



CLC's response to consultation feedback regarding the Proposed Ongoing Competence Code

18 March – 11 April 2025

1. Executive Summary

We consulted on our proposed Ongoing Competence Code from 18 March 2025 to 11 April 2025.

The consultation process included a mix of interactive events and written feedback channels:

- 4 Online Webinars (week commencing 24 March 2025)
 - 2 for CLC Lawyers
 - 2 for CLC Practices
 - Covered proposed changes and included Q&A sessions, which informed the development of our FAQs.
- 1 Direct Phone Call
 - With a CLC Lawyer and Practice Owner, providing detailed, individual feedback.
- Stakeholder Meetings
 - Held with the Society of Licensed Conveyancers and the Conveyancing Association.
- 6 Online Submissions
 - Received via our online consultation platform.

Summary of action taken based on the feedback received during consultation:

Summary of Feedback and Resulting Policy Changes

Feedback Overview

Overall, the feedback we received was generally positive or neutral. A recurring theme in the responses was a desire for greater clarity on how the Code would operate in practice.

Some respondents highlighted areas where the Code could be simplified, specifically:

- the complexity of having both annual and tri-annual requirements.
- overlap between Core and Suggested Topics, which may create confusion when reporting.

Policy changes

Following a careful review of the feedback, we have made the following changes to simplify and clarify the Code:

1. Removal of tri-annual requirement:

The mandatory tri-annual requirement related to Core Topics has been removed. Only annual requirements will now apply.

2. Targeted topic mandate:

The CLC will now have the ability to mandate specific topics—on an as-

needed basis—for some or all of the regulated community to complete within a defined timeframe.

3. **Single topics list:**

The previous separation between Core and Suggested Topics has been replaced with a single consolidated Topics list.

Rationale for changes

We revisited the original purpose of the tri-annual requirement and the distinction between Core and Suggested Topics. These elements were designed to:

- provide proactive assurance that individuals were addressing relevant topics aligned with their practice and emerging sector risks.
- enable more strategic use of ongoing competence data to support sector oversight and responsiveness.

These changes are intended to preserve those aims while making the Code simpler, more flexible, and easier to apply in practice.

We then considered these aims in detail:

Assurance and the Role of Mandated Topics

Individuals and practices remain responsible for maintaining current skills, knowledge, and behaviours. This includes staying up to date with ethical, legal, and regulatory developments and identifying personal learning needs. The CLC monitors compliance retrospectively, not proactively.

Removing the Tri-annual requirements could create a potential assurance gap. To mitigate this possibility, the CLC has included a regulatory authority to mandate specific topics when needed:

- Retrospectively (e.g. in non-statutory enforcement cases).
- Preventatively, in response to sector risks requiring assurance of competence.

This solution was assessed against regulatory principles and is considered the most appropriate and streamlined approach for the following reasons:

- **Simplicity and Flexibility:** The updated Code is simpler, containing only annual requirements. It remains largely open and adaptable but now includes a proportionate and risk-based tool to direct learning where needed.
- **Targeted Use:** This requirement will be used sparingly, not routinely, and only in response to identified risks.
- **Fair and Transparent Implementation:** Where a mandatory topic is introduced, those affected will be given advance notice (ideally before the start of a new ongoing competence year), adequate time to comply, and appropriate support and reminders to facilitate completion.

This approach allows us to maintain regulatory assurance while reducing complexity for the regulated community.

Ongoing Competence Data Strategy and Implementation Support

In response to feedback and the questions raised, we recognised that the previous distinction between Core and Suggested Topics—with their varying levels of specificity—could make it difficult for individuals to consistently choose the most appropriate topic. This inconsistency risks undermining meaningful sector-wide data analysis and limiting the effectiveness of our ongoing competence data strategy. To address this, we have refined and consolidated the two categories into a **single Topics list**, supporting clearer reporting and more robust analysis.

Additional actions in response to the feedback

Clarity

To support understanding and successful implementation of the new Code:

- we will publish reporting templates ahead of the Code's launch via the Ongoing Competence Toolkit.
- we will offer webinars, workshops, and written guides to help individuals and practices become familiar with the new requirements.
- our FAQs will be updated to reflect common queries raised during consultation.

Viability

We are confident that sufficient provision exists to enable the regulated community to meet the Code's requirements. This reflects feedback from professional membership bodies about the availability of courses and the feasibility of adapting them to align with our new assessment criteria. Additionally:

- we will engage with key training providers (e.g., HMLR) to discuss the Ongoing Competence Code and encourage them to consider including non-mandatory assessments for those who wish to complete them.

Impact Management

To ensure fair implementation, we:

- will pro-rata annual requirements (retrospectively at licence renewal) for individuals returning from parental leave or other extended absences, such as long-term sickness. The Toolkit will explain this process in full.
- intend to develop guidance for practices on how best to support individuals returning to work after extended leave.

2. Responses and CLC commentary:

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Conveyancing Association (CA) – 2 April 2025

Clarity:

The CA suggested that it would be helpful to clarify who can act as a peer, but otherwise the requirements were clear.

The CLC asked for the CA's views on whether Ethics, as a core topic, is well understood as applicable to them, and whether Lawyers are likely to be able to identify ongoing competence activity that covers Ethics. The CA suggested that Undertakings is a key area which most conveyancers should identify as an activity related to ethics. This topic poses sector-wide cultural and regulatory risks and would be a useful one for Lawyers to consider as part of the Ethics.

Viability:

The CA agreed that the assessment provisions, as defined, seem reasonable and flexible, and supported the fact that this requirement seeks more assurance that Lawyers have engaged with the ongoing competence activity rather than passively attended.

The CA had received some queries from their members, around sole practitioners. We unpacked the concerns raised, such as whether sole practitioners would be unable to find appropriate peers to enable assessments and concluded that the risk of not having peers is mostly mitigated by the fact that in order to act for lenders they need three partners, and those that do not, have agreements with firms that are on the lender panels to act for the lender whilst they act for the borrower, and might be able to provide the peer review. For those who do not act for lenders or focus on probate and therefore may not have such partners, these individuals could potentially contact membership bodies or other networking groups to meet and work with others for the purposes of the ongoing competence and peer review.

We discussed the free high-quality training that is routinely made available and run by HMLR and HMRC (and other bodies) specifically for Conveyancing Lawyers. The CA suggested that the CLC could approach these bodies to enquire whether they could include a (voluntary) post-session assessment. This may have several benefits, including potentially driving higher attendance from CLC Lawyers in order to

complete one of their assessed activities. By suggesting that the assessment is voluntary, it would not deter others.

Impact:

With regards to parental leave, the CA supported either approach (pro-rata requirements or current approach) and emphasised that returning to work can be stressful and requires the individual to know what has changed during their time away and to have the confidence in their knowledge, skills and behaviour. The CA suggested that the CLC newsletters are a good place for individuals to check on what has changed during their absence, so that lawyers can tailor their ongoing competence accordingly. There are a lot of new statutes on their way and many trainers offer annual updates for conveyancers highlighting how incoming legislation affects the work. These could be a good way for those returning from parental leave to be supported in learning those things that have changed.

Reflection

We discussed the use of professional reflection in practice and the use of appraisals and performance reviews within practice to identify whether the competence training undertaken was effective, which could be a topic worthy of inclusion within the CLC toolkit/guidance.

CLC response:

Implementation and Future Development

The Ongoing Competence Toolkit will continue to evolve over time. We will consider including:

- a section on how to plan for ongoing competence when preparing for parental or other long-term leave.
- a section on the use of professional reflection, including how practices can embed reflection through performance reviews and appraisals.

Further guidance on who can act as a peer will be provided in the FAQs, addressing queries raised during consultation.

We will also engage with training providers—such as HMLR—to discuss the Ongoing Competence Code and explore whether they can include non-mandatory assessments following their training sessions. This could provide enhanced value for those seeking to demonstrate engagement while remaining accessible to a broader audience.

Society of Licensed Conveyancers (SLC) – 7 April 2025

Clarity:

Quality of assessment - the SLC queried who/what would determine whether an assessment was of a suitable level of quality. The CLC explained that it has sought to be as flexible as possible with the definition of assessment and that at the three-year point we could review this if it needs amending (if needed more urgently, we could bring this review forward).

Accreditation - We discussed the SLC's suggestion that the CLC could look to accredit providers/courses/assessments. The CLC confirmed that it is not intending to accredit activities for several reasons, including the fact that it is expensive to run such a programme and, whilst it would provide value in the way of additional assurance about the quality of the activity/assessments, it would also significantly limit the choice for CLC Lawyers as well as the breadth of learning opportunities.

Viability:

There were no specific concerns or queries about the viability of the Code. The SLC was pleased that the Core Topics, which all present agreed were evolutionary, would be reviewed with the sector's input every three years, and that publishing them in the Toolkit, as per the LSB's advice, is helpful to safeguard this regulatory agility.

Impact:

With regards to parental leave, recognising the need to strike a careful balance between ensuring that the regulated community remains competent whilst not seeking to create unreasonable barriers for those returning from extended leave, the SLC gave strong support for the CLC to adjust the ongoing competence minimum requirements on a pro-rata basis for those who have taken parental leave and ensure this also applied to other types of extended leave (like long term sickness absence and time out to accommodate caring responsibilities) for inclusiveness, fairness and proportionality.

When asked whether Practices tend to consider a regulator's minimum requirements as the target against which to design their employees' return to work plans or whether they tend to primarily consider the individual needs of the returner, the SLC suggested that good practices would ensure their returning staff are properly supported as per their needs, which may mean returners are supported to undertake more than the minimum ongoing competence requirements set by any regulator. This positive culture, if commonplace, would somewhat mitigate the risks related to the levels of competence of returners and ensure they get the appropriate support without having to rely on the additional safeguards that not adjusting the regulatory requirements would provide.

The SLC suggested that the CLC could look to produce some guidance for Practices to support returners, possibly as part of the Ongoing Competence Toolkit, with one suggestion being to encourage returners to focus first on the Core Topics as those are considered important areas of practice with potentially the greatest risks.

Assurance of the CLC's regulatory intention and actions – the SLC queried what the CLC was proposing to do to ensure that the regulated community was properly supported to understand and meet the new requirements, and whether it would be likely for an individual to get to the end of one year or year three and then be told by the CLC that an assessment or an activity was not appropriate to count towards the minimum requirements and any impact on licensing.

They stressed the importance that the regulated community should not get 'caught out' at the end or find out that they weren't compliant with the Code only when licensing decisions were made.

The CLC explained that it is incumbent on it as a regulator to ensure its compliance approach is reasonable and proportionate, and that it seeks to assure the SLC and the rest of the community on this point. The CLC recognises that it is within everyone's interest to ensure that the Code is understood, and the sector is supported to adapt to the changes.

To help, leading up to and throughout the three years of the ongoing competence cycle, the CLC plans to hold workshops/webinars and create additional guidance or FAQs as required, informed by feedback from the sector as well as learning from our sampling processes. This was considered to be satisfactory by the SLC.

CLC response:

We will develop guidance for practices to support individuals returning from extended leave. This aims to ensure they receive appropriate support and can effectively re-engage with ongoing competence requirements. This guidance will form part of the Ongoing Competence Toolkit.

In response to feedback regarding the complexity of the Code—particularly the mix of tri-annual and annual requirements, we have made key amendments to simplify it. These changes are designed to make the Code easier to understand, implement, and comply with, while preserving the flexibility and responsiveness needed to address emerging risks.

Online respondents:

ID	Which of the following best describes you:
1	CLC Lawyer;
2	CLC Lawyer;
3	CLC Lawyer;
4	CLC Practice; Key Compliance Personnel (CLC Registered manager; HoLP (Head of Legal Practice); HoFA (Head of Finance and Administration); MLRO (Money Laundering Reporting Officer); CLC Lawyer;
5	CLC Lawyer; Prospective CLC Practice / Key Compliance Personnel;
6	CLC Practice;

ID	Do you have any questions about our proposals? If so, please write them here.
1	I currently work for a CQS accredited firm under the SRA. Having just done the two 2025 modules which take in excess of 5 hours (and pass certificates obtained) surely this would satisfy the 4 item assessed requirement. The point is that assessments take many forms and no doubt you have a tie up with firms who can provide such learning (much as law society learning platform). It needs to be reasonably priced as well as relevant.
2	Will you be providing assessed courses? If not how will sole practitioners like myself find an assessor or an assessed course to meet annual requirements every year?
3	I work for an in house legal department at a local authority. The core topics around knowing your client are ok obviously guidance for this is different for in house lawyers. Please confirm that in-house lawyers would not be in breach of the code by undertaking training relevant to the circumstances of their practice and that this could be approved without a certificate being issued.
4	Why do the core areas not involve any actual conveyancing and are rather very focussed on compliance and service standards (which is great) but it will not ensure that all licenced conveyancers are keeping their knowledge up to date.
5	In smaller practices, for the Assessed element, will it be acceptable for co-directors to produce training and assessments for each other, or will managers of the firm need to have all of their Assessed element dealt with by external providers?
6	As CLC Lawyers are required to cover all Core topics every three years, will the system used to record Ongoing Competence reflect this and provide reminders of the outstanding requirements for the individual CLC Lawyer?
CLC response	
Alignment with Other Regulators <p>Our Code has been designed to be flexible and to minimise duplication with other regulatory requirements. For example, as outlined in our FAQs, completion of the Conveyancing Quality Scheme (CQS), and Wills and Inheritance Quality Scheme</p>	

(WIQS) may count towards the minimum ongoing competence requirements, where relevant to the individual's CLC licence.

Role of the CLC in Course Provision

We have clarified in our FAQs that the CLC does not provide or accredit courses or training providers, and we do not intend to introduce accreditation in the future. This approach supports diverse and accessible learning opportunities across the sector.

Scope of Practice and Core Topics

In response to specific queries—including from in-house lawyers—we reaffirm that the Core Topics were originally intended to be covered by all CLC Lawyers over a three-year period. These topics were selected because they are relevant to general or current practice and reflect key areas of competence for all regulated individuals, regardless of role or current work setting.

However, in light of feedback and our review of how best to deliver assurance and support sector-wide data analysis, we have since revised our approach to mandatory Core Topics. This change also addresses concerns about varying scopes of practice, as detailed in the summary above.

Responsibility for Ongoing Competence

Whether or not the CLC mandates specific topics, individuals remain responsible for maintaining their own competence, including keeping their knowledge, skills, and behaviours up to date in light of relevant ethical, legal, and regulatory developments.

Clarification on Assessment

As this area generated the most consultation queries, we have expanded the FAQs to provide more detailed guidance on what constitutes a valid assessment under the Code.

Reporting System

We are designing our reporting system and IT interface to make it straightforward for Lawyers and Practices to understand and meet their obligations. The system will align clearly with the Code's requirements to support accuracy, ease of use, and transparency.

ID Please let us know any feedback you have regarding clarity of our proposals:	
1	I would like clarity on the nature or length of the assessed requirements.
3	Yes but subject to the above comment in relation to in-house lawyers
5	<p>Please see question above re managers and what will be acceptable where assessment is dealt with outside a paid course.</p> <p>Additionally, for the core topic of Regulation and Compliance, does this specifically relate to courses on CLC regulation and compliance?</p> <p>If so, there does not seem to be a wide availability of such courses (other than the CLC Annual Roadshow) which may make it more difficult for individual</p>

	<p>licence holders to complete. Alternatively, will courses such as the Law Society CQS course suffice, which is less relevant to CLC practices (albeit relevant to CLC lawyers in SRA firms)?</p> <p>There does not seem to be a definition of "Knowledge", "Skills" or "Behaviours"</p>
6	<p>The proposals for CLC Lawyers are clear and mirror ongoing competence requirements for other regulators.</p> <p>In respect of CLC Practices, it is the reporting which is unclear. We understand that CLC Practices are only required to report on Key Personnel and not all CLC Lawyers as they are responsible for their own ongoing competence submission - is that understanding correct?</p> <p>For CLC Practices, it would be useful to have some example of what a report may look like, whilst we understand it is along the lines of identifying risks such as cyber security, fraud, AML etc and then demonstrating that Key Personnel have had training in those specific risk areas, but do all Key Personnel have to attend training in all risks or are we able to select those risks most relevant to their role?</p> <p>We have a risk register which details 30+ risks, all our Key Personnel can't possibly undertake training on all these risks and therefore do we just select the highest risks?</p>
CLC response	
<p>Clarity regarding the nature and length of assessment / activities: We have provided more detail about this within the FAQs. All activities should be 'right-sized' for your needs, considering what you need to learn or revise about the topic and how long that might take you to achieve, for example. Ultimately, you are responsible for ensuring you maintain your competence at pace with any developments in the sector, including (but not limited to) those which are driven by legislative, technological, ethical, or regulatory changes.</p> <p>Reporting Templates: We will provide copies of the reporting templates in the Ongoing Competence Toolkit.</p> <p>Clarity regarding Practice reporting requirements: We have provided more detail about this within the FAQs; Practices are only required to report on Key Compliance Personnel, and not all CLC Lawyers or other employees.</p> <p>Clarity about the expectations of Key Compliance Personnel: Not all Key Compliance Personnel have to do all training related to all risks – it is up to the Practice to decide what is more relevant to their role to mitigate the risks for clients and the practice.</p> <p>Clarity regarding what can be covered within the 'Regulation and Compliance' Core Topic: we have revised the Topics list to make the topics clearer and simpler.</p>	

Availability: please see our response to the next question, 'Viability'.

ID Please let us know any feedback you have regarding viability of our proposals:	
1	Please refer to my earlier comments on the assessed part. I'm all for ongoing competence checks but it needs to be relevant, affordable and ideally align with SRA requirements. The divergence of the CLC from the SRA/Law Soc (the new TA6 being a great example) creates two tier standards as CLC does not have to use the new forms so outcomes for clients are very different. because of different enquiry processes.
2	I don't think it is viable unless you offer assessed courses
3	The number of activities is feasible. However, the core topics requirement seems quite restrictive. Thought should be given to allowing lawyers to arrange training as appropriate on these matters whether gaining certificates or not.
4	I feel that moving to a number of activities rather than a number of hours is not appropriate. Hours is a better measurement as one lawyer may do 8 full day course for example and another just simply do 8 1 hour courses. I feel that asking firms to report could be difficult depending on the number of licenced conveyancers they employ. The requirement should rather be that we keep a record and if called upon produce it to you.
5	<p>The number of activities is likely to equate to a slightly larger amount of time spent on CPD activities than individual licence holders currently complete, but should still be feasible provided there is appropriate planning throughout the year.</p> <p>There is a slight concern as to the availability of courses/training for the core topics, particularly for smaller practices where inhouse training is more difficult. Available course for topics such as Regulation and Compliance are generally more geared towards SRA regulated practices rather than CLC practice. Whilst broadly similar, this appears to be a topic that will need to be tailored in house unless courses are made more widely available.</p> <p>The reporting requirement for practices is achievable, but appears to be a duplication of the individual licence holders where the compliance personnel are also licence holders.</p>
6	As 'assessed CPD' has never been required before are there enough assessed courses available to cover the topics required? Concern being that it is going to be difficult for CLC Lawyers to meet the prescriptive requirements due to lack of availability of assessed CPD providers. There are limited examples of what assessed CPD could look like and it would be good to have more examples or a clearer view of what is expected. For these reasons there are doubts as to whether the number of activities is feasible.
CLC response	
Rationale for Change	

We recognise that there are differing views on the need for change, and we appreciate all the feedback received. The purpose of consultation is to ensure that such views are properly captured and considered. The concerns raised by one respondent reflected key issues already central to our policy design. Our rationale—set out clearly in 2022—remains unchanged: to transition towards an activity-based approach that strengthens assurance, enables practices to report on key compliance personnel, and incorporates the provision of evidence to support reporting.

Alignment with Other Regulators

Our Code continues to be designed to promote flexibility and minimise duplication with flexibility and minimal duplication in mind. For example, as confirmed in our FAQs, completion of the CQS and WIQS accreditation and re-accreditation may count towards the minimum requirements where this is relevant to a lawyer's CLC licence.

Availability of Activities

We believe that the definition of 'assessed' activities provides sufficient flexibility to accommodate various forms of assessment, including practical and informal methods. Furthermore, professional membership bodies have confirmed their expectation of providing adequate assessed courses, often through minor adaptations to existing offerings, to support the effective implementation of the Code.

Feedback on Core Topics

Some respondents expressed concern that the Core Topics could be perceived as restrictive. We wish to reiterate that CLC Lawyers are not limited to activities aligned only to Core or Suggested Topics. They may pursue any topic relevant to their competence and count these activities towards their minimum requirements. By merging and refining the list of topics, our goal is to improve data accuracy while maintaining flexibility in topic selection.

ID	Please let us know any feedback you have regarding actual or potential impacts of our proposals:
1	I would remain consistent as per my previous comments of someone is less regulated or less up to date with cpd then they by definition are not as knowledgeable thereby providing a potentially worse outcome for both client and firm.
3	I broadly agree with this
4	I am happy for there to be reduced requirements for those on maternity leave etc but it should also include people on long term sick for example. I would however suggest that it is only reduced and not completely removed and perhaps there should be a requirement for them to complete a certain amount of CPD within a certain time of returning to work.
5	Yes I would support the adjustment for those individuals on maternity/paternity leave to a pro-rata amount of CPD based on the point at which they return to work in the CPD year. In my experience, many such individuals do use KIT days to catch up on AML/KYC/Fraud training and

	<p>generally benefit from some additional training as they come back into the workplace.</p> <p>Attempting to roll over competency requirements from previous CPD years seems unduly onerous to both the licence holder and employer and is likely to lead to lower quality CPD outputs. This is based on the perceived desire to complete the requirements as quickly as possible taking precedent over the need to adequately develop skill and knowledge levels. There is a risk that adding previous year's requirements to the current year becomes a 'tick box' exercise rather than a development opportunity.</p> <p>Noting the concern that some individuals may complete less CPD overall with multiple periods of extended leave, in practice my view is that better qualitative CPD is more important than the volume of CPD completed where an individual is not in practice for the full CPD year. However, it does seem appropriate to limit any dispensation to two consecutive years. This ensures that there is opportunity for the breadth of core subjects to be completed, noting that AML/KYC are usually annual activities in any event.</p> <p>In terms of other impacts to consider, as employers will have a preference for AML/KYC training to be undertaken annually, and SRA firms will have a need for CQS training to be completed in many cases, any reduction in CPD requirements should reflect the need to include other core subject areas during the CPD year.</p>
6	Would expect pro-rata requirements for those on maternity/paternity leave to maintain consistency.
<p>CLC response:</p> <p>Parental and Extended Leave</p> <p>We will retrospectively pro-rata the ongoing competence requirements for those who take parental leave or other forms of extended leave. This adjustment will be applied at the CLC's discretion and must be supported by appropriate evidence. There was broad support for setting reasonable limits on exemptions, especially where leave exceeds one year or occurs repeatedly.</p> <p>Simplifying the Annual Process</p> <p>We have carefully considered the feedback on the complexity of an annual process within a three-year cycle. As outlined in the summary section of this report, we have made targeted changes to simplify the Code and reduce unnecessary burdens while maintaining the integrity of our assurance model.</p>	