing risks are encouraged to participate. The survey closes on 31 March 2026.
- The Financial Action Task Force (FATF) has recently published a horizon-scanning report, which provides a forward-looking perspective of current and potential Artificial Intelligence and Deepfake technology related risk and trends.
- OPBAS has published its findings following their recent assessment. The Faculty Office has generally shown improvements in the majority of areas assessed. There remain some action points and a few sticking points. MB is currently reviewing the report and will respond to the recommendations made.
- Within the assessment findings, OPBAS noted that there is insufficient engagement with notaries and a lack of analysis of the guidance shared. They recommend implementing some form of assessment to ensure that notaries have understood and applied the guidance shared.
- AML Reform – we have some contact with the FCA and in the process of arranging a meeting in due course. At the meeting, we will seek details of any residual responsibilities and expectations for AML compliance that may be required once the handover takes place. For the time being, we remain the regulator and continue to

maintain our economic crime objectives, including compliance with the sanctions regime and intelligence sharing.

- The LSAG guidance has been recently updated.

**10. Any other urgent business**

None to report

**11. Dates of next meetings**

9 June 2026 (in person)

1 September 2026 (hybrid)

8 December 2026 (in person)

AGENDA PART II – closed issues

None