# CILEx Regulation Transparency Guidance



#### Introduction

The purpose of this guidance is to support CILEX Authorised Entities in meeting the minimum transparency requirements set out in the CILEX Regulation Transparency Rules.

This guidance may also assist you in making information on all areas of your website clearer.

The aim of our Transparency Rules is for consumers to have the information that they need, at the time that they are choosing legal services, so they can make an informed decision about which provider to instruct.

There are benefits for your business and consumers in providing more information than the rules require. Our Transparency Rules set out the minimum information that you must provide. We encourage you to provide such additional information that you consider will help consumers understand the services you offer and their price.

It is key to think about the consumers who are likely to use your services and provide accurate information in a format that is clear and easy to find and understand.

You should read this guidance in conjunction with CILEx Regulation Transparency Rules and the CILEX Code of Conduct.

# Who the CILEx Regulation Transparency Rules apply to

The CILEx Regulation Transparency Rules (the Rules) apply to all CILEX Authorised Entities (firms) providing legal services to consumers, as defined in the Legal Services Act 2007 and small businesses (as referenced within the <u>LSB empowering consumers statement of policy</u> which states:

we refer to small businesses as businesses meeting two of the following criteria:

- a) annual turnover must be not more than £10.2 million;
- b) the balance sheet total must be not more than £5.1 million;
- c) the average number of employees must be not more than 50.

# Information publication

The Rules state that you must publish the required information **prominently** in a **clear and accessible** format on, or via a link from, your website **homepage**.

#### Interpretation:

**prominently** in a way that stands out so as to be easily seen; noticeably or

means: conspicuously

clear and

accessible in a clear font and at least font size 11

means:

The required information must be published prominently on your homepage or a page accessed via a link from your homepage and clearly signposted to from your homepage.

Homepage has its usual meaning. It is the first page that visitors see when they access your website and is the default webpage that loads when a user visits a web address that only contains your domain name.

The required information, and the link to the information, must be published **prominently** and in a **clear and accessible** format.

The Rules define **prominently** to mean: in a way that stands out so as to be easily seen; noticeably or conspicuously. Publication of the required information, or a link to it, in the footer of your website alone is not compliant with the Rules.

The Rules define **clear and accessible** format to mean: in a clear font and at least font size 11. It is helpful to look at how Arial font 11 presents and use this as a guide to what is acceptable. Clear and accessible fonts are easy to see, read and understand with distinct letters that do not contain unnecessary visual clutter that detracts from comprehension. <u>Examples</u> of readable fonts are: Arial, Veranda and Tahoma.

# **Consumer Information website page**

You are encouraged to create a "Consumer Information" website page to include all the required information (price and service, complaints and redress, professional indemnity insurance and compensation arrangements) in one place. This will make it easy for consumers to find and access the required information.

The "Consumer Information" page might be your homepage or a separate page accessed and signposted to from your homepage, for example, via a menu tab, or a prominent information box. You might display all the information on one page, or publish links to PDFs providing price and service information for each legal service

and the other required information, such as complaints process. The volume of information you need to publish will influence your approach.

You might find the information about website publication later in the guidance useful.

If you do not have a website, you must provide the required information in a "Consumer Information Leaflet" which you must:

- make available on request and
- provide to CILEx Regulation at annual renewal, or more frequently where appropriate to be linked from its entry on the CILEX Authorised Firm directory.

If you do not have a website you are required to prepare a "Consumer Information Leaflet" setting out all the required information (price and service for each legal service you provide, complaints and redress, regulatory information, professional indemnity insurance and compensation arrangements).

You must provide the leaflet to CRL with your annual return or more frequently if necessary, to be linked from your entry on our firm directory. This will ensure consumers can access this information without having to contact your firm or provide contact details.

You must provide the leaflet if a consumer requests any of the required information. This information should be freely available without the need for a person to provide any of their details to obtain it and in a reasonably requested format, which for example, might include via email or post.

You may also like to think about providing the Consumer Information Leaflet:

- in public facing parts of your premises
- in locally accessible premises
- on social media.

### **Price and Service information**

The Transparency Rules state that you must provide:

- a) The **total price** of the legal service.
- b) The basis on which the **total price** is calculated, for example, fixed fee or hourly rate.
- c) A description of the legal services that are included in the published **total price**, including the key stages of the legal services, typical timescales for each stage, and details of any services that might reasonably be expected to be included in the published **total price** but are not.
- d) The price of all disbursements payable, together with an explanation of the disbursement.
- e) The prices and disbursements on which VAT must be paid and the amount of VAT payable.
- f) The mix of staff that deliver the services.
- g) If conditional fee or damages-based agreements are available, then the circumstances in which clients may have to make payments themselves (including from any damages) must be explained.

**Total price** means all costs that must be paid for a legal service including, but not exclusively, the legal fees, disbursements, any other costs and VAT on these elements where payable.

You may wish to consider the following when planning how to provide price information.

Consumers need information that is easy to find, understand and engage with.

Publishing price information about each of the main legal services you provide can ensure consumers understand what you offer.

Explaining what services are included and what services are not included in the price makes information clearer for consumers, especially where they may assume that a service would be included. This is also important when a fixed fee is charged to avoid misunderstanding about what consumers may have to pay extra for. This can establish a good foundation for client relationships and may help avoid complaints.

Each area of law, conveyancing, immigration, and probate will offer their own opportunities for differing ways to present price information to consumers.

When providing price information for legal services, you may present total price in a variety of ways, such as: for a specific priced property, as the average total price, or total price for a range of estate values that you regularly deal with.

Providing a **total price** in the form of worked scenarios is strongly recommended and examples of this are set out at Annex E.

You might consider listing factors which could increase the overall cost.

You could provide information about services which can be purchased at an extra cost, if appropriate.

In Annex A we have provided examples for you to consider when deciding how to display price and service information. You know the types of consumers your firm delivers legal services to. We suggest you consider providing information in the format which consumers will find most helpful and using examples of price information which will most accurately and usefully meet their needs.

Example templates for conveyancing and probate are provided at Annex B. These can be used as a guide to how to set out price information. They are also provided for guidance if you are thinking about operating an online quote generator to deliver the price transparency required in the Transparency Rules.

There is an example of providing price information as an hourly rate for an immigration transaction, together with details about service, at Annex C. If you charge a fixed fee, there is an example on page 15 which can be adapted to fit with the service section of the example at Annex C.

If you are considering using an online quote generator, you may wish to consider the questions set out in Annex B when deciding which quote generator would work for your business. The quote should be generated without any further contact for the consumer with your firm or an intermediary.

It may be helpful to be aware that recent research<sup>1</sup> found that consumers are put off by having to provide personal information to obtain a quote.

If you decide to use a quote generator, you may find many consumers are reluctant to engage if required to provide contact details to obtain a quote, so you will still need to provide an indicative total price on your website.

If you use an online quote generator, you should ensure that you comply with data protection legislation when handling consumers' data.

Some disbursements differ for each consumer. You could provide some information through linking to third-party websites such as the <u>HMRC SDLT calculator</u>, <u>Gov.UK</u> Inheritance Tax information or the Home Office.

The Transparency rules do not require you to publish a quote for every set of circumstances you might deal with, for example, to anticipate unusual complex

<sup>&</sup>lt;sup>1</sup>Price transparency in the conveyancing market p36

situations, but to provide sufficient information so people can gain an informed understanding of the price of services you offer.

#### Benefits to you

Consumers often assume that legal services are expensive and beyond their financial means. This results in some consumers being reticent in approaching legal firms and some consumers do not engage a lawyer to carry out legal work. Being clear about the price of your services:

- will give consumers confidence to approach your firm,
- will provide you with the opportunity to engage with the types of consumers you provide work for and
- may help to avoid misunderstandings and cost related complaints later in the transaction.

You will already provide the majority of the required transparency information in your initial client care to ensure they comply with consumer protection law obligations<sup>2</sup>. This will provide you with a good starting point for compiling the required information.

#### **Benefits to consumers**

A clear indication of the price of a service will give consumers confidence to

- instruct your firm and
- budget and or save up to pay for the legal services they need.

# **Service information**

The Transparency Rules state that the service information you provide must include:

- a) a description of the legal services that are included in the published total price
- b) including the key stages of the legal services
- c) typical timescales for each stage and
- d) details of any services that might reasonably be expected to be included in the published **total price** but are not

<sup>&</sup>lt;sup>2</sup> The Consumer Protection form Unfair Trading Act 2008 / The Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 / Consumer Rights Act 2015

Publishing a description of the services you provide with the key stages of the legal services and typical timescales for each stage can help consumers understand the work that will be involved in the price charged. We have provided examples for you to consider in Annex C (immigration) and D (conveyancing).

You might think about the following when providing service information.

If you provide legal services in addition to those set out in Annex A to the Transparency Rules, it makes sense to provide information about those services. This can increase consumer awareness of all the services you offer which may benefit your business.

Legal services can be provided in a variety of ways and information about this is valued by consumers when choosing which firm to use. You could set out how you deliver your services, such as:

- in person
- by email
- online only
- how you keep consumers up to date with their case
- how frequently you provide information and or an update on a case
- as a sole practitioner, that you deliver all the legal work yourself
- services that are friendly to people with a vulnerability, for example, mental health friendly; further information can be found on our website: <u>Risk</u> <u>Management: Recognising and Responding to Consumer Vulnerability.</u>

You are required to publish the **mix of staff** that deliver the services

You may provide information on the experience and qualifications of the people that carry out the legal services you provide and those supervising their work, if relevant. When deciding what information you publish, it will be helpful to think about the consumers that you use your legal services and the details they would find helpful when making a decision about who to instruct.

Providing detailed information, enables you to differentiate your unique offer of the professionals who will deliver your legal service, be it yourself and or a certain team of specifically experienced and qualified individuals. This may include:

- professional qualifications
- o number of years post-qualification experience

- o types and complexity of cases they typically deal with
- o approximate number of cases and or time spent on specific areas of law

You may wish to provide additional information, for example:

Julie Ward is managing director and qualified as a Chartered Legal Executive in 2002 and a CILEX Litigator and Advocate (family) in 2015. She is a member of the Family Law Accreditation Scheme and Resolution.

With over 20 years' experience specialising in family law in firms in this area and having been a partner at an established local law firm, Julie left to set up this firm in 2015.

She leads a team of dedicated and specialist lawyers with a range of skills and experience in family law. Regardless of who works on your case, they will be supervised by Julie.

Julie has helped thousands of individuals with all aspects of family law including financial issues arising from divorce and separation, law relating to children, domestic abuse and cohabitee disputes. including acting for clients of high net worth. She also has considerable experience in pre-nuptial and cohabitation agreements.

Consumers value knowing who will be providing the services they are looking to purchase. Providing details of who will carry out the work and how they will do this will allow you to differentiate the services you provide.

We encourage you to provide information which demonstrates the areas of work in which you have expertise and or your firm focuses on. For example, the length of time you have practiced in an area of law, your typical clients and any additional qualifications or accreditations you have.

Some consumers are content for a range of people to work on their case, whereas others appreciate the continuity of one fee earner. The rules require you to provide the mix of staff that deliver the work.

You might wish to meet this requirement by using wording similar to the following:

Your work will be provided by members of staff with a range of skills and experience in family law services supervised by a CILEX Litigator and Advocate (Family).

You can further differentiate what you offer to engage with consumers by displaying information about other aspects of your service.

Publishing information about aspects of your service that are important to consumers, makes accessing your services easier. This might include:

- opening hours
- face to face meetings
- email/phone
- office accessibility
- hearing loop
- languages spoken
- translation services
- car parking
- home visits
- responsive service with out of hours contact
- dedicated fee earner contact
- web portal.

Another way to assist consumers can be by linking to websites that provide easy to understand information and or animated guides to the key stages in the services you provide. For example, <u>Legal Choices</u>, <u>Conveyancing Association</u>, <u>Money Advice</u>, <u>Regulation Matters</u>, <u>Gov.UK</u> and the <u>Home Office</u> websites.

It can assist consumers to list key information they could have to hand when contacting your firm, there is an example for preparing for a first meeting with a family lawyer on <u>Legal Choices</u>. In this way consumers can start accessing your service as soon as they contact you.

# Benefits to you

Consumers value knowing who will be providing the services they are looking to purchase, what services your firm offers and how the work will be carried out for them. Providing details of who will carry out the work and other service provision will allow you to differentiate the services you provide.

#### Benefits to consumers

Consumers can understand what is offered for a price and make an informed decision based on what aspects of service and price are important to them.

Consumers will know from the information you provide that your firm has the right experience to help them with their specific legal problem.

# **Complaints and redress information**

The Transparency Rules state that you must publish details of your free complaints handling procedure including how and when a complaint can be referred to the Legal Ombudsman and to CILEx Regulation.

We refer you to our <u>complaints handling information</u> and remind you that your complaints handling procedure must also inform consumers of their right to complain to CILEx Regulation (Principle 5 of the <u>CILEX Code of Conduct</u>).

We provide some suggestions in "How to approach providing Transparency Information" below on how you may wish to approach presenting details of your complaints procedure in a way that is simple and easy to access.

#### Benefits to you

Consumers are used to the availability of redress schemes; being up front and explaining that you have a complaints procedure in place in the unlikely event that something should go wrong can offer reassurance to consumers in choosing to use you.

You can use this information to:

- demonstrate your commitment to providing excellent consumer service and
- emphasise that there is a Legal Ombudsman available.

#### Benefits to consumers

Consumers need to know that they can complain, easily find out how to do so and know that there is a Legal Ombudsman where they can take unresolved complaints. Providing complaints procedure details on a firm's website, allows consumers easy access to this important information.

You are required to **publish a link to the Legal Ombudsman decision data website page.** 

You must publish a link to the page on the Legal Ombudsman (LeO) website where data about ombudsman final decisions is published. The page is <u>here</u> as at August 2024.

The LeO publishes a table with details on complaints it has received about each firm that result in a final decision by an ombudsman. Also provided are:

- the area of legal work the complaint related to,
- whether the ombudsman upheld the complaint, and
- any remedy the firm was ordered to provide.

The data covers the last twelve months and is updated quarterly. Some information about complaints is published in the section: "Choosing a legal service provider".

There is a general explanation that a complaint resulting in a final decision does not necessarily mean the firm involved has provided poor service. The LeO data does not provide specific context for listed firms. If a decision is published about your firm, you may wish to provide some information to help put the LeO complaint data in context. To give potential clients a better idea of how often your firm's work has resulted in a complaint to the LeO. It can also help to show prospective clients how you respond to clients who are unhappy with the service they have received. This information might include:

- volume of cases handled by your firm in the same time period
- data about client complaints you received in the same time period that did not go to the LeO, and how you resolved them.

We suggest that you use the following wording when publishing the link to the LeO decision data.

The Legal Ombudsman is an independent body that helps resolve disputes between consumers and legal services providers. You can find out about the Legal Ombudsman's work, its complaints data and points to consider when choosing a legal service provider here.

#### **Benefits to consumers**

Publishing a link to LeO will add to the information available to consumers at the time of making a decision about which firm to instruct. It will help to raise consumer awareness of, and provide reassurance that the is, an independent ombudsman scheme.

# **Regulatory information**

The Transparency Rules state that you must:

- state that you are required to have Professional Indemnity Insurance (PII) to cover all legal services you provide and it must be clear which legal services are covered by your PII;
- make clear the area(s) of law in which you provide legal services that:
  - o you are authorised for,
  - o are covered by CILEx Regulation's Compensation Arrangements, and
  - o are not covered by CILEx Regulation's Compensation Arrangements;
- display on your company's letter headed paper, emails and on the home page of your website the wording that you are "Authorised by CILEx Regulation for.." followed by the area of law in which you have been granted authorisation and your authorisation number; and
- display on the home page of your website the CILEx Regulation logo(s) relating the area(s) in which your firm is authorised to conduct legal services.

You may wish to use a diagram to explain this information and we have suggested a possible way to present this in Annex E.

# Benefits to you

Research finds that consumers assume all legal service providers are regulated although they are not. You can distinguish yourself as regulated by emphasising the benefits of professional standards and consumer protections offered by PII and possible access to the CILEx Regulations Compensation Arrangements.

#### Benefits to consumers

Highlighting that your firm is regulated, and the benefits this provides, will enable consumers to make informed choices about the type of firm they wish to use. Consumers can feel reassured by the professional standards and consumer protection benefits that come with the use of a regulated firm.

# **Quality of your services**

Consumers are looking for information which feeds into the quality of your services, so they can assess value for money.

#### Client feedback

We encourage you to publish client feedback/testimonials on your website or via a third-party platform. Independent services have been set up over recent years which collect and publish client reviews and you may wish to consider use of one of these. You can often demonstrate your commitment to consumer service by providing a positive response in the unlikely event of receiving negative feedback. We suggest that you look at our information on our website at online reviews and endorsements.

## Benefits to you

Reviews often bring out the positive aspects of the service you offer and enable you to share these with consumers and differentiate the service you offer.

#### Benefits to consumers

People rarely have legal needs, so they are unable to build up a personal knowledge of legal services providers. Consumers are used to including reviews in decision making for purchasing services and products and can benefit from the views of those who have used your services when deciding which firm to use.

# How to approach providing transparency information

# Website publication

We would suggest that you consider the following aspects of your website.

#### **Navigation**

Recent research<sup>3</sup> finds that the ease with which information can be accessed can have a large effect on consumers' ability and willingness to find and use it. Consider how you can make your website simple to navigate. Make it easy for consumers to find information on the Home page of your website, or via a link which is easy to locate on the Home page.

<sup>&</sup>lt;sup>3</sup> Price transparency in the conveyancing market p 36

#### **Accessibility**

It is good practice to ensure that your website is accessible and can be used by individuals using assistive technology. This will help you engage with a wide range of consumers.

#### **Tools**

You may wish to consider the use of website tools, such as the information icon "i" which can be hovered over to reveal explanations. In this way you can provide information for consumers who value more in-depth explanations while keeping initial presentations simple and easy to understand.

#### **Accuracy**

It makes sense to regularly check that the information on your website is accurate and up to date; and to frequently test and fix any links to other websites.

#### **Contact Details**

It is important to provide contact details on your website, for example, email and telephone number. Consumers may wish to contact you to check out their understanding of website information and or gain a sense of rapport and approachability.

# Benefits to you

Consumers are more likely to engage with your website and contact you if they can find the information they want quickly and with minimum effort. Research<sup>4</sup> also suggests that consumers can perceive good information that is presented well as one indication of a firm's quality.

#### Benefits to consumers

Consumers can find the information they value and need with minimum effort and this will help people engage with and choose legal services that meet their needs.

# Key points to presenting information

Research<sup>5</sup> makes it clear that information needs to be:

provided in a format that can easily be accessed by consumers and

<sup>&</sup>lt;sup>4</sup> Price transparency in the conveyancing market p 44

<sup>&</sup>lt;sup>5</sup> Client Care Letter research

 prepared with the needs of the types of consumers who use your service in mind.

#### This may include:

- easy to read information and or
- different language versions of information.

There are limits to the volume of information that consumers can usefully process. People often only scan the page. It is important to provide information in a way that is easily digestible.

#### Information should be

#### **Easy**

#### 1. Show a clear purpose

• Use directional headings.

#### 2. Keep it concise

- Avoid excessive detail and dense text.
- Keep sentences short, so key details stand out.

#### 3. Use plain language

- The <u>Plain English Campaign</u> is a good starting point. Using plain language, for example, might see "try" replacing "endeavour"; "issue or case" replacing "matter" and "other costs payable to another organisation" replacing "disbursements".
- Avoid legal jargon and where this is not possible, provide an easily understandable explanation. For example, rather than "Naturalisation or registration under the British Nationality Act 1981", consider "Applying to become British".
- Refer to key forms using easy to understand descriptions rather than technical or numeric references. For example, rather than an "ILR", consider "settling in the UK".

#### 4. Prioritise information

• Give priority to information that consumers need and want.

#### **Attractive**

#### 1. Highlight key information

use bold text for essential details

- use imagery so details stand out, such as summary boxes or diagrams
- consider presenting information through short video clips
- consider whether to link to animations or videos.

#### 2. Make it easy to read

People more readily engage with content that gives the impression that it is easy to read. You might:

- Break down information so that it is straightforward to pick out and more visually appealing. Achieve this by use of:
  - o bullet points,
  - o tables and or diagrams,
  - a staged process for complex content, such as your complaints procedure, and
  - o subheadings.
- Use short paragraphs.

Date issued: September 2024

# **Templates and possible presentations**

We have provided example templates at Annex B and possible presentations at Annexes A, C and D that you may choose to use if you wish. They are indicative of the type of information that you may consider appropriate for consumers, although, it is important that you design the information that you publish to provide an accurate reflection of the services you offer.

# **Annex A: EXAMPLE PRESENTATIONS**

#### PRICE BASED ON A BUYING A PROPERTY FOR £X

Conveyancer's/Lawyer's fees		
Legal fee	£X	
VAT on legal fee	£X	
Mortgage administration fee		
Subtotal		£X
Referral fee paid to AB		£X
Search fees		
Local Authority search	£X	
VAT Local Authority search	£X	
Environmental search	£X	
VAT on Environmental search	£X	
Drainage search	£X	
VAT Drainage search	£X	
Subtotal		£X
Costs payable to other organisations		
(disbursements)		
HM Land Registry fee	£X	
HM land Registry searches	£X	
Electronic money transfer fee	£X	
Subtotal		£X
Stamp Duty Land Tax		£X*
Total		£X

<sup>\*</sup>Stamp Duty Land Tax is based on a purchase price of X and is accurate as at xx/xx/xx. The amount of Stamp Duty Land Tax payable depends on the purchase price of a property. You can work out how much you will need to pay at <a href="https://example.com/html/>
HMRC's website">HMRC's website</a>.

#### **FIXED FEE**

We offer this service at a fixed fee of £X\*. This will be the total price of the service and includes both our fee and costs paid to other organisations which are known as disbursements. This fee breaks down as follows:

Legal fees:				
Our fee:	£X			
VAT on our fee:	£X			
Subtotal	£X			
Disbursements - Costs paid to other organisations				
Taxes/Stamp Duty Land Tax** etc:	£X			
Other disbursement:	£X (including VAT)			
Other disbursement:	£X			
Other disbursement:	£X			
Total price	£X			
or, if you cannot provide the exact cost of the disbursement(s):				
Disbursements - Costs paid to other organisations				
Other disbursement:	£X - £XX (final cost depends on)			
Other disbursement:	£X - £XX (final cost depends on)			
Other disbursement:	£X - £XX (final cost depends on)			
Total price	£X			
Notes:				
*This fee will only cover the services mentioned. If your case needs additional work that is not included, you will be told what the additional cost will be at the earliest possible time. Cases typically exceed the quoted fee when they are particularly complicated, for example, where there is a defective title, or a lease				

has to be extended when buying a leasehold property.

<sup>\*\*</sup>The amount of Stamp Duty Land Tax payable depends on the purchase price of a property. You can work out how much you will need to pay at <a href="https://example.com/hmrc/4">HMRC's website</a>.

#### **HOURLY RATE**

The hourly rates quoted below will depend on the experience of the lawyer dealing with the case.

#### Type of work (for example sale of a freehold property)

A typical house sale needs X – XX hours of the lawyer's time. The number of hours taken depends on the circumstances of your case and the experience of the person doing the work.

#### The XXXXX team

#### Partner(s)

Name (x years' experience) £X per hour

#### Senior Associate(s)

Name (x years' experience) £X per hour

#### Other fee earner(s)

Name (x years' experience) £X per hour

#### Disbursements (costs payable to other organisations)

Disbursement (Taxes/Stamp Duty Land Tax\* etc): £X - £XX (final cost depends on.....)

Disbursement: £X - £XX (final cost depends on.....)

#### Or

Disbursement: £X (including VAT)

Disbursement: £X

#### **Notes**

All work carried out by trainees or other unqualified members of staff will be supervised by a senior/qualified lawyer. The cost for unqualified members of staff includes/does not include the cost of the senior member of staff reviewing the work before it is completed.

All hourly rates include VAT. Where VAT is payable on a disbursement it has been included in the price given.

\*The amount of Stamp Duty Land Tax payable depends on the purchase price of a property. You can work out how much you will need to pay at <u>HMRC's website</u>.

#### **PROCESS FEE**

#### **BEFORE EXCHANGE OF CONTRACTS**

DEI GILL EAGEN HAGE OF GOTATION COLO			
Legal fees			
Legal fees	£X		
VAT (calculated at 20%)	£X		
Subtotal legal fees		£X	
Costs to other organisations (disbursements)			
Bankruptcy search	£X		
Local Authority searches (including VAT)	£X		
Land Registry Office copies (including VAT)	£X		
Environmental searches (including VAT)	£X		
Drainage search (including VAT)	£X		
Local searches (including VAT)	£X		
Subtotal		£X	
AFTER EXCHANGE OF CONTRACTS AND BE	FORF COM	IPI FTION	
Legal fees	TORE COL		
Legal fees	£X		
VAT (calculated at 20%)	£X		
Subtotal legal fees	2, (	£X	
Subtotal legal lees EX			
Costs to other organisations (disbursements)			
Telegraphic transfer (including VAT)	£X		
Subtotal		£X	
		<del></del>	
AFTER COMPLETION			
AFTER COMPLETION			
Legal fees	<b>6</b> ) /		
Legal fees	£X		

Legal fees		
Legal fees	£X	
VAT (calculated at 20%)	£X	
Subtotal legal fees		£X
Costs to other organisations (disbursements)		
Land Registration fee	£X	
Stamp Duty Land Tax	£X*	
Subtotal		£X
TOTAL		£X

<sup>\*</sup>The amount of Stamp Duty Land Tax payable depends on the purchase price of a property. You can work out how much you will need to pay at <a href="https://example.com/HMRC's website">HMRC's website</a>.

#### **RANGE OF COSTS (menu approach)**

#### 1. Advice only - £X - £XX

#### This fee includes:

- Consideration of the evidence against you
- Advising on any defence that may be available to you
- Advising you on whether to plead guilty or not guilty
- Advising you on the likely outcome of the case (including sentencing)
- Advising you of any other relevant factors in your specific case

#### Note:

This fee does not include representation.

This fee only applies to work up to a maximum of X hours. This type of work normally takes between X-X hours. A charge of £x per hour applies for additional work.

#### 2. Guilty plea and sentence (at magistrate's court) - from £X

#### This fee includes:

- Representing you at court for submitting a guilty plea and subsequent sentencing
- Submitting a plea in mitigation
- Advising you on whether to appeal the sentence

#### Note:

This fee only covers a single offence that is dealt with at Magistrates Court. It does not cover the cost for cases that are referred to Crown Court.

#### **RANGE OF COSTS (representation)**

We can represent you in mediation and help you to try to resolve your dispute.

You will normally need to instruct us X weeks before the mediation (Y weeks before if your case is complex).

We can carry out all the work needed to prepare for the mediation for a fixed fee of  $\pounds X - \pounds X$  ( $\pounds X - \pounds X$ ) if the mediation will be complex). We will agree the fixed fee with you before we start preparation. This is based on your instructions at that time.

If you want us to only do the preparation work, but not attend the mediation, the fee above will apply as well.

We will attend the mediation for a fixed fee of £X for the day. If it takes longer than a day, we will charge an additional rate of £X per hour, if less than a full day. If the mediation will take several days, we will charge the fixed daily rate for each day.

If the mediation is cancelled more than X weeks before, we will charge X% of the fixed fee. If it is cancelled less than X weeks before, we will charge X% of the fixed fee.

All our fees include VAT.

**Disbursements** - There will be costs payable to other organisations known as disbursements:

£X

£X

#### Note:

If your instructions change, for example you tell us later that there are additional witnesses or further evidence to be considered, this may change the overall cost of your case, as work may take longer to complete than anticipated when you first instructed us.

#### **Annex B: EXAMPLE TEMPLATES**

#### **CONVEYANCING COST ESTIMATE TEMPLATE**

#### Conveyancer's fees

- Legal fee
- VAT on legal fee
- Mortgage administration fee (if any)

#### • Subtotal (or just this figure)

#### Referral fee (if any)

- Amount of referral fee paid
- Recipient of referral fee

#### Search fees

- Search fees
- VAT on search fees

Subtotal (or just this figure)

#### Costs payable to other organisations (Disbursements)

#### **Purchase**

- HM Land Registry fee
- HM Land Registry searches
- Electronic money transfer fee

#### • Subtotal (or just this figure)

#### Sale

- Official copies
- Electronic money transfer fee

#### Subtotal (or just this figure)

#### Stamp Duty Land Tax (on purchase)

- Likely Stamp Duty Land Tax (SDLT)\*
- Total (This will give clients a clear understanding of the total cost of the transaction and so the full funds the client will need to complete it.)

**Note**: In the unlikely event your case will exceed this cost, you will be informed of this as early as possible. Cases typically exceed the quoted fee when they are particularly complicated, for example...

\*SDLT depends on the purchase price. You can work out how much you will need to pay at HMRC's website.

You may consider collecting the following information to help generate a <u>conveyancing</u> estimate (This list is not exhaustive).

#### Whether:

- a first-time buyer
- a re-mortgage
- freehold or leasehold
- a new build
- first registration of title
- a mortgage or not
- an Islamic mortgage
- the purchase is a primary residence, buy to let, or second/holiday home
- multiple owners
- a shared ownership scheme
- using a help to buy scheme
- purchase under right to buy
- purchase at auction
- property has been repossessed

#### PROBATE COST ESTIMATE TEMPLATE (FIXED FEE)

#### Legal fees

- Legal fee for grant of probate only
- VAT on legal fee for grant of probate
- Subtotal
- Legal fee for estate administration
- VAT on legal fee for estate administration
- Subtotal

#### <u>Disbursements</u> (costs payable to other organisations)

• Likely disbursements

 Total (This will give clients a clear understanding of the total cost of the transaction and so the full funds the client will need to complete it.)

#### Inheritance tax

Inheritance tax may be payable, and you can find further information at Gov.UK.

**Note:** In the unlikely event your case will exceed this cost, you will be informed of this as early as possible. Cases typically exceed the quoted fee when they are particularly complicated, for example...

You may consider collecting the following information to help generate a <u>probate</u> estimate (this list is not intended to be exhaustive):

- whether there is a will and if it has been located
- identity of inquirer and, if they are not an executor, whether all executors have died or refused to act
- estimated value of assets
- whether there is property in the estate
- whether any property is outside England and Wales
- whether the grant of probate is likely to be contested
- number of actual assets/ liabilities apart from properties and their value

- number of properties and their value
- number of beneficiaries
- are any of the beneficiaries lacking capacity under the Mental Health Act or minors
- are there any trusts in the will
- is the estate a taxable one or not
- whether any gifts were made in lifetime
- any missing beneficiaries
- any forensic work needed to create family tree under intestacy.

#### Annex C: IMMIGRATION: hourly rate and service example

#### Application for leave to remain

**Hourly rate: £ X** 

On average, this type of work takes between X-X hours to do, so average costs are between £x and £x. All costs include VAT unless specifically stated.

The exact number of hours it will take to do the work depends on what your case involves. Such as:

- The amount of supporting evidence that we need to look at
- Which language(s) you speak
- Whether you are applying with other dependants

If you are able to provide sufficient evidence at our first meeting and clearly meet the applicable Immigration Rules, the cost is likely to be at the lower end of this range.

#### The services include the following work:

- discussing your circumstances in detail and advising whether this is the best application for you to make and what other options may be available to you;
- giving you advice about the requirements of immigration law and whether you meet the criteria;
- if you do not meet certain criteria, advising if there is anything that can be done, how to do this which usually takes X hours;
- considering your supporting evidence, which we anticipate will take X to XX hours\*;
- where necessary, helping you get further evidence (such as medical records and bank statements), including taking statements of any witnesses;
- preparing your application and submitting it on your behalf, which we anticipate will take X hours;
- If the Home Office ask you to go to an interview, we will give you clear advice (and discuss the possibility of us going with you). This could be between X and X hours of work.
- giving you advice about the outcome of the application and any further steps you need to take.

\*the amount of hours depends on the number of documents, whether they need to be translated, whether anything is missing and how long it will take to get the missing documents.

#### Disbursements (not included in the costs set out above):

Disbursements are costs that are payable to third parties, such as visa fees. We handle payment of disbursements for you so your case runs more smoothly.

- Interpreters fees at £X per hour. This kind of application will normally require between X-X hours with an interpreter, depending how complicated your case is;
- Independent expert reports such as medical experts. These are not always needed and we will let you know as soon as possible if we think you need one;
- If there is an interview and we do go with you, there will be additional disbursements to pay for our travel expenses.

The costs quoted here do not include:

- Any <u>Home Office fees</u> for making the application. You will pay these to the Home Office directly as part of the application process.
- Where the Home Office refuse your application, advice and assistance for any appeal

#### The time the application will take

We cannot guarantee how long the Home Office will take to process your application. We suggest you read the current processing times.

We can usually submit this type of application within X weeks of you instructing us, but we will let you know as soon as we can if it is likely to take longer.

Please note the anticipated number of hours and fees are an estimate. All applications are likely to vary, and we can give you a more accurate estimate once we have more information about your specific case.

#### Annex D: SERVICE INFORMATION PROVISION EXAMPLE

#### **CONVEYANCING - PURCHASE**

#### What our price includes

Our prices include all the work needed to buy your home. This includes registration at the Land Registry and dealing with payment of Stamp Duty Land Tax.

#### How long the purchase will take

The time taken from the seller accepting your offer to buy, to completing the purchase of your new home, depends on several things. On average it takes between X to Y weeks.

The number of houses in the chain will affect the time it takes. If you are buying a new build home, with a mortgage, it will typically take X weeks. If you are buying a leasehold property and an extension of the lease is needed, the time for completing the purchase will take X to Y weeks longer.

#### Stages of the buying process

- Take your instructions and give you first advice
- Check your finances are in place to pay for the purchase and contact the mortgage lender's lawyer if needed
- Receive the contract from the seller's lawyer and advise you about it
- Carry out searches
- Obtain further documents if needed, such as planning permissions
- Ask the seller's lawyer questions to clarify issues seen in the documents
- Advise you about the documents and other information received
- Receive the deposit money from you
- Explain the mortgage obligations to you
- Organise for you to sign the final contract
- Agree the date that the purchase will be completed, and you will be able to move in to your new home

- Exchange contracts, your signed contract is sent to the seller's lawyer and the seller's signed contract is sent to us. Tell you about this.
- Arrange for the lender to send us the mortgage money and for you to send us any other money needed
- Complete the purchase so you own your new home
- Carry out the work needed to pay the Stamp Duty Land Tax
- Carry out the work needed to apply to register the property at the Land Registry

#### **Annex E: TOTAL PRICE WORKED EXAMPLES**

To provide you with an indication of our pricing the following are three examples covering the range of estates we tend to deal with, but please remember every estate is different so they are only a guide:

**Example 1** – A simple estate with one residential property, two bank accounts, no shares and two beneficiaries. The estate is valued at below £200,000.

Legal fees for the work of Goodman's Legal Services

- Drafting and submitting the application to the Probate Registry
- Valuation of the estate
- Calculation of the inheritance tax (verifying that it does not apply)
- Administration of the estate

	£XXX.XX
Applicable disbursements:     Probate Registry fee     Three official copies of the grant of probate     Notice in local paper.     Notice in the London Gazette.	£XXX.XX £XXX.XX £XXX.XX
Value added Tax (VAT)	£XXX.XX
Total for fees, disbursements, and VAT	£XXX.XX

**Example 2** – A more complex estate with one residential property, three bank accounts, shares and four beneficiaries. The estate is valued at below £500,000.

Legal fees for the work of Goodman's Legal Services

• Drafting and submitting the application to the Probate Registry

- Valuation of the estate
- Calculation of the inheritance tax
- · Administration of the estate

	£XXX.XX
Applicable disbursements:	
Probate Registry fee	£XXX.XX
<ul> <li>Four official copies of the grant of probate</li> </ul>	£XXX.XX
Notice in local paper.	£XXX.XX
<ul> <li>Notice in the London Gazette.</li> </ul>	£XXX.XX
<ul> <li>Fee for the valuation of the property</li> </ul>	£XXX.XX
Fee for the sale of the property	£XXX.XX
Value added Tax (VAT)	£XXX.XX
Total for fees, disbursements, and VAT	£XXX.XX

Please note property valuation fees and conveyancing fees, are fees that will be paid to third-party providers so can vary significantly, but a quotation will always be obtained before the services of such third-party providers are engaged.

Please also remember this figure does not include the inheritance tax that had to be paid from the estate. In this example that amounted to £XXXX.XX

**Example 3** – A complex estate with two residential properties, a business, four bank accounts, shares and six beneficiaries. The estate is valued at below £1,500,000.

Legal fees for the work of Goodman's Legal Services

- Drafting and submitting the application to the Probate Registry
- Valuation of the estate
- Calculation of the inheritance tax

• Autilitistiation of the estate	•	Administration	of the estate		£XXX.XX
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#### Applicable disbursements:

Probate Registry fee	£XXX.XX
<ul> <li>Four official copies of the grant of probate</li> </ul>	£XXX.XX
Notice in local paper.	£XXX.XX
Notice in the London Gazette.	£XXX.XX
<ul> <li>Fee for the valuation of the property</li> </ul>	£XXX.XX
Fee for the sale of the property	£XXX.XX
Value added Tax (VAT)	£XXX XX

Value added Tax (VAT) £XXX.XX
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Total for fees, disbursements, and VAT £XXX.XX

Please note property valuation fees and conveyancing fees, are fees that will be paid to third-party providers so can vary significantly, but a quotation will always be obtained before the services of such third-party providers are engaged.

Please also remember this figure does not include the inheritance tax that had to be paid from the estate. In this example that amounted to £XXXX.XX

# **Annex F EXAMPLE PRESENTATION**

# PROFESSIONAL INDEMNITY INSURANCE (PII) AND COMPENSATION ARRANGEMENTS

We are specialist and authorised by CILEx Regulation to provide legal services in X (and Y) area(s) of law.

Not all areas of law must be authorised. This includes Z and we also provide these legal services.

We are required to have Professional Indemnity Insurance which covers all legal services that we provide. This insurance ensures that you do not lose out financially in the unlikely event that the firm makes a mistake.

The CILEx Regulation Compensation Arrangements provide additional protection if legal services are provided in X (and Y) area(s) of law. Payments under the scheme are discretionary and subject to meeting certain criteria.

Areas of Law provided by this firm	Covered by Insurance	Covered by CILEx Regulation Compensation Arrangements
Probate (including Estate Administration)	~	~
Wills	<b>✓</b>	
Trusts	✓	

Areas of Law provided by this firm	Covered by Insurance	Covered by CILEx Regulation Compensation Arrangements
Conveyancing (residential and commercial)	~	~
Landlord and Tenant	<b>✓</b>	
Wills	<b>~</b>	

Date issued: September 2024