



## Candidate Brief

Brief for the position of Professional Member Non-Executive Director  
CILEx Regulation

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# Letter from Chair

Dear Candidate,

## **Appointment of Professional Member Non-Executive Director, CILEx Regulation**

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

As you know, 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 and take appropriate disciplinary action to protect the public and uphold the standing of the profession.

We are a cohesive Board 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.

The Legal Services Board, our oversight regulator under the Legal Services Act 2007, recently published its annual regulatory performance report and I'm pleased to report that in 2021 CILEx Regulation met all 27 regulatory performance outcomes - one of only three regulatory bodies to achieve this. In our latest staff survey, colleagues said that they are proud to work for CILEx Regulation and would recommend it is an organisation to friends and family - this is a testament to the skill and dedication of our staff and strong executive leadership.

You would be joining CILEx Regulation at a pivotal time as we embark on our ambitious agenda to deliver forward-looking legal regulation for all. We have recently refreshed our strategy to take account of the rapidly changing legal services environment and an uncertain post-pandemic world. We are fully independent from CILEX but share many objectives and will continue 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 join our Board and are very keen to use this opportunity to improve the diversity of the Board. We are, therefore, 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 the relevant experience, I would very much like to hear from you.

If you would like to arrange an informal chat to discuss the position, please contact Rebecca Kemish via email at [rebecca.kemish@cilexregulation.org.uk](mailto:rebecca.kemish@cilexregulation.org.uk)

Yours sincerely,

**Jonathan Rees**  
**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.

The CILEX Code of Conduct 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 eight approved legal regulators under the Legal Services Act 2007 who regulate the different types of lawyers\*. The other seven are below:

<b>Regulator</b>	<b>Type of lawyer regulated</b>
<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>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.

\* The Association of Chartered Certified Accountants was formerly the approved regulator of Accountants licenced to provide probate legal services and will be de-designated by the LSB in 2022. CILEx Regulation will take over regulation of ACCA probate individuals and firms

# How we fit with CILEX

We are the independent regulator answerable to the Legal Services Board setting the standards under which Chartered Legal Executives work. The [Chartered Institute of Legal Executives](#) (CILEX) is the professional organisation which represents the individuals that we regulate. While we are separate bodies with separate Boards and accountability, we naturally work closely together.

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.

- 77% of regulated members are women
- 15% identify as non-white
- 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 2022-2024:



# Our Values

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

## CILEx Regulation Values

Our Values guide everything we do



**Efficient** We keep things simple, timely and cost effective



**Firm** We uphold high standards to protect consumers. We take responsibility for our decisions and have the courage of our convictions



**Fair** We deal with people fairly, considering how what we say and do could be perceived



**Flexible** We're positive, proactive and we look for solutions. We aim to innovate and offer a personal service, not a one-size-fits-all



**Focused** The needs of our regulated community, colleagues and stakeholders guide everything we do

## 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 2020 was £1,772,704 compared to £1,616,309 in 2019. This was made up as follows

	2020	2019
Practising Certificate Fees including practice fees paid by individuals holding practice rights and by firms for authorisation and supervision	£1,511,407	£1,304,325
Other fees and charges	£261,297	£311,984
<b>TOTAL</b>	<b>£1,772,704</b>	<b>£1,616,309</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 2020 was £1,535,515 (down 6.36% from £1,633,214 in 2019). Our spend in 2020 has decreased by 6.36 % over the previous year. Our surplus for the financial year 2020 was £201,486. When added to our 2019 cumulative reserves of £158,248, this equates to £359,734 of carried forward reserves.

## Further Information

For more information please visit our website at: <https://cilexregulation.org.uk/>

## Role Description

Title	PROFESSIONAL BOARD MEMBER
Reporting to	Chair of CILEx Regulation Limited
Purpose of Role	<p>To carry out the duties of a non-executive member of the Board, ensuring the success of the company and enhancing the reputation of CRL as the regulatory body for CILEX. Oversee the development and implementation of regulation by the Company in accordance with the statutory objectives set out under the Legal Services Act.</p>
Key Areas of Responsibility	<ul style="list-style-type: none"> <li>• Participate in the development and agreement of the Company's strategy.</li> <li>• Keep the delivery of the strategy under review, monitoring its implementation regularly.</li> <li>• Work effectively with the Chair and Chief Executive to ensure the Company adheres to the principles of good governance and proper accounts are kept.</li> <li>• Engage constructively with the Legal Services Board, CILEX and other stakeholders to establish and maintain good working relationships.</li> <li>• Monitor the effectiveness of CRL as a regulatory body.</li> <li>• Contribute to the Board's Annual Report on the Company's performance.</li> <li>• Bring professional practice insights to inform regulatory decision-making and best practice, whilst ensuring any conflicts of interest are declared and managed.</li> <li>• Act in the best interests of consumers and independent regulation. Act wholly independently of CILEX as the membership body.</li> </ul>
Other Areas	<ul style="list-style-type: none"> <li>• Establish a constructive and positive working relationship with the Chief Executive, staff and other Board members.</li> <li>• Take responsibility as a portfolio holder for a particular area of the Company's activities.</li> <li>• Set the professional and fitness to practise standards for those regulated by CRL and monitor the arrangements to secure compliance with them.</li> <li>• Ensure CILEX qualification schemes are fit for purpose as indicators of safe and competent practice.</li> </ul>

	<ul style="list-style-type: none"> <li>• Monitor whether standards set under qualification schemes are achieved and maintained.</li> <li>• Ensure the Company acts in accordance with its purpose and values at all times.</li> </ul>
Person Specification	Essential
	<p>Professional Board members must be Fellows of CILEX, up to date with their fees and CPD and have a clear disciplinary record.</p> <p>Up-to-date experience of legal services delivery to clients.</p> <p>Extensive knowledge of professional regulation.</p> <p>Experience demonstrating the ability to think strategically, look outward and hold an organisation to account.</p> <p>An appreciation of the principles of good regulation and absolute commitment to the Nolan principles of public life.</p> <p>An understanding of organisational governance arrangements and evidence of willingness to uphold them.</p> <p>Ability to assimilate complex information, weigh evidence and draw conclusions and to debate cogently.</p> <p>Able to make decisions objectively in the best interests of consumers and treat people equally.</p> <p>Good interpersonal, diplomacy, team-working and communication skills.</p> <p>Able to work digitally.</p>
Person Specification	Desirable
	Board level or Non-Executive Director experience.



# Application & Selection Process

Please email your CV & Covering Letter to [apply@cilexregulation.org.uk](mailto:apply@cilexregulation.org.uk) 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 18 February 2022**  
Final interview date: **29 & 31 March 2022**

Selected candidates will be invited for interview with the Appointments Committee.

Further Information: If you have any questions in relation to the role please contact Rebecca Kemish, PA to the Chair and Chief Executive: [rebecca.kemish@cilexregulation.org.uk](mailto:rebecca.kemish@cilexregulation.org.uk)

# Appendix I (T&Cs Professional member):

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

This sets out the terms of your appointment as a **non-executive director 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.

### **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 director of the Company we anticipate that you will spend an estimated 24 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 director of the Company or which may give rise to an actual or potential conflict of interests. Agreement by the Company will not be unreasonably withheld or delayed.

### **3. ROLE AND DUTIES**

3.1 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 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.
- 3.5 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 £8,400 gross a year which shall be paid in equal instalments monthly in arrears after deduction of any taxes and other amounts that are required by law. Fees are non-pensionable and shall be subject to an annual review.
- 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**

- 5.1 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 or the Chair 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 or the Chair of the Company as soon as you can.

## **8. INSURANCE**

- 8.1 CILEx Regulation will ensure that appropriate insurance cover is in place to cover this role during the period of this agreement.

## **9. DATA PROTECTION**

- 9.1 The Company will collect and process information relating to you in accordance with the Privacy Notice which is provided with this Agreement.
- 9.2 You shall comply with the Company's Data Protection Policy when handling personal data in the course of your engagement, including personal data relating to any visitor, employee, worker, customer, supplier or agent of the Company. You will also comply with the Company's IT and related policies.

Failure to comply with the Data Protection Policy or any of the policies listed above may be dealt with under our disciplinary procedure and could lead to termination of this Agreement in its entirety.

## **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.

## **11. ENTIRE AGREEMENT**

This contract contains the entire agreement and understanding of the parties relating to the subject matter of this contract and extinguishes all previous agreements between the parties relating to the subject matter hereof.

## **12. VARIATION**

This agreement may only be varied by a document signed by both you and CILEx Regulation.

### **13. GOVERNING LAW AND JURISDICTION**

This agreement and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England and Wales.

The courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim arising out of or in connection with this agreement or its subject matter or formation (including non-contractual disputes or claims).

## Appendix II (the Nolan Principles):

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

1.	<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.
2.	<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.
3.	<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.
4.	<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.
5.	<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.
6.	<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.
7.	<b>Leadership</b> Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.