



The Law Society

Lexcel England and Wales v6 Standard for legal practices

Comparison of changes between v6 and v5

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New requirements

The table below sets out new requirements that have been added into version 6.

Lexcel new requirements v6	
1.2	Practices must have a strategic plan , which must include: f. a documented risk evaluation of objectives g. procedures for regular reporting on performance.
2.5	Practices handling financial transactions must have a procedure , which must include: a. the transfer of funds b. the management of funds received by the practice c. authorisations .
3.1	Practices must have an information management and security policy , which must include: d. a register of relevant information assets of both the practice and clients b. procedures for the retention and disposal of information d. the use of firewalls e. procedures for the secure configuration of network devices f. procedures to manage user accounts g. procedures to detect and remove malicious software h. a register of all software used by the practice i. training for personnel on information security j. a plan for the updating and monitoring of software.
4.9	Practices must have a whistleblowing policy .
4.10	Practices must have a flexible working policy .
5.1	Practices must have a risk management policy , which must include: a. a compliance plan b. a risk register c. defined risk management roles and responsibilities d. arrangements for communicating risk information
5.13	Practices must have a policy to ensure compliance with anti-money laundering legislation, which must include: a. the appointment of a nominated officer usually referred to as a Money Laundering Reporting Officer (MLRO) b. a procedure for making disclosures within the practice and by the MLRO to the authorities c. procedures for checking the identity of the practice's clients d. a plan for the training of personnel e. procedures for the proper maintenance of records.
5.14	Practices should have a policy in relation to the avoidance of involvement in property and mortgage fraud, which must include: a. carrying out relevant checks in relation to the conveyancer acting for the other party.
5.15	Practices must have a policy setting out the procedures to prevent bribery in accordance with current legislation.
5.16	Practices will analyse at least annually all risk assessment data generated within the practice. This must include: d. any matters notified to the COLP and/or COFA e. any material breaches notified to the SRA f. any non-material breaches recorded g. situations where the practice acted where a conflict existed

Amended requirements

The table below sets out requirements that have been changed. **Emboldened words** against requirements in the left-hand column, indicate where changes have been made in version 6.

Lexcel amended requirement v6	Lexcel requirement v5
<p>1.2 Practices must have a strategic plan, which must include:</p> <p>b. the identification of resources required to meet the objectives</p>	<p>2.1 Practices will develop and maintain a business plan which must include:</p> <p>b. a recruitment plan</p> <p>2.5 Practices will have an information communication technology (IT) plan,</p>
<p>2.2 Practices must be able to provide documentary evidence of their financial management procedure, including:</p> <p>f. variance analysis conducted at least quarterly of cash flow and cash flow forecast.</p>	<p>3.2 Practices will be able to provide documentary evidence of their financial management procedure , including:</p> <p>f. quarterly variance analysis which includes at least their cash flow</p>
<p>3.6 Practices must have:</p> <p>c. a procedure for the review of each policy, plan and procedure that is contained in the Lexcel Standard.</p>	<p>2.1 Practices will develop and maintain a business plan which must include:</p> <p>d. a procedure for a review of the plan to be conducted every six months to verify the plan is in effective operation across the practice</p> <p>2.2 Practices will develop and maintain a marketing plan which must include:</p> <p>c. a procedure for a review of the plan to be conducted every six months to verify the plan is in effective operation across the practice</p> <p>2.3 Practices will document the services they wish to offer, including:</p> <p>c. a procedure for a review of services to be conducted every six months.</p>
<p>4.2 Practices must have an equality and diversity policy, which must include:</p> <p>c. a procedure to monitor diversity and collate equality data</p> <p>e. procedures for reasonable adjustments for personnel.</p>	<p>1.4 Practices will have a policy on the avoidance of discrimination and the promotion of equality and diversity, which must include:</p> <p>a. employment and partnership, recruitment and selection, training and conditions of service and promotions within the practice</p> <p>e. a procedure to monitor diversity</p>
<p>4.3 Practices must have a learning and development policy, which must include:</p> <p>d. a learning and development plan for all personnel.</p>	<p>5.6 Practices must have a training and development policy,</p> <p>5.1 Practices will have a plan for the training and development of personnel,</p>
<p>4.5 Practices must have procedures to deal effectively with recruitment selection and progression, which must include:</p> <p>d. clear and transparent selection</p> <p>g. where appropriate, the checking of disciplinary records.</p>	<p>5.3 Practices will have procedures to deal effectively with recruitment and selection, which must include:</p> <p>d. selection methods used</p> <p>g. checking fee earners' disciplinary record.</p>
<p>5.2 Practices must have a policy in relation to</p>	<p>1.3 Practices will have a policy in relation to</p>

Lexcel amended requirement v6	Lexcel requirement v5
outsourced activities, which must include: c. procedures to ensure providers have taken appropriate precautions to ensure information will be protected.	outsourced activities, which must include: c. steps to ensure providers have taken appropriate precautions to ensure information will be protected.
5.11 Practices must have a procedure for regular, independent file reviews of either the management of the file or its substantive legal content, or both. In relation to file reviews, practices must : a. define and explain file selection criteria b. define and explain the number and frequency of reviews	6.11 Practices will have a procedure for regular, independent file reviews, of either the management of the file or its substantive legal content, or both. In relation to file reviews, practices will: a. define file selection criteria b. define the number and frequency of reviews
5.12 Operational risk must be considered and recorded in all matters before, during and after the processing of instructions. Before the matter is undertaken, the fee earners must : b. assess the risk profile of all new instructions and notify the supervisor , in accordance with procedures under 5.4, of any unusual or high risk considerations in order that appropriate action may be taken. c. consider any change to the risk profile of the matter and report and advise on such circumstances without delay, informing the supervisor if appropriate f. notify the supervisor of all such circumstances in accordance with documented procedures in section 5.4 above.	6.12 Operational risk will be considered and recorded in all matters before, during and after the processing of instructions. Before the matter is undertaken the adviser must: b. assess the risk profile of all new instructions and notify the risk manager in accordance with procedures under 6.3 of any unusual or high risk considerations in order that appropriate action may be taken. c. Consider any change to the risk profile of the matter and report and advise on such circumstances without delay, informing the risk manager if appropriate f. Notify the risk manager of all such circumstances in accordance with documented procedures.
6.1 Practices must have a policy for client care, including: f. the provision of reasonable adjustments for disabled clients.	1.4 Practices will have a policy on the avoidance of discrimination and the promotion of equality and diversity, which must include: b. the delivery of service
6.2 Practices must communicate the following to clients in writing, unless an alternative form of communication is deemed more appropriate: a. where appropriate, establish the client's requirements and objectives h. where appropriate, consider whether the intended action would be merited on a cost benefit analysis l. provide the client with the name and status of the person responsible for the overall supervision of their matter.	7.2 Practices will communicate the following to clients in writing, unless an alternative form of communication is deemed more appropriate: a. establish the client's requirements and objectives h. consider whether the intended action would be merited on a cost benefit analysis l. the client is given the name of person responsible for the overall supervision of their matter
6.5 Practices must operate a written complaints handling procedure , including: c. the name of the person with overall responsibility for complaints	7.5 Practices will operate a written complaints handling procedure, including: c. to whom the client can complain

Lexcel amended requirement v6	Lexcel requirement v5
<p>7.6 Practices must have procedures to ensure that, at the end of the matter, the practice:</p> <ul style="list-style-type: none"> a. if required, reports to the client on the outcome and explains any further action that the client is required to take in the matter and what (if anything) the practice will do 	<p>8.7 Practices will have documented procedures to ensure that, at the end of the matter, the practice:</p> <ul style="list-style-type: none"> a. reports to the client on the outcome and explains any further action that the client is required to take in the matter and what (if anything) the practice will do

Removed requirements

The table below sets out requirements that were contained in version 5 and have been deleted from version 6.

Lexcel removed requirement	
1.2	Practices will have a risk management policy, which must include: <ol style="list-style-type: none"> a. strategic risk b. operational risk c. regulatory risk
4.6	Practices will have a procedure for legal research, including the updating and sharing of legal and professional information.
4.7	Practices will maintain an office manual or equivalent Intranet documentation collating information on office practice, which must be available to all personnel of the practice. This will include: <ol style="list-style-type: none"> a. a procedure to control the office manual or intranet to ensure that only the current version is in use b. a procedure to update the manual or Intranet and record the date of amendments
6.1	Practices must designate one overall risk manager to be able to identify and deal with all risk issues which may arise.

Cross mapping of all requirements (by number)

The table below maps all the requirements in version 6, compared to version 5, by number. Requirements in the left-hand column are shown in either **red**, **amber** or **green** to indicate the status of requirements in version 6, compared to version 5.

Status	Explanation
Requirement shown in red text, e.g. 1.1 (a)	Indicates a new requirement added into version 6
Requirement shown in amber text, e.g. 1.1 (a)	Indicates an amendment, where the meaning of the requirement has changed between the requirement in version 6 that was previously in version 5
Requirement show in green text, e.g. 1.1 (a)	Indicates no changes have been made to the meaning of the requirement from version 5 to version 6

Requirement v6	Requirement v5
1.1	1.1
1.1.a	1.1.a
1.1.b	1.1.b
1.2	2.1,
1.2.a	2.1.a
1.2.b	2.1.b, 2.2, 2.5
1.2.c	2.3
1.2.d	2.3.a
1.2.e	2.3.b
1.2.f	None
1.2.g	None
1.3	2.4
1.3.a	2.4.a
1.3.b	2.4.b
1.3.c	2.4.c
1.3.d	2.4.d
1.4	1.6
2.1	3.1
2.2	3.2
2.2.a	3.2.a
2.2.b	3.2.b

Requirement v6	Requirement v5
2.2.c	3.2.c
2.2.d	3.2.d
2.2.e	3.2.e
2.2.f	3.2.f
2.3	3.3
2.4	3.4
2.4.a	3.4.a
2.4.b	3.4.b
2.4.c	3.4.c
2.5	3.5
2.5.a	None
2.5.b	None
2.5.c	None
3.1	4.1
3.1.a	None
3.1.b	4.1.c
3.1.c	None
3.1.d	None
3.1.e	None
3.1.f	None
3.1.g	None

Requirement v6	Requirement v5
3.1.h	None
3.1.i	None
3.1.j	None
3.2	4.2
3.2.a	4.2.a
3.2.b	4.2.b
3.2.c	4.2.d
3.3	4.3
3.3.a	4.3.a
3.3.b	4.3.b
3.3.c	4.3.c
3.3.d	1.4.b
3.4	4.4
3.4.a	4.4.a
3.4.b	4.4.b
3.5	4.5
3.5.a	4.5.a
3.5.b	4.5.b
3.6.	4.7.c
3.6.a	4.7.c
3.6.b	4.7.c
3.6.c	2.1.d, 2.2.c, 2.3.c
3.6.c	1.2.e, 1.3.f, 1.4.h, 1.5.b, 1.6.b, 2.5.d, 3.4.e, 3.5.b, 4.1.f, 4.2.f, 4.3.e. 4.4.d, 4.5.d, 5.1.b, 5.6.e, 5.7.d, 6.8.e, 6.11.f, 6.14.b, 7.1.e, 7.5.i, 8.1.e.
4.1	1.5
4.2	1.4
4.2.a	1.4.a
4.2.b	1.4.d
4.2.c	1.4.e
4.2.d	1.4.f

Requirement v6	Requirement v5
4.2.e	1.4.a
4.3	5.6
4.3.a	5.6.a
4.3.b	5.6.b
4.3.c	5.6.c
4.3.d	5.1
4.4	5.2
4.5	5.3
4.5.a	5.3.a
4.5.b	5.3.b
4.5.c	5.3.c
4.5.d	5.3.d
4.5.e	5.3.e
4.5.f	5.3.f
4.5.g	5.3.g
4.6	5.4
4.6.a	5.4.a
4.6.b	5.4.b
4.6.c	5.4.c
4.6.d	5.4.d
4.7	5.5
4.7.a	5.5.a
4.7.b	5.5.b
4.7.c	5.5.c
4.8	5.7
4.8.a	5.7.a
4.8.b	5.7.b
4.9	None.
4.10	None

Requirement v6	Requirement v5
5.1	1.2
5.1.a	None
5.1.b	None
5.1.c	None
5.1.d	None
5.2	1.3
5.2.a	1.3.a
5.2.b	1.3.b
5.2.c	1.3.c
5.3	6.2
5.4	6.3
5.5	6.4
5.6	6.5
5.7	6.6,6.7
5.7.a	6.6.a
5.7.b	6.6.b
5.8	6.8
5.8.a	6.8.a
5.8.b	6.8.b
5.8.c	6.8.c
5.9	6.9
5.9.a	6.9.a
5.9.b	6.9.b
5.9.c	6.9.c
5.9.d	6.9.d
5.9.e	6.9.e
5.9.f	6.9.f
5.10	6.10
5.11	6.11
5.11.a	6.11.a
5.11.b	6.11.b
5.11.c	6.11.c
5.11.d	6.11.d

Requirement v6	Requirement v5
5.11.e	6.11.e
5.11.f	6.11.f
5.12	6.12
5.12.a	6.12.a
5.12.b	6.12.b
5.12.c	6.12.c
5.12.d	6.12.d
5.12.e	6.12.e
5.12.f	6.12.f
5.13	6.14
5.13.a	None
5.13.b	None
5.13.c	None
5.13.d	None
5.13.e	None
5.14	6.14
5.14.a	None
5.15	6.14
5.16 and 5.16.a	6.13 and 6.13.a
5.16.b	6.13.b
5.16.c	6.13.c
5.16.d	None
5.16.e	None
5.16.f	None
5.16.g	None
5.16.h	6.13.d
6.1	7.1
6.1.a	7.1.a
6.1.b	7.1.b
6.1.c	7.1.c
6.1.d	8.3.b
6.1.e	7.7
6.1.f	1.4.b

Requirement v6	Requirement v5
6.2	7.2
6.2.a	7.2.a
6.2.b	7.2.b
6.2.c	7.2.c
6.2.d	7.2.d
6.2.e	7.2.e
6.2.f	7.2.f
6.2.g	7.2.g
6.2.h	7.2.h
6.2.i	7.2.i
6.2.j	7.2.j
6.2.k	7.2.k
6.2.l	7.2.l
6.3	7.3
6.4	7.4
6.4.a	7.4.a
6.4.b	7.4.b
6.4.c	7.4.c
6.4.d	7.4.d
6.4.e	7.4.e
6.4.f	7.4.f
6.4.g	7.4.g
6.5	7.5
6.5.a	7.5.a
6.5.b	7.5.b
6.5.c	7.5.c
6.5.d	7.5.d
6.5.e	7.5.e
6.5.e(i)	7.5.e(i)
6.5.e(ii)	7.5.e(ii)
6.5.f	7.5.f
6.5.g	7.5.g
6.6	7.6

Requirement v6	Requirement v5
6.7	8.1
6.7.a	8.1.a
6.7.b	8.1.b
6.7.c	8.1.c
7.1	8.2
7.2	8.4
7.3	8.5
7.3.a	8.5.a
7.3.b	8.5.b
7.3.c	8.5.c
7.3.d	8.5.d
7.3.e	8.5.e
7.4	8.3
7.4.a	8.3.a
7.4.b	8.3.b
7.4.c	8.3.c
7.4.d	8.3.d
7.5	8.6
7.5.a	8.6.a
7.5.b	8.6.b
7.5.c	8.6.c
7.5.d	8.6.d
7.5.e	8.6.e
7.5.f	8.6.f
7.5.g	8.6.g
7.5.h	8.6.h
7.6	8.7
7.6.a	8.7.a
7.6.b	8.7.b
7.6.c	8.7.c
7.6.d	8.7.d
7.6.e	8.7.e
7.6.f	8.7.f

Lexcel toolkit publications

Existing Lexcel toolkit publications have not been updated to reflect Lexcel version 6. If referring to a toolkit publication based on Lexcel v5, please use the above cross mapping table to identify how the numbering and status of requirements has changed from Lexcel v5 to Lexcel v6. Lexcel v6 contains seven sections. Section 1 from v5 ('Structures and policies') has been removed in v6 and its requirements moved to other sections.