



**ANNUAL
REPORT 2015**



Contents

About CILEx Regulation	5
Foreword	7
Capacity and Capability	8
Consumer and Stakeholder Engagement	9
Education and Standards.....	10
Entity Authorisation and Supervision	11
Enforcement	12
Practitioner Authorisation and Supervision	13

Appendices

Appendix 1: Financial Statements

Officers and Professional Advisers	17
Directors' Report	18
Independent Auditor's Report	20
Income Statement	22
Statement of Changes in Equity.....	23
Statement of Financial Position.....	24
Statement of Cash Flows	25
Notes to the Financial Statements	26

Appendix 2:

Annual Report of the Admissions and Licensing Committee 2015.....	31
---	----

Appendix 3:

Annual Report of the CILEx Regulation Strategic Risk Committee 2015	39
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Appendix 4:

Annual Report of the Professional Conduct Panel, Disciplinary Tribunal and Appeals Panel 2015	41
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Appendix 5:

CILEx Regulation Complaints & Disciplinary Function Customer Satisfaction Surveys – Analysis of Responses from CILEx Members 2015.....	55
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Appendix 6:

CILEx Regulation Complaints & Disciplinary Function Customer Satisfaction Surveys – Analysis of Responses from Complainants 2015	71
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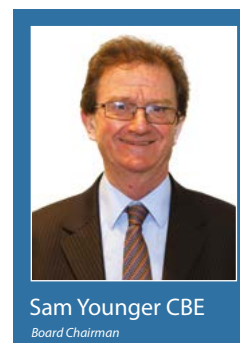


About CILEx Regulation

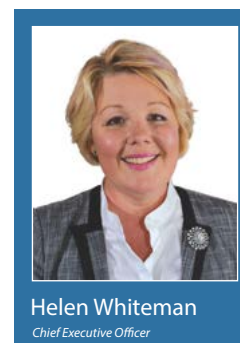
CILEx Regulation is a forward-thinking regulator which protects and promotes the interest of consumers of legal services by regulating members of the Chartered Institute of Legal Executives and CILEx Practitioners.

CILEx Regulation is also a regulator of entities through which legal services are provided. The organisation adheres to the regulatory objectives set out in the Legal Services Act 2007 and the Better Regulation Principles.

Foreword



Sam Younger CBE
Board Chairman



Helen Whiteman
Chief Executive Officer

2015 was a landmark year for both CILEx Regulation and the wider legal services industry.

We started the year on a high, with the launch of entity regulation, which allows new and existing law firms to apply to CILEx Regulation for authorisation as a legal business. This would be the first time that law firms across the full spectrum of legal services could choose the regulator most appropriate for them. This milestone in our history also marked the first time that a Chartered Legal Executive could establish his or her own regulated business.

March proved to be a momentous month for everyone at CILEx Regulation. Not only did we launch our new name, brand, and website but we also welcomed the first three recipients of our new practice rights. We have 27 authorised CILEx Practitioners, with many more applicants waiting in the wings to have their practice rights applications assessed and, we hope, authorised.

In June, we were pleased to learn that the Quality Assurance Scheme for Advocates (QASA) was deemed lawful by the Supreme Court. Whilst we already operate an accreditation system for advocates, similar to that envisaged by QASA, we will consider the implementation of the scheme, along with our Bar Standards Board and Solicitors Regulation Authority colleagues in the Joint Advocacy Group, and look forward to resuming full reaccreditation arrangements for our specialist criminal advocates.

In November, we welcomed the release of an independent report, commissioned by CILEx Regulation and the Bar Standards Board, and produced by the Institute for Criminal Policy Research, which revealed variable advocacy standards amongst lawyers acting in youth court proceedings. We recognise that CILEx advocates specialising in criminal work have substantial

experience in youth court proceedings by the time they qualify, but this research shows that we need to do more as a regulator to ensure that they can achieve the best possible outcomes for the young people they represent. We strongly support the call for broad-based reforms to improve outcomes for young people – defendants, witnesses and victims – caught up in the youth courts.

At the end of the year, it was announced that there would be a consultation on legal services regulation in spring 2016. Whilst we welcome the consultation, our focus, first and foremost, is on what is best for the public, although we are open to further thinking about the development of the regulatory model and will consider the detail of the consultation and how a revised model could impact positively on the consumer.

The rule that only allows exemption from CILEx qualifications for law degrees achieved in the last seven years was also removed, following approval from the Legal Services Board. We welcomed this move as the seven-year rule was arbitrary and was inconsistent with our exemptions for other qualifications. By scrapping the rule, we have made it easier for law graduates to become Chartered Legal Executives or CILEx Authorised Practitioners.

Both of us are new in our posts and 2016 will be our first full year. We will, with our Board and staff colleagues, continue to strive for excellence in all that we do and to represent and seek the very best outcomes, not only for CILEx members and our regulated communities, but also for the consumers they serve.

Sam Younger, CBE, Board Chairman

Helen Whiteman, Chief Executive Officer

Capacity and Capability



In March, the organisation changed its name from ILEX Professional Standards (IPS) to CILEx Regulation, to better reflect the chartered status of the membership organisation CILEx.

An appointments committee was established to lead the recruitment of a new Chair to replace Alan Kershaw when he retired from office at the end of May. An outstanding group of candidates was interviewed for the role and the position was accepted by Sam Younger, CBE. Sam commenced his role as Chair of CILEx Regulation in November, following Patrick Bligh-Cheesman, the Interim Chair. In May, CILEx Regulation appointed Helen Whiteman as its new Chief Executive Officer and Helen joined the company on 1 September.

CILEx Regulation commenced entity regulation from January. This allowed new and existing law firms to apply to CILEx Regulation for authorisation as a legal business and, for the first time, allowed Chartered Legal Executives to establish their own regulated businesses.

The regulatory standards self-assessment was

submitted to the Legal Services Board (LSB) in October. The self-assessment contained the same category areas as in previous years but also included specific questions relating to publishing Board papers and data for key performance indicators (KPIs) or service standards. The self-assessment was audited independently.

CILEx Regulation reviewed its senior management structure during 2015 and decided to appoint a Head of Policy and Governance to join the Chief Executive and Chief Operating Officer, as part of its senior management team.

The LSB worked with regulators on the deregulation agenda, dividing the work into four workstreams, namely: progress on deregulation and market liberalisation in legal services; proposals for minor changes to the Legal Services Act 2007; alternatives to handling client money and legislative options beyond the Legal Services Act 2007. Reports were agreed by the Chairs of the regulatory bodies in June and submitted to the Justice Minister.

Highlights

- Appointed new Chair and CEO for CILEx Regulation.
- Commenced entity regulation.
- Submitted the regulatory standards self-assessment to the Legal Services Board (LSB).
- Reviewed senior management structure.
- Worked with other regulatory bodies on the LSB deregulation workstreams.

Consumer and Stakeholder Engagement



Comparison websites are one type of consumer choice tool. They can help consumers when making choices about legal services providers. For the first time in 2015, Fellows were provided with the opportunity to opt in to the release of a set of their data, in readily reusable format. In July, we published our first authorised persons spreadsheet on our website. We contacted comparison websites, who have signed up to the Legal Services Consumer Panel (LSCP) standards, to inform them about the release. The first spreadsheet containing data about our Authorised Entities was published on our website in December.

Diversity data, gathered through regular surveys, enables identification of issues of equality and diversity within the legal workforce. We completed our annual collection of diversity characteristics data in May and published a report on our website in September. Promotion of the online survey achieved an increased response rate of 53% which compared with 44% in 2014.

Gathering complaints data enables us to identify the types of issues clients complain about, which is key to understanding where to focus guidance

for improvements. The survey closed in May and in September our report was published on our website. Dissatisfaction with the outcome or the advice received the highest number of complaints, followed by delays and then issues relating to costs. The information fed into our strategic risk analysis and educational information was published in the CILEx Journal and online newsletters.

Unbundling is the term used to separate a packaged legal service into component parts or tasks, with the consumer and legal services provider agreeing which parts each will undertake. We participated in a workshop with other regulators, researchers, representatives and advice-giving bodies to exchange information, share learning and identify future issues. A CILEx Journal article from an insurance company's view about risk and potential professional indemnity insurance (PII) implications was published to guide the regulated community. Members of the Regulators' Forum identified a number of areas that could be improved in legal services providers' client care letters. We started work with other regulators, the Legal Ombudsman and the Legal Services Consumer Panel to explore the scope for research work into understanding and addressing the issues.

Highlights

- Authorised CILEx members' data release to comparison websites.
- Completed annual equality and diversity survey.
- Completed complaints handling survey.
- Collaborated with the Legal Services Consumer Panel (LSCP) and other consumer organisations to help unbundle legal services.
- Commenced joint consumer research work.

Education and Standards



The Legal Education Training Review (LETR) working group developed Day One Outcomes, which are statements that describe what a Fellow must be able to do at the point of authorisation. The Day One Outcomes were produced in consultation with CILEx and approved by the CILEx Regulation Board and the CILEx Council.

CILEx Regulation and the Bar Standards Board (BSB) jointly commissioned a report on the review of Youth Court advocacy. The research identified the need for a review of training in Youth Court proceedings and working with young people. CILEx Regulation will review the training of CILEx advocates and litigators based on the issues identified in the report and submit these to the LETR working group for consideration.

CILEx Advocates and Fellows specialising in civil litigation were included in research carried out by the Advocacy Training Council. The research examined current methods of training advocates on ethical issues, the effectiveness of the training and the improvements required to ethical practice amongst advocates. Only a limited number of

CILEx Advocates met the criteria for the research cohort, therefore the final report only provides partial insight into the effectiveness of the current CILEx approach to ethics training.

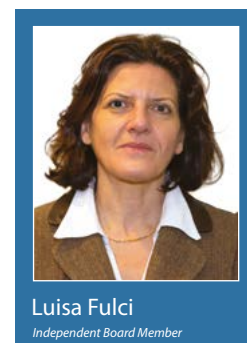
The seven-year expiry rule was successfully removed by CILEx Regulation and CILEx. Previously, alternative qualifications, which had been achieved through other organisations, had to be successfully completed within seven years from the date of application for the exemption to apply. The rule was arbitrary and inconsistent with CILEx Regulation's exemptions for other qualifications. The removal has lifted a barrier to access to the CILEx qualification and membership framework.

CILEx Regulation supported CILEx's paralegal enquiry following a new paralegal membership grade being approved by the Privy Council. A paralegal competence-based framework has been developed against which aspiring CILEx paralegals will be assessed. Those who meet the requirements of the framework will join CILEx and form part of the regulated community.

Highlights

- Developed Day One Outcomes through the LETR working group.
- Commissioned research on Youth Court advocacy.
- Supported ethics in advocacy research.
- Removal of the arbitrary seven-year expiry rule.
- Supported the CILEx Paralegal enquiry roundtable.

Entity Authorisation and Supervision



CILEx Regulation launched regulation of entities on 5 January 2015. Law firms are able to provide reserved and regulated legal services under regulation by CILEx Regulation. In 2015, two entities became regulated by CILEx Regulation. CILEx Regulation developed resources and materials to support regulated entities.

The Strategic Risk Committee was operationalised. It oversees the approach to entity regulation and keeps under review the risk assessment framework. CILEx Regulation increased its risk intelligence sources and developed risk alerts for its regulated community. CILEx Regulation also carries out anti-money laundering supervision, having secured an Order for CILEx to become a supervisor.

The CILEx Compensation Fund was set up on 2 January 2015 and trustees were appointed. An Order was obtained to enable CILEx to set up and maintain a compensation fund and to gain powers of intervention. The Legal Services Board's (LSB) approval was obtained

for the Compensation Fund Rules and administrative procedures were developed for handling claims.

Many entity authorisation enquiries from those hoping to switch regulator did not progress at the rate envisaged, due to the prohibitive costs of run-off cover required by the incumbent regulator, even though the entity continues to practise and there is continuity of service for clients. CILEx Regulation gathered evidence of the burden on entities and made a submission to the LSB to review run-off requirements in these circumstances.

Work commenced on developing an application to the LSB for CILEx to become a licensing authority. CILEx Regulation developed licensing rules and reviewed existing regulatory arrangements to incorporate licensing. Research was undertaken and CILEx Regulation issued consultations on its proposal to apply for CILEx to become a licensing authority and revise its regulatory arrangements.

Highlights

- Launched entity regulation.
- Established the CILEx Compensation Fund.
- Submitted evidence to the Legal Services Board on run-off insurance requirements.
- Commenced work on Alternative Business Structures application.

Enforcement



A new Code of Conduct was implemented on 5 January 2015. The Code incorporates the new regulated community of individuals with practice rights, entities and their managers. The Code has proved effective in setting out the conduct expected of all parts of the regulated community, bringing charges in disciplinary proceedings and supporting the risk-based approach to authorisation.

New Investigation, Disciplinary and Appeal Rules (IDAR) were also implemented on 5 January 2015. The IDAR were expanded to cover the new regulated community, to introduce fitness to own declarations for managers and owners of regulated entities and disciplinary sanctions for entities. The IDAR included new sanctions for entities and managers of entities. The IDAR handbook and supporting policies were also redeveloped to incorporate the new IDAR and was implemented on 5 January 2015.

A system for recording time spent on investigating complaints and bringing disciplinary proceedings was trialled. It led to the development and approval by the Board of a policy for recovery of costs which was implemented in August 2015. The policy includes bands for costs payable by reference to time spent on cases.

A new programme for appraising panellists commenced in 2015 and will continue into the next year. The annual programme of training panel members included refreshers on the new areas of regulation by CILEx Regulation and a review of the application of the Code and IDAR.

The Professional Conduct Panel, Disciplinary Tribunal and Appeals Panel produce an annual report of their work. CILEx Regulation continues to receive feedback from complainants and members subject to complaints.

Highlights

- Implemented new Code of Conduct.
- Implemented new Investigation, Disciplinary and Appeal Rules and supporting guidance.
- Introduced a system for claiming costs in misconduct investigations and disciplinary proceedings.
- Carried out panel member appraisals and annual training.

Practitioner Authorisation and Supervision



CILEx Regulation began authorising for practice rights in probate, conveyancing and litigation reserved legal activities. It also launched the revised immigration practice rights scheme. The litigation rights are split into civil, criminal and family proceedings. Applicants must meet knowledge, skills and experience competencies to be granted each right. Scheme handbooks and tools to guide applicants were launched. CILEx Regulation also provided technical support about the schemes at CILEx roadshows on the new rights and qualification schemes. The reserved instrument and rights to conduct litigation rights in civil proceedings have been popular amongst applicants.

Interest in the rights of audience scheme also grew in 2015. CILEx Regulation worked with the advocacy course provider to secure courses in civil, criminal and family proceedings. The family course included applicants seeking chambers advocacy rights linked to litigation rights.

The work-based learning scheme for qualification as a Fellow had been running for two years and was due for

review. The review has involved collation of information about applicants' and assessors' experience. It has led to the launch of new guidance and tools for applicants. The review of the outcomes continues.

The previous scheme for qualification as a Fellow based on five years' qualifying employment ended in June 2015. All new applicants must complete the work-based learning scheme and three years' qualifying employment.

In October 2014, the full outcomes-based CPD scheme was implemented for Fellows and Associate Prosecutors. There was a good level of compliance with the new scheme by its year end in September 2015. Over 94% of Fellows and Associate Prosecutors had met the new scheme requirements by the end of 2015. A positive response was also received from individuals selected for sampling of CPD records for the new scheme. The sampling exercise demonstrated members understand and comply with the new scheme.

Highlights

- Commenced practice rights schemes and supported CILEx roadshows.
- Secured advocacy skills courses for CILEx members.
- Began review of work-based learning scheme.
- Ended the Fellowship transitional qualification scheme.
- Completed first year of full implementation of new CPD scheme for Fellows and Associate Prosecutor members.

Appendices >>

Appendix 1: Financial Statements

CILEx Regulation Limited Officers and Professional Advisers

For the year ending 31 December 2015

Company registration number	06712409
The board of directors	A R C Kershaw – Chair (resigned 31 May 2015) P Bligh-Cheesman (Interim Chair 1 June - 1 November 2015) I Chivers L Fulci A R Donovan D E Gilbertson H Sandercock J S Younger - Chair (appointed 2 November 2015)
Company secretary	I Watson (resigned 21 August 2015) H Whiteman (appointed 1 September 2015)
Registered office	Kempston Manor Kempston Bedford Bedfordshire MK42 7AB
Current auditor	Moore Stephens LLP 150 Aldersgate Street London EC1A 4AB

CILEx Regulation Limited

Directors' Report

For the year ending 31 December 2015

The directors present their report and financial statements for the year ended 31 December 2015.

PRINCIPAL ACTIVITY AND REVIEW OF THE BUSINESS

The principal activity of the company throughout the period was to perform duties as the independent regulator of non-members, entities and members of The Chartered Institute of Legal Executives.

DIRECTORS

The directors that held office during the year can be found on page 17.

STATEMENT AS TO DISCLOSURE OF INFORMATION TO AUDITORS

In so far as the directors are aware:

- there is no relevant audit information of which the company's auditor is unaware; and
- the directors have taken all steps that they ought to have taken to make themselves aware of any relevant audit information and to establish that the auditor is aware of that information.

AUDITORS

Moore Stephens LLP were appointed auditor of the company by the Board following their merger with Chantrey Vellacott LLP and will be re-appointed in accordance with Chapter 2 of Part 16 of the Companies Act 2006.

STATEMENT OF DIRECTORS' RESPONSIBILITIES

The directors are responsible for preparing the financial statements in accordance with applicable law and regulations.

Company law requires the directors to prepare financial statements for each financial year. Under that law the directors have elected to prepare the financial statements in accordance with International Financial Reporting Standards (IFRSs) as adopted by the European Union and applicable law.

The directors are required to ensure that financial statements are prepared for each financial year which give a true and fair view of the state of affairs and of its surplus or deficit for that period. In preparing those financial statements, the directors, in accordance with best practice, are required to:

- Select suitable accounting policies and then apply them consistently.
- Make judgements and estimates that are reasonable and prudent.
- State whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements.
- Ensure that the financial statements are prepared on the going concern basis unless it is inappropriate to presume that the company will continue in business.
- Provide the external auditor with all information required in order for them to complete the audit.

The directors are responsible for keeping adequate accounting records that are sufficient to show and explain the company's transactions and disclose with reasonable accuracy at any time the financial position of the company and enable them to ensure that the financial statements comply with the Companies Act 2006 and Article 4 of the IAS Regulation. They are also responsible for safeguarding the assets of the company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.



CILEx Regulation Limited

Directors' Report (continued)

For the year ending 31 December 2015

The directors are responsible for the maintenance and integrity of the corporate and financial information included on the company's website. Legislation in the United Kingdom governing the preparation and dissemination of financial statements may differ from legislation in other jurisdictions.

The directors have prepared this report in accordance with the special provisions of Part 15 of the Companies Act 2006 relating to small companies.

GOING CONCERN

The directors have prepared the accounts on a going concern basis as a result of the support that it receives from its parent company, the Chartered Institute of Legal Executives (CILEx), who is the Approved Regulator under the Legal Services Act (2007) (LSA). Under the Act, CILEx must ensure that resources are made available which

are reasonably required to enable regulatory functions to be carried out. This requirement is also contained in the agreed Protocols that are in place between CILEx and CILEx Regulation.

As a result of the requirements in the provisions of the LSA and the contributions provided by CILEx to subsidise the shortfall between its practicing certificate fee income (and other income) and the actual cost of its regulatory activities, the directors are satisfied that all liabilities will be met as they fall due and these accounts should be prepared on a going concern basis.

Approved by the Board on 16 May 2016 and signed on its behalf by:

H Whiteman
Company secretary

CILEx Regulation Limited

Independent Auditor's Report to the Members of CILEx REGULATION LIMITED

For the year ending 31 December 2015

We have audited the financial statements of CILEx Regulation Limited for the year ended 31 December 2015 which comprise the Income Statement, Statement of Changes in Equity, Statement of Financial Position, Statement of Cash Flows and the related notes. The financial reporting framework that has been applied in their preparation is applicable law and International Financial Reporting Standards (IFRSs) as adopted by the European Union.

This report is made solely to the Company's members, as a body, in accordance with Chapter 3 of Part 16 of the Companies Act 2006. Our audit work has been undertaken so that we might state to the company's members those matters we are required to report to them in an auditors' report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the company and the company's members as a body, for our audit work, for this report or for the opinions we have formed.

RESPECTIVE RESPONSIBILITIES OF DIRECTORS AND AUDITORS

As explained more fully in the Statement of Directors' Responsibilities, set out on pages 18 and 19, the directors are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view. Our responsibility is to audit the financial statements in accordance with applicable law and International Standards on Auditing (UK and Ireland). Those standards require us to comply with the Auditing Practices Board's (APB's) Ethical Standards for Auditors.

SCOPE OF THE AUDIT OF THE FINANCIAL ACCOUNTS

An audit involves obtaining evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements

are free from material misstatement, whether caused by fraud or error. This includes an assessment of: whether the accounting policies are appropriate to the group's and the parent company's circumstances and have been consistently applied and adequately disclosed; the reasonableness of significant accounting estimates made by the directors; and the overall presentation of the financial statements.

BASIS OF OPINION

We conducted our audit work in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also includes an assessment of the significant estimates and judgements made by the directors in preparation of the financial statements, and of whether the accounting policies are appropriate for the company's circumstances consistently applied and adequately disclosed.

In addition, we read all the financial and non-financial information in the financial review to identify material inconsistencies with the audited financial statements and to identify any information that is apparently materially incorrect based on, or materially inconsistent with, the knowledge acquired by us in the course of performing the audit. If we become aware of any apparent material misstatements or inconsistencies we consider the implications for our report.

CILEx Regulation Limited
Independent Auditor's Report to the Members of
CILEx REGULATION LIMITED

For the year ending 31 December 2015

OPINION ON FINANCIAL STATEMENTS

In our opinion the financial statements:

- give a true and fair view of the state of the company's affairs as at 31 December 2015 and of its profit for the period then ended;
- have been properly prepared in accordance with IFRSs as adopted by the European Union; and
- have been prepared in accordance with the requirements of the Companies Act 2006.

OPINION ON OTHER MATTERS PRESCRIBED BY THE COMPANIES ACT 2006

In our opinion the information given in the Directors' Report for the financial year for which the financial statements are prepared is consistent with the financial statements.

MATTERS ON WHICH WE ARE REQUIRED TO REPORT BY EXCEPTION

We have nothing to report in respect of the following matters where the Companies Act 2006 requires us to report to you if, in our opinion:

- adequate accounting records have not been kept, or returns adequate for our audit have not been received from branches not visited by us; or

- the financial statements are not in agreement with the accounting records and returns; or
- certain disclosures of directors' remuneration specified by law are not made; or
- we have not received all of the information and explanations we require for our audit.
- the directors were not entitled to prepare the financial statements in accordance with the small companies regime and take advantage of the small companies' exemption in preparing the directors' report and take advantage of the small companies' exemption from the requirement to prepare a strategic report.

Stephen Corral (Senior Statutory Auditor)

For and on behalf of:

MOORE STEPHENS LLP
Chartered Accountants and Statutory Auditor
London

2016

CILEx Regulation Limited

Income Statement

For the year ending 31 December 2015

	Notes	2015 £	2014 £
Revenue		989,054	836,728
Cost of sales		(480,017)	(302,020)
GROSS PROFIT		509,037	534,708
Administration costs		(1,023,947)	(862,793)
Contribution from CILEx		514,910	328,085
OPERATING PROFIT	3	-	-
Taxation	4	-	-
PROFIT FOR THE YEAR		-	-

All the activities of the Company are classed as continuing.

The Company had no recognised gains and losses other than the results for the year set out above.



CILEx Regulation Limited
Statement of Changes in Equity

For the year ending 31 December 2015

	Issued capital £
Balance at 1 January 2015	1
Profit for the year	-
Balance at 31 December 2015	1

	Issued capital £
Balance at 1 January 2014	1
Profit for the year	-
Balance at 31 December 2014	1

CILEx Regulation Limited

Statement of Financial Position

For the year ending 31 December 2015

	Notes	2015 £	2014 £
ASSETS			
CURRENT ASSETS			
Trade and other receivables	5	1	1
EQUITY			
ISSUED CAPITAL AND RESERVES			
Issued share capital	6	1	1

The directors have prepared this report in accordance with the special provisions of Part 15 of the Companies Act 2006 relating to small companies.

Approved by the Board on 16 May 2016 and signed on its behalf by:

J S Younger, Director

Company registration number: 06712409



CILEx Regulation Limited
Statement of Cash Flows

For the year ending 31 December 2015

	2015 £	2014 £
CASH FLOWS FROM OPERATING ACTIVITIES		
Total operating profit	-	-
Cash and cash equivalents as at 1 January 2015	-	-
CASH AND CASH EQUIVALENTS AS AT 31 DECEMBER 2015	-	-

CILEx Regulation Limited

Notes to the Financial Statements

For the year ending 31 December 2015

1. AUTHORISATION OF FINANCIAL STATEMENTS AND STATEMENT OF COMPLIANCE WITH IFRS'S

The company's financial statements have been prepared in accordance with International Financial Reporting Standards (IFRSs) and IFRIC interpretations as adopted by the European Union and as applied in accordance with the provisions of the Companies Act 2006. The statements are prepared under the historical cost convention as modified by the revaluation of investments.

Adoption of new and revised Standards

At the date of authorisation of these financial statements, the following standards and interpretations which have not been applied in these financial statements were in issue but not yet effective.

Standard / Interpretation	Title	Effective date
IFRS 9	Financial Instruments	1 January 2018
IFRS 14	Regulatory Deferral Accounts	1 January 2016
IFRS 15	Revenue from Contracts with Customers	1 January 2018

However, the directors do not expect that the adoption of these standards and interpretations in future periods will have a material impact on the financial statements of the Company.

Revised presentation

It is the opinion of the directors that the presentation of the company financial statements in previous years did

not clearly show the relationship between the Company and its parent, the Chartered Institute of Legal Executives (CILEx).

The going concern statement within the Director's Report on pages 18 and 19 highlights the agreement and responsibility of CILEx to provide the resources that are reasonably required to enable the Company to carry out its regulatory functions by subsidising the shortfall between income and regulatory costs.

Currently, the arrangements in place are such that CILEx collects all practice certificate fee (PCF) income and pays all of the liabilities of CILEx Regulation as they fall due. The requirement for CILEx to subsidise any shortfall, results in the contribution from CILEx to be such that the Company does not make a loss.

To reflect this in the financial statements, the directors have changed the presentation of the Income Statement on page 22. In previous years, the total costs of the Company were covered by a single management charge to CILEx.

For greater clarity, the directors have included the Company's share of PCF income within income, and have included the contribution from CILEx. The comparative figures have been restated under the new presentation to ensure compliance with IAS1.

The Directors consider that regulation of members and entity regulation comprise one trading activity; therefore, a separate segmental analysis has not been presented as part of these financial statements.

CILEx Regulation Limited

Notes to the Financial Statements (continued)

For the year ending 31 December 2015

2. ACCOUNTING POLICIES

Revenue recognition

Disciplinary fee income is recognised when the disciplinary tribunal hearing delivers its verdict as to what fines are to be imposed and costs to be recovered.

The Company's share of Practice Certificate Fee income is recognised in the year to which it relates.

Other revenue is recognised to the extent that it is probable that the economic benefits will flow to the company and the revenue can be reliably measured. All such revenue is reported net of discounts and value added and other sales taxes.

Taxation

Corporation tax arises on the Company's chargeable gains and investment income less any charitable donations by way of gift aid and trading profits. Provision is made for deferred taxation to the extent that material timing differences are expected to reverse in future periods. No provision for deferred taxation is included in respect of surpluses on revaluation of property and investments.

Trade and other receivables

Trade and other receivables are recognised by the company and carried at original invoice amount less an allowance for any uncollectible or impaired amounts.

There is no material difference between the book value and the fair value of the Company's financial assets at either current or preceding year end.

Going concern

The directors have prepared the accounts on a going concern basis as a result of the support that it receives from its parent company, the Chartered Institute of Legal Executives (CILEx), who is the Approved Regulator under the Legal Services Act (2007) (LSA). Under the Act, CILEx must ensure that resources are made available which are reasonably required to enable regulatory functions to be carried out. This requirement is also contained in the agreed Protocols that are in place between CILEx and CILEx Regulation.

As a result of the requirements in the provisions of the LSA and the contributions provided by CILEx to subsidise the shortfall between its practising certificate fee income (and other income) and the actual cost of its regulatory activities, the directors are satisfied that all liabilities will be met as they fall due and these accounts should be prepared on a going concern basis

3. OPERATING PROFIT

Operating profit is stated after charging the following:

	2015 £	2014 £
Directors' remuneration	131,642	99,890
Auditor's remuneration - audit services	8,547	4,500

The directors are considered to be the key management of the company. The increase in directors' remuneration in 2015 is representative of an exceptional item during the year.

CILEx Regulation Limited

Notes to the Financial Statements (continued)

For the year ending 31 December 2015

4. TAXATION

Components of tax expense

Tax expense	2015 £	2014 £
Current tax charge	-	-

5. TRADE AND OTHER RECEIVABLES

	2015 £	2014 £
Amounts owed by the parent company	1	1

6. SHARE CAPITAL

Authorised share capital

	No.	2015 £	No.	2014 £
Ordinary share capital	1	1	1	1

Issued share capital

Issued and fully paid	No.	2015 £	No.	2014 £
Ordinary share capital	1	1	1	1

All issued share capital is classified as equity.

CILEx Regulation Limited

Notes to the Financial Statements (continued)

For the year ending 31 December 2015

7. RELATED PARTY TRANSACTIONS

Ultimate controlling party

The company is entirely owned by The Chartered Institute of Legal Executives (CILEx), a chartered body in England and Wales.

Trading activities

During the period the company received a contribution from CILEx of £514,910 (2014: £328,085) to cover the shortfall between the regulatory element of the Practice Certificate Fees due and the cost of regulation as identified within the Income Statement.

Group Services

CILEx Regulation Limited benefits from Group Services provided by companies in the CILEx Group. These services include procurement, finance & accounting, human resources and IT. No charge has been made to CILEx Regulation Limited for these services.

It is intended that from 2017, Group Services will recharge relevant services that are carried out on behalf of other companies within the Group, to the appropriate entity.

Receivable from related parties

	2015 £	2014 £
The Chartered Institute of Legal Executives	1	1

Appendix 2: ANNUAL REPORT OF THE ADMISSIONS AND LICENSING COMMITTEE 2015

Chair's Foreword

It has been a pleasure and privilege to serve as Chair of the Admissions and Licensing Committee during 2015.

I would like to thank all members of the Committee for their hard work and valuable contribution made throughout the year.

The year has seen the Committee continue to make determinations on applications relating to Fellowship, Qualifying Employment, Work-based Learning, Advocacy renewal, and related matters when the input has been required.

This report outlines details of the volume and nature of the work undertaken.

Finally, as always on behalf of the Committee, I would like to thank the CILEx Regulation team for its invaluable support.

John McCarthy

Introduction

1. This report covers the work of the Admissions and Licensing Committee (ALC) during the period 1 January 2015 to 31 December 2015.
2. The ALC has oversight of the qualifying employment and work-based learning elements of the Fellowship qualification. It also has oversight of the rights of audience, rights to conduct litigation, immigration rights, conveyancing (reserved instrument) rights and probate rights schemes. These schemes are collectively referred to as the practice rights schemes in this report.

3. The ALC comprises two professional members and four lay members. One of the professional members has been appointed by the Committee as the Chair and a lay member has been appointed by the Committee as Vice Chair. The ALC convenes every six to eight weeks to determine applications referred to it by the office.

Rights of Audience Qualification scheme

4. The ALC is responsible for all of the aspects of the rights of audience qualification scheme. This scheme has been referred to as the advocacy scheme in this report. CILEx is an approved regulator for awarding rights of audience. The rights are split into civil, criminal and family proceedings. They are available to Fellows of CILEx, who apply for rights relevant to their practice area.
5. The ALC's key areas of responsibility include approval of candidate applications to enrol onto advocacy skills courses, approval of applications to renew advocacy certificates and accreditation of course providers to deliver advocacy skills courses. The ALC was supported by the external advisors in each of these areas.
6. All applicants seeking rights of audience must undergo an enrolment process. This is referred to as an application for a certificate of eligibility. Applicants begin by completing a general application which asks for details of their knowledge of law and practice for the area in which they seek rights; and their litigation and advocacy experience. Applicants demonstrate their knowledge by passing examinations in law and procedure relevant to the area in which they seek advocacy rights. They produce a portfolio of eight cases that they have handled to demonstrate their

Appendix 2: ANNUAL REPORT OF THE ADMISSIONS AND LICENSING COMMITTEE 2015 (continued)

experience. Five of these portfolio cases must cover litigation cases and three must cover advocacy/police station cases. The portfolio cases are marked by an external adviser to ensure they meet the knowledge and experience guidelines. Applicants that meet the scheme requirements can be approved under the delegated procedure set out in the Rights of Audience Certification Rules by an Officer of CILEx Regulation.

7. Applications that do not meet the knowledge and experience guidelines are referred to the ALC for consideration. The ALC is responsible for deciding whether or not to approve the application. If the ALC approves the application the applicant proceeds to enrol onto the advocacy skills course.

Renewals

8. The first advocacy certificates must be renewed after one year of award of the rights. Applicants must produce portfolios of three cases where they have exercised their new rights. Renewals take place in either the June or December falling immediately after the one year anniversary of the rights being granted. The renewal may be granted by an Officer of CILEx Regulation where the applicant meets the criteria set out in the Rights of Audience Certification Rules. The ALC considers any renewals that cannot be determined by the office.
9. After the first renewal, all certificates must be renewed every three years. Subsequent renewals are approved by the office on the basis that applicants are in legal employment and have complied with the Continuing Professional Development requirements. The ALC considers any applications that cannot be determined by the office where the criteria are not fully met. It also considers applications where rights have lapsed.
10. The following is a breakdown of applications

processed in 2015:

Type of application	Approved by Officer	Approved by ALC	Rejected by ALC
Civil proceedings			
First application	2	1	0
First renewal	0	0	0
Subsequent renewal	0	0	0
Criminal proceedings			
First application	4	0	0
First renewal	5	2	0
Subsequent renewal	18	0	0
Family proceedings			
First application	6	3	0
First renewal	0	1	0
Subsequent renewal	6	0	0

Courses

Appendix 2: ANNUAL REPORT OF THE ADMISSIONS AND LICENSING COMMITTEE 2015 (continued)

11. Upon obtaining a certificate of eligibility candidates must complete an advocacy skills course. The course is a practical course aimed at developing advocacy skills and involves a thorough assessment of advocacy skills against set criteria. The courses are split into civil, criminal and family proceedings, with candidates undertaking the course relevant to the specialist area in which they obtained a certificate of eligibility.
12. Courses are provided by Kaplan Altior, an accredited provider in accordance with the Rights of Audience Certification Rules. Kaplan was reaccredited with effect from 23 November 2015 for a further period of three years. Kaplan has been the sole provider of courses to date and ran all three courses at the end of 2015.
13. There was an increase in the demand for advocacy courses in 2015, mainly due to the implementation of the rights to conduct litigation scheme, which includes an award of rights of audience. As a result, there were sufficient applicants to run courses in all three practice areas. There were 27 attendees and each went on to pass the course attended. There were 11 applicants that went on to be granted rights of audience and the remainder were processed under the rights to conduct litigation scheme which is covered below.

Practice Rights

14. CILEx became an approved regulator for awarding reserved legal activity rights in reserved instrument and probate practice in 2014. These two schemes began in November 2014. CILEx was already an approved regulator for awarding rights to conduct litigation and immigration rights; it revised those

schemes and began operation of the new schemes in October 2014.

15. Rights to conduct litigation and immigration rights can be awarded to Fellows of CILEx. The rights to conduct litigation scheme is split into civil, criminal and family proceedings, with applicants applying for the rights relevant to their practice area. As part of the litigation application, applicants also make an application for rights of audience. In the case of civil and family proceedings, the rights of audience application can be to appear in chambers only hearings, or open court in the Family or County Court, as appropriate. In the case of criminal proceedings, the rights of audience application is to appear in the Magistrates' and Youth Courts and bail, appeal and sentencing in the Crown Court. Applicants must either complete and pass an advocacy skills course or have passed a comparable course before they may be awarded litigation rights and rights of audience. The advocacy course is provided by Kaplan Altior.
16. The reserved instrument and probate rights are available to any applicant who meets the criteria. They may or may not be a member of CILEx. Reserved instrument rights are referred to as conveyancing rights in this report.
17. To obtain practice rights applicants demonstrate their knowledge, skills and experience in the practice area. Knowledge is demonstrated by either having passed examinations in law and practice to level six honours degree standard or through completion of portfolios to demonstrate knowledge acquired through experience. CILEx Regulation has developed skills outcomes in the practice area, client care, and legal research. Applicants demonstrate their skills in

Appendix 2: ANNUAL REPORT OF THE ADMISSIONS AND LICENSING COMMITTEE 2015 (continued)

these areas through either completing skills logs with supporting evidence or completing skills courses. Applicants demonstrate their experience by writing up portfolios of cases they have handled in their practice area. The portfolios are externally marked.

18. Where an applicant meets the knowledge, skills and experience requirements and, in the case of rights to conduct litigation and rights of audience, the applicant has passed the advocacy skills course, their application may be approved by an Officer of CILEx Regulation. Where the criteria are not met the application is referred to the ALC. Except in the case of rights to conduct litigation and rights of audience there is no renewal of certificates.
19. Applications are initially assessed by the office; this includes mapping previous qualifications against the criteria; references are also sought. Applicants are provided with guidance in relation to their application. Once a full application is received it is assessed.
20. The advocacy course is provided by Kaplan Altior as described above and applicants can choose to specialise in chambers or open court advocacy. Applications that do not meet the knowledge and experience requirements may be referred to the ALC to be determined.
21. The office processed a total of 39 applications for practice rights in 2015. The following is a breakdown of applications processed by practice area. There were no referrals to the ALC.

Civil litigation	10	7	1	2
Family litigation	1	1	0	0
Criminal litigation	0	0	0	0
Conveyancing	21	10	4	7
Probate	4	2	0	2
Immigration	3	2	1	0
TOTAL	39	22	6	11

Associate Prosecutor Qualification scheme

22. CILEx has been an approved regulator since 1 May 2011, for awarding rights of audience and rights to conduct litigation in criminal proceedings to Associate Prosecutor members. Associate Prosecutor members are employed by the Crown Prosecution Service (CPS). There are level one Associate Prosecutor members who deal with preliminary matters and guilty plea cases and level two Associate Prosecutors who can also deal with summary only trials.
23. The ALC has been responsible for oversight of the Associate Prosecutor qualification scheme.
24. CILEx Regulation has set course outcomes for the Associate Prosecutor qualification schemes. The CPS delivers the Associate Prosecutor training courses. There were four new Associate Prosecutor members who qualified in 2015.

Qualifying Employment and Fellowship applications

25. The ALC was responsible for considering a large

Area	Applications	Approved	Rejected/ Withdrawn	On-going
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Appendix 2: ANNUAL REPORT OF THE ADMISSIONS AND LICENSING COMMITTEE 2015 (continued)

number of applications relating to the qualifying employment (QE) aspect of the Fellowship qualification throughout 2015. Applications are placed before the ALC where a decision cannot be determined by the office upon application of the rules. The ALC also considers requests to review the decisions of the office.

26. Until June 2015, applications for Fellowship could be made under the transitional arrangements. The transitional arrangements were in place for members who had accumulated five years' QE with two years in the Graduate grade of membership by June 2015. Therefore, the ALC also made decisions on transitional scheme applications during 2015.
27. Since June 2015, all applications for Fellowship must be made via the Work-based Learning scheme. Members must have accumulated three years' QE with one being served in the Graduate grade of membership. There is an assessment of the work to ensure it is qualifying employment. The work-based learning element of the application process involves the completion of a portfolio of evidence demonstrating that 27 learning outcomes have been met, mostly three times each. Most applicants have already applied to have their QE assessed by the time they apply for Fellowship and have received a decision that their role is QE. The office was able to decide most of the Work-based Learning applications without the need to refer to the ALC during 2015.

Committee decisions

28. The ALC considered 81 Fellowship applications under the transitional arrangements. Of those 81 applications, 49 were approved, one was deferred and 31 were refused.

29. The ALC considered 154 QE applications. Of those 154 applications, 122 were found to be in QE, nine were deferred and 23 were refused.
30. Equality and diversity records are maintained in relation to casework decisions. Whilst equality and diversity information was not available in respect of all applications, where the information was available it was considered in relation to the applicant's gender, ethnicity and age.
31. Of the 235 applications considered by the ALC, there was information available for all 235 candidates in relation to the gender of the applicant. Of those 235 applications, 187 were made by females and 48 were made by males. The ALC approved 138 applications made by females and 33 applications made by males. The ALC refused 41 applications made by females and 13 applications made by males. The ALC deferred eight applications made by females and two applications made by males.
32. The ALC approved 74% of applications from females and 69% from males.
33. Of the 235 applications considered by the ALC, there was information available for all 235 in relation to the age of the applicant. Of those 235 applications, 19 were made by applicants within the age range 21-25 years. Of those 19 applicants, 14 were approved by the ALC and five were refused.
34. There were 77 applications made by applicants within the age range 26 - 30 years. Of those 77 applicants, 61 were approved by the ALC, four were deferred and 12 were refused. There were 59 applications made

Appendix 2: ANNUAL REPORT OF THE ADMISSIONS AND LICENSING COMMITTEE 2015 (continued)

by applicants in the age range 31-35 years. Of those applications, 46 were approved by the ALC, three were deferred and ten were refused.

35. There were 33 applications made by applicants within the age range 36-40 years. Of those 33 applicants, 20 were approved by the ALC, three were deferred and ten refused.

36. There were 27 applications made by applicants within the age range 41-45 years. Of those 27 applicants, 19 were approved by the ALC and eight were refused.

37. There were 18 applications made within the age range 46-50 years. Of those 18 applicants, 11 were approved by the ALC and seven were refused.

38. There was one application made by an applicant within the age range 51-55 years and this was approved.

39. There was one application made by an applicant within the age range 56-60 years and this was rejected.

40. The following is a breakdown of the approved figures by age, excluding the deferred decisions and withdrawals.

Age	Percentage Approved
21-25	74%
26-30	79%
31-35	78%
36-40	60%
41-45	70%

46-50	61%
51-55	100%
56-60	0%

41. Of the 235 applications considered by the ALC, there was information available for all 235 candidates in relation to the ethnicity of the applicant. The largest proportion of those applications was received from white British applicants, with 136 applications being received from applicants in this category. Of those 136 applications, 109 were approved by the ALC, six were deferred and 21 were refused.

42. The following is a breakdown of the approved figures by age, excluding the deferred decisions and withdrawals.

Code	Descriptor	Percentage Approved
W1	White British	80%
A2	Asian or Asian British - Pakistani	78%
W9	White - other background	56%
B2	Black or Black British - African	62%
A1	Asian or Asian British - Indian	53%
M1	Mixed - White and Black Caribbean	100%
B1	Black or Black British - Caribbean	87%
A9	Asian or Asian British - Asian other background	75%

Appendix 2: ANNUAL REPORT OF THE ADMISSIONS AND LICENSING COMMITTEE 2015 (continued)

01	Chinese or other ethnic group - Chinese	50%
A3	Asian or Asian British - Bangladeshi	75%
O9	Chinese or other ethnic group - other	50%
W2	White - Irish	50%

43. Applications from non-white British applicants were received in significantly smaller numbers.

44. The ALC only considered three applications for Fellowship via the Work-based Learning scheme; one was deferred, one rejected and one approved. Equality and diversity data will not be presented here in light of the number of applications considered.

Office decisions

45. The office determined 254 Fellowship applications under the transitional arrangements. All were approved as the office does not have authority to refuse and must refer cases that do not meet criteria to the ALC for decision. Equality and diversity data relevant to those decisions will not, therefore, be presented.

46. The office determined 455 QE applications. Of those 455 applications, 449 had roles that were deemed to be QE; six were found not to have completed a period of QE.

47. Equality and diversity records are maintained in relation to casework decisions and will be presented for the above applications. Where the information was available it was considered in relation to the applicant's gender, ethnicity, and age.

48. Of the 455 QE applications determined by the office, there was information available for all candidates in relation to the gender of all the applicants. Of those applications, 345 were made by females and 110 made by males. The office determined that 342 female applicants had completed a period of QE and three had not completed any at all. It also determined that 109 males had completed a period of QE and one had not.

49. The office determined that 99% of females had completed a period of qualifying employment and 99% of males.

50. Of the 455 QE applications considered by the office, there was information available for all 455 candidates in relation to the age of the applicant. Of the four applicants found to have not completed any QE at all, two were in the age range 26-30 years, one aged 41 to 45 and one unknown.

51. The office determined that 99% of the applicants within the above three categories had completed a period of QE. Based on the available data, 100% of applicants within the remaining categories had completed a period of QE.

52. Of the 455 QE applications considered by the office, there was information available for 452 candidates in relation to the ethnicity of the applicant. The majority of the applications were received from white British applicants, with 126 applications being received from applicants in this category. Of the four applicants not found to have completed a period of QE, two fell within the category white British, one within Asian British and another unknown.

Appendix 2: ANNUAL REPORT OF THE ADMISSIONS AND LICENSING COMMITTEE 2015 (continued)

53. The office determined that 99% of white British and Asian British applicants had completed a period of QE. Based on the available data, 100% of applicants within the remaining categories had completed a period of QE.

54. The office also assessed all applications that went on to be considered by the ALC.

Ongoing applications

55. This report represents applications determined to a conclusion and does not reflect those that underwent an initial assessment and were ongoing as at 31 December 2015.

Work-based Learning

56. The office determined 301 Work-based Learning Fellowship applications, approving all 301. The office cannot reject applications and must refer to the ALC where a decision cannot be reached. In light of this, a comparison of the equality and diversity data will not be presented.

57. The figures represent applications determined to a conclusion and do not reflect those that underwent an initial assessment and were ongoing as at 31 December 2015.

2014 comparison

58. There was an increase in the number of office decisions in 2015 when compared to 2014. The office determined 756 QE and Fellowship applications in 2015 compared with 343 in 2014. There were 245 applications determined by the office under the Work-based Learning scheme compared with 75 in 2014.

59. There was a slight decrease in the number of applications determined by Committee, which made 235 decisions on QE and Fellowship applications compared with 251 in 2014. Three decisions were made under the Work-based Learning scheme compared with none in 2015.

60. The end of the transitional route to Fellowship in June 2015 resulted in higher numbers of Work-based Learning applications in 2015. The ability of the office to determine the majority of Work-based Learning applications will have impacted on the numbers processed by ALC. QE applications will form the majority of the work that is sent to ALC in future.

Appendix 3: ANNUAL REPORT OF THE CILEx REGULATION STRATEGIC RISK COMMITTEE 2015

1. CILEx Regulation has an independent Strategic Risk Committee (SRC) that oversees the application of our risk-based and outcomes-focused regulatory strategy. The SRC sets and oversees the application of both the risk rating criteria and the policy on risk. CILEx Regulation has an intelligence gathering function, which provides the risk input to the SRC.
2. The committee provides independent oversight of decisions made by the Operational Risk Group (ORG) Managers to reject or revoke authorisation of an entity and to reject or withdraw designation as an Approved Manager. Any applicant affected by any decisions which the SRC makes to endorse decisions made by the Operational Risk Group Managers may apply for reconsideration of that decision. It ensures that the risk assessment process is applied consistently and remains robust and up to date, with any new risks identified and included within the assessment criteria.
3. The committee comprises Fellows and independent members, with a background in regulation (including the legal sector) or legal practice. Each independent member and Fellow is appointed for a period of five years and there is a lay majority. The committee currently comprises four members.
4. This report sets out the work of the committee during the preceding calendar year.
5. With the slow take up rate of entity applications, the work of the SRC in 2015 has been concentrated on providing independent oversight of the risk framework, providing challenge to the ORG on areas that need to be included within the risk framework and ensuring that the risk intelligence gathered is concentrated on the risks that are posed to authorising entities.
6. The SRC has also provided oversight, as needed by the ORG on any applications, although none have been referred to the SRC for a formal decision within the ambit of their rules.
7. In respect of the risk intelligence, this has resulted in a clearer focus on the gathering of information that will be particularly relevant to the consideration of an application. In order to provide context to the SRC, previously risk intelligence had been collated that included information that would be considered as more strategic, rather than entity focused. This has now been collated separately and can be made available to the Board in future for strategic work.
8. This will allow the SRC to track how often a particular risk is being reported, whether the risk rating is becoming higher and so enable consideration to be given as to its impact on the risk framework.
9. The SRC has provided challenge on specific areas during the year such as PII, Lenders Panel and consumer protection.
10. They have demonstrated a focus on how the consumer is protected ranging across compliance with data protection, the issues relating to the use of cloud storage, online testimonials and complaint handling.
11. An example of the way this has been integrated into the work of the office is when the SRC considered the results of the First-tier Complaints Handling Survey and made suggestions on how the questions could be

Appendix 3: ANNUAL REPORT OF THE CILEx REGULATION STRATEGIC RISK COMMITTEE 2015 (continued)

focused more to enable areas of risk to be identified for future work. The Entity Team worked with the Consumer Engagement Officer on the outcomes from the survey, providing members with advice in the Journal on addressing the key areas for complaints, looking at how the changes to the questions can be implemented and joining up the work of the Entity Team and Consumer Team.

12. This piece of work benefited the:
- Entity Team, by focusing on risks that are evidenced through complaints.
 - Consumer Team, by enabling more useful information to be gathered in the future from surveys.
 - Members and entities, by guidance being provided on how to address these complaint areas.
 - Consumer, by hopefully better service being provided.
13. The SRC has also acted as a review route for the ORG on areas that have been added to the application process. These have included:
- Anti-money Laundering – specific questions included around Money Laundering Reporting Officer and SARS completion driven by becoming a supervisor.
 - Immigration – a recent report read as part of our risk intelligence work has led to specific

questions around the use of interpreters by firms. This is designed to protect asylum seekers from inappropriate referral arrangements from unskilled interpreters.

- IT security – the SRC provided challenge on the requirements for entities, which has led to the ORG attending various meetings to gain the opinion of Cybercrime experts and other regulators on what is considered reasonable for a regulator to request.
14. The SRC has provided feedback on risk guidance papers that will be made available on the CILEx Regulation website covering areas such as bogus law firms, business continuity, a client account being used as a bank account and social media & websites.
15. The latest piece of work identified by the SRC for implementation is some changes to the Basic and Advanced Risk Assessments. This work will be around the rating of an individual risk identified following a visit and what action that prompts the office to take.
16. The SRC has not considered it appropriate to report data this year in view of the small number of applications received.

Sarah Ryan
Chair, SRC

Appendix 4: ANNUAL REPORT OF THE PROFESSIONAL CONDUCT PANEL, DISCIPLINARY TRIBUNAL AND APPEALS PANEL 2015

The Chartered Institute of Legal Executives (CILEx) is designated as an Approved Regulator under the Legal Services Act 2007. CILEx has delegated its regulatory activities to its subsidiary company, CILEx Regulation Ltd (CILEx Regulation). Amongst other areas of activity, CILEx Regulation is responsible for investigating allegations of misconduct made against CILEx members, and entities and determining what, if any, action should be taken as a result of proven misconduct. CILEx Regulation is also responsible for considering declarations of prior conduct and fitness to own declarations made by applicants for, and members of, CILEx.

In 2015, the Investigation Disciplinary and Appeals Rules Handbook (IDAR Handbook) became operational after it had been rewritten to reflect the new Investigation Disciplinary and Appeals Rules 2015 (IDAR). The IDAR Handbook is a public-facing document available to all those who use the services of CILEx Regulation. It is downloadable from the website and provides a transparent view of CILEx Regulation and its investigation and disciplinary procedures. The IDAR Handbook is reviewed annually, or as required, to ensure that it remains a document that the public can use.

During 2014 and 2015, CILEx Regulation has revised the supporting policies to the IDAR 2015; this includes the fines policy, archive policy, costs policy and the publication policy. After consultation with CILEx's stakeholders, the levels of fines were approved by the Legal Services Board and were in effect as at 19 December 2014.

The Archive and Data Protection Policy and Publication Policy provide clarity on how CILEx Regulation deals with data at all stages of investigations and prior

conduct declarations. These two policies also reflect how CILEx Regulation will deal with data from 2015 in regard to investigations into CILEx Practitioners and Authorised Entities and fitness to own declarations.

The Costs Policy has been developed to allow CILEx Regulation to recoup the costs of disciplinary action where cases are found proved. Where cases are investigated and progress to the Disciplinary Tribunal stage and/or Appeal Stage, the costs of the investigation and preparation work undertaken by CILEx Regulation officers, where a case has been referred to the Disciplinary Tribunal, can be recovered. The Cost Policy has been approved by the CILEx Regulation Board and applies to all new complaints received on 1 August 2015 and thereafter.

As part of CILEx Regulation's policy work into the impact of Equality and Diversity within CILEx Regulation's regulated community, work has begun on seeking information about diversity from those affected by misconduct allegations, whether it is the complainant or the member of CILEx. This work is ongoing and will be analysed for trends.

Under the new IDAR, there are three complaints handling and disciplinary panels. New panel members were recruited to fill new vacancies and those of retiring panellists. The recruitment of clerks to the individual disciplinary panels concluded in late November 2014 and their roles began in January 2015. Panellists and Clerks have been in their new roles for a year or more and have received additional training on anti-money laundering and data protection. Feedback was obtained and overall the training was viewed positively. CILEx Regulation continues to appraise panellists.

Appendix 4: ANNUAL REPORT OF THE PROFESSIONAL CONDUCT PANEL, DISCIPLINARY TRIBUNAL AND APPEALS PANEL 2015 (continued)

Work continues on improving governance of the Investigation Team including assessing and analysing the cost of regulation, to ensure future accountability is maintained.

The CILEx Regulation Board is grateful for the hard work that panellists, clerks, and staff continue to undertake, to deliver the regulatory objectives set out in the Legal Services Act 2007, in the disposal of fitness to practice cases.

Ian Chivers
Enforcement

1 INTRODUCTION

CILEx Regulation investigates complaints and allegations of misconduct made against CILEx members. These may be made by clients, third parties or other bodies, or be referrals from CILEx in respect of members who fail to comply with rules and regulations set by CILEx or CILEx Regulation, such as the examination regulations, CILEx Accounts Rules and Continuing Professional Development (CPD).

CILEx Regulation is also responsible for receiving prior conduct declarations made by members regardless of grade, CILEx Practitioners, CILEx Entities and applicants wishing to become members of CILEx at any grade, and determining what, if any, action to take. They are collectively known as CILEx Regulation's Regulated Community. The Regulated Community and all applicants are required to make declarations in respect of convictions, cautions, bankruptcy, County Court Judgments, arrangements with creditors, and disciplinary orders made against them by other professional bodies. CILEx Entities and managers of those entities are required to declare additional prior

conduct in respect of provisions under the Insolvency Act 1986.

Complaints, allegations of misconduct and prior conduct declarations are investigated and dealt with in accordance with the rules set out in the IDAR 2015.

The Regulated Community must comply with the CILEx Code of Conduct, which includes the obligation to comply with CILEx rules, bye-laws and regulations. In addition, all those that are regulated by CILEx Regulation must observe other codes applicable to their employment or working environment. Chartered Legal Executive Advocates must also comply with the Rights of Audience Conduct Rules. The conduct of all CILEx members, CILEx Practitioners and Entities is measured against the Code of Conduct.

There are three CILEx Regulation panels which consider the conduct of members: the Professional Conduct Panel, Disciplinary Tribunal, and Appeals Panel. This report considers the work of these panels during the 2015 calendar year.

2 PROFESSIONAL CONDUCT PANEL (PCP)

This PCP is responsible for considering prior conduct declarations made by CILEx Members, CILEx Practitioners, CILEx Approved Managers and CILEx Authorised Entities, and by applicants seeking to join CILEx as any of these. The PCP also considers complaints or allegations of misconduct made against them.

The IDAR distinguish between complaints and allegations of misconduct, and prior conduct matters. The IDAR set out the procedures to be followed by the PCP and the powers available to it. The PCP sits as

Appendix 4: ANNUAL REPORT OF THE PROFESSIONAL CONDUCT PANEL, DISCIPLINARY TRIBUNAL AND APPEALS PANEL 2015 (continued)

a panel of three, with a majority of lay members. One member will be a Fellow of CILEx. The panel members must declare all conflicts of interest. No panellist of the PCP may be a member of CILEx Council or the CILEx Regulation Board.

Where a prior conduct declaration is made on an application the PCP determines whether or not to accept that person's application to join CILEx or, where they are already a member, CILEx Practitioner or CILEx Authorised Entity, what action to take in respect of their CILEx status. The IDAR allow for decisions about certain types of prior conduct matters to be delegated to an Officer of CILEx Regulation. These decisions are reported to the PCP.

Where a complaint or allegation of misconduct is made against a CILEx member, CILEx Practitioner or CILEx Authorised Entity, the PCP is responsible for determining whether there is a prima facie case of misconduct to answer. If the Panel finds there is a prima facie case to answer, it should refer the matter to the Disciplinary Tribunal. If the PCP decides there is a prima facie case and are minded to dispose of the matter, where they consider their powers are sufficient to do so, they may ask the regulated individual or entity if they admit the allegation and give consent to dispose of the allegation. If the regulated individual or entity admits and consents, the Panel may deal with the matter. If they do not admit or consent to dispose of the allegation, in those circumstances, the Panel shall refer the matter to the Disciplinary Tribunal.

Where an allegation(s) is admitted and the PCP decides to dispose of the matter, the PCP may decide any one or more of the following:

- Impose conditions in relation to future conduct, or if

they are an individual, on their employment.

- Require undertakings to be given in relation to future conduct.
- Reprimand and/or warn, or both.

The IDAR allow for delegated decisions to be made by CILEx Regulation in the following instances:

- Reject a complaint or allegation of misconduct where CILEx Regulation has no jurisdiction.
- Refer serious cases directly to the Disciplinary Tribunal.
- Enter into a determination by consent.

An Officer of CILEx Regulation may exercise delegated powers to reject or refer a complaint or allegation of misconduct without reference to the PCP.

An Officer of CILEx Regulation may exercise the power to enter into a determination by consent with anyone or body that admits the allegation; where the sanction is agreed, with the authorisation of the PCP.

The PCP also has the power to consider whether to impose an interim suspension order, on its own motion or on the application of CILEx Regulation, where a member's conduct has been referred to the Disciplinary Tribunal. Such an order suspends the member's membership of CILEx pending a hearing before the Disciplinary Tribunal. The member is no longer able to practise as a Chartered Legal Executive or hold themselves out to be a CILEx member.

2.1 Complaints and Allegations of Misconduct

In 2015, the PCP considered a total of 16 cases where complaints or allegations of misconduct had been made against CILEx members, and in addition to those matters considered 11 delegated decisions and endorsed ten of the delegated decisions. The following analysis was carried out

Appendix 4: ANNUAL REPORT OF THE PROFESSIONAL CONDUCT PANEL, DISCIPLINARY TRIBUNAL AND APPEALS PANEL 2015 (continued)

of these cases:

- In two cases, the Panel found there was no prima facie case to support the allegation and rejected them.
- In 12 cases, the Panel found there was a prima facie case to answer which warranted a referral to the Disciplinary Tribunal.
- In one case, the Panel found the allegation was proved on the balance of probabilities and used its own disciplinary powers and the member was reprimanded for their conduct.
- In the remaining case, the Panel found one allegation proved on the balance of probabilities and one allegation was rejected as there was no prima facie case to answer. The member was reprimanded and warned in regard to that allegation found proved.

It should be noted that between January 2015 and March 2015 the Investigation Disciplinary and Appeals Rules that applied were the 2010 rules. The two cases that have been decided where the allegation(s) were proved have been made under the 2010 rules.

Of the 16 complaints considered, two complaints were made by clients, seven were complaints made by third parties. No cases were as a result of declarations of prior conduct, five were allegations that related to failure to comply with CILEx regulations and two cases were brought by CILEx Regulation as a result of information received.

The Office has the power to make decisions in limited circumstances with the Panel's approval. The Panel considered 11 delegated decisions and approved ten of them. Of these ten matters, six were referrals of exam misconduct made by CILEx, three were complaints from the member's respective employers, and one was from the member's work colleague. Details are set out in section 2.2. All of those decisions were approval of

determinations by consent.

From March 2015, the Office has had powers to refer matters of alleged misconduct directly to the Disciplinary Tribunal without reference to the PCP. The Office has exercised this power on four occasions. Of those four matters, one subsequently agreed to enter into a determination by consent and is one of the ten matters referred to above.

From March 2015 the Office has also had the power to reject complaints where there is no evidence of misconduct, there is no evidence to substantiate the allegation, there is no jurisdiction to consider the allegations or the time passed exceeds one year. The Office has exercised this power on three occasions.

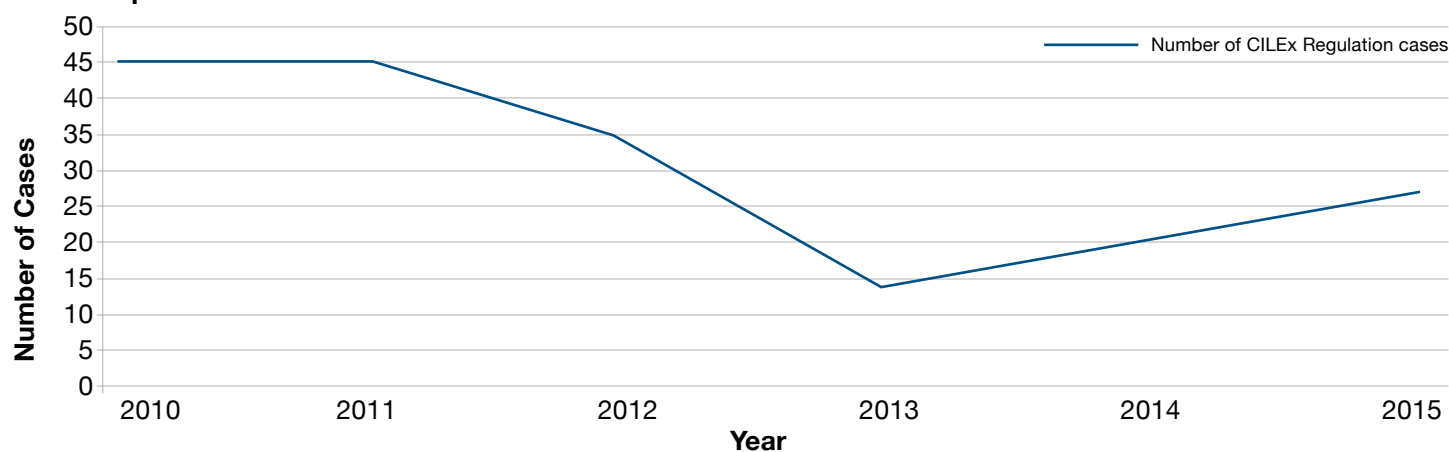
These delegated decisions are reported to the PCP. In total, therefore, the Panel considered 27 cases and CILEx Regulation as a whole has dealt with 34 matters of misconduct.

2.1.1 Number of matters considered

The following graph demonstrates the number of complaints and allegations of misconduct considered by the Panel each year since 2010, the period from which the current version of the IDAR became effective. A comparison of the number of cases considered before 2010 would not be meaningful due to significant changes made to the IDAR at that time, in particular, the requirement that investigations could not be closed without referral to the Panel and a restriction on members being able to resign whilst an investigation was underway. 2010 was also the year in which CILEx Regulation no longer accepted service complaints. The following figures do not include the seven decisions made under the delegated procedures to reject or refer cases.

Appendix 4: ANNUAL REPORT OF THE PROFESSIONAL CONDUCT PANEL, DISCIPLINARY TRIBUNAL AND APPEALS PANEL 2015 (continued)

Year comparison of cases at PCP



2.1.2 Year-on-year comparison of decisions

The following table sets out the powers available to the Panel and CILEx Regulation, and in percentage terms, how they were applied. This includes referrals made to the

Disciplinary Tribunal by the PCP and matters determined under the delegated decision procedure for determinations by consent. These also include data of those that have been rejected or referred under the delegated procedure which have been made by the Office under the IDAR 2015.

Decision	2015 %	2014 %	2013 %	2012 %	2011 %	2010 %	2009 %	2008 %	2007 %
No case to answer	16	29	19	35	20	29	33	23	31
Warning	3	0	0	0	2.5	0	11	0	19
Admonished*	-	-	-	-	-	-	6	15	5
Reprimand	30	24	19	13.5	20	15	11	8	14
Condition	0	0	0	0	0	2	0	0	11
Undertaking	3	4.5	0	8	10	2	0	0	0
Referred to Disciplinary Tribunal	43	38	43	40.5	37.5	49	22	42	19
Request further information	0	0	0	0	2.5	2	0	0	0
No further action	0	4.5	19	3	7.5	5	6	4	0
Complaint out of time [†]	-	0	0	0	0	0	11	8	0
Exclusion**	5	-	-	-	-	-	-	-	-

* The power to admonish was removed from the 2010 IDAR.

[†] Out of time complaints have been rejected under the delegated decision procedure since 2010.

** The power to exclude is only available to the PCP when dealing with determinations by consent.

Appendix 4: ANNUAL REPORT OF THE PROFESSIONAL CONDUCT PANEL, DISCIPLINARY TRIBUNAL AND APPEALS PANEL 2015 (continued)

2.1.3 Areas of law in which complaints arose

The following table analyses the areas of law in which complaints arose, including the delegated decisions. The majority of allegations of misconduct considered by the Panel were in the area of CILEx/CILEx Regulation misconduct. These were in respect of members failing to comply with CILEx and CILEx Regulation regulations, largely examination misconduct and failing to declare prior conduct. There has however been a reduction in these types of misconduct since last year and represents a reduction of 4% as compared to an increase of 5% in 2014.

Complaints arising in the areas of reserved legal activity remain the largest proportion of complaints; however there has been an overall reduction of 14% to 36% as

compared to last year which was 50%.

Civil Litigation remains the area of law where most misconduct has arisen at 16%. There has been a 3% increase in conveyancing and crime matters. The complaints in the areas of Probate have seen a significant decrease from 15% to 4% and largely accounts for the reduction of complaints within reserved areas of law.

Complaints in areas of family law have increased by 7% compared to the last two years yet are still lower than 2012 and 2009. Complaints in immigration law have increased by 4% and are the first increase since 2011, but represent a lower increase to that in 2010 which was 10%. Complaints arising out of private or non-legal matters have also increased by 7%. There has been a positive percentage reduction of 11% in Trust and Probate.

Area of law/misconduct	2015 %	2014 %	2013 %	2012 %	2011 %	2010 %	2009 %	2008 %	2007 %
Civil litigation*	16	25	40	23	18	10	17	19	21
Conveyancing*	8	5	10	6	0	2	11	8	10
Crime*	8	5	0	0	0	0	0	0	3
Employment disputes	0	0	0	12	13	7	0	0	0
Employment law	0	0	0	6	0	2	5	0	3
Family	12	5	5	15	11	15	11	8	21
Immigration	4	0	0	0	2	10	17	8	32
Local Government	0	0	10	0	0	0	0	0	0
Private/non legal matters	12	5	0	3	2	0	0	0	0
Trust/probate*	4	15	0	6	7	10	28	8	7
CILEX/CILEx Regulation misconduct	36	40	35	29	47	44	11	49	3

* Areas of reserved legal activity.

Appendix 4: ANNUAL REPORT OF THE PROFESSIONAL CONDUCT PANEL, DISCIPLINARY TRIBUNAL AND APPEALS PANEL 2015 (continued)

2.1.4 Issues arising in complaints

An analysis of the issues arising has been undertaken and appears in the tables below. In the majority of cases, there was more than one head of complaint or more than one issue raised. Each of these has been counted individually. Not all of the allegations were found proved by the Panel.

Service complaints have not been accepted by CILEx Regulation since 2010; therefore, it is not useful to

draw comparisons between the types of complaints which have been made before and since 2010, as the nature of complainants and complaints has changed. However, the Legal Ombudsman only deals with service complaints where the member is a Fellow, therefore, it is possible that CILEx Regulation may receive a complaint about service provided by a member of CILEx who is not a Fellow and who does not work in a regulated entity providing reserved legal services. CILEx Regulation will consider these complaints and look at the overall conduct of the member.

Heads of complaint	2015 %	2014 %	2013 %	2012 %	2011 %	2010 %	2009 %	2008 %	2007 %
Acting in a conflict situation	0	7	5	0	0	1	1	2	1
Acting in area not competent	0	7	5	2.5	1	-	-	-	-
Acting without or not following instructions	0	3	0	1	1	4	4	13	14
Client not kept updated	0	1	0	0	1	5	6	2	11
Delay	0	0	5	1.75	5	3	4	7	7
Duress	0	0	0	1	1	1	1	2	0
Failure to advise client adequately	0	3	0	0	1	1	7	9	5
Failure to send client care letter/client care irregularities	0	1	0	1	0	4	6	0	6
Financial irregularities	0	3	5	1.75	1	4	7	2	4
Holding out as solicitor/reserved activity	7	0	5	13	8	3	6	4	0
Holding out as legal executive/failure to inform of status	4	1	0	4	1	1	1	2	1
Improper use of membership	0	1	0	1	-	-	-	-	-
Improper/incorrect/inadequate advice or action taken	0	8	0	14	27	8	22	7	13
Inaccurate information given	4	12	5	0	9	-	-	-	-
Inadequate service	0	0	0	1	1	12	4	2	5
Inadequate or no costs information given to client	0	3	5	2.5	2	7	6	0	5
Lost files or documents	0	0	0	0	0	0	4	4	1
Misleading client, parties, court or employer	26	12	5	14	5	8	7	4	11

Appendix 4: ANNUAL REPORT OF THE PROFESSIONAL CONDUCT PANEL, DISCIPLINARY TRIBUNAL AND APPEALS PANEL 2015 (continued)

Heads of complaint	2015 %	2014 %	2013 %	2012 %	2011 %	2010 %	2009 %	2008 %	2007 %
Misleading or inappropriate advertising	0	1	0	6	-	-	-	-	-
Unauthorised disclosure	0	1	0	1	0	3	0	0	0
Unauthorised approaches to employer's clients	0	0	0	1	1	3	0	0	0
Unprofessional manner	4	11	5	9	6	7	0	0	0
Private or personal disputes	0	1	0	0	0	0	0	0	4
Work or office related disputes	7	4	0	1	6	0	4	0	3
Employment related	0	3	0	7	-	-	-	-	-
Breaches of legislation or other codes	4	5	10	2.5	1	3	1	2	4
Forgery or theft	11	1	5	1	3	1	1	9	1
CILEx/CILEx Regulation misconduct	33	11	40	13	19	22	4	29	4

2.1.5 Timescales

An analysis was undertaken of the time taken to consider complaints. The table below sets out the time taken to deal with allegations of misconduct measured from receipt of the allegation at CILEx Regulation to determination of the case by the Panel or under the delegated decision procedure (see 2.2).

CILEx Regulation key performance indicators (KPI) set a target of 80% of cases being referred to the Panel within six months and 100% within nine months.

The information below indicates that CILEx Regulation has improved on meeting its KPI target for investigations. The percentage for dealing with complaints within three months has doubled to 11%, and there has been a moderate increase in dealing with complaints within six months and nine months. There has, however, been an

increase in the complexity of some cases which has resulted in some cases being investigated beyond the nine-month timescale and one which has taken over 12. This has largely been due to cases going through more than one procedure. In these circumstances some cases that are investigated may be considered suitable for a determination by consent, but which either are not approved and referred back to the PCP or on to the DT. These types of cases extend the time taken within which to deal with them, which has been an unintended consequence of attempting to resolve complaints in different ways dependent on individual cases. There continue to be some complainants who have required and requested additional time within which to respond to CILEx Regulation correspondence or provide information. Some of these may be due to their vulnerability or their requirement for reasonable adjustments. Occasionally it is to allow litigation to conclude or legal advice to be obtained.

Appendix 4: ANNUAL REPORT OF THE PROFESSIONAL CONDUCT PANEL, DISCIPLINARY TRIBUNAL AND APPEALS PANEL 2015 (continued)

Timescale	Number of cases								
	2015	2014	2013	2012	2011	2010	2009	2008	2007
0 – 3 months	3 (11%)	1 (5%)	0	9 (17%)	7 (15%)	19 (46%)	4 (22%)	9 (35%)	7 (24%)
4 – 6 months	12 (44%)	9 (42%)	12 (86%)	17 (48%)	24 (67%)	5 (58%)	7 (61%)	5 (54%)	8 (52%)
7 – 9 months	23 (85%)	16 (76%)	1 (93%)	25 (94%)	13 (96%)	9 (80%)	3 (78%)	3 (65%)	10 (86%)
10 – 12 months	26 (96%)	21 (100%)	1 (100%)	1 (96%)	1 (98%)	4 (90%)	2 (89%)	6 (89%)	0
Over 12 months	27 (100%)	0	0	2 (100%)	1 (100%)	4 (100%)	2 (100%)	3 (100%)	4 (100%)

2.2 Delegated decisions

Determinations by consents were entered into in 11 cases of which ten were approved. two cases resulted in Exclusion, eight resulted in a Reprimand, of which one was also required to provide Undertakings. The conduct of four members was referred directly to the Disciplinary Tribunal and can be decided without reference to the PCP. Three complaints were rejected and can also be decided without reference to the PCP.

The table below presents a year-on-year comparison of numbers of delegated decisions made.

Delegated decision	2015	2014	2013	2012	2011	2010
Determination by consent	11	4	2	3	3	0
Complaints rejected	3	0	3	4	5	6
Referrals to Disciplinary Tribunal	4	2	1	2	1	0

2.2.1 Equality and diversity

Of the 27 allegations considered by the Panel, including delegated decisions, eight were made against males and 19 against females. This equates to 30% allegations

involving males and 70% involving females. The CILEx membership in comparison is 75% female. The number of allegations against male and females this year has widened considerably as compared to 2013, which showed a 45% male to 55% female ratio.

From the information available, of those 27 members: 18 were of white ethnic origin, two of black ethnic origin and seven of Asian ethnic origin. This equates to 67% allegations against members of white ethnic origin and 33% against members from a BAME background in comparison to CILEx membership of 12% from BAME background.

2.3 Interim suspension orders

No such orders were considered or imposed by the Panel in 2015.

2.4 Declarations of Prior Conduct

In 2013, CILEx Regulation received a total of 187 declarations of prior conduct of which 135 were dealt with under the expedited process and 58 were considered by the Panel.

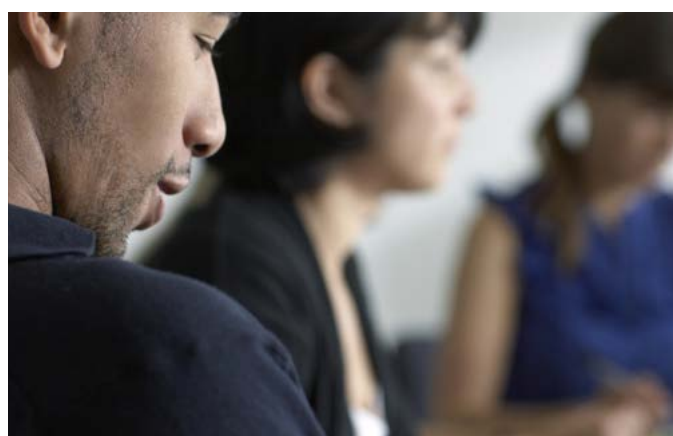
In 2014, CILEx Regulation received a total of 180 declarations of prior conduct of which 145 were dealt with under the expedited process and 35 were considered by the Panel.

Appendix 4: ANNUAL REPORT OF THE PROFESSIONAL CONDUCT PANEL, DISCIPLINARY TRIBUNAL AND APPEALS PANEL 2015 (continued)

In 2015, CILEx Regulation received a total of 215 declarations of prior conduct of which 184 were dealt with under the expedited process and 32 were considered by the Panel.

2.4.1 Expedited cases

The table below breaks down the types of declarations considered under the expedited process, whereby an Officer determines that no action needs to be taken under delegated powers. Some cases had more than one type of declaration and these have been included individually.



Nature of matter	Number of cases expedited per year								
	2015	2014	2013	2012	2011	2010	2009	2008	2007
County Court Judgments	46	22	4	11	2	8	14	26	22
Bankruptcy order or arrangement with creditors*	49	51	86	90	111	63	9	12	6
Convictions or cautions	86	62	46	73	50	51	33	23	29
Other	3	10	0	1	3	0	1	9	1
TOTAL	184	145	136	175	166	122	57	70	58

*Prior to 2010, only discharged bankruptcy orders or completed arrangements with creditors could be dealt with under the expedited procedure.



Of the type of declarations considered under the expedited procedure 118 involved declarations made by applicants for membership or reinstatement of membership of CILEx, 21 by Fellows, 16 by Graduate Members, and 29 by those in other grades of membership.

2.4.2 Prior conduct cases considered by the Panel

The table on the following page breaks down the prior conduct cases referred to the Panel.

Appendix 4: ANNUAL REPORT OF THE PROFESSIONAL CONDUCT PANEL, DISCIPLINARY TRIBUNAL AND APPEALS PANEL 2015 (continued)

Nature of matter	Number of cases per year								
	2015	2014	2013	2012	2011	2010	2009	2008	2007
County Court Judgments	2	4	3	2	0	0	0	0	0
Bankruptcy order or arrangement with creditors*	1	1	4	3	4	1	29	13	9
Convictions or cautions theft/dishonesty	1	10	20	13	13	16	18	23	16
Other convictions or cautions	16	14	21	19	32	25	0	7	4
Orders made by other professional bodies	10	4	8	4	5	2	4	1	6
Other	1	2	2	2	-	-	-	-	-
TOTAL	31	35	58	43	54	44	51	44	35

*Prior to 2010, only discharged bankruptcy orders or completed arrangements with creditors could be dealt with under the expedited procedure.

The Panel approved 19 declarations, rejected seven applications for membership or reinstatement, one member was reprimanded, and two cases were required to provide more information or their attendance has or was being requested by the Panel. Two members were referred to the Disciplinary Tribunal.

Where a member of CILEx makes a declaration that they have been subject to an order made under Section 43 of the Solicitors Act 1974, the Professional Conduct Panel will consider not only the fact of the order being made but also the underlying reasons for it. These cases are therefore considered not only as prior conduct declarations but also as allegations of misconduct. They may be dealt with under delegated decision procedures. Such cases are therefore included in the figures at sections 2.1 and 2.2 above.

Of the declarations considered by the Panel 13 were made by applicants wishing to enrol or reinstate as members of CILEx, seven by Fellows, five by Graduate

Members and six by other members of CILEx.

3 DISCIPLINARY TRIBUNAL

The Disciplinary Tribunal (DT) is responsible for considering cases referred to it by the Professional Conduct Panel or the Appeals Panel.

The Tribunal sits as a panel of three, with a majority of lay members. One member will be a Fellow of CILEx. No Tribunal member may be a member of CILEx Council or the CILEx Regulation Board.

Where it finds one or more charges proved, the Panel may:

- Take no further action.
- Reprimand or warn the member or both.
- Impose conditions on a member in respect of their conduct or employment.
- Order the member to pay a fine.
- Exclude the member from membership of CILEx for a fixed or indefinite period.

Appendix 4: ANNUAL REPORT OF THE PROFESSIONAL CONDUCT PANEL, DISCIPLINARY TRIBUNAL AND APPEALS PANEL 2015 (continued)

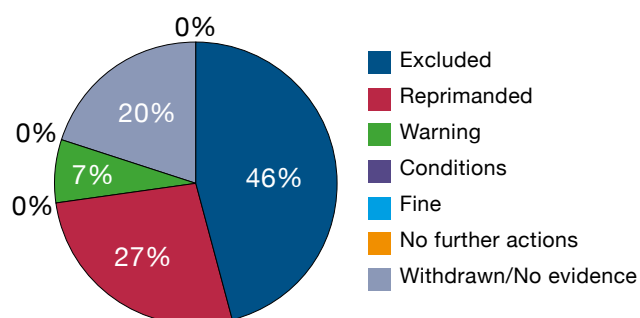
During 2012, the Tribunal heard charges brought against 13 members of CILEx and in 2013, the Tribunal heard charges brought against 20 members of CILEx. In 2014, the Tribunal heard charges brought against nine members of CILEx.

In 2015, The Tribunal heard charges brought against 14 members of CILEx. Some of these cases will have been referred to the DT from the PCP in 2014.

Two cases involved examination misconduct; six concerned prior conduct and related matters; five arose as a result of complaints from third parties and one from a complaint by a client.

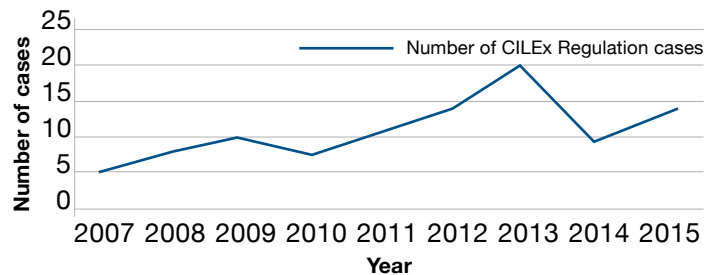
The Tribunal found the charges proved in 11 cases, and in three cases CILEx Regulation withdrew the charges. Seven members were excluded indefinitely. One member was reprimanded and warned, and three members were reprimanded. In all cases where CILEx Regulation applied for costs, members were ordered to pay those costs. No orders for costs were made against CILEx Regulation. These outcomes are expressed in percentage terms in the chart below.

Outcomes of cases referred to Tribunal Disciplinary Decision Outcomes



The following graph demonstrates the number of cases heard by the Tribunal each year since 2007.

Year comparison of cases at DT



3.1 Timescales

An analysis was undertaken of the time taken to consider cases referred to the Tribunal. The table below sets out the time taken to deal with allegations of misconduct, measured from the date of referral to the Tribunal by the Professional Conduct Panel, to the determination of the case.



CILEx Code of Conduct

CILEx Regulation key performance indicators set a target of 65% of cases being disposed of within six months, and 100% in nine months. The table on the next page shows that CILEx Regulation's target has been successfully met and exceeded in its six-month target and met in its nine-month target.

Appendix 4: ANNUAL REPORT OF THE PROFESSIONAL CONDUCT PANEL, DISCIPLINARY TRIBUNAL AND APPEALS PANEL 2015 (continued)

Timescale	Number of cases								
	2015	2014	2013	2012	2011	2010	2009	2008	2007
0 – 3 months	0	0	0	6 (27%)	0	0	0	2 (25%)	1 (25%)
4 – 6 months	11 (79%)	3 (33%)	9 (45%)	4 (45%)	5 (46%)	8 (89%)	4 (40%)	1 (37.5%)	3 (100%)
7 – 9 months	14 (100%)	5 (55%)	11 (100%)	2 (58%)	1 (56%)	1 (100%)	6 (100%)	1 (50%)	0
10 – 12 months	0	8 (88%)	0	10 (100%)	5 (100%)	0	0	1 (62.5%)	0
Over 12 months	0	9 (100%)	0	0	0	0	0	3 (100%)	0

3.2 Equality and diversity

Of the 14 members whose conduct was referred to the Tribunal, eight were female of which seven were of white ethnic origin and one was of Asian ethnic origin. Of the six males, the information available indicates that one was of white ethnic origin, four were of Asian ethnic origin and one was of black ethnic origin.

The data demonstrates therefore that 57% of cases considered by the Tribunal involved females and 43% involved males in comparison to the overall CILEx membership which is 25% male. The data identifies that 7% of cases involved members of white ethnic origin and 93% from BAME background compared to the 12% of CILEx members who come from a BAME background.

Of the cases heard and found proven, six were brought against females (six were of white ethnic origin) and five against males, (one was of white ethnic origin, three of Asian ethnic origin, and one was of black ethnic origin).

4 APPEALS PANEL

The Appeals Panel is responsible for considering appeals made against decisions of the Professional Conduct Panel and Disciplinary Tribunal. Its remit also includes

considering appeals against decisions made under the delegated decision procedure.

The Panel sits as a panel of three, with a majority of lay members. One member will be a Fellow of CILEx. No Panel member may be a member of CILEx Council or the CILEx Regulation Board. Panel members must not have sat on the Panel which previously considered the matter.

Appeals must be made to the Panel on the grounds and in accordance with the procedure set out in the IDAR. The Panel has the power to affirm or vary the findings of the original panel. In determining what action to take, the Panel has available to it all the powers available to the original Panel.

The Appeals Panel considered 3 appeals in 2014. In 2015, the Appeals Panel considered 4 appeals none of the appeals were successful. No costs order was made against CILEx Regulation.

Appendix 5: CILEx REGULATION COMPLAINTS & DISCIPLINARY FUNCTION CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES FROM CILEx MEMBERS 2015

Number of surveys sent to members:

2015	2014	2013	2012	2011
25	17	13	20	12

Number of responses received at year end:

2015	2014	2013	2012	2011
11 (44%)	8 (47%)	6 (46%)	12 (60%)	6 (50%)

In 2015, findings have been made against CILEx members in 22 cases. Of the 25 questionnaires sent out, 14 members did not respond.

SECTION 1: COMPLAINTS PROCEDURE

1. Was a Complaints Handling Procedure leaflet sent to you?

	2015	2014	2013	2012	2011
Yes	9 (82%)	8 (100%)	6 (100%)	11 (92%)	5 (83%)
No	1 (9%)	0	0	1 (8%)	1 (17%)
Cannot Recall	1 (9%)	0	0	0	0

1a. If a complaints handling procedure leaflet was sent to you, how easy was this to understand?

	2015	2014	2013	2012	2011
Very difficult	0	0	0	0	0
Fairly difficult	0	0	1 (17%)	1 (9%)	0
Acceptable	1 (9%)	1 (12.5%)	0	3 (27%)	1 (20%)
Fairly easy	4 (36%)	4 (50%)	2 (33%)	4 (37%)	2 (40%)
Very easy	5 (46%)	3 (37.5%)	3 (50%)	3 (27%)	2 (40%)
No Answer	1 (9%)	-	-	-	-

Appendix 5: CILEx REGULATION COMPLAINTS & DISCIPLINARY FUNCTION
 CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES FROM
 CILEx MEMBERS 2015 (continued)

2. Did the leaflet provide a satisfactory summary of the process that would be followed?

	2015	2014	2013	2012	2011
Yes	9 (41%)	8 (100%)	6 (100%)	10 (91%)	5 (100%)
No	0	0	0	1 (9%)	0
Cannot Recall	1 (3.5%)	0	0	0	0
No Response	1 (3.5%)	0	0	0	0

3. Did the leaflet cover the issues you expected it to cover?

	2015	2014	2013	2012	2011
Yes	7 (32%)	7 (87.5%)	6 (100%)	8 (73%)	5 (100%)
No	1 (3.5%)	1 (12.5%)	0	3 (27%)	0
No Response	3 (13.5%)	0	0	0	0

Member comments:

1. I did not have any expectation.
2. Cannot recall.
3. Not all issues/questions.

CILEx Regulation comments/learning points:

1. CILEx Regulation has produced a new and updated 'Complaints and Disciplinary Procedures' leaflet which provides significantly more information than was in the previous leaflet. This was published in March 2015 after these complaints had been received and their investigation had begun. Going forward we hope that any issues or questions not previously answered will be answered. We also have more information on the CILEx Regulation website, to which we will direct members.

Appendix 5: CILEx REGULATION COMPLAINTS & DISCIPLINARY FUNCTION CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES FROM CILEx MEMBERS 2015 (continued)

4. Did you feel that we made you aware that a complaint had been made against you at the appropriate time?

	2015	2014	2013	2012	2011
Yes	9 (82%)	8 (100%)	5 (83%)	7 (78%)	4 (67%)
No	2 (18%)	0	1 (17%)	2 (22%)	2 (33%)

Member comments:

1. Once you were in a position to provide me with details of the complaint.
2. No comments provided.

CILEx Regulation comments/learning points:

1. CILEx Regulation aims to provide information as soon as possible to individuals who have complaints made against them. Each individual member will have different needs. We, therefore, aim to follow our standard processes as outlined under the Investigation Disciplinary and Appeals Rules (IDAR). The implementation of a new IDAR in January 2015 has allowed for a period of investigation before notifying the member so that there is less delay in the member receiving full details of complaints from the point of notification.
2. The other member did not provide any feedback as to when they would expect to receive a reply. However, we aim to provide information as soon as it becomes available to us. Sometimes it can take time to obtain all the information from a complainant as they may be vulnerable or require extra time to provide the necessary information.

5. Did we provide you with sufficient information about the procedure we would use to investigate the complaint made against you?

	2015	2014	2013	2012	2011
Yes	9 (82%)	8 (100%)	6 (100%)	10 (83%)	6 (100%)
No	1 (9%)	0	0	2 (17%)	0
No Response	1 (9%)	0	0	0	0

Member comments:

1. The actual procedure would have helped and also timescales of dealing with the same.
2. Cannot recall.

Appendix 5: CILEx REGULATION COMPLAINTS & DISCIPLINARY FUNCTION CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES FROM CILEx MEMBERS 2015 (continued)

CILEx Regulation comments/learning points:

1. CILEx Regulation sends out two letters at the beginning of the investigation which outlines the procedure and the time it takes to deal with complaints. This member was not formally investigated and the matter was formally closed within a few weeks.

6. Did we provide you with sufficient information about our disciplinary powers as a professional body?

	2015	2014	2013	2012	2011
Yes	9 (82%)	8 (100%)	6 (100%)	11 (92%)	6 (100%)
No	1 (9%)	0	0	1 (8%)	0
No Response	1 (9%)	0	0	0	0

Member comments:

1. I do not recall being sent a document in relation to this whilst the matter was being investigated.
2. Cannot recall.

CILEx Regulation comments/learning points:

1. CILEx Regulation provides all members details of the investigation procedure. We also send out copies of the Investigation, Disciplinary and Appeals Rules which also provide the procedure and details of the powers of the Conduct Panels. In addition, we provide links to the website and after each stage of the investigation remind members in our standard letters of the information pertinent to that stage of the investigation. However, we recognise that this is a difficult time for members and will suggest making additional phone calls after each substantive stage of the investigation to ensure that members understand what the next steps are and so they can ask questions.

Appendix 5: CILEx REGULATION COMPLAINTS & DISCIPLINARY FUNCTION
 CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES FROM
 CILEx MEMBERS 2015 (continued)

SECTION 2: COMMUNICATION

7. Which method(s) of communication were used during the investigation of the case?

	2015	2014	2013	2012	2011
Email	8	7	3	10	1
Letter	9	4	6	11	6
Telephone	4	2	2	6	1

Were you happy with the method(s) of communication used?

	2015	2014	2013	2012	2011
Yes	11 (100%)	8 (100%)	6 (100%)	10 (82%)	3 (50%)
No	0	0	0	1 (9%)	0
No Response	0	0	0	1 (9%)	3 (50%)

CILEx Regulation comments/learning points:

- We are pleased that all members were happy with the way we communicate with them and we will continue to adapt to new ways of communicating and considering new technology that emerges.*

8. Did we keep you adequately informed about the progress of the complaint made against you?

	2015	2014	2013	2012	2011
Yes	10 (91%)	8 (100%)	5 (83%)	10 (82%)	6 (100%)
No	0	0	1 (17%)	1 (9%)	0
N/A	0	0	0	1 (9%)	0
No Response	1 (1%)	0	0	0	0

Member comment:

- Not applicable.*

CILEx Regulation comments/learning points:

- We continue to keep members updated about the progress of complaints and send updates every two weeks. One member did not respond and, therefore, it is unclear as to their views on this question asked.*

Appendix 5: CILEx REGULATION COMPLAINTS & DISCIPLINARY FUNCTION
 CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES FROM
 CILEx MEMBERS 2015 (continued)

9. We aim to respond to initial complaints within seven working days. How satisfied were you with the time we took to respond to your letters/emails during the investigation of the case?

	2015	2014	2013	2012	2011
Very dissatisfied	0	0	0	0	0
Fairly dissatisfied	0	0	0	0	0
Acceptable	1 (9%)	3 (37%)	0	2 (16%)	2 (33%)
Fairly satisfied	3 (27%)	0	2 (33%)	5 (42%)	0
Very satisfied	6 (55%)	5 (63%)	4 (67%)	5 (42%)	4 (67%)
N/A	1 (9%)	-	-	-	-

10. Were our letters easy to understand?

	2015	2014	2013	2012	2011
Yes	11 (100%)	8 (100%)	6 (100%)	12 (100%)	6 (100%)
No	0	0	0	0	0

CILEx Regulation comments/learning points:

- We are pleased that members continue to find communications easy to follow. Our aim is to ensure consistency of information across the CILEx group and we review our methods of communication each year to ensure that where communication can be improved it is done so.*

11. If you left telephone messages did we call you back promptly?

	2015	2014	2013	2012	2011
Yes	5 (45.5%)	5 (63%)	5 (83%)	6 (100%)	4 (100%)
No	0	0	0	0	0
N/A	5 (45.5%)	3 (37%)	1 (17%)	-	-
No Response	1 (9%)	0	0	0	0

Appendix 5: CILEx REGULATION COMPLAINTS & DISCIPLINARY FUNCTION CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES FROM CILEx MEMBERS 2015 (continued)

Member comment:

1. *After I received notice of the complaint I tried to speak to the complaint handler and left messages after being told she was in the office. It then transpired she was on annual leave.*

CILEx Regulation comments/learning points:

1. *Our aim is to ensure that correct information is provided to anyone that calls CILEx Regulation. Voicemail and correspondence will make it clearer as to our availability and contact details.*

12. Our targets for referring complaints to the Professional Conduct Panel are 80% cases referred within six months and 100% within nine months. Our targets for the final hearing in cases referred to the Disciplinary Tribunal are 65% completed within six months and 100% within nine months of referral. How satisfied are you with these timescales?

	2015	2014	2013	2012	2011
Very dissatisfied	1 (9%)	0	0	1 (8%)	0
Fairly dissatisfied	2 (18%)	1 (12.5%)	0	2 (17%)	0
Acceptable	0	2 (25%)	1 (17%)	3 (25%)	1 (17%)
Fairly satisfied	1 (9%)	3 (37.5%)	3 (50%)	3 (25%)	2 (33%)
Very satisfied	6 (55%)	2 (25%)	2 (33%)	1 (8%)	3 (50%)
No response	1 (9%)	0	0	2 (17%)	0

Member comment:

1. *I think the length of the process is too slow-it is a very distressing process, particularly in the circumstances where the complaint is malicious.*

CILEx Regulation comments/learning points:

1. *We appreciate that any length of time to be under investigation will be a stressful time, however, CILEx Regulation has an obligation to investigate complaints that it receives and obtain as much information to enable a decision to be made.*

Appendix 5: CILEx REGULATION COMPLAINTS & DISCIPLINARY FUNCTION
 CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES FROM
 CILEx MEMBERS 2015 (continued)

13. How satisfied were you with the overall time we took to deal with your case?

	2015	2014	2013	2012	2011
Very dissatisfied	1 (9%)	1 (12.5%)	0	1 (8%)	0
Fairly dissatisfied	1 (9%)	0	0	1 (8%)	0
Acceptable	2 (18%)	4 (50%)	0	6 (50%)	1 (17%)
Fairly satisfied	1 (9%)	1 (12.5%)	3 (50%)	2 (17%)	2 (33%)
Very satisfied	5 (46%)	2 (25%)	3 (50%)	2 (17%)	3 (50%)
N/A	1 (9%)	0	0	0	0

14. Did you feel that we fully understood your response to the complaint?

	2015	2014	2013	2012	2011
Yes	8 (73%)	8 (100%)	5 (83%)	7 (58%)	6 (100%)
No	1 (9%)	0	1 (17%)	5 (42%)	0
N/A	1 (9%)	0	0	0	0
No Response	1 (9%)	0	0	0	0

Member comment:

1. *Due to the fact the complainant withdrew her complaint after receiving my response I was not made aware of [CILEx Regulation's] view of my response.*

CILEx Regulation comments/learning points:

1. *CILEx Regulation during the investigation stage does not provide its views as such about a member's response. The aim is that independent decision makers adjudicate a complaint which is not necessarily where it is withdrawn.*
2. *The member that answered 'No' has not provided any comments for CILEx Regulation to analyse or consider whether training can be offered to staff to improve better understanding of responses to complaints.*

Appendix 5: CILEx REGULATION COMPLAINTS & DISCIPLINARY FUNCTION
 CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES FROM
 CILEx MEMBERS 2015 (continued)

15. Did our report provide a satisfactory summary of your response to the complaint?

	2015	2014	2013	2012	2011
Yes	7 (64%)	8 (100%)	6 (100%)	10 (84%)	6 (100%)
No	1 (9%)	0	0	1 (8%)	0
No response	2 (18%)	0	0	1 (8%)	0
N/A	1 (9%)	0	0	0	0

Member comments:

1. I do not recall receiving a report.
2. I was not sent a report presumably because the complainant withdrew her complaint after receiving my response.

CILEx Regulation comments/learning points:

1. Reports are not sent where the matter is not being formally investigated. Reports are only sent once the matter is due to be referred to the conduct panel; following a full investigation.
2. Although the member did not receive a report due to the complainant withdrawing the matter, all correspondence received from complainants is sent to members so they are aware of the details. In this case, the complainant sent two letters which provided reasons for her withdrawing the complaint.

SECTION 3: OUTCOME

16. Did we let you know about the decision in your case promptly (we normally have 5 working days to inform you of the decision)?

	2015	2014	2013	2012	2011
Yes	8 (9%)	8 (100%)	6 (100%)	11 (92%)	6 (100%)
No	0	0	0	1 (8%)	0
N/A	2 (18%)	0	0	0	0
No response	1 (9%)	0	0	0	0

Appendix 5: CILEx REGULATION COMPLAINTS & DISCIPLINARY FUNCTION
 CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES FROM
 CILEx MEMBERS 2015 (continued)

17. Did we make you aware that our investigation had come to an end?

	2015	2014	2013	2012	2011
Yes	9 (82%)	8 (100%)	6 (100%)	12 (100%)	6 (100%)
No	0	0	0	0	0
N/A	2 (18%)	0	0	0	0

18. Were you made aware if you could appeal and the time limits for making an appeal?

	2015	2014	2013	2012	2011
Yes	6 (55%)	6 (75%)	6 (100%)	10 (84%)	5 (100%)
No	1 (9%)	0	0	0	0
N/A	4 (36%)	2 (25%)	0	2 (16%)	0

CILEx Regulation comments/learning points:

1. There are some instances where an appeal right does not arise such as a Determination by Consent as the matter has been agreed with the consent of the member, or where complaints are rejected as there is nothing for the member to appeal.

19. Was an appeal form sent to you, if you had indicated that you wished to appeal?

	2015	2014	2013	2012	2011
Yes	2 (18%)	4 (50%)	3 (50%)	2 (16%)	3 (75%)
No	1 (9%)	0	1 (17%)	0	1 (25%)
N/A	8 (73%)	4 (50%)	2 (33%)	10 (84%)	-

CILEx Regulation comments/learning points:

1. Under the old rules, CILEx Regulation had a standard form that could be sent to members on request. Members were informed of their right to appeal and invited to inform CILEx Regulation as to whether they wanted to appeal or not, at which point a form would be sent where requested. Under the new rules, there is a form that can be sent to members should they seek it, however, to enable members to make an appeal application in the manner they wish it is no longer a requirement for them to submit their appeal on a standard form.

Appendix 5: CILEx REGULATION COMPLAINTS & DISCIPLINARY FUNCTION
 CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES FROM
 CILEx MEMBERS 2015 (continued)

20. Do you consider that the process was:

		2015	2014	2013	2012	2011
Proportionate	Yes	5 (45%)	5 (62.5%)	4 (67%)	5 (42%)	6 (100%)
	No	3 (27%)	3 (37.5%)	1 (17%)	7 (58%)	0
	N/A	0	0	1 (17%)	-	-
	No Response	3 (27%)	0	0	0	0
Consistent	Yes	7 (64%)	8 (100%)	5 (83%)	12 (100%)	6 (100%)
	No	1 (9%)	0	0	0	0
	N/A	0	0	1 (17%)	0	0
	No Response	3 (27%)	0	0	0	0
Transparent	Yes	8 (73%)	8 (100%)	5 (83%)	2 (100%)	6 (100%)
	No	0	0	0	0	0
	N/A	0	0	1 (17%)	0	0
	No Response	3 (27%)	0	0	0	0
Fair	Yes	7 (64%)	7 (87.5%)	5 (83%)	8 (68%)	6 (100%)
	No	2 (18%)	1 (12.5%)	1 (17%)	2 (16%)	0
	No response	2 (18%)	0	0	2 (16%)	0
	N/A	0	0	1 (17%)	0	0
Impartial	Yes	8 (73%)	8 (100%)	5 (83%)	10 (84%)	6 (100%)
	No	0	0	0	2 (16%)	0
	N/A	0	0	1 (17%)	0	0
	No Response	3 (27%)	0	0	0	0
Timely	Yes	6 (55%)	7 (87.5%)	5 (83%)	10 (84%)	6 (100%)
	No	2 (18%)	1 (12.5%)	0	2 (16%)	0
	N/A	0	0	1 (17%)	0	0
	No Response	3 (27%)	0	0	0	0

Appendix 5: CILEx REGULATION COMPLAINTS & DISCIPLINARY FUNCTION CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES FROM CILEx MEMBERS 2015 (continued)

Member comments:

- 1. I believe that the complaint was vexatious. The complainant wanted to use the process as a fishing expedition for his claim against my clients. It was an abuse of the process. A lot of work and inconvenience was caused.*
- 2. The complainant lied on the complaint form that he made no other complaints. This was not addressed with him. It seems that the system is set up to favour the complainant.*
- 3. The complaint in my view was unjustified and the process seems disproportionate bearing in mind the length of time it took [CILEx Regulation] to deal with it.*
- 4. I do not feel I can answer this.*
- 5. I believe I was copied in on all correspondence sent to [CILEx Regulation] by the complainant.*
- 6. I was not allowed to send privileged documents to [CILEx Regulation] because the complainant could not be sent copies.*
- 7. It should be noted I was not given any indication of the view after I submitted my response.*
- 8. I think the process is too long. I had to wait 2 months to receive details of the complaint.*
- 9. Overall I find the investigation process clearly explained in a timely fashion. All my doubts were cleared either by telephone or email as all my questions were answered satisfactorily.*
- 10. Not very according to my perspective.*

CILEx Regulation comments/learning points:

- 1. CILEx Regulation recognises it is difficult to have a complaint made against you. We are obliged to undertake a period of investigation to enable us to determine the legitimacy of any complaint.*
- 2. CILEx Regulation has an overriding objective under the Legal Services Act 2007 to protect the public. However to ensure the process is fair we seek as much information from both parties to the complaint and a member's response is put to the complainant for their responses and vice versa. Complainants are usually lay members of the public and sometimes find it difficult to bring complaints. It would not be appropriate to confront complainants in a way that is challenging or aggressive. However, we do seek further information and clarification from complainants about the matters they raise which is provided to the decision maker at the conclusion of any investigation. It will, therefore, be apparent to the decision maker whether or not a complainant has provided sufficient evidence to support their complaints.*
- 3. It is problematic attempting to respond to this type of comment as by and large members who have complaints made against them will feel aggrieved and will consider the complaints unjustified. In such circumstances, it is more than likely that one party will be unhappy with what is taking place. It is, therefore, CILEx Regulation's role to maintain as neutral a position as it can to obtain the information it requires enabling its decision makers to reach a sound judgement.*
- 4. In regard to comment 6 above members may send any information they consider will assist their case, however in order to maintain transparency information is shared with the complainant so that there is no unfairness. Members are advised to seek consent from their clients and firms (if they are employed) for the use of privileged information or to redact information appropriately or provide alternative evidence to support their case.*
- 5. Comment 7 makes the point that CILEx Regulation did not offer its view to a response. It is not CILEx Regulation's role to give an opinion as such on the responses. It is a matter for the decision maker to make a judgement once all the information has been gathered and the investigation stage of the procedure has concluded. Providing a view without all the*

Appendix 5: CILEx REGULATION COMPLAINTS & DISCIPLINARY FUNCTION CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES FROM CILEx MEMBERS 2015 (continued)

facts could prejudice the investigation process.

6. *In regard to comment 8, this was unfortunate due to the old rules requiring CILEx Regulation to notify members as soon as a complaint comes in. Under the new rules, there is greater flexibility in that a preliminary period of evidence gathering can take place to assess whether CILEx Regulation has jurisdiction to deal with the complaint prior to notification. Going forward this will allow us to notify members once we are close to the point of serving a summary of the complaint.*
7. *Comment 10 is a personal opinion of a member. It will always be challenging to convey impartiality due to individuals reacting to information in different ways. CILEx Regulation, therefore, aims to follow its standard procedures to demonstrate that we take the same approach to all complaints investigations.*

21. Overall, how satisfied were you with how we handled your complaint?

	2015	2014	2013	2012	2011
Very dissatisfied	1 (9%)	0	0	1 (8%)	0
Fairly dissatisfied	0	1 (12.5%)	1 (17%)	2 (17%)	0
Acceptable	1 (9%)	2 (25%)	1 (17%)	2 (17%)	1 (17%)
Fairly satisfied	3 (27%)	2 (25%)	1 (17%)	4 (33%)	1 (17%)
Very satisfied	6 (64%)	3 (37.5%)	3 (50%)	3 (25%)	4 (66%)

CILEx Regulation comments/learning points:

1. *The member that commented they were very dissatisfied unfortunately has not provided any comments as to why they were very dissatisfied.*

22. If you could suggest one improvement to the way we handle complaints what would that be?

Member comments:

1. *Given the experience with W and that they sent all correspondence with CILEx to the Council CILEx should consider a 'Filter' stage in its complaints process to all to consider if a complaint is viable. At this time, it seems fairly easy to submit a complaint and get it investigated which is not a cheap process.*
2. *I am satisfied about your services. This is a best improvement and I am a good listener from you to obey you ever.*
3. *The system should look at the motive and credibility of the person making the complaint.*
4. *More support for individuals who have had the complaint made against them. This was a very distressing time even though I received support from my employer.*
5. *You should send out the notification confirming a complaint has been made once you are in a position to provide details of the complaint. It was very distressing to receive the letter from [CILEx Regulation] which did not contain any details of the complaint. As the complainant was not my client I absolutely no idea why she felt the need to complain. The letter advised*

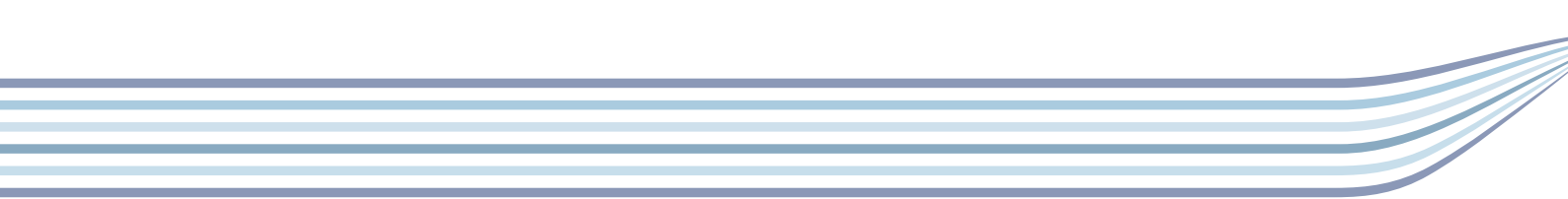
Appendix 5: CILEx REGULATION COMPLAINTS & DISCIPLINARY FUNCTION CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES FROM CILEx MEMBERS 2015 (continued)

me I may want to take independent legal advice which obviously causes concern.

6. *Read your files.*
7. *Provide more information in relation to how the matter will be investigated, your procedures etc.*
8. *No improvements as the complaint was handled and disposed of in a timely manner.*
9. *The people that conducted the investigation were oblivious to the vindictive nature or disposition of the complainant who should have taken time to consider dealing with me personally than to engage CILEx since I was her student. She was driven by the spirit of revenge than professional ethics.*

CILEx Regulation comments/learning points:

1. *We have developed the Investigation, Disciplinary and Appeals Rules, and in 2015, the new Rules were implemented. These new rules provide scope for the office to undertake a preliminary review of complaints and consider their merit. Where there is no merit or evidence to support the complaint the office can reject complaints without undertaking lengthy investigations. These decisions will be reported to the Professional Conduct Panel.*
2. *In relation to comment 3 as part of the investigation procedure credibility and motive of complaints is assessed at the conclusion of investigations and is based on the information and responses provided. It would not be appropriate or fair to make prejudgements and it will be for the decision maker to make sound conclusions based on all the available evidence.*
3. *Comment 4 asks CILEx Regulation to provide more support. We make every effort to provide support in so far as it can by explaining the process. However as the Regulator we can only take this role so far and as such provide details of LawCare and CILEx Practice Advice team to give the additional support to members.*
4. *As mentioned in our earlier comments the new rules now allow for greater flexibility and we will aim to provide notice to members when we have more detail about the complaints.*
5. *It is unclear what is meant by comment 6. However, this was a CPD non-compliance case where there is a strict duty upon members to complete.*
6. *Comment 7 is that CILEx Regulation should provide more information on the procedures to be followed. In all of our standard letters, the procedure is explained and is specific to the stage that the investigation has reached. In addition, there is a Handbook which is guidance to the rules and information available on the website about the procedures which members are directed to.*
7. *CILEx Regulation understands that being investigated is not a pleasant experience however it is not appropriate for us to make personal comments on the personality or behaviour of any party in the investigation. Cases are decided on facts and evidence available.*



Appendix 5: CILEx REGULATION COMPLAINTS & DISCIPLINARY FUNCTION
CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES FROM
CILEx MEMBERS 2015 (continued)

23. Are there any further comments which you wish to make?

Member comments:

- 1. Each letter was sent to my home address (usually arriving on a Friday). I do not feel CILEx offered enough support and assurances whilst the complaints procedure was ongoing.*
- 2. I thought ET [the Investigation Officer] was very helpful during this stressful time.*
- 3. No comments.*

CILEx Regulation comments/learning points:

- 1. It is unfortunate that this member received correspondence routinely on a Friday. In regard to correspondence being sent to the member's home address, CILEx Regulation use the preferred address for communication as logged on CILEx Records. This can be amended by a member logging into their individual myCILEx accounts. CILEx Regulation is unable to comment on whether CILEx provided this member with enough support.*
- 2. CILEx Regulation overall will consider the comments presented here and will review its policies to decide whether any improvements can be made in the delivery of the information we provide and/or the resources available.*

Appendix 6: CILEX REGULATION COMPLAINTS & DISCIPLINARY FUNCTION CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES FROM COMPLAINANTS 2015

Number of surveys sent:

2015	2014	2013	2012	2011
7	10	9	10	12

Number of responses received at year end:

2015	2014	2013	2012	2011
1 (14%)	2 (10%)	4 (44%)	4 (40%)	4 (33%)

Of the seven surveys sent to complainants, only one response was received the remaining six did not send any reply.

Appendix 6: CILEX REGULATION COMPLAINTS & DISCIPLINARY FUNCTION
 CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES
 FROM COMPLAINANTS 2015 (continued)

SECTION 1: FINDING OUT ABOUT CILEX REGULATION

1. How did you find out about us?

	2015	2014	2013	2012	2011
Internet	1 (100%)	1 (33.3%)	2 (50%)	2 (50%)	0
Member of ILEX	0	1 (33.3%)	0	0	1 (25%)
CAB/Law centre	0	0	1 (25%)	0	0
Solicitor	0	0	0	0	2 (50%)
Legal Ombudsman	0	0	1 (25%)	1 (25%)	0
Other	0	0	0	1 (25%)	1
No reply	0	1 (33.3%)	0	0	0

2. How easy was it to find out about our service?

	2015	2014	2013	2012	2011
Very difficult	0	0	0	0	0
Fairly difficult	0	0	1 (25%)	0	0
Acceptable	0	0	0	0	0
Fairly easy	0	0	2 (50%)	2 (50%)	2 (50%)
Very easy	1 (100%)	1 (33.3%)	1 (25%)	2 (50%)	2 (50%)
Standard answer not provided	0	1 (33.3%)	0	0	0
No Reply	0	1 (33.3%)	0	0	0

Appendix 6: CILEX REGULATION COMPLAINTS & DISCIPLINARY FUNCTION
 CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES
 FROM COMPLAINANTS 2015 (continued)

SECTION 2: COMPLAINTS PROCEDURE

3. How did you complain to CILEx Regulation?

	2015	2014	2013	2012	2011
By letter	1 (50%)	0	3 (75%)	3 (75%)	3 (75%)
CILEx Regulation complaints form (sent to you by post)	0	0	1 (25%)	0	0
CILEx Regulation complaints form (downloaded from website)	0	2 (66.3%)	0	1 (25%)	1 (25%)
Other	1 (50%)	0	0	0	0
No reply	0	1 (33.3%)	0	0	0

4. Was a complaints handling procedure leaflet sent to you?

	2015	2014	2013	2012	2011
Yes	1 (100%)	2 (66.3%)	2 (50%)	3 (75%)	4 (100%)
No	0	0	2 (50%)	1 (25%)	0
No Reply	0	1 (33.3%)	0	0	0

4a. If a complaints handling procedure leaflet was sent to you, how easy was this to understand?

	2015	2014	2013	2012	2011
Very difficult	0	0	0	0	0
Fairly difficult	0	0	0	0	0
Acceptable	0	0	0	0	1 (25%)
Fairly easy	1 (100%)	1 (33.3%)	0	2 (50%)	1 (25%)
Very easy	0	1 (33.3%)	1 (25%)	0	0
No response	0	1 (33.3%)	3 (75%)	2 (50%)	2 (50%)

Appendix 6: CILEX REGULATION COMPLAINTS & DISCIPLINARY FUNCTION
 CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES
 FROM COMPLAINANTS 2015 (continued)

5. Did the leaflet provide a satisfactory summary of the process that would be followed?

	2015	2014	2013	2012	2011
Yes	1 (100%)	2 (66.6%)	2 (50%)	2 (50%)	4 (100%)
No	0	0	0	1 (25%)	0
No response	0	1 (33.3%)	2 (50%)	1 (25%)	0

6. Did the leaflet cover the issues you expected it to cover?

	2015	2014	2013	2012	2011
Yes	1 (100%)	2 (66.6%)	2 (50%)	3 (75%)	4 (100%)
No	0	0	0	0	0
No response	0	1 (33.3%)	2 (50%)	1 (25%)	0

Complainant Comment:

1. *I didn't know what to expect but everything appeared to be covered.*

7. Did we provide you with sufficient information about the procedure we would follow?

	2015	2014	2013	2012	2011
Yes	1 (100%)	2 (66.6%)	4 (100%)	4 (100%)	4 (100%)
No	0	0	0	0	0
No response	0	1 (33.3%)	0	0	0

8. Did we provide you with sufficient information about how we would deal with your case?

	2015	2014	2013	2012	2011
Yes	1 (100%)	2 (66.6%)	4 (100%)	4 (100%)	4 (100%)
No	0	0	0	0	0
No response	0	1 (33.3%)	0	0	0

Appendix 6: CILEX REGULATION COMPLAINTS & DISCIPLINARY FUNCTION
 CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES
 FROM COMPLAINANTS 2015 (continued)

9. Did we provide you with sufficient information about our disciplinary powers as a professional body?

	2015	2014	2013	2012	2011
Yes	1 (100%)	2 (66.6%)	3 (75%)	3 (75%)	4 (100%)
No	0	0	1 (25%)	1 (25%)	0
No response	0	1 (33.3%)	0	0	0

10. We aim to respond to initial complaints within seven working days. Once you made your complaint how satisfied were you with the length of time taken by CILEx Regulation to acknowledge your complaint?

	2015	2014	2013	2012	2011
Very dissatisfied	0	0	0	0	0
Fairly dissatisfied	0	0	0	0	0
Acceptable	0	0	0	0	1 (25%)
Fairly satisfied	0	2 (66.6%)	1 (25%)	2 (50%)	0
Very satisfied	1 (100%)	0	2 (50%)	2 (50%)	3 (75%)
No response	0	1 (33.3%)	1 (25%)	-	-

SECTION 3: COMMUNICATION

11. Which method(s) of communication were used during the investigation of your case?

	2015	2014	2013	2012	2011
Email	1	2	4	2	2
Letter	1	1	3	4	4
Telephone	1	0	1	1	1

Appendix 6: CILEX REGULATION COMPLAINTS & DISCIPLINARY FUNCTION
 CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES
 FROM COMPLAINANTS 2015 (continued)

Were you happy with the method(s) of communication used?

	2015	2014	2013	2012	2011
Yes	1 (100%)	1 (33.3%)	4 (100%)	4 (100%)	4 (100%)
No	0	0	0	0	0
No Response	0	2 (66.3%)	0	0	0

12. Did we keep you adequately informed about the progress of your complaint?

	2015	2014	2013	2012	2011
Yes	1 (100%)	2 (66.3%)	3 (75%)	4 (100%)	3 (75%)
No	0	0	1 (25%)	0	0
No response	0	1 (33.3%)	0	0	1 (25%)

Complainant Comment:

1. *The service was very quick and efficient.*

13. We aim to respond to communications within seven working days or to acknowledge within two working days if there will be a delay in replying. How satisfied were you with the length of time we took to respond to your letters/emails during the investigation of your complaint?

	2015	2014	2013	2012	2011
Very dissatisfied	0	0	0	0	0
Fairly dissatisfied	0	0	0	0	0
Acceptable	0	0	1 (25%)	0	1 (25%)
Fairly satisfied	0	1 (33.3%)	1 (25%)	2 (50%)	1 (25%)
Very satisfied	1 (100%)	1 (33.3%)	2 (50%)	2 (50%)	2 (50%)
No Response	0	1 (33.3%)	0	0	0

Appendix 6: CILEX REGULATION COMPLAINTS & DISCIPLINARY FUNCTION
 CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES
 FROM COMPLAINANTS 2015 (continued)

14. Were our letters easy to understand?

	2015	2014	2013	2012	2011
Yes	1 (100%)	2 (66.3%)	4 (100%)	4 (100%)	4 (100%)
No	0	0	0	0	0
No response	0	1 (33.3%)	0	0	0

15. If you left telephone messages did we call you back promptly?

	2015	2014	2013	2012	2011
Yes	1 (100%)	0	2 (50%)	1 (25%)	2 (50%)
No	0	0	0	0	0
N/A	0	1 (33.3%)	2 (50%)	3 (75%)	2 (50%)
No response	0	2 (66.3%)	0	0	0

16. Our targets for referring complaints to the Professional Conduct Panel are 80% within six months and 100% within nine months. Our targets for the final hearing in cases referred to the Disciplinary Tribunal are 65% completed within six months and 100% within nine months of referral. How satisfied are you with these timescales?

	2015	2014	2013	2012	2011
Very dissatisfied	0	0	0	0	0
Fairly dissatisfied	0	0	0	0	0
Acceptable	0	0	2 (50%)	0	1 (25%)
Fairly satisfied	0	1 (33.3%)	1 (25%)	3 (100%)	0
Very satisfied	1 (100%)	0	1 (25%)	1 (25%)	3 (75%)
No Response	0	2 (66.3%)	0	0	0

Appendix 6: CILEX REGULATION COMPLAINTS & DISCIPLINARY FUNCTION
 CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES
 FROM COMPLAINANTS 2015 (continued)

17. How satisfied were you with the overall time we took to deal with your complaint?

	2015	2014	2013	2012	2011
Very dissatisfied	0	0	0	0	0
Fairly dissatisfied	0	0	1 (25%)	0	0
Acceptable	0	0	1 (25%)	1 (25%)	1 (25%)
Fairly satisfied	0	2 (66.3%)	1 (25%)	1 (25%)	0
Very satisfied	1 (100%)	0	1 (25%)	2 (50%)	3 (75%)
No Response	0	1 (33.3%)	0	0	0

18. Did we summarise your complaint to your satisfaction?

	2015	2014	2013	2012	2011
Yes	1 (100%)	0	3 (25%)	2 (50%)	4 (100%)
No	0	1 (33.3%)	1 (25%)	2 (50%)	0
N/A	0	1 (33.3%)	0	0	0
No Response	0	1 (33.3%)	0	0	0

Complainant Comment:

1. *The investigation was in-depth and comprehensive.*

19. Did you feel that we fully understood your complaint?

	2015	2014	2013	2012	2011
Yes	1 (100%)	1 (33.3%)	3 (75%)	4 (100%)	4 (100%)
No	0	1 (33.3%)	1 (25%)	0	0
No response	0	1 (33.3%)	-	-	-

Complainant Comment:

1. *I received a professional and concise response to my complaint.*

Appendix 6: CILEX REGULATION COMPLAINTS & DISCIPLINARY FUNCTION
 CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES
 FROM COMPLAINANTS 2015 (continued)

20. Did our report provide a satisfactory summary of your complaint?

	2015	2014	2013	2012	2011
Yes	1 (100%)	0	3 (75%)	2 (50%)	4 (100%)
No	0	1 (33.3%)	1 (25%)	2 (50%)	0
N/A	0	1 (33.3%)	0	0	0
No Response	0	1 (33.3%)	-	-	-

Complainant Comment:

1. As above.

SECTION 4: OUTCOME

21. Did we let you know about the decision in your case promptly (we normally have 5 working days to inform you of the decision)?

	2015	2014	2013	2012	2011
Yes	1 (100%)	1 (33.3%)	4 (100%)	4 (100%)	4 (100%)
No	0	0	0	0	0
No Response	0	2 (66.3%)	0	0	0

22. Did we make you aware that our investigation had come to an end?

	2015	2014	2013	2012	2011
Yes	1 (100%)	2 (66.3%)	4 (100%)	4 (100%)	4 (100%)
No	0	0	0	0	0
No Response	0	1 (33.3%)	0	0	0

Complainant Comment:

1. I chose not to proceed after a certain point.

Appendix 6: CILEX REGULATION COMPLAINTS & DISCIPLINARY FUNCTION
 CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES
 FROM COMPLAINANTS 2015 (continued)

23. Were you made aware if you could appeal and the time limits for making an appeal? NOTE: Appeals are only available in cases where the complaint has been rejected under the delegated decision procedure.

	2015	2014	2013	2012	2011
Yes	0	0	1 (25%)	0	2 (50%)
No	1 (100%)	1 (33.3%)	2 (50%)	3 (75%)	0
N/A	0	1 (33.3%)	1 (25%)	1 (25%)	2 (50%)
No Response	0	1 (33.3%)	0	0	0

Complainant Comment:

1. *This didn't apply to my complaint as I stopped proceedings.*

24. Was an appeal form sent to you, if you had indicated that you wished to appeal?

		2014	2013	2012	2011
Yes	0	0	1 (25%)	0	0
No	0	1 (33.3%)	1 (25%)	3 (75%)	0
N/A	1 (100%)	1 (33.3%)	2 (50%)	1 (25%)	4 (100%)
No Response	0	1 (33.3%)	0	0	0

25. Overall, how satisfied were you with how we handled your complaint?

		2014	2013	2012	2011
Very dissatisfied	0	1 (33.3%)	1 (25%)	0	0
Fairly dissatisfied	0	1 (33.3%)	0	1 (25%)	0
Acceptable	0	0	1 (25%)	1 (25%)	0
Fairly satisfied	0	0	0	2 (50%)	1 (25%)
Very satisfied	1 (100%)	0	2 (50%)	0	3 (75%)
No Response	0	1 (33.3%)	0	0	0

Appendix 6: CILEX REGULATION COMPLAINTS & DISCIPLINARY FUNCTION
 CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES
 FROM COMPLAINANTS 2015 (continued)

26. Do you consider that the process was:

		2015	2014	2013	2012	2011
Proportionate	Yes	1 (100%)	2 (66.6%)	3 (75%)	3 (75%)	4 (100%)
	No		0	1 (25%)	1 (25%)	0
Consistent	Yes	1 (100%)	1 (33.3%)	3 (75%)	3 (75%)	4 (100%)
	No	0	0	0	0	0
	N/A	0	0	1 (25%)	1 (25%)	0
	No response	0	2 (66.6%)	0	0	0
Transparent	Yes	1 (100%)	1 (33.3%)	2 (50%)	4 (100%)	4 (100%)
	No	0	1 (33.3%)	1 (25%)	0	0
	N/A	0	0	1 (25%)	0	0
	No response	0	1 (33.3%)	0	0	0
Fair	Yes	1 (100%)	1 (33.3%)	3 (75%)	9	4 (100%)
	No	0	0	1 (25%)	4 (100%)	0
	No response	0	2 (66.6%)	0	0	0
Impartial	Yes	1 (100%)	1 (33.3%)	3 (75%)	0	4 (100%)
	No	0	0	1 (25%)	4 (100%)	0
	No response	0	2 (66.6%)	0	0	0
Timely	Yes	1 (100%)	1 (33.3%)	3 (75%)	4 (100%)	3 (75%)
	No	0	0	1 (25%)	0	1 (25%)
	No response	0	2 (66.6%)	0	0	0

27. If you could suggest one improvement to the service we offer what would that be?

Complainant Comment:

1. No response was provided.

28. Are there any further comments which you wish to make?

Complainant Comment:

1. I was satisfied that my complaint was taken seriously and thoroughly investigated. All responses from the [member] were sent to me along with files etc. I hadn't expected to receive so much in depth information.

Appendix 6: CILEX REGULATION COMPLAINTS & DISCIPLINARY FUNCTION
 CUSTOMER SATISFACTION SURVEYS – ANALYSIS OF RESPONSES
 FROM COMPLAINANTS 2015 (continued)

CILEx Regulation comments/learning points:

Action points arising	Completed
2013	
Ensure that complainants are fully aware of the outcomes that can be achieved. Amend standard letters to make this clearer.	✓
Ensure that monthly updates are provided to complainants and members.	✓
Amend Customer Service Questionnaire (CSQ) for members and complainants to make the form shorter but allow for improved feedback with the aim of increasing the level of engagement with consumers.	Not to be actioned, see comment 4 below
Amend the CSQ so that one section clearly differentiates feedback on policy and on performance.	To be reviewed
E & D form to be included with the CSQ form.	✓
Amend the CSQ forms to include a question whether members and complainants were referred to the website for information on complaints procedures.	✓
Give CSQ clearer subheadings within the body of the document to indicate the stages of the complaint as Section 1 – General, Section 2 Investigation Stage, Section 3 - PCP stage, Section 4 - Tribunal and Appeal stage, and Section 5 – Any Other Comments. Each section would have those questions currently on the form slotted into the relevant stage of the disciplinary procedure.	✓
2014	
Make the first telephone call contact with the complainant to introduce the investigator.	✓
2015	
Review procedures in general and make updates where necessary.	



NOTES



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