



THE FACULTY OFFICE

Action plan

In response to the Legal Services Board's 'Well-led review of the Faculty Office' report (September 2021) and to LSB colleagues' helpful guidance, the Faculty Office has developed the following action plan to guide its programme of developments and improvements to address the report's findings.

The Faculty Office welcomes the LSB's report, offering as it does the opportunity to take account of a detailed external review, signposting areas in which improvement is possible.

The following five points are central to demonstrating the Faculty Office's commitment to, and ownership of, the process detailed in the action plan.

1. In order to place the action plan, its delivery and its monitoring at the heart of the Faculty Office, it will (from 1 September 2021) become a standing item on the agendas of the following boards and committees:
 - Master's Council
 - Master's Audit Committee
 - Advisory Board
 - Qualifications Board
2. Each item in the action plan has a designated staff lead, and also a board or committee with designated oversight of each item

3. Where new or amended policy documents are referred to, these will be formally included within the new Faculty Office governance manual which is now in development, and scheduled for introduction in January 2022.
4. Each policy will contain details of where in the Faculty Office structure it is 'owned' and when it is next scheduled for review.
5. The timescale for the development and introduction of the new governance manual is intended to be:
 - **September:** initial draft to Advisory Board
 - **October:** discussion on revised draft 1 at specially-convened Master's Council meeting
 - **November:** revised draft to the Master's Audit Committee
 - **December:** revised draft to Advisory Board
 - **January:** discussion on revised draft at specially-convened Master's Council meeting and approval for formal introduction sought from the Master

The governance manual will also contain significant additional content which is not referred to below, as that content is not referred to in the LSB report.

In terms of additional work which the action plan will require from the Faculty Office, it is likely that one or more committees and boards may need to meet more frequently than has been the case in the past. At this stage that seems most likely with the Master's Audit Committee, but this issue will be kept under close review as the action plan unfolds, and additional meetings of committees and boards will be put in place as needed. The Master's Audit Committee's remit will also be regularly reviewed to ensure it supports the achievement of the Action Plan.

The Faculty Office acknowledges that there may be a need for additional external expertise in some areas, and that will be put in place as required. The Faculty Office is well used to engaging outside expertise, and that will be the case to address the challenges of the action plan, should additional assistance be needed.

Other items have their own delivery timescale noted within the action plan.

Action plan 2021/22							
Specific outcome	Key WL standard / Key report reference <i>(all 'specific outcomes' cross over into other standards and report areas too)</i>	Action	Impact – how the action will address issues within the LSB review	Staff lead / oversight	Committee lead / oversight and ongoing review	Timescale for delivery	Status at 1.9.21
New governance manual	This initiative is overarching across all proposed actions and impacts all WL standards Key WL standard – WL3 Key report reference - 1.14a	In active development The governance manual structure is now agreed with the Master The manual content, built around the agreed framework, will be developed by the FO team The manual drafts will be reviewed by: • Advisory Board • Qualifications Board • Master's Audit Committee • Master's Council	Establish a consistent, transparent and coherent way for how, when and by whom key governance elements will be delivered and overseen Ensure that good governance processes are embedded across the FO Ensure application of all good governance elements to a consistently high standard across the FO	Registrar	Master's Council	January 2022	

		for recommendation to the Master in January 2022 The manual will embed clear, positive responses to the policy and procedural recommendations in the report					
Management of risk	WL3 1.12	Further ongoing development of the comprehensive risk matrix recently introduced The matrix is key to managing risk in all areas of the FO's operation, and will be reviewed and developed at each meeting of the Master's Audit Committee The risk matrix will be reviewed at every meeting of: Master's Audit Committee	Providing ongoing confidence to the regulated community that issues of risk are kept regularly under close review Ensuring that horizon scanning is part of ongoing risk assessments	Deputy Registrar, with Deputy Chief Clerk (Risk & Compliance)	Master's Audit Committee	Ongoing	
Increased transparency	WL3 1.14b	Development of policy document on transparency This policy will enable stakeholders and interested parties to follow clearly how the FO's key activities are undertaken and monitored The policy will be embedded within the new FO governance	The ongoing publication of a defined range of FO evidence, drawn from across the WL3 examples of evidence (with additional evidence as appropriate) It will clearly identify, for all specified WL3 outcomes*, how they will	Chief Clerk	Advisory Board	January 2022	

		manual to be published in January 2022 The policy draft will be reviewed by: • Advisory Board • Master's Audit Committee	be made accessible to all stakeholders and interested parties *the outcomes covered will include (in appropriate detail): • Decision-making (in particular, on how the Master is assisted in decision-making) • Regulatory approach • Risks and mitigation strategies • Performance against established KPIs • Costs				
Scheme of delegation	WL2 1.14c	Development of policy document identifying the scheme of delegation This policy will define how decisions at all key levels are made and will specify decisions delegated by the Master and to whom / to which committee The policy will be embedded within the new FO governance manual to be published in January 2022	Make clear to stakeholders and interested parties how decisions at all key levels are made and by whom Ensure consistency in the recording of advice formally offered to the Master, and how that is made available, in line with the transparency policy	Chief Clerk	Master's Council	January 2022	

		The policy draft will be reviewed by: • Advisory Board • Master's Audit Committee • Master's Council	Ensure consistency in delegated decision-making				
Staff role descriptions	WL2 1.14c	Introduction of role descriptions for FO staff A programme of work will be undertaken to develop and introduce role descriptions for all FO staff members <i>This work will necessarily involve appropriate formal consultation with staff, and additional time has been allowed for that process</i> The plan to deliver this outcome will be reviewed by: • Master's Council	Enable staff to clearly understand their own role in formal decision making Bring consistency and clarity to the way key decisions are made One central aspect will be to define each staff member's role in decision making, and in which matters delegated by the Master they can expect to take part	Deputy Registrar	Master's Council	February 2022	
Issues of privacy in Qualifications Board minutes	WL3 1.14d	Procedure for redacting Qualifications Board minutes An appropriate procedure will be introduced and embedded within the new FO governance manual to be published in January 2022 The policy draft will be reviewed by: • Qualifications Board	Maintaining transparency in all published FO minutes as far as is possible, given the need to maintain applicants' privacy in the context of the Qualifications Board	Chief Clerk	Qualifications Board	January 2022	

Publishing policy	WL3 1.14d	Development of policy document on publishing FO documentation An appropriate publishing policy regarding minutes and other papers will be introduced The policy draft will be reviewed by: Advisory Board	Improved transparency across all FO documentation, including financial matters of interest to the regulated community Clear guidance for stakeholders and interested parties as to what they can expect to access	Chief Clerk	Advisory Board	January 2022	
Appointments to the Advisory and Qualifications Boards	WL2 1.15	Development of policy document on appointment of members to the Advisory and Qualifications Boards An appropriate policy governing the appointment of members to the Advisory and Qualifications Boards will be introduced It will contain measures to ensure there is no undue influence on the FO from the notarial societies The policy draft will be reviewed by: - Advisory Board - Qualifications Board	Opportunity for undue influence on the FO by either of the notarial societies is significantly reduced Clarification as to the role of the notarial societies within FO structures	Registrar	Master's Council	January 2022	
FO contract with LBMW / Value for money / Open tendering process	WL3 1.16	Contract with LBMW The Master will commission and develop a contract to	The relationship between the FO and LBMW will be brought on to a transparent basis	Master	Master's Audit Committee	October 2022	

		govern the relationship between the FO and LBMW Value for money review The Master (working with the Master's Audit Committee) will commission and develop a process to review the value for money offered by the current link with LBMW. It is anticipated that reviews will take place on a four year cycle The first VFM review will take place in the first quarter of 2023 Open tendering process A decision will be made by the Master after each VFM review as to whether to put in place an open tendering process	The regulated community will be able to have confidence that the FO's relationship with LBMW for the services it provides offers good value for money, and that it is kept under regular review Stakeholders and interested parties can be assured that the FO's resources are being well spent and kept under review, including through open tendering, at the Master's discretion				
Staff with joint FO/LBMW responsibilities	WL2 1.16	Development of policy document on staff with both FO and LBMW work responsibilities A policy giving clarity as to how staff with joint responsibilities manage competing priorities will be introduced	Avoidance of any perception of conflict of interest regarding staff with dual roles Clarity as to the LBMW management fee incurred by the FO for services provided	Deputy Registrar	Master's Council	January 2022	

		The policy draft will be reviewed by: Master's Council					
Deficit and reserves	WL3 1.16	Eliminating the FO 'notarial deficit' and achieving target level of reserves A plan for (a) delivering the rapid elimination of the deficit and (b) growing the FO reserve will be developed and introduced The plan will be reviewed and monitored by: Master's Audit Committee	Clarity and transparency as to the level of deficit, how and when it will be eliminated and where the FO's reserves stand Clarity on these issues in the context of future FO PCF applications and annual accounts Clarity for the regulated community as to the FO financial position, and also on the regulated community's role in resourcing the FO as regulator for their activities	Registrar	Master's Audit Committee	Nov 2021	
Membership of the Master's Audit Committee	WL2 1.18	Expanding the membership of the Master's Audit Committee The rapid startup of the Master's Audit Committee in 2020 meant limited time for recruitment. The MAC has space for additional members, and initial startup members will potentially stand down once further capacity is developed	Ensure diversity and appropriate skills mix Provide an open and transparent recruitment process, offering opportunity to engage formally with the FO to interested parties Develop increasing rigour in the assessment of areas of FO operation by the MAC	Registrar	Master's Council	March 2022 <i>(in time for meeting 1 of the MAC in 2022)</i>	

		The FO will undertake a skills audit and seek to recruit suitable new members of the MAC, in line with the policy document outlined in specific outcome 'Staff, board and committee recruitment' below The expansion of MAC membership will be kept under review by: Master's Council					
Expand lay membership of the Advisory Board	WL2 1.18	Identify and recruit new lay members to the Advisory Board The FO will seek to recruit two new members to the Advisory Board, reflecting the need for greater diversity on the Board. The plan will be kept under review by: Master's Council	Expansion of lay membership of the Advisory Board Increased diversity amongst membership of the Advisory Board	Registrar	Master's Council	September 2021	COMPLETED
Staff, board and committee recruitment	WL2 1.19	Development of policy document covering recruitment of staff, board and committee members A policy defining processes for recruiting people into roles within the FO, both executive and non-executive Within that policy, issues of diversity will be reflected	Ensure confidence amongst the regulated community, stakeholders and interested parties that recruitment for all roles is fair, open and designed to ensure appropriate diversity Avoidance of related conflicts of interest	Registrar	Master's Council	January 2022	

		The policy draft will be reviewed by: Master's Council					
Increased engagement with consumers of notarial services	WL6 1.20 / 1.25	Expanded strategy for engagement with consumers The FO will assess how best to engage directly with consumers, and will work with other regulators to define opportunities for doing so The first expansion will be to undertake an initial process involving the LSB's recommended Consumer Panel The plan will be kept under review by: Advisory Board	Provision of increasing opportunities for consumers of notarial services to engage directly with the FO Opportunity for the FO to listen to and learn from feedback from consumers Opportunity for the FO to listen to, learn from and share insights with other regulators	Chief Clerk	Advisory Board	January 2022 <i>(for first process with Consumer Panel)</i>	
1.21 Consultation processes	WL6 1.21	Development of policy document covering consultations, publication of their outcomes and impact made by the consultation A policy defining processes for consultations undertaken by the FO, including a commitment to making known the impact which consultations had and how decisions were made	Increased transparency, with stakeholder views being clearly taken into account Encouragement to regulated community and others that consultations are effective and worthwhile Confidence for stakeholders and interested parties that FO	Chief Clerk	Advisory Board	January 2022	

		This policy will cover issues of professional CPD and changes to Notarial Practice Rules, as well as other subjects The policy draft will be reviewed by: Advisory Board	policy is grounded in the opinions of those it serves				
Increased horizon scanning and research	WL4 1.25a	Development of a programme of proactive horizon scanning and related research The FO will actively explore avenues for improved opportunities, in conjunction with the two notarial societies, notaries and other regulators This process will be reviewed by: Master's Council	Improved ability to anticipate developments in the field Engagement opportunities with the FO for the regulated community, stakeholders and interested parties Enhanced opportunity for the FO to listen to others	Chief Clerk, with Deputy Chief Clerk	Master's Council	March 2022	

Status key:

Purple – not yet started

Red – under way but off track

Amber – under way

Green – under way and fully on track

Black – completed