



## Candidate Brief

Brief for the position of Chair, CILEx Regulation

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# Letter from current Chair

Dear Candidate,

## **Appointment of Chair (Lay Member), CILEx Regulation**

I am delighted that you are considering joining the Board of CILEx Regulation as the Chair.

We regulate Chartered Legal Executive lawyers, other members of the Chartered Institute of Legal Executives (CILEx), CILEx practitioners and law firms.

We also oversee the education, qualification, and practice standards of the legal professionals we regulate. We work with CILEx to ensure that qualifications are at the right level and appropriate to the work that regulated individuals do. CILEx is the professional association representing 20,000 Chartered Legal Executives, paralegals, and legal professionals.

We aim to ensure that regulated individuals are fully aware of their obligations to consumers, colleagues, the courts, and the public, and that they maintain proper standards of professional conduct. When necessary, we deal with complaints against regulated individuals and firms taking appropriate disciplinary action to protect the public and uphold the standing of the profession.

We are a cohesive Board, currently made up of myself as the Chair and four Non-Executive Directors with positive and productive working relationships between the executive and non-executive directors.

CILEx Regulation received a high assurance rating from the Legal Services Board (LSB), which is our oversight regulator under the Legal Services Act 2007. The 2020 Staff Survey reported a highly positive staff culture which was a great tribute to the skill and dedication of our staff and strong executive leadership.

You would be joining CILEx Regulation at a pivotal time. We will need to refresh our strategy in a rapidly changing legal services environment and an uncertain post-pandemic world. We will need to build on our positive working relationship with CILEx as well as pursue closer collaboration with other regulators - both to promote the interests of consumers and to tackle the remaining barriers to Chartered Legal Executives realising their full potential.

We are looking for a high calibre individual to lead our Board and we are very keen to use this opportunity to improve the diversity of the Board and therefore are particularly inviting applications from all sections of the community regardless of race, religion, disability, gender, sexual orientation or age.

If you share my passion for improving standards, protecting the public and broadening access to legal services based on talent over background and you have strong leadership and Board experience, we would very much like to hear from you.

If you would like to arrange an informal chat to discuss the position with me, please contact Beccy Snape via email at [Beccy.snape@cilexregulation.org.uk](mailto:Beccy.snape@cilexregulation.org.uk).

Yours sincerely,

**Sam Younger CBE**  
**Chair**

## Background

We are the independent regulator, under the Legal Services Act 2007, of Chartered Legal Executives and other CILEx members, CILEx Authorised Entities and non-members with Practice Rights in the legal sector.

We set and maintain standards in legal education, and in the work and services provided by the individuals and firms we regulate, which continues to expand beyond the original sole purpose of legal executives.

Our regulation is proportionate, outcomes focused, and risk based. This allows the people and firms we regulate to take their own approach to delivering legal services in the way they think best, provided that this is in the interests of their clients and the public.

We have the CILEx Code of Conduct which sets out the standards of professional and general behaviour we expect of those we regulate. Our regulated members must comply with the Code of Conduct and while we support them with this, we take enforcement action if necessary.

## How we fit with other legal regulators

We are one of nine legal regulators under the Legal Services Act 2007 who regulate the different types of lawyers. The other eight are below:

Regulator	Type of lawyer regulated
<b>Bar Standards Board</b>	Barristers
<b>Council for Licensed Conveyancers</b>	Conveyancing and probate lawyers and firms
<b>Cost Lawyer Standards Board</b>	Costs Lawyers
<b>Intellectual Property Regulation Board</b>	Patent Attorneys, Patent Agents and Registered Trade Mark Attorneys
<b>Master of the Faculties</b>	Notaries
<b>Solicitors Regulation Authority</b>	Solicitors and firms
<b>Association of Chartered Certified Accountants</b>	Accountants licenced to provide probate legal services
<b>Institute for Chartered Accountants in England and Wales</b>	Accountants licenced to provide probate legal service

The [Legal Services Board](#) is responsible for overseeing the work of these legal regulators.

# How we fit with CILEx

The [Chartered Institute of Legal Executives](#) (CILEx) is the professional organisation which represents the individuals that we regulate.

CILEx stands for the Chartered Institute of Legal Executives, with the Institute Chartered under Royal Warrant. The forerunner of the Chartered Institute dates back to 1892.

CILEx offers a flexible way into, and to develop, a legal career. People can work in legal organisations and earn a living while at the same time studying to gain legal qualifications. It is far cheaper to qualify via CILEx than through a degree route (£12,000 compared to £45,000). This allows people from different social and economic backgrounds to work in the legal industry. This flexibility is particularly beneficial for those with family or caring commitments.

- 72% of regulated members are women
- 12% identify as Black, Asian or Minority Ethnic (BAME)
- 85% attended state schools
- 30% are the first generation in their family to attend university
- and only 2% of members have a parent who is a lawyer.

## Our Mission

*“Delivering forward-thinking legal regulation for the benefit of everyone.”*

## Our Strategic Objectives

We have three strategic objectives for 2019-2021:

- Protecting consumers and improving consumer experience
- Strengthening diversity within the legal profession and accessibility to legal services
- Promoting high standards

**OUR MISSION:**  
*Delivering forward-thinking legal regulation for the benefit of everyone*

**STRATEGY 2019-21**

**Protecting consumers and improving consumer experience by:**  
Ensuring that the legal service providers we regulate are clear and honest in the way that they work with clients  
Understanding consumer needs and focusing our decision-making on the consumer  
Creating a corporate website which helps consumers to access justice  
Working with other regulators to build the Legal Choices website

**Strengthening diversity within the legal profession and accessibility to legal services by:**  
Identifying ways to enhance a diverse workforce whilst achieving high standards  
Identifying opportunities to support and increase diversity within the legal profession  
Delivering ABS licensing to the market  
Providing supportive, safe and proportionate regulation

**Promoting high standards by:**  
Reviewing legal education standards  
Supporting new technologies for legal services  
Using a risk-based approach to investigation to ensure regulator resources are used most effectively to uphold standards  
Dealing with conduct complaints and enforcement fairly and promptly

Find Us: CILEx Regulation, Manor Drive, Kempston, Bedford, Bedfordshire  
Get in touch t: 01234 845770 e: info@cilexregulation.org.uk DX: 124780 Kempston 2

## Our Values

In 2019, CILEx Regulation staff reviewed and developed the following staff Values:



## Our Board

The current Board members can be viewed at <https://cilexregulation.org.uk/board/>

## Executive Management Structure

The current executive management roles and portfolios can be viewed at <https://cilexregulation.org.uk/team/>

# Our Finances

## Total income:

Our total income in 2019 was £1,616,309 compared to £1,595,236 in 2018. This was made up as follows:

	2019	2018
Practising Certificate Fees including practice fees paid by individuals holding practice rights and by firms for authorisation and supervision	£1,304,325	£1,293,510
Other fees and charges	£311,984	£301,726
<b>TOTAL</b>	<b>£1,616,309</b>	<b>£1,595,236</b>

Our income from fees and charges included the application fees we charged for authorisation processes including the two-stage application for admission as a Fellow of CILEx, firstly for approval of qualifying employment and secondly for assessment of work-based learning. Other income came from sources such as application fees for Advocacy authorisation.

## Total regulatory expenditure:

Our total expenditure on regulation in 2019 was £1,633,214 (up 13.15% from £1,443,358 in 2018). Our spend in 2019 has increased by 13.15 % over the previous year and we had deficit of £16,904, leaving £160,458 of carried forward reserves

## Further Information

For more information please visit our website at:

<https://cilexregulation.org.uk/>

## Role Description Lay Chair

<b>Title</b>	<b>LAY BOARD CHAIR</b>
<b>Purpose of Role</b>	To lead the company in carrying out its regulatory functions as a regulator under the Legal Services Act. Taking the regulator through the next stage of its development towards becoming the regulator of choice for a range of legal professionals and entities. To be the leading body in emerging areas of legal services regulation.
<b>Key Areas of Responsibility</b>	<ul style="list-style-type: none"> <li>• Provide strong, effective, and strategic leadership and facilitation of the Board and ensure its performance and strategic direction is kept under review and principles of good governance are maintained.</li> <li>• Chair meetings of the Board and committees of the Board as necessary.</li> <li>• Ensure the Board acts objectively in the best interests of consumers, independently of CILEx, and in accordance with the LSB's Internal Governance Rules for independent regulation.</li> <li>• Ensure the company has the resources necessary to carry-out its functions and they are allocated appropriately.</li> <li>• Work effectively with the Chief Executive providing mentoring and support.</li> <li>• Ensure the Board provides constructive challenge to the Executive to ensure the success of the company.</li> <li>• Ensure the Executive provides the Board with the information it requires to perform its duties.</li> <li>• Report each year on the company's performance.</li> <li>• Maintain effective working relationships between the company's key stakeholders.</li> <li>• Promote a culture of diversity and inclusion.</li> <li>• Ensure the company's purpose and values are understood and maintained by the Board and the Executive.</li> <li>• Promote a culture of openness and debate, encouraging effective contributions from Board members and good relationships between members and the Executive.</li> <li>• Be an ambassador for the company, strengthening relationships with the Legal Services Board (LSB), government and other stakeholders, including other regulators and employers and individuals providing services in the legal sector.</li> <li>• Lead the ongoing development of the company as an effective, proportionate, and innovative regulator.</li> <li>• Ensure the Board engages in continuous board improvement including self-assessment.</li> <li>• Oversee Board succession-planning.</li> </ul>
<b>Person Specification</b>	<b>Essential</b>
	<ul style="list-style-type: none"> <li>• Demonstrable and considerable senior leadership experience of a board or significant committee.</li> </ul>

	<ul style="list-style-type: none"> <li>• Experience in leading an organisation or business through significant change.</li> <li>• Able to think strategically, look outward and hold the organisation to account.</li> <li>• Thorough understanding of complex governance arrangements and evidence of willingness to uphold them.</li> <li>• The ability to work with the Executive to deliver continuing reforms and improvements in a complex environment.</li> <li>• Excellent communication and interpersonal skills with evidence of ability to engage and influence legal and governmental stakeholders at the highest level.</li> <li>• Possess high levels of probity and integrity, strong intellect and sound judgement and the ability to be persuasive, drive change and command the trust and respect of senior colleagues and executives.</li> <li>• An ability to empathise with the views of the regulated community in delivering cost effective and proportionate outcomes focussed regulation.</li> <li>• Demonstrable evidence and an understanding of and a personal commitment to diversity.</li> <li>• Able to work digitally.</li> </ul>
<b>Desirable</b>	<ul style="list-style-type: none"> <li>• Experience in a regulated environment, including experience of professional regulation and the principles of good regulation, together with a commitment to and an understanding of public interest regulation.</li> <li>• Knowledgeable of the legal profession and provision of legal services.</li> <li>• Business and commercial skills relevant to the success of CILEx Regulation.</li> </ul>
<b>Eligibility</b>	<ul style="list-style-type: none"> <li>• The Chair must be a Lay Person as defined in Schedule I, Legal Services Act 2007 and under the LSB's Internal Governance Rules.</li> </ul>

## Application & Selection Process

Please supply your CV & Covering Letter. Your CV should include education and professional qualifications and full employment and non-executive history. Your Covering Letter should explain how you meet the criteria for the role, with specific examples (max. 2 pages).

Applications close at **23:59 on 25 February 2021**

Final interview date: **Monday 12 April PM, Thursday 15 April AM**

Selected candidates will be invited for interview with the appointments committee.

Apply at [Guardian Jobs](#)

Further Information

If you have any questions in relation to the role please contact Beccy Snape, PA to the Chair and Chief Executive: [beccy.snape@cilexregulation.org.uk](mailto:beccy.snape@cilexregulation.org.uk)



# Appendix I (T&Cs Lay Chair):

## Terms and Conditions of Appointment to the Chair Board of CILEx Regulation Ltd

This sets out the terms of your appointment as **non-executive Chair of the Board of CILEx Regulation Limited** (the Company) and takes effect from **DAY MONTH YEAR**. It is agreed between us that this is a contract for services and is not a contract of employment. The appointment is not pensionable.

### 1. APPOINTMENT

- 1.1 Subject to the remaining provisions of this letter, your appointment is for a term of three years ending on **DAY MONTH YEAR** unless terminated earlier by the Company or you by giving to the other 3 months prior written notice.
- 1.2 Your appointment is subject to the Articles of Association of the Company, as amended from time to time (Articles). Nothing in this letter shall be taken to exclude or vary the terms of the Articles as they apply to you as a director of the Company.
- 1.3 Notwithstanding paragraph 1.1 and paragraph 1.2 and subject to a requirement to report to the Legal Services Board, the Company may terminate your appointment with immediate effect if you have:
  - a) committed any serious or, repeated breach or non-observance of your obligations to the Company (which includes an obligation not to breach your statutory, fiduciary or common-law duties and the obligations set out in the Code of Conduct for Board Members and the Company's governance instruments); or
  - b) been guilty of any fraud or dishonesty or acted in any manner which, in the opinion of the Company, brings or is likely to bring you or the Company into disrepute or is materially adverse to the interests of the Company; or
  - c) been declared bankrupt or have made an arrangement with or for the benefit of your creditors, or if you have a county court administration order made against you under the County Court Act 1984; or
  - d) been disqualified from acting as a director.
- 1.4 On termination of your appointment, you shall be entitled only to accrued fees as at the date of termination together with reimbursement of any expenses properly incurred prior to that date.

## **2. TIME COMMITMENT**

- 2.1 As a non-executive Chair of the Board we anticipate that you will spend an estimated 60 days a year on work for the Company. This will include attendance at Board meetings (anticipated to be not less than 5 each year).
- 2.2 By accepting this appointment, you confirm that you are able to allocate sufficient time to meet the expectations of your role. You must obtain the agreement of the Company before accepting additional commitments that might affect the time you are able to devote to your role as a non-executive Chair of the Company. Agreement by the Company will not be unreasonably withheld or delayed.

## **3. ROLE AND DUTIES**

- 3.1 As a non-executive Chair you shall have the same general legal responsibilities to the Company as any other director. The Company Board as a whole is collectively responsible for the success of the Company. The Company Board's role is to:
- a) prepare an Annual Report for publication;
  - b) ensure the success of the Company and enhance the reputation of the Company;
  - c) ensure there is constructive engagement with the Legal Services Board, Office for Legal Complaints and other regulators and consumer organisations so that good working relationships are established and maintained;
  - d) ensure the effectiveness of the regulatory work of the Company is kept under review;
  - e) provide entrepreneurial leadership of the Company within a framework of prudent and effective controls which enable risk to be assessed and managed;
  - f) set the Company's strategic aims, ensure that the necessary financial and human resources are in place for the Company to meet its strategic objectives, and review management performance; and
  - g) set the Company's values and standards and ensure that its obligations to its shareholder and others are understood and met.
- 3.2 All directors must act in the way they consider, in good faith, would be most likely to promote the success of the Company as a whole. In doing so, as a director, you must have regard (among other matters) to:

- a) the likely consequences of any decision in the long term;
- b) the interests of the Company's employees;
- c) the need to foster the Company's business relationships with suppliers, customers and others;
- d) the impact of the Company's operations on the community and the environment;
- e) the desirability of the Company maintaining a reputation for high standards of business conduct;
- f) the need to act fairly as between the members of the Company.

3.3 In your role as a non-executive director, you shall also be required to:

- a) challenge constructively and contribute to the development of strategy;
- b) scrutinise the performance of management in meeting agreed goals and objectives and monitor the reporting of performance;
- c) satisfy yourself that financial information is accurate and that financial controls and systems of risk management are robust and defensible;
- d) at all times comply with the Memorandum and Articles of Association of the Company;
- e) abide by your statutory, fiduciary and common-law duties as a director of the Company;
- f) diligently perform your duties and use your best endeavours to promote, protect, develop and extend the business of the Company;
- g) take steps to maintain your knowledge and understanding of issues affecting the legal profession and to participate in relevant training and development activities;
- h) immediately report your own wrongdoing or the wrongdoing or proposed wrongdoing of any employee or other director of the Company of which you become aware to the Chief Executive of the Company; and
- i) personally undertake additional assignments as might be required from time to time, for which additional payment shall be made.

3.4 In addition, in your role as Chairman you should:

- a) chair the Board and general meetings of the Company, including setting the agenda of such meetings;
- b) sit on the Appointments Panel for the other Board members;
- c) establish a constructive, positive working relationship with the Company Chief Executive and staff and with the other Board members;

- d) establish and maintain, together with other members of the Board and the Chief Executive of the Company, any committees and sub-committees required by the Company to fulfil its duties;
  - e) ensure funding and servicing arrangements necessary to ensure the Company is solvent and able to achieve its objectives;
  - f) maintain protocols for engagement between CILEx and the Company in compliance with the Internal Governance Rules;
  - g) promote the highest standards of integrity, probity and corporate governance throughout the Company and particularly at Board level;
  - h) ensure that the Board receives accurate, timely and clear information;
  - i) ensure effective communication between the Company and CILEx and between the Company and the Legal Services Board, other regulators of legal services and consumer organisations;
  - j) facilitate the effective contribution of non-executive directors;
  - k) ensure that new directors participate in an induction programme;
  - l) ensure that the performance of the Board, its committees and individual directors is evaluated at least once a year; and
  - m) ensure clear structure for, and the effective running of, Board committees.
- 3.5 All directors must abide by the Code of Conduct for Board Members, as amended from time to time and abide by the Nolan Principles of Public Life.
- 3.6 You shall be entitled to request all relevant information about the Company's affairs as is reasonably necessary in order to discharge your duties.

#### **4. FEES AND EXPENSES**

- 4.1 You shall be paid a fee of £40,000 gross a year which shall be paid in equal instalments monthly in arrears. As a director you are an Officer of the Company and must be paid through payroll. Where applicable, deductions for income tax and National Insurance will be made.
- 4.2 The Company shall reimburse you for all reasonable and properly documented expenses incurred in accordance with the Company Expenses Policy, as updated from time to time.
- 4.3 As an Officer of the Company, your travel to the Company's office for meetings will be treated as travel to your place of work and expenses in connection with such meetings will be paid gross. It is understood that you shall normally work from home, providing all equipment required and meeting all associated costs at

your own expense. No provision shall be made for you to work from the Company's offices, except for attending meetings there as required.

## **5. OUTSIDE INTERESTS**

It is accepted and acknowledged that you have business interests other than those of the Company and have declared any conflicts that are apparent at present. If you become aware of any potential conflicts of interest, these should be disclosed to the Chief Executive of the Company as soon as you become aware of them.

## **6. CONFIDENTIALITY**

6.1 All information acquired and derived from your privileged access to confidential information during your appointment is confidential to the Company and should not be disclosed to third parties or used for any reason other than in the interests of the Company, either during your appointment or following termination (by whatever means), without prior clearance from the Chief Executive of the Company.

6.2 Your attention is also drawn to the requirements under both legislation and regulation as to the disclosure of inside information. Consequently, you should avoid making any statements that might risk a breach of these requirements without prior clearance from the Chief Executive of the Company.

## **7. REVIEW PROCESS**

The performance of individual directors, the whole Company Board and its committees is evaluated annually. If, in the interim, there are any matters which cause you concern about your role you should discuss them with the Chief Executive of the Company as soon as you can.

## **8. INSURANCE**

The Company has directors' and officers' liability insurance and it intends to maintain such cover for the full term of your appointment. The current indemnity limit is £1,000,000 (one million pounds). A copy of the policy document is available on request.

## **9. DATA PROTECTION**

9.1 By signing this letter you consent to the Company holding and processing information about you for legal, personnel, administrative and management purposes and in particular to the processing of any sensitive personal data (as defined under data protection legislation) including, as appropriate:

- a) information about your physical or mental health or condition in order to take decisions as to your fitness to carry out your duties as a director, or
- b) your racial or ethnic origin or religious or similar beliefs in order to monitor compliance with equal opportunities legislation; or
- c) information relating to any criminal proceedings in which you have been involved for insurance purposes and in order to comply with legal requirements and obligations to third parties.

9.2 You consent to the Company making such information available to any of its group companies, those who provide products or services to the Company (such as advisers and payroll administrators), regulatory authorities, potential or future employers, governmental or quasi-governmental organisations and potential purchasers of the Company or the business in which you work.

9.3 You also consent to the transfer of such information to the Company's business contacts outside the European Economic Area in order to further its business interests.

## **10. THIRD PARTY RIGHTS**

The Contracts (Rights of Third Parties) Act 1999 shall not apply to this letter. No person other than you and the Company shall have any rights under this letter and the terms of this letter shall not be enforceable by any person other than you and the Company.

## Appendix III (the Nolan Principles):

### The Nolan Principles - The Seven Principles of Public Life

<b>1.</b>	<b>Selflessness</b> Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.
<b>2.</b>	<b>Integrity</b> Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.
<b>3.</b>	<b>Objectivity</b> In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
<b>4.</b>	<b>Accountability</b> Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
<b>5.</b>	<b>Openness</b> Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
<b>6.</b>	<b>Honesty</b> Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
<b>7.</b>	<b>Leadership</b> Holders of public office should promote and support these principles by leadership and example.