

## **The HoLP Requirements**

### **Eligible HoLP Applicants:**

1. CLC Lawyers
2. Solicitors with Conveyancing and/or Probate practising specialisms (Law Society practising rights listings and CPD evidence required)
3. CILEX Fellows with Practitioner rights for Conveyancing and/or Probate practising rights.

Eligible Qualified Lawyers must hold a licence free from conditions and are not the subject of any disciplinary or employment investigations, proceedings, or adverse outcomes.

### **HoLP Occupational Requirements**

A HoLP applicant must at a minimum be an individual who is an Authorised Person (qualified lawyer) that holds a current and valid practice licence issued by regulator in England and Wales, free of conditions, and who meets the CLC's fit and proper person requirements.

A HoLP applicant should be able to demonstrate through their previous employment responsibilities (CV or verification from a current or past employer) or educational attainment that they have the threshold level of experience or theoretical knowledge of managing compliance elements to support their application to become HoLP.

A prospective HoLP should demonstrate an understanding that when the practice ceases to have a HoLP, there is risk to the provision of the legal services and that they are the accountable individual that must inform CLC and confirm that arrangements are in place to source an appropriately skilled and qualified replacement within 28 days (or longer by agreements with the CLC); or trigger regulatory action i.e. a managed closure.

The individual seeking to be authorised as the HoLP should be able to demonstrate that they have previously held a position in which they have been accountable for, including but not limited to, the following types of functions:

- a. implementing, monitoring, or reviewing compliance processes and systems, such as GDPR, AML, practice wide policies, such as vulnerable clients, and understanding practice and matter level risk assessments;

- b. supervising legal transactions/matters carried out by others to ensure that they are compliant with the appropriate regulator's arrangements. The CLC the regulatory arrangements.
- c. keeping a record of compliance breaches;
- d. preventing and dealing with conflicts of interests and improper influence;
- e. managing a practice's complaints-handling procedures;
- f. acting as a formal point of contact for compliance in the practice to the appropriate regulator; and
- g. supervising business continuity planning to ensure in the event of an adverse situation the continuity of legal service provision.