

## **Consultation: on the proposed amendments to the Transparency Rules and the Transparency Requirements at section 16 of the CILEx Regulation-ACCA Handbook 2021**

This consultation will be of interest to CILEX Authorised Entities, CILEX-ACCA Probate Entities, our regulated community, other stakeholders including approved regulators and consumers of legal services.

1. CILEx Regulation (CRL) is the independent regulator for chartered legal executives, other grades of CILEX membership, CILEX Practitioners and firms. We take a risk based and outcomes focused approach to regulation, by working constructively with our regulated community to ensure that they deliver the best outcomes for clients. We have set clear principles within our Code of Conduct and inform the public of the standards they can expect. We believe this provides a balanced approach.
2. The purpose of this consultation is to determine whether CRL should make an application to the Legal Services Board to make the amendments as proposed to its:
  - a) [Transparency Rules](#) and
  - b) Transparency Requirements at Regulation 16 of the [CILEx Regulation-ACCA Handbook 2021](#).
3. We welcome responses from our CILEX Authorised Entities, CILEX-ACCA Probate Entities, regulated community and other stakeholders including other approved regulators, consumers of legal services and any other interested parties.
4. This consultation will run for 6 weeks from 20 May 2024, **closing at 5pm on 1 July 2024**.

### **Background - Why we are proposing to amend our Rules and Regulations**

5. The [CMA report](#) in December 2016 concluded that the legal services market was not working well for individual consumers and small businesses. Consumers found it hard to make informed choices about legal services providers because of lack of information about price, service and quality.
6. Following the CMA's recommendations to legal regulators, we developed [Transparency Rules \(Rules\)](#) and [Transparency Guidance](#). The Rules came into force in January 2019 for CILEX Authorised Entities providing legal services in conveyancing and probate. They were amended in January 2022 to extend these Rules to firms providing immigration legal services.
7. We increased the number of firms publishing transparency information when we assumed regulation of probate activities by ACCA regulated accountants at the end of 2021. Transparency requirements for CILEX-ACCA Probate Entities are set out at Regulation 16 of the [CILEx Regulation-ACCA Handbook \(Regulations\)](#) and [Transparency Guidance](#) and came into force in November 2021.

8. The [CMA's review](#) of the legal services market in December 2020 “found that good progress has been made by the regulatory bodies in increasing the availability of information on price, service, redress and regulatory status...as yet, limited evidence that high-level competitive outcomes.” It made further recommendations which were formalised by the LSB into the [Statement of policy on empowering consumers](#) (SoP) in April 2022.
9. We carried out a gap analysis against the SoP, and an evaluation of our Transparency Rules and Regulations. We also considered findings from evaluations<sup>1</sup> of transparency rules closely aligned with ours. We identified that amendments to our Rules and Regulations are needed to meet the LSB expectations. We are proposing additional minor amendments aimed at improving the ease and accessibility of information for consumers.
10. We currently regulate about 60 firms providing legal services across all the reserved legal activities and some unreserved legal work. Of these:
  - 19 are CILEX Authorised Entities and, currently, 10 of these are not required to publish any transparency information because of the nature of the work they provide.
  - 37 are CILEX-ACCA Probate Entities.
11. The transparency requirements apply as Rules to the CILEX Authorised Entities and apply as Regulations (which mirror the Rules) to the CILEX-ACCA Probate Entities (**probate firms**).

### **Proposed changes**

12. **Extension of the Rules** to all legal services CILEX Authorised Entities (**firms**) providing legal services to consumers and small businesses. This will require all firms to provide information on price/service, complaints procedure, redress, Professional Indemnity Insurance, compensation arrangements, regulatory information and digital logo.
13. **Publication Requirements in our Rules and Regulations:**
  - revise the publication requirements
  - extend the information to be published to include mix of staff and a link to the Legal Ombudsman decision page.

### **Extension of Rules to all firms**

14. Our evaluation found that generally our firms to which the Rules and Regulations apply are good at providing the transparency information required. This is in line with the findings in the CMA's 2020 report that good progress had been made in the increase in availability of information on price, service, redress and regulatory status.

---

<sup>1</sup> [Year 3 Transparency Rules Evaluation \(sra.org.uk\)](#) / [Transparency-Rules-Evaluation-Impact-on-Consumers.pdf \(barstandardsboard.org.uk\)](#)

15. Our Rules currently apply only to our firms providing conveyancing, probate or immigration legal services. We regulate about sixty firms providing legal services across all the reserved legal activities and some unreserved legal work. Currently ten firms are not required to publish any transparency information. Firms regulated by other legal regulators, even if they are not providing a legal service in an area of law mandated to publish price and service information, are required to publish the following “regulatory information”:

- Complaints/redress
- Professional Indemnity Insurance
- Area of law authorised for
- Services covered/not covered by CRL compensation arrangements
- Authorisation number
- Digital logo

We are proposing to extend our Rules to all firms authorised by us providing legal services to consumers and small businesses.

16. Consumers often fail to appreciate that not all legal service providers are regulated. It is important to ensure that consumers have information about regulatory status when choosing a firm.

17. When we introduced the Rules, we anticipated that our firms that are not subject to the Rules would recognise the business benefits of publishing the transparency information and gradually adopt these requirements.

18. Our evaluation found that encouragingly half of the firms that the Rules do not apply to publish some information about price, as well as their complaints procedure on their websites. All display the digital logo. The expected adoption of full transparency publication by all firms has not happened. We have concluded that the only way in which we can ensure all our firms publish the transparency information is by amending the Rules so they are all required to do so. Since they were already required to include this information in their Client Care Letter, it has been relatively easy for the firms which are already required to do so to comply with these Rules. This is a consistent theme of evaluations of compliance with similar transparency rules undertaken by other regulators across a large part of the legal sector.

### **Extension of Rules to all legal services provided to consumers and small businesses**

19. We considered whether to extend the Rules requiring publication of regulatory information only to all firms, or whether also to include the requirements relating to price and service. The CMA reports did not distinguish between specific legal services when they recommended publication of price and service information, and this approach is followed in paragraphs 16 and 17 of the SoP.

20. The findings in evaluations<sup>2</sup> carried out by other legal regulators note:

---

<sup>2</sup> [Year 3 Transparency Rules Evaluation \(sra.org.uk\) / Transparency-Rules-Evaluation-Impact-on-Consumers.pdf](https://sra.org.uk/Transparency-Rules-Evaluation-Impact-on-Consumers.pdf)  
([barstandardsboard.org.uk](https://barstandardsboard.org.uk))

- increased transparency appears to be enabling consumers to compare the prices and services of legal services providers and
- individual and SME consumers whose legal issue was not covered by the Transparency Rules also wanted price and services information to help them make their decision and were therefore likely to benefit from the information being made more widely available. We are satisfied there will be benefits to consumers in extending the Transparency Rules to additional areas of law.

21. When the Transparency Rules were first made, we decided to limit the legal services to which they should apply to conveyancing and probate services because these are largely transactional and it was considered easier for firms to provide generic price information. We indicated at the time that conveyancing and probate services were our starting point and we would monitor how firms managed implementation and would consider rolling these requirements out to other areas of law, (as we did in 2022 to include immigration legal services).

22. We note that the SRA evaluation<sup>3</sup> found that publication of regulatory information appeared to have more support from the profession than the price and service requirements. We also note that the evaluations have not identified issues specifically relating to price and service publication in areas of law other than conveyancing and probate services. We found in our evaluation that some of the firms providing litigation services are already publishing price information.

23. We are proposing to amend to our Rules so they apply to all legal services provided by CRL firms to consumers and small businesses. This will ensure that consumers and small businesses considering whether to instruct one of our firms can find the information they need to assist them with their choice. It will be more straightforward for firms as the Rules will apply to all services they provide to consumers and small businesses. Implementation and enforcement will be easier as there will be no doubt that the Rules apply to all CRL firms. We have also noted that the evaluation of the SRA rules suggests an option to extend the price and service rules to all legal services.

### **Revision of publication requirements in Rules and Regulations**

24. We engaged with our firms and CILEX-ACCA probate firms during implementation of the Rules and Regulations. As a result, several of them have adopted a similar format to provision of information, in particular, regulatory information.

25. Our evaluation has highlighted, however, the need to be more prescriptive about where and how the transparency information is published.

26. Some firms and probate firms publish the required information but not in “a format that is clear and easy to find and understand” as set out in the current [guidance](#). For example, information accessed only via a link in small font in the website footer or located towards the end of lengthy documents. Arguably, neither is a breach of the Rules or Regulations,

---

<sup>3</sup> [Year 3 Transparency Rules Evaluation \(sra.org.uk\)](https://www.sra.org.uk)

but clearly both are not within the intent of the Rules and Regulations to make such information easily accessible to consumers and small businesses.

27. We are proposing to amend the Rules and Regulations by requiring that the transparency information is published “prominently in a clear and accessible format”. The meaning of this phrase will be clarified in the interpretation to the Rules.
28. Just under half our CILEX-ACCA Probate Entities do not have a website. For these probate firms, consumers can only access the transparency information by contacting the firm directly.
29. When we have asked those firms to supply us with the transparency information, it has often taken time and repeated requests to obtain it. We are proposing that any firm or probate firms without a website should be required to have a “Consumer Information Leaflet” including all the transparency information so it is readily available for a consumer.
30. In its 2016 report the CMA emphasised the need for consumers to be able to access this information without having to contact a firm or provide contact details. In line with this recommendation, we will require a firm and probate firm which has no website to supply us with a copy for publication so it can be accessed on our firm directories. The leaflet will be provided to us on annual review or more frequently as appropriate.

#### **Publication of additional information**

31. We are also amending our Rules and Regulations to require our firms and probate firms to publish on their websites:
  - details of their mix of staff (see paragraph 20 of the SoP)
  - a link to the Legal Ombudsman decision page (see SoP, LSB research<sup>4</sup>, information in the CMA reports<sup>5</sup> that consumers value complaints information).

---

<sup>4</sup> [LSB Public Panel Research Report \(legalservicesboard.org.uk\)](https://legalservicesboard.org.uk)

<sup>5</sup> [Legal services market study: Final report \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)/ [Final report \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

## Proposed changes to our Rules and Regulations

### Overview

**Changes to the Transparency Rules for consultation** - (Annex 1- Rules with proposed amendments)

<b>RULE</b>	<b>PROPOSED CHANGE</b>
<b>Rule 1 (2) (new)</b>	<b>Extension of the Rules to:</b> <ul style="list-style-type: none"> <li>• all CILEX Authorised Entities</li> <li>• all <b>legal services</b> provided to consumers by each Authorised Entity</li> </ul>
<b>Interpretation</b>	<b>consumers:</b> includes individual consumers and small businesses with up to 10 employees and less than one million pounds net turnover acting in the position of consumers
<b>Rule 1 (2) a) and b)</b>	Deleted as amalgamated into Rule 1 (3) and (4)
<b>Rule 1 (3) (new)</b>	<b>Change to publication requirements</b> Information must be published: <ul style="list-style-type: none"> <li>• “<b>prominently</b>” and</li> <li>• must be “<b>clear and accessible</b>”</li> </ul>
<b>Interpretation</b>	<b>prominently:</b> in a way that stands out so as to be easily seen; noticeably or conspicuously  <b>clear and accessible:</b> means a clear font and at least font size 12
<b>Rule 1 (4) (new)</b>	<b>Change to publication requirements</b> Firms without a website, will have a “ <b>Consumer Information Leaflet</b> ” which they must <ol style="list-style-type: none"> <li>a) make available on request and</li> <li>b) <b>provide to CILEX Regulation</b> for publication on the CILEX Authorised Entity Directory.</li> </ol>
<b>Rule 2 c)</b>	Service information requirement in current Rule 3 moved into Rule 2 c)
<b>Rule 2 f) (new)</b>	A firm must <b>publish of mix of staff</b>
<b>Rule 3</b>	Deleted as amalgamated into Rule 2 c)
<b>Rule 4 (new)</b>	A firm must <b>publish a link to the Legal Ombudsman decision data website page</b>
<b>Annex A</b>	Deleted

**Changes to the CILEx Regulation-ACCA Handbook 2021 Regulation: 16. Transparency Requirements for consultation – (Annex 2 - Regulations with proposed amendments)**

REGULATION	PROPOSED CHANGE
Regulation 16.1 a) (new)	<b>Change to publication requirements</b> Information must be published: <ul style="list-style-type: none"> <li>• “<b>prominently</b>” and</li> <li>• must be “<b>clear and accessible</b>”</li> </ul>
16.8	<b>prominently:</b> in a way that stands out so as to be easily seen; noticeably or conspicuously  <b>Clear and accessible:</b> means a clear font and at least font size 12
Regulation 16.1 b) (new)	<b>Change to publication requirements</b> Firms without a website, will have a “ <b>Consumer Information Leaflet</b> ” which they must <ul style="list-style-type: none"> <li>i) make available on request and</li> <li>ii) <b>provide to CILEx Regulation</b> for publication on the CILEX-ACCA Probate Firm Directory</li> </ul>
Regulation 16.2 c)	Service information requirement in current Regulation 16.3 moved into Regulation 16.2 c)
Regulation 16.2 f) (new)	A firm must <b>publish of mix of staff</b>
Regulation 16.3	Deleted as amalgamated into Regulation 16.2 c)
Regulation 16.4 (new)	A firm must <b>publish a link to the Legal Ombudsman decision data website page</b>

**Changes in detail**

32. We set out below the Rules that we propose to amend. The current wording that will be deleted is marked with a line through it. The new wording is shown in blue font.

**Rule 1. (2)**

33. **Currently Rule 1. (2)** – provides that the Rules apply to firms providing legal services set out in Annex A to the Rules. These are conveyancing, probate and immigration.

**Proposed change to Rule 1. (2)**

1.

(2) If a ~~CILEx~~ **An Authorised Entity** is providing legal services to consumers set out at Annex A, in relation to those legal services, it must **publish the information set out at Rules 2 – 7 on its website as required by Rule 1(3).**

34. While some firms providing legal services other than conveyancing, probate and immigration are publishing some price and regulatory information, not all of them are. The proposed Rule change will extend the Rules to all firms and to all the legal services that they provide to consumers.

35. In the **interpretation** section of the Rules we will make it clear what consumers includes.

<b>Proposed addition to interpretation</b>	
<b>consumers:</b>	<b>includes individual consumers and small businesses with up to 10 employees and less than one million pounds net turnover acting in the position of consumers.</b>

### **Benefit for consumers**

36. The focus of the CMA and LSB requirements is on ensuring consumers and small businesses can access decision making information. We make it clear in the interpretation section that “consumers” include individual consumers and small businesses with up to 10 employees and less than one million pounds net turnover acting in the position of consumers.

37. Consumers need to know and have the confidence that they are dealing with a regulated firm and the protections this provides. Consumers will be able to take account of a firm’s regulatory information alongside price and service information when deciding whether which firm(s) to contact.

38. Publication of regulatory information and the digital badge by all CRL Firms explaining the protections they have in place is essential because a high proportion of consumers still believe that all legal services providers are regulated<sup>6</sup>.

39. Price and service information is proving valuable to consumers in choosing legal services. Evaluations<sup>7</sup> of the impact of increased transparency for consumers find that more consumers are comparing prices and services of legal services providers now, compared with both before the introduction of the Transparency Rules and the first year following their introduction. Individual and SME consumers whose legal issue was not covered by the Transparency Rules also wanted price and services information to help them make their decision.

<sup>6</sup> [SRA's year three evaluation](#)

<sup>7</sup> [SRA's year three evaluation](#)



40. The Legal Services Consumer Panel Tracker survey<sup>8</sup>, while finding a slight dip in 2023 compared to 2022, conclude that consumers shop around for a provider more in 2023 than they did in 2012-2021.

### Impact on firms

41. This requirement will simplify our expectations of firms and ensure all firms know the Rules apply to them.

42. It will be relatively straightforward for firms to comply with the revised requirements. The majority of the required transparency information can be taken from the initial client care letter where firms already provide it to their new clients. It is also information that firms should be supplying to prospective clients to ensure they comply with consumer protection law obligations<sup>9</sup>. We will update our guidance and the checklist which used together with the Rules will make it easy for firms to understand the information they need to publish on their website. We will also expect firms to update their websites regularly particularly when their prices change.

**Question 1.** Do you foresee any issues with the interpretation of amended **Rule 1. (2)** - extension of the Rules to all legal services provided to consumers?

**Response 1.** Yes/No? Please provide comment.

**Question 2.** Do you foresee any issues with the implementation of amended **Rule 1. (2)** - extension of the Rules to all legal services provided to consumers?

**Response 2.** Yes/No? Please provide comment.

### Rule 1 (2) a) and b) / Regulation 16.1 a)

43. **Currently Rule 1 (2)a) and b) / Regulation 16.1a) require**

- at Rule 1 (2) a) / Regulation 16.1a) publication of the transparency information on, or via a link from, its website homepage and
- at Rule 1 (2) b) / Regulation 16.1b) if a firm/probate firm does not have a website, it must make the transparency information available on request

44. **Proposed change to:**

- **Rule 1 (2)a) and b)** is to delete the Rule and replace it with an amended version of the requirements in new **Rules 1(3) and Rule 1(4)** - lefthand column
- amend **Regulation 16.1a) and b)** – righthand column

<sup>8</sup> [How-consumers-are-choosing-legal-services-report.pdf \(legalservicesconsumerpanel.org.uk\)](#)

<sup>9</sup> [The Consumer Protection from Unfair Trading Act 2008 / The Consumer Contracts \(Information, Cancellation and Additional Charges\) Regulations 2013 / Consumer Rights Act 2015](#)

Proposed change to Rule 1 (2) a) and b)	Proposed change to Regulation 16.1a) and b)
<p>1 (2)  <del>a) publish on, or via a link from, its website homepage the information set out at Rules 2-8, or</del>  <del>b) if it does not have a website, make available on request the information set out at Rules 2-7</del></p> <p><b>Publication</b>  1 (3) An <b>Authorised Entity</b> must publish the information required under Rules 2 – 7 prominently in a clear and accessible format on, or via a link from, the homepage of its website.</p> <p>1 (4) If it does not have a website, an <b>Authorised Entity</b> must provide the information set out at Rules 2 – 7 in a leaflet (the “Consumer Information Leaflet”) which it must:</p> <ul style="list-style-type: none"> <li>a) make available on request, and</li> <li>b) provide to CILEx Regulation at annual renewal, or more frequently where appropriate, for publication on the CILEX Authorised Entity Directory.</li> </ul>	<p>16.1  A CILEx-ACCA Probate Entity must</p> <ul style="list-style-type: none"> <li>a) <del>publish on, or via a link from, its</del> <b>website homepage</b> the information set out at regulation 16. 2-16.7 prominently in a clear and accessible format on, or via a link from, its <b>website homepage</b> or</li> <li>c) if it does not have a website, <del>make available on request the information set out at regulation 16.2-16.7</del> it must provide the information set out at regulation 16. 2-16.7 in a leaflet, (the “Consumer Information Leaflet”) which it must: <ul style="list-style-type: none"> <li>i) make available on request and</li> <li>ii) provide to CILEx Regulation at annual renewal, or more frequently where appropriate, for publication on the CILEX-ACCA Probate Firm Directory.</li> </ul> </li> </ul>

45. **Proposed Rule 1 (3) / Regulation 16.1a)** reiterates the requirement that a firm/probate firm must publish the transparency information on, or via link from the homepage of its website and adds the requirement that the information is published **prominently in a clear and accessible format**.

46. The **interpretation** section of the Rules and Regulations will set out what is required by **prominently in a clear and accessible format**.

<b>Proposed addition to interpretation</b>	
<b>prominently:</b>	in a way that stands out so as to be easily seen; noticeably or conspicuously
<b>clear and accessible:</b>	Means a clear font and at least font size 12

47. **Proposed Rule 1 (4) / Regulation 16.1b)** strengthens the existing requirements on firms/probate firms without a website who currently are required to make the transparency information available to consumers on request.
48. These firms/probate firms will be required to have a **Consumer Information Leaflet** available for consumers on request. They must provide it to us at annual renewal and more frequently where appropriate. We will publish the leaflet on the firm’s entry on our [CILEX Authorised Entity directory](#) or [CILEX-ACCA Probate firm directory](#) as appropriate.

### **Benefit of change for consumers**

49. There are some firms that are publishing the required information but not in “a format that is clear and easy to find” as set out in the current [guidance](#). The proposed amendments will strengthen the Rules and Regulations and require publication of information prominently in a clear and accessible format. This will make it easier for consumers to find and access the transparency information which currently is likely to be missed because it is not easy to access.
50. The CMA made clear in their 2016 report that consumers should not have to interact with a firm to obtain information. We are proposing that any firm or probate firm which does not have a website should be required to provide us with the **Consumer Information Leaflet** for publication on our relevant firm directory. This will provide a location for consumers to access the transparency information without having to contact the firm or probate firm and or provide their contact details. This proposal is important because one of our CILEX Authorised Entities and almost than half of our CILEX-ACCA Probate firms do not have websites.

### **Impact on firms**

51. The current [guidance](#) to the Rules provides that the transparency information should be published in a “format that is clear and easy to find”. The amendment will strengthen the requirement to provide information as firms and probate firms should already have been doing.

52. The meaning of the phrase “**prominently in clear and accessible** format” will be made clear in the interpretation sections of the Rules and Regulations:

- **prominently:** in a way that stands out so as to be easily seen; noticeably or conspicuously
- **clear and accessible:** means a clear font and at least font size 12.

53. We will update our guidance for clarification and assistance to enable firms to understand our expectations. We will make clear that publication of a link to information in the footer of a website alone will not be compliant with the amended Rules and Regulations. Firms and probate firms will need to publish the required information prominently on their home page or provide a prominent and clear signpost to the transparency information from their home page. We will encourage them to adopt the use of a “consumer page” where they publish all their transparency information in one place.

54. Firms without a website are already required to have this information ready to provide to consumer on request. The requirement to formalise this information into a leaflet will have little impact on these firms, as will the requirement to supply a copy to us with their annual return, or any updated versions during the year.

**Question 3.** Do you foresee any issues with the interpretation of new **Rule 1 (3) / Regulation 16.1a)** - publish prominently in a clear and accessible format?

**Response 3** Yes/No? Please provide comment.

**Question 4.** Do you foresee any issues with the implementation of new **Rule 1 (3) / Regulation 16.1a)** - publish prominently in a clear and accessible format?

**Response 4.** Yes/No? Please provide comment.

**Question 5.** Do you foresee any issues with the interpretation of new **Rule 1 (4) / Regulation 16.1b)** - Consumer Information Leaflet?

**Response 5** Yes/No? Please provide comment.

**Question 6.** Do you foresee any issues with the implementation of new **Rule 1 (4) / Regulation 16.1b)** - Consumer Information Leaflet?

**Response 6.** Yes/No? Please provide comment.

### **Rule 2 and Rule 3 / Regulation 16.2 and 16.3**

55. **Rule 2 / Regulation 16.2** currently relates to Price only and **Rule 3 / Regulation 16.3** relates to service.

**Proposed change**

Amendment to Rules 2 and 3	Amendment to Regulation 16.2 and 16.3
<p><b>PRICE and SERVICES information</b></p> <p>2. Price and services information must include:</p> <ul style="list-style-type: none"> <li>a) The <b>total price</b> of the legal service.</li> <li>b) The basis on which the <b>total price</b> is calculated, for example, fixed fee or hourly rate.</li> <li>c) A description of the legal services that are included in the published <b>total price</b>, including the key stages of the legal services, typical timescales for each stage, and details of any services that might reasonably be expected to be included in the published <b>total price</b> but are not.</li> <li>d) The price of all each disbursements payable, together with an explanation of the disbursement.</li> <li>e) The prices and disbursements on which VAT must be paid and the amount of VAT payable.</li> <li>f) The mix of staff that deliver the legal services (to include their role, experience and qualifications).</li> <li>g) If conditional fee or damages-based agreements are available, then the circumstances in which clients may have to make payments themselves (including from any damages) must be explained.</li> </ul> <p><b>SERVICE information</b></p> <p><del>3. Service information must include:</del></p> <ul style="list-style-type: none"> <li><del>a) A description of the legal services provided</del></li> <li><del>b) The key stages of the legal service</del></li> <li><del>c) Typical timescales for each stage of the legal service</del></li> </ul>	<p><b>PRICE and SERVICE information</b></p> <p>16.2 Price and Service information must include:</p> <ul style="list-style-type: none"> <li>a) The <b>total price</b> of the legal service being provided.</li> <li>b) The basis on which the <b>total price</b> is calculated, for example, fixed fee or hourly rate.</li> <li>c) A description of non-contentious probate The services that are included in the published <b>total price</b>, including the key stages of and typical timescales for each stage of the non-contentious probate services that might reasonably be expected to be included in the published <b>total price</b> but are not.</li> <li>d) The price of all disbursements payable, together with an explanation of the disbursement.</li> <li>e) The prices and disbursements on which VAT must be paid and the amount of VAT payable.</li> <li>f) The mix of staff that deliver the legal services (to include their role, experience and qualifications).</li> </ul> <p><b>SERVICE information</b></p> <p><del>16.3 Service information must include:</del></p> <ul style="list-style-type: none"> <li><del>d) A description of non-contentious probate.</del></li> <li><del>e) The key stages of non-contentious probate.</del></li> <li><del>f) Typical timescales for each stage of non-contentious probate.</del></li> </ul>

**New Rule 2 (c) / Regulation 16.2c)**

56. A stylistic change moving the current **Rule 3 / Regulation 16.3 service information** requirements into the amended **Rule 2 (c) / Regulation 16.2c)**.

57. **New Rule 2 (f) / Regulation 16.2f)**– will add the requirement for firms/probate firms to provide information about the mix of staff, their role, experience and qualifications. This is information specifically set out in the LSB SoP.

58. **Existing Rule 2 (f)** will become **new Rule 2 (g)** following the addition of **new Rule 2 (f)**.

**Benefit of change for consumers**

59. **Information about the** mix of staff will provide details for consumers to understand the skills of the staff likely to deal with their matter and help them decide which firm to instruct.

**Impact on firms**

60. Pulling together **information about service with price information** is a change in the style of the rules.

61. We will provide guidance as to how firms might wish to approach providing information about **mix of staff** and we anticipate that firms will easily be able to add these details to their publication.

**Question 7.** Do you foresee any issues with the interpretation of new **Rule 2(c) / Regulation 16.2c) – stylistic change?**  
**Response 7** Yes/No? Please provide comment.

**Question 8.** Do you foresee any issues with the implementation of new **Rule 2 (c) / Regulation 16.2c) – stylistic change?**  
**Response 8.** Yes/No? Please provide comment.

**Question 9.** Do you foresee any issues with the interpretation of new **Rule 2 (f) / Regulation 16.2f) – mix of staff?**  
**Response 9.** Yes/No? Please provide comment.

**Question 10.** Do you foresee any issues with the implementation of new **Rule 2 (f) / Regulation 16.2f) – mix of staff?**

**New Rule 4 / Regulation 16.4**

<b>Rule 4</b>	<b>Regulation 16.4</b>
An <b>Authorised Entity</b> must publish a link to the Legal Ombudsman decision data website page.	A <b>CILEX-ACCA Probate Entity</b> must publish a link to the Legal Ombudsman decision data website page.

62. New **Rule 4 / Regulation 26.4** will require firms to publish a link to Legal Ombudsman decision page. This is currently [page](#). We will provide suggested wording for firms to use to contextualise the information in guidance.

### **Impact on consumers**

63. This will add to the information available to consumers at the time of making a decision about which firm to instruct. It will also make consumers aware that they would be entitled to refer a service complaint to the Legal Ombudsman if they are dissatisfied with the way in which it has been dealt by the firm.

### **Impact on firms**

64. This is information firms can use to persuade consumers of the benefits of using a regulated firm. Evaluations find that many consumers are not aware of the differences in the protections available to consumers instructing regulated (as opposed to unregulated) firms nor of the role of the Legal Ombudsman. This information will help consumers understand the benefits of instructing a regulated firm and the role of the Legal Ombudsman.

65. We will provide guidance on how to contextualise this information.

**Question 11.** Do you foresee any issues with the interpretation of new **Rule 4 / Regulation 16.4 – link to Legal Ombudsman decision data website page?**

**Response 11.** Yes/No? Please provide comment.

**Question 12.** Do you foresee any issues with the implementation of new **Rule 4 / Regulation 16.4 – link to Legal Ombudsman decision data website page?**

**Response 12.** Yes/No? Please provide comment.

## Full list of questions

**Question 1.** Do you foresee any issues with the interpretation of amended **Rule 1. (2)** - extension of the Rules to all legal services provided to consumers?

**Response 1.** Yes/No? Please provide comment.

**Question 2.** Do you foresee any issues with the implementation of amended **Rule 1. (2)** - extension of the Rules to all legal services provided to consumers?

**Response 2.** Yes/No? Please provide comment.

**Question 3.** Do you foresee any issues with the interpretation of new **Rule 1 (3) / Regulation 16.1a)** - publish prominently in a clear and accessible format?

**Response 3** Yes/No? Please provide comment.

**Question 4.** Do you foresee any issues with the implementation of new **Rule 1 (3) / Regulation 16.1a)** - publish prominently in a clear and accessible format?

**Response 4.** Yes/No? Please provide comment.

**Question 5.** Do you foresee any issues with the interpretation of new **Rule 1 (4) / Regulation 16.1b)** - Consumer Information Leaflet?

**Response 5** Yes/No? Please provide comment.

**Question 6.** Do you foresee any issues with the implementation of new **Rule 1 (4) / Regulation 16.1b)** - Consumer Information Leaflet?

**Response 6.** Yes/No? Please provide comment.

**Question 7.** Do you foresee any issues with the interpretation of new **Rule 2(c) / Regulation 16.2c) – stylistic change?**

**Response 7** Yes/No? Please provide comment.

**Question 8.** Do you foresee any issues with the implementation of new **Rule 2 (c) / Regulation 16.2c) – stylistic change?**

**Response 8.** Yes/No? Please provide comment.

**Question 9.** Do you foresee any issues with the interpretation of new **Rule 2 (f) / Regulation 16.2f) – mix of staff?**

**Response 9.** Yes/No? Please provide comment.

**Question 10.** Do you foresee any issues with the implementation of new **Rule 2 (f) / Regulation 16.2f) – mix of staff?**

**Response 10.** Yes/No? Please provide comment.

**Question 11.** Do you foresee any issues with the interpretation of new **Rule 4 / Regulation 16.4 – link to Legal Ombudsman decision data website page?**

**Response 11.** Yes/No? Please provide comment.

**Question 12.** Do you foresee any issues with the implementation of new **Rule 4 / Regulation 16.4 – link to Legal Ombudsman decision data website page?**

**Response 12.** Yes/No? Please provide comment.



### **How to respond**

Please complete the [online response](#).

Alternatively you can send your response to CILEx Regulation by email to [consultations@cilexregulation.org.uk](mailto:consultations@cilexregulation.org.uk). Please mark it for the attention of Sue Chandler.

### **Submission deadline**

Please respond by **5pm** on **1 July 2024**.