

Assessing and auditing CQS firms

Dear SRO

CQS membership provides a trusted community of Qualified Conveyancers which deters fraud and within which we aim to drive up competence, standards and client service levels. CQS membership therefore continues to prove it's worth to lenders, the profession and the general public.

The result is that CQS enhances the reputation of Qualified Conveyancers, and allows them to retain market share and develop and grow their business.

With the scheme maturing, and with some members near to entering their third year of membership, the Law Society needs to be able demonstrate that as a group, members of CQS are complying with the rigours of membership. We are concerned that there may be varied levels of adherence to those standards within our membership, and to ensure the credibility of all members, we will be commencing a programme of audits.

As you will be aware, the protocol is a guide to best practice in domestic conveyancing transactions, and all member practices are required to sign up to comply with the Protocol, the Client Service Charter, mandatory training and the enforcement procedures that operate under the Scheme

When the Practice Agreement was signed, member practices agreed to;

"Co-operate with monitoring/audits as required on a risk-based or random assessment or following concerns raised with the Law Society"

Those audits will be in a three-fold manner.

1. Internal assessments

Desk-based assessments will be performed by the CQS team on a number of member practices each month. We will assess 25% of member practices in the second year of their membership by the end of February 2013.

Those assessments will be based on areas of actual or potential risk to CQS, which will include;

- Practices where CQS is in receipt of any intelligence or complaints from either members or the general public
- Practices where there is a query over adherence to the CQS conveyancing protocol or the Practice Agreement
- A review on the implementation or confirmation of Core Practice Management Standards (CPMS)

If selected, you will be asked to reply to an assessment letter within 14 days of receipt. There can be a number of outcomes following that assessment, ranging from membership being continued to membership being revoked. The outcome will be notified to you at the end of the audit.

2. Announced visits

Some internal assessments will lead us to deciding that we need further information from a practice at the practices' premises. We have therefore also built a process where we will notify a firm that we intend to visit them on site for further assessment(s).

Visits will be performed by CQS trained assessors who will be asked to investigate issues/areas of concern as raised by the CQS team following an internal assessment. The outcome of those visits is as above.

3. Unannounced visits

We are also conscious that sometimes we may need to act quickly, where serious concerns that could affect a firms membership of CQS are made known to us.

In these situations, we will give a subject member firm notice up to 24 hours prior to our intended visit, and we will expect the practice's full cooperation with our assessor.

I am sure you will agree with me that CQS membership is a valuable asset to your firm - the intention of these measures is to ensure that the CQS brand continues to represent the highest standards and retains the credibility of its members.

Yours faithfully

Nigel Spencer
Chief of Commercial Affairs
The Law Society