

CLC Annual Regulatory Return 2018

A Introduction

A1 **Welcome to the CLC's Annual Regulatory Return.**

You have been asked to participate in this online Return as you have been identified as a key decision-maker within your firm. The information you provide will help the CLC to better understand its members and to ensure it continues to meet their needs.

It is a regulatory requirement for all firms regulated by the Council for Licensed Conveyancers (CLC) to complete the Annual Regulatory Return.

When completing the Return, please answer with regards to the last completed PII year – that is the one on which you reported to PI insurers at the time of renewal in June, unless the question specifies otherwise.

All answers provided in this Return will be treated in strict confidence and used by the CLC for regulatory purposes only. The CLC will publish analysis of aggregate information that does not allow individual firms to be identified but that informs the regulated community and policy makers about trends in the practice of conveyancing and probate.

When completing the Return, please only use the 'next' button on the page rather than the 'back' and 'forward' buttons in your browser. The Return takes about 30 minutes to complete. If you are ready to begin please start by clicking 'Next' below.

If you need to exit the Return, you can come back to it to continue your answers from where you left off at a later stage by clicking the original link we sent you. Please don't share this link with anyone else as it is your own unique invitation.

The CLC reminds you that it is your regulatory responsibility to complete and submit the Return on time.

Please use this document for reference only and complete the online return, using the link you were sent via e-mail.

- A2 **How many full time equivalent employees are employed by your organisation? Please enter the number of employees for the following job roles:**

Fee-earners - qualified <i>(Fee-earners are defined as those providing legal services direct to the client)</i>	
Fee-earners - unqualified	
Admin and support staff	

- A3 **Please enter your firm's trading name(s) registered with the HM Land Registry.**

Please enter up to four names below.

Account 1:	
Account 2:	
Account 3:	
Account 4:	

- A4 **What proportion of your organisation's transactions are conducted in the following types of work?**

Please enter a percentage from 0 to 100% for each type of work, with the total proportion summing to 100%

Residential conveyancing (sale or purchase)	1
Re-mortgaging	2
Equity release	3
Commercial conveyancing	4
Will-writing	5
Probate	6
Other (please specify)	7

- ANSWER IF CARRY OUT ANY CONVEYANCING (RESIDENTIAL AND/OR COMMERCIAL)
- A5 **Thinking about your organisation's conveyancing work (excluding remortgage) undertaken in the year to June 2018, in what proportion of transactions did your organisation act for both sides?**

Please enter a percentage.

%

If you work for one side only please tick here: _____

- ANSWER IF CARRY OUT ANY CONVEYANCING (RESIDENTIAL AND/OR COMMERCIAL) AND/OR WILL-WRITING AND/OR PROBATE AND/OR EQUITY RELEASE
- A6 **Thinking about the prices your organisation charged for its services during 2017/18, did they increase, decrease, or stay the same, compared to the preceding year?**

Please specify by the type of work listed below.

	Increase	Decrease	Stay the same
Conveyancing	1	2	3
Re-mortgaging	1	2	3
Equity release	1	2	3
Will-writing	1	2	3
Probate	1	2	3

- A7 **To what extent do you agree or disagree with the following statement:**

"During 2017/18, my organisation felt pressure to reduce prices charged to clients for its services".

Please select one option only.

Strongly agree	1
Slightly agree	2
Neither agree nor disagree	3
Slightly disagree	4
Strongly disagree	5

ANSWER IF CARRY OUT CONVEYANCING (RESIDENTIAL AND/OR COMMERCIAL) AND/OR WILL-WRITING AND/OR PROBATE AND/OR EQUITY RELEASE

- A8 **Now thinking about the next 12 months, do you think that your organisation will increase or decrease the prices of its services, or will they stay the same?**

Please specify by the type of work listed below.

	Increase	Decrease	Stay the same
Conveyancing	1	2	3
Re-mortgaging	1	2	3
Equity release	1	2	3
Will-writing	1	2	3
Probate	1	2	3

ANSWER IF A8 = ANY INCREASE IN PRICES FOR EACH TYPE OF WORK

- A9 **You mentioned that you think your organisation will increase its prices in the next 12 months. How likely do you think that your organisation will increase its costs?**

	Very likely	Fairly likely	Not very likely	Not at all likely	Don't know
Conveyancing	1	2	3	4	5
Re-mortgaging	1	2	3	4	5
Equity release	1	2	3	4	5
Will-writing	1	2	3	4	5
Probate	1	2	3	4	5

ANSWER IF A8 =ANY DECREASE IN PRICES FOR EACH TYPE OF WORK

- A10 **You mentioned that you think your organisation will decrease its prices in the next 12 months. How likely do you think that your organisation will decrease its prices?**

	Very likely	Fairly likely	Not very likely	Not at all likely	Don't know
Conveyancing	1	2	3	4	5
Re-mortgaging	1	2	3	4	5
Equity release	1	2	3	4	5

Will-writing	1	2	3	4	5
Probate	1	2	3	4	5

A11 **Now thinking about your organisation's volume of work overall in the next 12 months, do you expect that it will grow, shrink or stay the same?**

Please select one option only.

Grow	1
Shrink	2
Stay the same	3

A12 **You mentioned that you expect your organisation to <response to A11> over the next 12 months. To what extent has 'Brexit' affected your answer?**

Please select one option only.

A great deal	1
A fair amount	2
Not very much	3
Not at all	4
Don't know	5

ANSWER IF 'DON'T KNOW' NOT SELECTED AT A12

A13 **To what extent did 'Brexit' have a positive or negative impact on your answer?**

Please select one option only.

Very positive	1
Slightly positive	2
Neither positive nor negative	3
Slightly negative	4
Very negative	5

The next few questions are about your perceptions of the CLC's website and newsletter.

A14 **How often do you visit the CLC website?**

Please select one option only.

More than once a week	1
Approximately once a week	2
Approximately once a fortnight	3
Approximately once a month	4
Less than once a month	5
Never	6

ANSWER IF VISIT THE WEBSITE AT LEAST ONCE A MONTH

A15 **What do you use the website for?**

Please select all that apply.

Check the Code and Guidance	1
Look for CPD training	2
Respond to CLC consultations	3
Submit license applications, etc.	4
To check the status of the licensed conveyancer on the other side of a transaction	5
To check news updates	6
Other (please specify)	7

ANSWER IF VISIT THE WEBSITE AT LEAST ONCE A MONTH

A16 **How would you rate the CLC's website overall?**

Please select one option only.

Very good	1
Good	2
Adequate	3
Poor	4
Very poor	5
Don't know	6

A17 **Do you read the CLC's e-newsletter?**

Please select one option only.

Yes	1
No	2

ANSWER IF YOU READ THE CLC'S E-NEWSLETTER, A17 = YES

A18 **And how would you rate the CLC's e-newsletter overall?**

Please select one option only.

Very good	1
Good	2
Adequate	3
Poor	4
Very poor	5
Don't know	6

The next few questions are about your perceptions of the CLC's staff.

A19 How helpful do you find the CLC's staff?

Please select one option only

Very helpful	1
Helpful	2
Adequate	3
Unhelpful	4
Very unhelpful	5
Have not had direct contact	6

ANSWER IF A19 = HAVE HAD DIRECT CONTACT

A20 Thinking about the last time you had direct contact (e-mail, phone or in person) with CLC staff, how satisfied were you with the information or support that you received?

Please select one option only.

Very satisfied	1
Satisfied	2
Neither satisfied nor dissatisfied	3
Dissatisfied	4
Very dissatisfied	5
Have not had direct contact	6

A21 **Overall, how well do you feel the CLC keeps you up to date with what's expected of you as a regulated individual / business?**

Please select one option only.

Very well	1
Well	2
Adequately	3
Poorly	4
Very poorly	5
Don't know	6

The next few questions are about your perceptions of how well the CLC understands your firm.

A22 **How well do you feel that the CLC understands your business and the challenges you face?**

Please select one option only.

Very well	1
Quite well	2
Has a basic understanding	3
Not particularly well	4
Not at all	5
Don't know	6

A23 **What level of support does the CLC provide you in achieving compliance with regulation?**

Please select one option only.

Provides exemplary support	1
Provides good support	2
Provides adequate support	3
Provides little support	4
Provides no support	5

ANSWER IF YOU FEEL THE CLC DOES NOT PROVIDE ENOUGH SUPPORT, A23 = 4/5

A24 **What could the CLC do to support you better?**

Please write your answer in the space below.

The next few questions ask about your perceptions of the CLC’s performance against its objectives.

A25 **To what degree do you feel that the regulatory standards set by the CLC achieve their aim of promoting innovation and growth of legal business while also protecting the consumer?**

Please select one option only.

Fully achieve the aim	1
Mostly achieve the aim	2
Somewhat achieve the aim	3
Do not quite achieve the aim	4
Do not achieve the aim at all	5
Don’t know	6

ANSWER IF YOU FEEL THE AIM IS AT LEAST MOSTLY ACHIEVED, A25 = 1 / 2

A26 **Why do you feel that that the regulatory standards set by the CLC achieve their aim of promoting innovation and growth of legal business while also protecting the consumer?**

Please select all that apply.

They are outcomes focused and not rule based	1
They allow flexibility of practice	2
Guidance enables me to see how to achieve what I want to achieve	3
They are tailored to my area of practice	4
Other (please specify)	5
Don't know	6

ANSWER IF YOU FEEL THE AIM IS NOT ACHIEVED, A25 = 4 / 5

A27 **Why do you feel that that the regulatory standards set by the CLC do not achieve their aim of promoting innovation and growth of legal business while also protecting the consumer?** *Please select all that apply.*

Rules would make compliance less time consuming than an outcomes focus	1
The Handbook gets in the way of innovations I would like to make	2
Guidance from the CLC does not make clear what I need to achieve	3
The Handbook does not take account of the specifics of my area of practice	4
Other (please specify)	5
Don't know	6

A29 **Overall, how beneficial do you feel that being regulated by the CLC is to you or your business?**
Please select one option only.

Extremely beneficial	1
Mostly beneficial	2
Of some benefit	3
Of little benefit	4
Of no benefit at all	5
Don't know	6

ANSWER IF YOU FEEL REGULATION BY THE CLC IS BENEFICIAL, A29 = 1 / 2

A30 **Why do you feel that being regulated by the CLC is of benefit to you or your business?**
Please select up to three options.

CLC regulation is a mark of quality recognised by lenders	1
CLC regulation is a mark of quality recognised by consumers	2
The CLC's specialist regulation is tailored to my practice needs	3
Other (please specify)	4
Don't know	5

ANSWER IF YOU FEEL REGULATION BY THE CLC IS NOT BENEFICIAL, A29= 4/5

A31 **Why do you feel that being regulated by the CLC is not of benefit to you or your business?**
Please select up to three options.

I have had difficulty accessing lender panels because I am CLC regulated	1
Consumers do not recognise the Licensed Conveyancer brand	2
Compliance with the CLC Handbook is overly onerous	3
Other (please specify)	4
Don't know	5

The next couple of questions are about your firm's website.

A32 **Does your organisation have a website?**

Yes	1
No	2

ANSWER IF ORGANISATION HAS A WEBSITE, A32 = YES

A33 **Which level(s) of functionality does your organisation's website offer?**

Please select all that apply.

Brochure only website	1
Offers pricing information on our services	2
Offers a quote generator tool for prospective clients	3
Offers access to an online portal e.g. for clients or prospective clients to upload documents	4
Client testimonials	5
Data from online review platforms such as TrustPilot or Feefo with client feedback about our service	6
Other (please specify)	7

ANSWER IF USE DATA FROM ONLINE REVIEW PLATFORMS, A33 = 6

A34 **Which independent online review platform(s) do you use to promote your organisation?**

ANSWER IF DO NOT USE DATA FROM ONLINE REVIEW PLATFORMS, A33 ≠ 6

Do you make use of an independent online review platform more generally to promote your organisation?

Please select all that apply.

TrustPilot	1
Feefo	2
Google Reviews	3
Other (please specify)	4
None	5

The next set of questions are about any instances of fraud your organisation may have experienced in 2017.

A35 **Has your organisation been the victim of fraud in 2017? (Please tell us about definite cases of fraud, not suspicions).**

Yes	1
No	2
Not sure	3

ANSWER IF NO CONFIRMED FRAUD, A35 = 2 / 3

A36 **Do you suspect that your organisation has been the victim of fraud in 2017?**
Please select one option only.

Yes	
No	

ANSWER IF A35 = YES

A37 **How many instances of *confirmed* fraud has your organisation experienced?**

ANSWER IF A36 = YES

A38 **How many instances of *suspected* fraud do you think your organisation has experienced?**

ANSWER IF A35 = YES

A39 **Roughly how much money did confirmed instances of fraud cost your organisation in 2017?**

Please enter a figure rounded to the nearest pound.

£

ANSWER IF A36 = YES

A40 **Roughly how much money do you think the suspected instances of fraud cost your organisation in 2017?**

Please enter a figure rounded to the nearest pound.

£

ANSWER IF A35 = YES

A41 **Thinking of the last fraudulent case that your organisation experienced in 2017, did this lead to you making an insurance claim?***Please select one option only.*

Yes	1
No	2
Don't know	3

ANSWER IF A41 = YES

A42 **And to what extent did your insurer pay out the insurance claim?***Please select all that apply.*

Paid out in full	1
Partial pay out	2
No pay out received	3
Don't know	4

ANSWER IF PARTIAL PAY OUT OR NO PAY OUT RECEIVED, A42 = 1 / 2

A43 **You mentioned that your organisation did not receive the full insurance pay out. Please specify why the claim was not paid in full:**

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A44 **Has your organisation stopped any instances of *attempted* fraud in 2017?**

Please select one option only.

Yes	1
No	2
Not sure	3

ASK IF ORGANISATION STOPPED ANY INSTANCES OF ATTEMPTED FRAUD IN 2017, A44 = YES

A45 **How many instances of *attempted* fraud has your organisation stopped in 2017?**

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A46 **Did staff receive training on anti-fraud measures during 2017?**

Please select one option only.

Yes, all relevant staff received training	1
Yes, some relevant staff received training	2
No	3

ANSWER IF RECEIVED ANTI-FRAUD TRAINING, A46 = YES

- A47 **Was the anti-fraud training delivered in-house or by an external organisation?**
Please select one option only.

In-house	1
External organisation	2
Both	3

- A48 **How many first-tier complaints (i.e. those made directly by clients) did your organisation receive in 2017?**

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ANSWER IF EXPERIENCED FIRST-TIER COMPLAINT, A48

- A49 **Of the complaint(s) you received, how many were resolved? And how many were referred to the Legal Ombudsman?**

Resolved	
Referred to the Legal Ombudsman	
Unresolved	

The next set of questions are about the equality, diversity and inclusion practices within your firm.

A50 **Does your firm monitor the characteristics of its workforce? By characteristics we mean things such as gender and ethnic background.**

Please select one option only.

Yes	1
No	2
No, I am a sole practitioner with no employees	3

ANSWER IF MONITOR CHARACTERISTICS, A50 = YES

A51 **Which characteristics does your organisation monitor?**

Gender	1
Age	2
Ethnicity	3
Religion	4
Disability	5
Sexual orientation	6
None of these	7
Prefer not to say	8

ANSWER IF MONITOR CHARACTERISTICS, A50=YES

A52 **What measures did your organisation take to ensure equality and monitor diversity among its staff during the year?***Please select all that apply*

Job applicants are asked to complete an equality and diversity form	1
New starters are asked to complete an equality and diversity form	2
Staff are asked to complete an equality and diversity form on promotion	3
There is a regular equality and diversity employee survey	4
No formal measures are taken, but we try to consider issues of equality and diversity when making decisions about our staff	5
Other (please specify)	6

ANSWER IF DO NOT MONITOR CHARACTERISTICS, A50 = NO / DON'T KNOW

A53 **You mentioned that you do not currently monitor equality, diversity or inclusion within your firm. Would you find it helpful if the CLC provided a template survey for you to capture this information?**

Yes	1
No	2
Don't know	3

A54 **Approximately what proportion of your staff were women in 2017?***Please enter a percentage from 0 to 100% where appropriate*

All staff (including managerial staff)	
Managerial staff only	

The next few questions are about the *Dreamvar (UK) Limited v Mischon De Reya* case.

The recent Court of Appeal judgment in the *P&P* and *Dreamvar* cases raised concerns about fraud in conveyancing transactions and ID checks carried out on sellers.

A55 **What impact has the *Dreamvar* case had on quality assurance and identity check practices within your firm?**

Please select one option only.

Significant impact on our practices	1
Moderate impact on our practices	2
Little impact on our practices	3
No impact on our practices to date but may do so in future	4
No impact on our practices to date and do not expect any impact in future	5
Don't know	6

ANSWER IF ANY CHANGES AS A RESULT OF THE CASE, A55=1-3

A56 **Which of the following, if any, apply to your firm in light of the *Dreamvar* case?**

Please select all that apply.

Increased checks on our own clients	1
Seek greater assurance of ID checks carried out by the other side	2
Provide more details to the other side of ID checks we have undertaken on our clients	3
Other (please specify)	4

A57 **Do you or will you ask lawyers at other firms for additional assurance on the identity of their clients?**

Please select one option only.

Yes – already taking place	1
Yes – we plan to but we have yet to ask	2
No	3
Don't know	4

ANSWER IF TAKEN / PLAN TO ASK LAWYERS FOR IDENTITY ASSURANCE, A57 = 1/2

A58 **What additional identity assurances have you sought / will you seek?**

Please type in your answer below.

A59 **Have lawyers at other firms asked you for additional assurance on the identity of your clients?**

Please select one option only.

Yes	1
No	2
Don't know	3

ASK IF OTHER LAWYERS HAVE ASKED FOR IDENTITY ASSURANCE, A59 = 1

A60 **You mentioned that other firms have asked you to provide additional identity assurances for your clients. Do you comply with their request?**

Please select one option only.

Yes – in all cases	1	
Yes – in some cases	2	
None to date	3	
Don't know	4	

ANSWER IF OTHER LAWYERS HAVE ASKED FOR IDENTITY ASSURANCE, A59= YES

A61 **What additional identity assurances have lawyers at other firms asked you to provide?**

Please write in your answer below.

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A62 **How confident are you that your organisation is compliant with the requirements of GDPR?**

Please select one option only.

Not confident at all	1	
Fairly unconfident	2	
Fairly confident	3	
Very confident	4	
Don't know	5	

A63 To what extent do you agree or disagree with the following statement:

‘I aware of the new requirements for lawyers to provide more information about the nature, quality and price of their services to potential clients’.

Please select one option only.

Strongly disagree	1	
Disagree	2	
Neither agree nor disagree	3	
Agree	4	
Strongly agree	5	

A64 **We are nearing the end of the Return. Thinking about your organisation overall, what are the greatest risks confronting your organisation over the next 12 months?**

Please type your answer in below.

A65 **And what are the greatest opportunities open to your business over the next 12 months?**

Please type your answer in below.

A66 **Do you have any suggestions as to how the CLC might improve the way in which we exercise our regulatory functions?**

Please type your answer in below.

A67 **Please use this space to make any comments or add any other information you feel may be of relevance.**

Please type your answer in below.

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A68 **Thank you for completing the CLC's Annual Regulatory Return.**

I confirm the information provided in this Annual Regulatory Return is true, accurate and complete, and that all material information has been provided.

Name:	
Role within the licensed organisation:	
Date:	