

INTRODUCTION

Applicants should always refer to the published [CLC Exemptions Policy](#), the [CLC handbook](#), [HoLP and HoFA occupational experience](#); and then read this guidance BEFORE [requesting an individual application form](#).

You will be charged the application and suitability screening fees on submission of your application so please read the this document in full before submission to ensure that you have met all eligibility criteria and have all the relevant verified documentation.

Application and suitability screening fees are non-refundable. Your application will be rejected if it is incomplete or the evidence provided does not demonstrate you have met the eligibility criteria.

This universal guidance is for individuals intending to submit an application for one of the following:

1. CLC Conveyancing Licence;
2. CLC Probate Licence;
3. CLC Conveyancing and Probate Licence;
4. Change the scope of a current CLC Licence (add Conveyancing or Probate to an existing licence)
5. Reinstating a [expired](#) or [suspended](#) licence;
6. Head of Legal Practice (HoLP); and
7. Head of Finance and Administration (HoFA).

Applicants seeking to apply:

1. For a CLC licence, licensed by an Approved Regulator other than the CLC, should complete and submit the entire application form.
2. Individuals wishing to change the scope of a current CLC Licence, for example individuals seeking to add conveyancing or probate practising rights onto an existing valid and current licence, should complete and submit the entire application form.

Individuals that are subject to ongoing criminal investigation/action, regulatory disciplinary investigations, action or appeal processes with any enforcement or regulatory body are not able to pursue a licensing application until the outcome of the adverse event is known. This extends to:

1. Solicitors, FCILEx lawyers, Legal Professionals or FCA regulated Financial Controllers
 - a. with unspent suspensions/disqualifications;
 - b. That have been removed from the Solicitors roll/CILEx or FCA register as a result of disciplinary findings and who have not yet had their licence reinstated.
2. Owners, Directors, Members, Partners, HoLP and HoFA of CLC regulated practices that have been formally notified that the practice is in continued non-compliance and or subject to disciplinary allegations, investigations or proceedings.

SECTION 1: Making the right application

1. CLC LICENCE

The CLC issues three types of licence, (i) Conveyancing, (ii) Probate and (iii) Conveyancing and Probate Licence. Applicants are required to satisfy the Council that they are a fit and proper

person to be granted a licence in accordance with section 15(1) of the Administration of Justice Act 1985.

2. CLC LAWYERS SEEKING TO REINSTATE A SUSPENDED LICENCE AFTER A PERIOD OF DISQUALIFICATION:

The CLC's overriding principle when approving applications to reinstate a licence is that the applicant must intend to work in a supervised and not supervisory capacity for the licence duration. When you have been subject to regulatory action and/or a disciplinary sanction you may be asked to provide details of what action you have taken to improve your knowledge and de-risk your practise.

[FAQs reinstating a expired Licence](#)

[FAQs reinstating a suspended licence](#)

3. DUAL AND CROSS QUALIFYING PROFESSIONALS

- Solicitors, FCILEx, F.NALP and F.P.NALP lawyers (with a valid practising certificate free from conditions) that have completed conveyancing and probate electives
- Candidates that have successfully completed CILEx/Paralegal/Solicitor Apprenticeships at Level 6 and 7 (with conveyancing or probate pathways)
- Step Practitioners that have achieved either: the STEP Diploma in Trusts and Estates - England & Wales or the STEP Diploma in Will Preparation - England & Wales

Please refer to the published [CLC Exemptions Policy](#) and **Cross Qualifying Policy** on the CLC website [HERE](#). Cross qualifying applicants will be ask to provide the additional supporting documentation as part of the formalities of applying for a CLC licence.

- a. 1200 occupational experience independently verified on a Statement of Practical Experience ([conveyancing](#) or [Probate](#))

- b. Evidence of completed CPD activity that meets the standard annual CPD requirements set for CLC lawyers. Please see the CLC CPD Policy [HERE](#)
- c. A copy of the most recent training record.

If you are unable to fulfil either the educational, work experience or CPD requirements please contact the CLC Licensing team by email at licensing@clc-uk.org and include in the subject heading: 'Dual/Cross qualifying applicant: CLC licence enquiry'.

4. RECOGNITION OF REGISTERED MANAGERS APPOINTED AT CLC REGULATED PRACTICES

A 'Registered Manager' is defined as an individual who has been appointed at a **CLC regulated practice** as one of the below:

- a. if the body is a limited company, a director (shareholding and no-shareholding) registered at Companies House; or
- b. if the body is a Limited Liability Partnership, an LLP member registered at Companies House; or
- c. if the body is a partnership, a person held out as a partner who may be an equity or salaried partner e.g. listed as a partner on the Practice's headed paper or website; or
- d. Sole Proprietor, who is by default a Sole Practitioner under CLC rules; or
- e. Private or Corporate Investors (Beneficial Owners)

It is the responsibility of the CLC regulated practice to notify the CLC licensing team when it appoints individuals in any of the above positions of care and control. The practice should email licensing@clc-uk.org to make notification. The email should also contain the individuals contact details so that the appropriate be issued to them from the Docusign platform.

In order for the CLC to recognise appointees as a Registered Manager, CLC practice must request the application these individuals are required to pay for and complete the CLC's

suitability screening, including financial, sanctions, disciplinary and criminality checks necessary for the CLC to list their Registered Manager status on its CLC Public Register.

With the exception of 'e', the above appointees must, as a result of their care and control accountabilities in the business, be listed on the CLC Public Register as a Registered Manager.

5. LICENCE APPLICANTS SEEKING TO QUALIFY AS A CLC LAWYER WHILST LIVING OUTSIDE OF ENGLAND AND WALES.

With agreement from an SQA/CLC approved training centre prospective CLC trainees can study and complete their Diplomas and assessments (assignments and examinations) whilst living outside of England and Wales. CLC trainees can also complete the 1200 hours Practical Training requirement whilst living outside of England and Wales when employed by business that is *a body*.

1. licenced by a Regulator in England and Wales to provide conveyancing and or probate legal services in England and Wales
2. registered with a primary trading address in England or Wales; and
3. indemnified under a regulatory Professional Indemnity Insurance scheme approved by a regulator of legal services in England and Wales.

Important notes.

- a. Licence applicants will be asked to provide a letter (on headed paper or from an organisational email address) from their employer to verify the supervision arrangements.
- b. licence applicants living outside England and Wales will be required to complete criminality checks based in the jurisdiction of their residing country. These checks will incur additional fees charged by the screening agency, Giant Group, and are payable by the applicant and may take longer than UK based checks to complete.

- c. The validity of a CLC licence held whilst living outside of England and Wales is dependent on verified current employment by a body that meets points 1,2 and 3 above.
- d. CLC lawyers are required under the Notifications Code to ensure the CLC has up to date employment contact details at all times

6. CLC LICENCE HOLDERS SEEKING TO PROVIDE LEGAL SERVICES WHILST LIVING OUTSIDE OF ENGLAND AND WALES.

CLC licence holders are permitted to provide legal services whilst living outside of England and Wales whilst they hold a current and valid licence when they are employed by a business that is *a body*.

- 1. licensed by a Legal Regulator in England and Wales to provide conveyancing and or probate legal services in England and Wales;
- 2. registered with a primary trading address in England or Wales; and
- 3. indemnified under a Professional Indemnity Insurance scheme approved by a regulator of legal services in England and Wales, such as the CLC, SRA, CILEx.

Important note:

- a. The validity of a CLC licence held whilst living outside of England and Wales is dependent on verified current employment by a body that meets points 1, 2 and 3 above.
- b. CLC lawyers are required under the Notifications Code to ensure the CLC has up to date employment contact details at all times.
- c. Licences will be issued specifying 'under the supervision and employment of [employer name] regulatory ID:1234]

SECTION 2. Making sure you have the correct supporting documents

BEFORE SUBMITTING AN APPLICATION

Proof of Identity: All applicants must **provide one** copy proof of your personal identity **to the screening agency which** must be a copy of your current and valid Passport (**mandatory requirement**) (*Please note if you are applying for a CLC licence the licence will be issued in your legal name as it appears in your Passport)

1. **Copy proofs of identity AND Educational certificates at Level 4 and Level 6** MUST each be certified by an independent regulated professional, such as a Licensed Conveyancer, Licensed Probate Practitioner, FCILEx, Accountant, Barrister, Notary or Solicitor.
2. The correct way to certify each page of a document is demonstrated below.

Take the photocopied document and the original and ask the person to certify the copy by:

- writing '**Certified to be a true copy of the original seen by me**' on the document OR (where documents contain photographs) '**Certified to be a true copy and a good likeness of the original seen by me**'
- signing and dating it
- printing their name under the signature
- adding their occupation, address and telephone number

Important Covid-19 update due to restrictions for personal contact the CLC documents can be Digital certified. For guidance on how to digitally certify a document is published [HERE](#).

3. **Education and Qualifications for Licence Applications:** Applicants' professional qualifications must meet the CLC threshold education and training requirements at Level 4 and Level 6. Please refer to the CLC website [CLC Trainee Lawyer](#) and ensure copies of certificates are certified. CLC educational exemptions are listed [HERE](#).
4. **Important Covid-19 update.** SQA candidates that have not been able to obtain their Diploma Certificates from SQA, or from their chosen Training Provider, will be asked to provide their consent for the CLC to verify remotely with SQA their Unique SQA Candidate Reference number to confirm their educational attainment. No certification is necessary. **Published guidance** [HERE](#).
5. **Statement of Practical Experience:** All licence applicants must provide a certified Statement of Practical Experience relevant to the licence they are applying for i.e. [conveyancing](#) or [probate](#). Please see out published FAQs [HERE](#)

This is a statement which confirms you have been in full or part-time, paid or voluntary employment assisting in the provision of conveyancing/probate services for at least 1200 chargeable hours; based on 25 supervised hours a week for 48 weeks, certified by an "Authorised Person" i.e. a licensed conveyancer, a solicitor or a FCILEx licensed (with the appropriate practising rights) to offer conveyancing and/or probate services directly to the public. **Statements must be certified within the two year period prior to the date of submission of your application.** *please note the SoPE criteria may vary if you are seeking to reinstate a [lapsed, suspended or disqualified](#) licence.

6. Where appropriate conveyancing or probate supervision **cannot** be provided by a direct employer, other appropriate supervision arrangements must be secured from another appropriate business; and be agreed with the CLC **BEFORE** the period of practical

experience begins and any conveyancing/probate services are provided to the public. Email traineelawyer@clc-uk.org

SECTION 3: Submitting an application

1. **Documentation check list:** Ensure all mandatory documentation is numbered, listed and submitted along with the main application form.
 - a. See here for [table of documents](#) required to upload with your application.
 - b. The CLC uses the online platform DocuSign to send and process individual applications. Individuals should request a digital application form through the CLC website. Once application requests have been processed by the CLC Licensing Team, DocuSign will email applicants from dse@eumail.docusign.net with a unique link to accessing the digital application form and helpful instructions about how to complete it.
2. **Applicants will have 28 days** to complete and submit the digital application on either a smartphone, tablet or computer. Applicants should contact licensing@clc-uk.org if any assistance is required when completing the digital form. After 28 days the link to the digital application will expire and the application will be closed.
3. The CLC will invoice for any associated application fees and suitability screening fees at this point, which will need to be paid before any formal application review.
4. The CLC uses [Giant Group](#) to carry out suitability screening. Giant Group will contact you separately to ask you to upload ONE **certified** proof of photo ID and TWO proofs of residency. Giant Group will also ask you to complete an application form and consent form to activate the DBS checks. Not completing this form properly will delay your application.

5. If the application has been completed incorrectly or important information is missing, applicants will receive an email from DocuSign with instructions on what to do next.
6. Individual applications associated to a practice application (ABS or Recognised Body) **MUST** be submitted at the same time as the practice application.

SECTION 4: Standard checks

1. **Criminal Records Checks and Disclosure and Barring Service Checks:** The CLC will carry out a Disclosure and Barring Service (**DBS**) **Standard Check** against:
 - a. First qualifying licence, dual qualifying licences (adding probate or conveyancing to an existing licence), licence changes, reinstating a expired - when expired more than 2 years); or a suspended licence.
[FAQs reinstating a expired Licence](#)
[FAQs reinstating a suspended licence](#)
 - b. Heald of Legal Practice (HoLP) and Head of Finance and Administration (HoFA)
 - c. Registered Managers of the CLC Practice or Beneficial Owners, Officers of a corporate investor (BOOMs) of a CLC Practice.
2. **Regulatory checks**, allegations, investigating and disciplinary action (pending through to findings).
3. **Employment references.** The CLC may seek to obtain references from past or most recent employers.

4. **Adverse disclosure and findings:** Please note the standard application timescale do not apply to applicants that are subject to adverse findings as a result of a disclosure made at the point to submitting an application; or, as a result of information gathered as part of the standard checks set out under 3.1 to 3.4. See section 4.3 for more information.
5. **Standard DBS check.** The CLC will carry out the below checks, including a Standard DBS check with the screening company, Giant Group. The CLC will invoice applicants for the screening checks which must be paid before applicants will be contacted by Giant Group to start their screening checks.

DBS certificates are issued directly to the applicant by the authorising service. The below checks are carried out:

- Spent and unspent convictions
- Cautions, reprimands and warnings received in England and Wales that are held on the Police National Computer
- Identity
- Adverse Financial
- Sanctions
- Directors
- FCA
- Standard DBS

6. **Your responsibility to respond to Giant Group**

Applicants will be required to provide a number of documents to enable the screening agency to carry out their investigation and to provide the report to the CLC.

You must provide copies of your certified ID and residency documents. If you are applying to become a CLC Lawyer, one of your ID documents must be a current and valid passport (this

is a mandatory requirement). If you are not on the electoral roll Giant Group may request further documentation. Queries relating to the standard checks should be made directly to Giant Group.

Important Note: Applicants will receive requests for information directly from Giant Group. Applicants must respond to these requests otherwise the Giant Group case will close and the application will not progress. You will then be required to submit and pay for an entirely new application. You should add the below email addresses to your safe recipient list so you receive all important emails from Giant Group:

Applicants will be reminded in an email from the CLC at the beginning of the application process that Giant Group may make these types of important requests and the importance of responding in a timely manner. The CLC does not provide any prompts or follow ups to Giant Groups requests. **Applicants that do not complete the Giant Group suitability screening checks will have their application closed.**

SECTION 5. Processing applications

1. The time needed to process applications depends on the level of information submitted and whether any further investigation, or verification of that information is required beyond the CLC's standard checks. The CLC endeavours to process non-complex applications within 42 days.

The 42 days starts when the Fit and Proper checks have been met. This can only be established AFTER the Giant Group results have been received. This means that:-

- The application has been checked as complete;
- The CLC Finance Team has confirmed receipt of the application fee and suitability screening fee payment; and

- The Giant Group application and consent form has been completed to carry out the suitability screening.

Applicants will receive an email from the Licensing Team to say they have filtered in to the standard review process. [Applying for a Licence CLC Code](#)

2. Applicants will only be contacted by the CLC during this time (42 days) if the CLC believes that further investigation is needed to verify any supporting documentation or information provided by the applicant.
3. If we haven't received a response for information, or payments that should have been provided to the CLC in the timeline we would expect, you should expect to receive a helpful email reminder. **Applicants not contacted during this time should presume their application is progressing satisfactorily.**
4. A 42 day adverse findings extension. Applications subject to adverse findings (section 3.1 to 3.4), will receive a 42 day extension to the original 42 days required to process a standard application (total 84 days). Applicants will be emailed to notify them whether the 42 day adverse findings extension applies to them.
5. When applicants are refused based on adverse information known to the applicant (including external sources of information), the CLC reserve the right to refuse the application without providing grounds.

Please note: the CLC reserves the right in complex applications to further extend the 42 day adverse findings extension to complete all necessary investigations and may charge a fee of £80.00 per hour for this work. Applicants will be notified by email if this applies to them before the extension period expires and an indication of the timeline for the completion of additional activities.

6. All individual applications submitted as part of a practice application (to be licensed as a CLC Recognised Body or as an ABS) will be considered and processed with the practice application and may take longer.
7. Key personnel applications relating to existing CLC Practices. Individual Applications (HoLP/HoFA/Owner/Manager) related to an existing CLC regulated business as part of a pending ABS or Recognised Body conversion or change of ownership. Should contact the licensing team to verify the specific requirements. Note. These application MUST be accompanied by a Change of Ownership Form submitted by the Practice.

SECTION 6. Licensing decisions (Licences and Authorisations)

1. The CLC must be satisfied that licensed individuals are able and willing to act in a principled manner and deliver the CLC Code of Conduct's Outcomes by complying with its Overriding Principles:-
 - Act with independence and integrity;
 - Maintain high standards of work;
 - Act in the best interests of Clients;
 - Comply with your duty to the court;
 - Deal with regulators and ombudsmen in an open and co-operative way; and
 - Promote equality of access and service.
2. Applicant must satisfy the CLC they are a fit and proper person to practise as a CLC lawyer (see item 8.22 of the Licensed Body (ABS) Licensing Framework for an overview of the type of factors taken into account when applying the fit and proper test)

Our licensing judgements include (i) **minded to refuse**, (ii) **refusing to grant** and (iii) **approved**, i.e. granted.

3. The CLC may tell an applicant (licence and authorisation) that it is **minded to refuse** or is **refusing to grant** an individual licence where it is not satisfied that the individual
- <https://www.clc-uk.org/wp-content/uploads/2019/09/180626-CLC-Lawyer-framework.pdf>
- a. When minded to refuse granting a licence, the CLC will notify the applicant of the grounds of its concerns and invite the applicant to make representations to address the concerns or to resubmit improved documentation within one month of the date of the notification.
 - b. When refusing to grant a licence, the CLC will notify the applicant of the grounds on which the rejection was made and the applicants right for the determination to be reviewed.
 - c. Entitlement to appeal, <https://www.clc-uk.org/wp-content/uploads/2019/09/180626-CLC-Lawyer-framework.pdf>

In any case where it decides to issue a Licence subject to conditions, to refuse an application for a Licence or to refuse an application for the removal or amendment of a condition on a Licence the CLC will notify the individual of the refusal of the application and of the grounds on which it has been refused. Under requirement 2, 4, 5 or 19, the applicant may within one month of publication of the CLC's determination appeal to the Adjudication Panel under section 29 of the 1985 Act. AND 22. If an application is deemed to have been refused as provided under requirement 17, the individual may within one month of the deemed refusal, appeal to the Adjudication Panel under section 29 of the 1985 Act.

7. **When a CLC licence is approved**, i.e. granted it will not be issued to the licensee until the Finance Team confirm to the Licensing Team receipt of payment for the appropriate licence fees.

Important information:

If you are applying to become a CLC Lawyer (Licensed Conveyancer, Licensed Probate Practitioner) or making any changes to an existing CLC licence the new licence will be issued in your legal name as it appears in your Passport. This applies to any newly issued licence.

8. **Updating you on the progress of your application.** The CLC does not provide ad hoc updates on progression of applications. You will only be contacted during the process if we require further information. You should expect to hear from the Licensing Team as soon as a licensing decision has been made. If your CLC licence application is approved, we will email you with details of the total licensing fee and instructions how it should be paid.
9. **Deferring the issue of an approved first qualifying licence.** When making a first qualifying licensing application it MUST be completed, i.e. you have paid the annual licence fee and the CLC has issued your first licence to you by 31 October in the current licensing year.

Important NOTE: Applicants that have been approved and who experience payment difficulties or a change in their work circumstances, such as unemployment/maternity leave/unplanned leave (for example health related), seeking to delay the issue of their first qualifying licence should contact the licensing team as soon as possible so that they can advise them of the timescales that apply to them.

Important information:

If your approved first qualifying licence is not issued by the 31 October (typically due to the non-payment of annual licence fees) you will be required to submit and pay for an entirely new first qualifying licence application. Depending on how much time has expired since your application was approved, you may be required to pay for and compete fresh suitability screening checks.

SECTION 7. Changes to your personal information

1. The CLC will always verify any requests it receives to amend the information it holds about licence applicants and licensees. This information might include change of name, address or employment. If you need to make any changes to the information we hold about you please call the licensing team on 020 3859 0904 - who will then email you to verify and record any changes to your account details.
2. You must notify the CLC immediately of any changes to the information provided the Licensing Application. **Failure to do so will result in delaying the processing of your application, the rejection of your application, or result in a review of any decision already made by the CLC.**

SECTION 8. Application and annual fees

1. All licence applications are subject to a **non-refundable** administration and screening fee, and is payable after the application has been submitted Payment must be made by debit or credit card. **Note: A credit or debit card held in ANY name can be used to make payment.** Published annual [FEES Table](#)
2. Adverse Findings Extensions. The CLC reserves the right to charge additional fees, up to 4 days (14 hours charges at £80.00 ph).

3. CLC Annual Licence fees are as follows: Individual licensing fees can only be paid by credit or debit card.

CLC licence for 1. conveyancing; OR probate;	£400.00
2. conveyancing and probate services	£475.00

SECTION 9. Using your personal data

Your details will be held by the CLC in accordance with the General Data Protection Regulations (GDPR). For the purposes of GDPR, if you provide any information to us, we will be the data controller. For further information about how your information is used, how we maintain the security of your information, and your rights to access information we hold about you, please see our privacy policy which is kept under regular review. You can contact our Data Protection Officer via email at privacy@clc-uk.org or in writing to: **Council for Licensed Conveyancers, We Work, 131 Finsbury Pavement, London EC2A 1NT Main Line: 020 3859 0904**