



Law Society Wales review

September 2012

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News

New Law Society website

It should now be easier for you to source the information you need on the Law Society website. Some of the changes you'll find when using the new website include:

- improved usability - we've redesigned our page layouts
- easier to find content - filter **news** and **consultation responses** by particular areas of law
- **all practice advice** is in one section of the website, including the latest articles, practice notes, helplines and more
- new **A-Z pages** pull together content from across the site on legal topics such as anti-money laundering, conveyancing and legal aid
- a **new communities section** - providing tailored support for practitioners
- a **new accreditation section** - information about accreditations in specific areas of law
- our **representation section** highlights what we're doing to represent members' interests, including consultation responses, campaigns, public affairs, international work

<http://www.lawsociety.org.uk/about-the-website/website-introduction/>

Lender Panels – calling for a long term solution

Law Society Chief Executive, Des Hudson, discusses changes to residential conveyancing panel membership that have affected members for at least the past two years. Whilst the Society has been working closely with individual lenders, Mr Hudson has invited Dr Vince Cable to mediate a dialogue between the Society, the Council of Mortgage Lenders, the banking regulator and the lenders themselves in order to reach an amicable, long-term solution that is in the best interests of consumers, lenders and solicitors.

Followers of this area will also have noted Santander's decision to inform existing panel member firms that those without Conveyancing Quality Scheme (CQS) accreditation must secure the quality mark by 31 March 2013. Those with CQS and who are already Santander panel members need not take any action.

<http://www.lawsociety.org.uk/news/stories/lender-panels--society-calls-for-long-term-solution/>

<http://www.lawsociety.org.uk/news/stories/santander-update-on-panel-membership/>

Caution urged over calls for separate representation

Following the conveyancing theme, Mr Hudson also warns that pressing for separate representation in conveyancing could reduce the solicitors' profession's market share and hand residential conveyancing to other sectors on a plate. 'If the Solicitors Regulation Authority, rather than the Legal Services Board, were to make separate representation compulsory for solicitors, it would not apply to non-solicitors or any professionals not regulated by the SRA'.

<http://www.lawsociety.org.uk/news/press-releases/law-society-urges-caution-over-calls-for-separate-representation/>

PC renewal date

The 2012 round of Practising Certificate renewals will commence on Thursday 1 November, with a closing date of Friday 14 December. Extensive work has taken place over the summer months to implement a programme of improvements to the IT infrastructure supporting online renewals, and to the application forms and related guidance. The improvements include:

- Making applications simpler and easier to complete
- Making it possible for organisational contacts in each firm to process the bulk applications on behalf of colleagues, giving firms greater control over the way they complete the PC renewal exercise
- Enabling one-click 'record complete', allowing multiple records to be confirmed as correct during bulk renewal applications
- Improved searching and sorting of an individual's records to make viewing and editing easier
- Increasing the support available within the SRA Contact Centre

The SRA is urging those remaining individuals and firms who have not yet activated their mySRA accounts to do so before 1 November. If the SRA does not hold current work emails there is a danger that individuals will



not receive important communications about regulatory requirements. Some individuals have simply supplied an administrative mailbox address as their personal email, which is not sufficient, whilst others have not activated at all.

The practising certificate fee for 2013 has increased by 5 per cent, from £328 to £344, following a reduction of 23 per cent from 2011 to 2012. The 2013 compensation fund levy, used to cover uninsured losses faced by clients, will increase by £32 (per individual) and £568 (per firm), to £92 and £1340 respectively. Contribution rates in the two preceding years were set substantially lower than recent historical averages, partly in preparation for the introduction of alternative business structures.

<http://www.lawsociety.org.uk/news/stories/2013-pc-fees-and-compensation-fund-levies-confirmed/>
<http://www.sra.org.uk/solicitors/pc-registration-renewal/fees/fee-policy-2012-2013.page>

Keeping of the roll

The keeping of the roll (KR) process commenced on 3 September. This is a paper exercise, and the SRA should have written to all individuals eligible to stay on the roll during the three-week period commencing 3 September, enclosing the application form. The SRA made the decision to continue with a paper process as it is focusing its efforts on delivering an improved online system for PC renewals. There will be a fee of £20, which for this year only, will cover both 2011 and 2012. Completed forms and payment have to be made by 16 November.

Diversity reporting requirements

The Solicitors Regulation Authority plans to make unannounced visits to 100 'randomly selected' law firms to assess their compliance with mandatory diversity reporting requirements. The visits are in addition to a two-stage profession-wide survey of firms. By 4 September 2012 7,131 firms, out of some 11,000, had completed questionnaires reporting that 186,084 people work for them.

Second-stage questionnaires are to be given to each individual member of staff inviting them to provide information about their ethnicity, age, disabilities and caring responsibilities. Data will also be collected on sexual orientation, religion or belief, and gender reassignment.

The drive to collect diversity data arises from a statutory requirement, laid down by the Legal Services Board in August 2011, that all law firms and chambers should publish statistical information on the diversity profile of their staff. The SRA will publish the survey's findings next year, but in subsequent years firms and chambers will be required to publish their own data.

The Law Society published a practice note in July (see Practice Notes below) to help firms comply with the new requirements to collect diversity data.

Members can also join the Law Society's new Equality & Diversity (E&D) Section aimed at giving specialist support for law firms. Membership isn't restricted to solicitors only, and diversity partners, HR practitioners and procurement professionals are also welcome to join the section.

<http://www.lawsociety.org.uk/communities/equality-diversity/>

Promoting solicitors services campaign

Every year the Society runs a major campaign to raise the profile of solicitors in the public eye. The theme for this year's campaign is Ask a Solicitor, and running from 1st October, it will encourage people to use a solicitor to help with common legal issues. The campaign will include:

- advertising and editorial features in 40 top regional papers
- advertising on 220 railway stations across England and Wales
- advertising inside 5,000 buses
- PR coverage in the regional and local media

You can capitalise on the publicity from this campaign by ordering free campaign materials, including posters, postcards and online banners, and by booking an advertising slot in our regional press supplements.

<http://www.lawsociety.org.uk/Representation/Promoting-the-profession/#one>



Quality Assurance Scheme for Advocates – Solicitor advocates urged to notify the SRA

Solicitors wishing to undertake criminal advocacy from January 2013 will have to notify the SRA under the new Quality Assurance Scheme for Advocates (Crime) (QASA) arrangements.

The notification process is the first step in becoming recognised under the Scheme which is due to be launched early in the New Year. The Scheme will introduce a system of accreditation for criminal advocacy work in the Magistrates' and Crown Courts.

SRA is asking those wishing to become accredited to express their interest, with a deadline of 21 September 2012.

<http://www.sra.org.uk/sra/news/press/qasa-notify-sra.page>

<http://www.sra.org.uk/solicitors/accreditation/quality-assurance-scheme-advocates.page>

To help solicitor advocates to prepare for QASA, we encourage all to join the Advocacy Section, which provides mentoring, training and networking opportunities on a circuit and national level and create the framework to provide the level of support delivered to barristers by their Inns of Court.

<http://www.lawsociety.org.uk/communities/advocacy/>

New Family Section

The new **Family Section** is targeted at family and children law practitioners. From legal aid solicitors working on public care cases to mediation specialists, divorce lawyers, CILEx professionals and family court advocates, this section will also benefit members of our Family Law, Family Law Advanced, Children Law and Family Mediation accreditation schemes.

<http://www.lawsociety.org.uk/communities/family/>

Excellence Awards – shortlist announced

Congratulations to the following firms in Wales shortlisted for this year's Excellence Awards:

<http://www.lawsociety.org.uk/Representation/Excellence-awards/Shortlist/>

Wales Events

Firms Equality & Diversity Forum

This free event is presented by the Law Society and NewLaw Solicitors. This event will provide an overview of the importance of the diversity and inclusion agenda and will give an insight into the benefits of having a positive and proactive approach to diversity and inclusion. It will also provide a review of the Equality Act 2010 and the implications for your firm in practice.

8 October 2012: **Cardiff**

<http://services.lawsociety.org.uk/events/node/55610>

Meet the Judges

This year the Law Society is repeating its successful 'Meet the Judges' events, which give solicitors the opportunity to hear directly from solicitor judges their experiences of applying for and taking on a judicial post. Immediately following this there will be a reception which will mark the launch of the Law Society's Solicitor Judge Division which aims to improve engagement between the Society and this important group of members. Combining these two events will give attendees an enhanced opportunity to network informally with colleagues and those who have already entered the judiciary.

9 October 2012: **Cardiff**

<http://services.lawsociety.org.uk/events/node/55022>

Legal Aid Roadshow

In this roadshow, the Law Society's Richard Miller will talk about the practical implications of LASPO. What changed as the Bill was going through Parliament? What is in and out of scope under the new rules? How will the exceptional funding test work? What impact will the supplementary legal aid scheme have on



damages claims? How will the telephone gateway affect you? What changes are there to eligibility? What will the new processes look like? This is your opportunity to find out from someone who has been working at the heart of the issue?

15 October 2012: **Cardiff**

<http://services.lawsociety.org.uk/events/node/55062>

OFR: Practical tools for COLPs and COFAs

The Solicitors Regulation Authority's Authorisation Rules require all firms to have compliance officers in place to spearhead their organisation's compliance culture and practice. While appointing these officers is a reasonably straightforward decision, feedback from the profession has made it clear that these key members of staff would benefit from further support with the day-to-day implementation of their roles.

30 October 2012: **Cardiff**

<http://services.lawsociety.org.uk/events/node/54789>

JAC Outreach Event

The Judicial Appointments Commission and the Law Society are running a practical session on how to improve your chances of judicial selection. This event will give you an opportunity to speak to a selection manager from the Judicial Appointments Commission and a solicitor judge who has been through the process. It will cover the selection and application processes, the roles available, top tips and pitfalls to avoid.

4 December 2012: **Cardiff**

<http://services.lawsociety.org.uk/events/node/55032>

Management Course Stage One (In-practice lawyers only)

Management Course Stage One (MCS1) is the Solicitors Regulation Authority's compulsory management training course which all solicitors must complete within three years of qualification (before the end of their third full CPD year).

7 December 2012: **Cardiff**

<http://services.lawsociety.org.uk/events/node/54409>

Wales Policy

Consultation on a separate legal jurisdiction for Wales

The Welsh Government has published responses to its consultation and they are available on the [Welsh Government website](#). The Silk Commission will begin its work on the powers of the National Assembly for Wales incorporating the jurisdiction issue next month.

Consultation on the Draft Human Transplantation (Wales) Bill

The Welsh Government is considering responses to its consultation. A Government Bill is expected to be introduced into the National Assembly for Wales by the end of the year.

Welsh Government review of advice services for Wales

The review is now underway and will examine the effectiveness of information and advice services and will ultimately advise and make recommendations to Welsh Ministers on how to improve the availability of services in Wales. The Law Society is meeting with the Welsh Government to contribute to this important project.

Compliance and Regulation Update

SRA location move

From 1 October the SRA's new headquarters will be The Cube, 199 Wharfside Street, Birmingham, B1 1RN and its Redditch and Leamington Spa offices will close. The Contact Centre and the Professional Ethics helpline will be closed from 12.00, 28 September until 14.00, 1 October as part of the move.

<http://www.sra.org.uk/sra/news/press/sra-countdown-to-the-cube.page>



COLP and COFA nominations

By now all firms should have nominated a compliance officer for legal practice (COLP) and a compliance officer for finance and administration (COFA). For the avoidance of doubt information on the nomination process can be found here <http://www.sra.org.uk/solicitors/freedom-in-practice/ofr/compliance-officers-colps-cofas.page>

Helping to prepare for COLPs and COFAs

We've responded to the need for compliance officers for legal practice (COLPs) and compliance officers for finance and administration (COFAs) to understand their new roles and implement compliance systems within their firms with the publication of two new titles - [COLPs Toolkit](#) and [COFAs Toolkit](#).

SRA diversity data collection

The SRA will shortly be running a mandatory survey to collect workforce diversity data for every regulated firm, as required by the Legal Services Board. Our practice note (see below) will guide you through the new diversity monitoring requirements.

LeO publishes complaints data

The Legal Ombudsman today published an online list of ombudsman decisions regarding complaints about lawyers. The list, which will be updated on a quarterly basis, shows the collated names of lawyers or law firms involved in complaints, which have led to a formal decision by an ombudsman. This quarter the list contains approximately 920 decisions involving around 770 firms from England and Wales. Information contained in the list includes the number of ombudsman decisions regarding each of the firms featured in the data; the area of law; the date of the decision; the nature of the remedy awarded, and the reason for the complaint.

The Society has opposed the publication of complaints data in this format, and questions how it helps consumers make informed decisions about the quality of service provided by solicitors.

<http://www.legalombudsman.org.uk/ombudsman-decision-data/>

New Practice Notes

Accrual of Holiday Pay (18 September 2012)

This practice note advises on the following issues:

entitlement to paid annual leave

how entitlement is affected by working part-time, fixed term or on a temporary contract

the difference between contractual and statutory entitlement

Throughout this advice we look at the Working Time Regulations 1998 (WTR 1998) as currently amended, which implements the Working Time Directive (WTD). This advice also encompasses and updates the advice previously contained in the practice note: Accrual of holiday while on sickness absence - 09 March 2010.

<http://www.lawsociety.org.uk/advice/practice-notes/holiday-entitlement/>

Equality and Diversity Requirements – SRA Handbook (18 July 2012)

This practice note sets out the equality and diversity requirements in the SRA Handbook. It includes examples of behaviours which may enable adherence to the outcomes, as well as examples of behaviours which would not. It also sets out how the Law Society can assist you and your practice in this area.

<http://www.lawsociety.org.uk/advice/practice-notes/equality-and-diversity-requirements--sra-handbook/>

Providing services to deaf and hard of hearing people (17 July 2012)

D/deaf and hard of hearing people can have specific requirements when they use legal services that depend on their personal circumstances, and on the style of communication they prefer. They may also describe their ability to hear and identify themselves differently. This practice note specifically focuses on different ways that you can work with individuals who are deaf or hard of hearing and offers some practical advice in this area.

<http://www.lawsociety.org.uk/advice/practice-notes/providing-services-to-deaf-and-hard-of-hearing-people/>



SRA's equality and diversity monitoring requirements (3 July 2012)

This practice note provides information on the LSB's expectations in relation to measuring levels of diversity and social mobility in the legal workforce. It covers what is expected from both the SRA and individual practices in 2012 and 2013, with details of how the Law Society can assist you and your practice in meeting the expectations.

<http://www.lawsociety.org.uk/advice/practice-notes/sra-equality-monitoring/>

Accreditation Awards

More Practice Management achievements in Wales

Congratulations to the following practices for recently achieving the Law Society Lexcel standard:

- Clive Rees Associates
- Goldstones Solicitors
- Greathead & Whitelock Solicitors
- Huttons
- MLM Cartwright
- Paton and Carpenter
- Savery & Pennington Solicitors
- Smith Llewelyn Partnership
- Tudur Owen Roberts Glynne & Co Solicitors

Lexcel is the Law Society's international practice management standard.

<http://www.lawsociety.org.uk/accreditation/lexcel/>

More Conveyancing Quality Scheme members in Wales

Congratulations to the following practices for recently achieving the Law Society Conveyancing Quality Scheme (CQS):

- Carter Vincent LLP
- Caswell Jones
- Colin Jones Solicitors
- Gartsides Solicitors
- Gordon A Battrick & Co
- King-Davies & Partners
- KLC Solicitors Limited t/a Kalee Lau & Co
- Lewis Lewis & Co Limited
- Morgan & Richardson
- Peter Lynn & Partners
- Sian Thomas & Daughter
- Thomas Andrew & Partners
- TLJ Law Limited t/a T Llewellyn Jones
- Welch & Co (Solicitors) Limited
- Ungood-Thomas & King Limited

The Conveyancing Quality Scheme (CQS) provides a recognised quality standard for residential conveyancing practices. Achievement of membership establishes a level of credibility for member firms with stakeholders (regulators, lenders, insurers and consumers) based upon:

- the integrity of the Senior Responsible Officer and other key conveyancing staff;
- the firm's adherence to good practice management standards;
- adherence to prudent and efficient conveyancing procedures through the scheme protocol.

<http://www.lawsociety.org.uk/accreditation/specialist-schemes/conveyancing-quality-scheme/>



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<http://www.lawsociety.org.uk/work-in-wales/>