

Office Procedures Manual

Index

March 2017

CONTENTS

N	
Introduction and Objectives.....	7
<i>Welcome to Solicitors' Office Procedures Manual</i>	7
<i>Objectives</i>	7
<i>The Solicitors Regulation Authority ("SRA")</i>	8
<i>Quality Policy</i>	8
<i>Office Hours</i>	8
You and Your Client	9
1 Client Care.....	9
<i>(Principle 2) acting with integrity,</i>	9
<i>(Principle 3) with independence, and</i>	9
<i>(Principle 4) acting in the best interests of clients.</i>	9
<i>Outcome 1.1 – Treat your clients fairly</i>	9
<i>Outcome 1.2 – Provide services to your clients</i>	9
<i>Outcome 1.3 – When deciding whether to act</i>	9
1.1 Client Care Policy.....	10
<i>A Confidentiality</i>	10
<i>B Commitment</i>	10
<i>C Courtesy</i>	10
<i>D Communication</i>	10
P1-1 Client Care Procedure.....	11
P1-1 A Dealing with the Client.....	11
P1-1 B Arrangements with Clients.....	12
P1-1 C Estimate and Costs Update.....	14
P1-1 D Responsibility and Review.....	14
1.2 Complaints Handling.....	14
P1-2 Complaints Handling Procedure.....	14
P1-2 A Our Complaints Policy.....	15
P1-2 B Our Complaints Procedure.....	15
P1-2 C What Will Happen Next.....	15
P1-2 D Complaints to the LeO.....	16
P1-2 E Putting Things Right.....	16
P1-2 F Documentation.....	17
P1-2 G Procedural Review.....	17
1.3 One-Off Advice Policy.....	17
1.4 Client Satisfaction.....	17
Equality and Diversity.....	19
P2-1 Equality and Diversity Procedure.....	19
P2-1 A Introduction and Scope.....	19
P2-1 B Forms of Discrimination.....	20
P2-1 C Disability Provisions.....	20
P2-1 D Enforcement.....	20
P2-1 E Clients.....	20
P2-1 F Barristers and Other Experts.....	21
P2-1 G Suppliers.....	21
P2-1 H Employment, Training, Promotion and Partnership Opportunities.....	21
P2-1 I Positive Action.....	21
P2-1 J Recruitment Agencies.....	21
P2-1 K Outsourcing.....	22
P2-1 L Complaints of Discrimination.....	22
P2-1 M Monitoring and Review.....	22
Conflicts of Interest.....	23
P3-1 Conflicts of Interest Procedure.....	23
Confidentiality and Disclosure.....	26
P4-1 Confidentiality and Disclosure Procedure.....	26
Your Client and the Court.....	31
Our Duty to the Client.....	31
Our Duty to the Court.....	31
Your Client and Introductions to Third Parties.....	34
P6-1 Introducing Clients to Third Parties Procedure.....	34
Management of your Business	36
Management of your Business.....	36
7.1 Management structure	36
COLP and COFA.....	39
Roles and Responsibilities.....	39
<i>P7-1 Roles and Responsibilities</i>	40

Management and Organogram	43
Place of Work	43
7.2 Personnel	43
P7-2 Recruitment Procedure.....	45
Deduction from Wages.....	47
Additional staff policies.....	47
P7-36 Disciplinary Procedure.....	48
P7-39 Flexible Working Procedure.....	50
P7-40 Home Working Procedure.....	53
P7-41 Maternity Procedure.....	55
P7-42 Retirement Procedure.....	60
P7-7 End of Employment Procedure.....	61
P7-7 A Handover of Work - End of Employment.....	61
Performance Management.....	61
Travel Expenses.....	64
Other Expenses.....	65
Car insurance.....	65
Time off for dependents.....	65
Jury service.....	65
Illness absence.....	65
P7-4 Illness Absence Procedure.....	65
Dental and medical appointments.....	68
Grievance procedure	68
Private property.....	68
Inclement Weather	69
Acceptance of Gifts.....	69
7.2.6 Data Protection	71
ICO Data Protection Registered.....	71
ICO Code of Practice on CCTV.....	71
Training policy.....	72
P7-5 Training and Development Procedure	72
Training plan.....	74
Supervision.....	74
Appraisal.....	76
P7-6 Appraisal Procedure.....	76
7.3 Office etiquette and behaviour	79
P7-3 Staff Benefits Procedure.....	79
P7-8 Dress Procedure.....	82
P7-38 Building and Office Equipment Maintenance Procedure.....	84
7.4 Health and Safety	85
P7-9 Health and Safety Procedure.....	86
7.5 Communication	93
P7-10 Telephone Calls and Voicemail Procedure.....	93
P7-11 Internet Access Procedure	95
P7-12 Website Management Procedure.....	97
P7-13 E-mail Procedure.....	100
P7-14 Social Media Procedure.....	105
P7-15 Facsimile Procedure	109
P7-16 Post Procedure.....	110
P7-17 Information Technology Procedure.....	112
7.6 Quality Standards	114
CQS.....	114
Excel 6.0.....	114
LAA SQM.....	115
ISO 9001	115
IIP.....	115
WIQS	116
7.7 Library	116
P7-18 Legal Research Procedure	117
7.8 File and Case Management	118
P7-19 Taking Instructions Procedure	118
P7-20 Opening Client Files Procedure.....	121
P7-21 File Maintenance Procedure	122
P7-22 Counsel, Agents and Experts Procedure.....	124
P7-23 File Review Procedure	125
P7-24 File Closure Procedure.....	126
P7-25 Storing Closed Client Files Procedure.....	131
Indexing and Storing Deeds.....	132
Archiving and File Destruction.....	132
P7-26 Indexing and Storing Deeds Procedure	132

P7-27 Wills Procedure.....	133
Achieving the SRA's Outcomes.....	133
P7-28 Archiving and File Destruction Procedure.....	136
7.9 Risk Management.....	137
Professional Indemnity Insurance (PII) Details.....	137
Business Continuity Risks.....	144
P7-29 Risk Assessment Procedure.....	146
P7-30 Business Continuity Procedure- Telephone List.....	148
7.10 Finance and Accounting.....	149
P7-31 Financial Analysis Procedure.....	150
7.11 Compliance.....	155
P7-44 Compliance Failure Procedure.....	156
P7-32 Anti-Money Laundering Procedure.....	161
P7-33 Bribery Act Procedure.....	167
P7-34 Customer Due Diligence Procedure.....	169
P7-34 A Customer Due Diligence (CDD).....	170
P7-35 Mortgage Fraud Procedure.....	171
7.11.9 The Consumer Contracts Regulations 2013.....	174
P7-43 Consumer Contracts Regulations Procedure.....	174
7.12 Whistleblowing.....	176
P7-37 Whistleblowing Procedure.....	177
7.13 Bogus Firms.....	180
Publicity.....	181
8 Publicity.....	181
8.1 Publicity Policy.....	181
8.2 Marketing Plan.....	181
P8-1 Publicity Procedure.....	181
Fee Sharing and Referrals.....	184
9 Fee Sharing and Referrals.....	184
9.1 The Firm and You.....	184
9.2 The Client.....	184
P9-1 Fee Sharing and Referrals Procedure.....	184
You and Your Regulator.....	187
10 Notifying Regulators.....	187
10.1 The Firm's Responsibilities to Regulators.....	187
10.2 Your Responsibilities to Regulators.....	187
10.3 Trustees.....	187
P10-1 Notifying Regulators Procedure.....	188
You and Others.....	189
11 Relations with Third Parties.....	189
11.1 Dealings with Third Parties.....	189
11.2 Undertakings.....	189
11.3 Conveyancing.....	190
1. Corporate Social Responsibility.....	190
2. Signposting and Referral Policy.....	190
P11-1 Relations with Third Parties Procedure.....	191
P11-2 Undertaking Procedure.....	191
P11-3 Conveyancing Procedure.....	194
P11-4 Corporate Social Responsibility Procedure.....	195
P11-5 Signposting and Referral Procedure.....	196
12 Separate Businesses.....	197
12.1 Outsourcing Policy.....	197
P12-1 Outsourcing Procedure.....	198
P12-2 Permitted Separate Businesses Procedure.....	201
12.2 Separate Businesses Conducting Prohibited Separate Business Activities.....	201
P12-2 Permitted Separate Businesses Procedure.....	202
12.3 Permitted Separate Businesses.....	202
A1 Reference Sources.....	204
A2 SRA Mandatory Principles.....	204
A3 SRA Code of Conduct 2011.....	204
A4 Welcome.....	205
A5 Disclaimer, Copyright and Trademarks.....	206
Law Society Self Assessment Lexcel 6.....	208
1 - Structure and strategy.....	211

2 - Financial management	212
3 - Information management	215
4 - People management	219
5 - Risk management	224
6 - Client care	231
7 - File and case management	236
Revision History.....	241
Organogam Management The Firm	242
Organogam Departmental The Firm	243
F1-1 Client Complaint Form	250
F1-2 Complaint Management Form	252
F1-3 Client Satisfaction Form	255
F7-1 Job Description Form	257
F7-2 Person Specification Form	259
F7-3 Induction Form	260
F7-4 Overtime Request Form	262
F7-5 Holiday Request Form	263
F7-6 Travel Expenses Form	264
F7-7 Expenses Claim Form	265
F7-8 Illness Absence Form	268
F7-9 Training Request Form	270
F7-10 Training Evaluation Form	272
F7-11 Pre-Appraisal Preparation Form	274
F7-11A Pre-Appraisal Questionnaire - Sample	275
F7-12 Administration Appraisal Form	276
F7-13 Fee-Earner Appraisal Form	279
F7-14 Conveyancing Client Instruction Form CQS	283
F7-15 File Opening Form - General	286
F7-15A File Opening ID Check Form	289
F7-16 File Opening Form - Conveyancing	290
F7-17 File Opening Form – Commercial	294
F7-16 File Opening Form - Conveyancing	298
F7-18 File Opening Form - Family	304
F7-19 File Opening Form – New Client in Family Proceedings	310
F7-20 File Opening Form – Lasting Power of Attorney	322
F7-21 File Opening Form - Company	326
F7-22 File Opening Form - Probate	328
F7-23 File Opening Form – Making a Will	344
F7-24 File Transfer Form	352
F7-25 File Summary Form	353
F7-26 File Review Form - General	354

F7-27 File Review Form – Conveyancing Purchase	357
F7-28 File Review Form – Conveyancing Sale	362
F7-29 Risk Assessment Form	367
F7-29A Notification of Risk Form	372
F7-30 Risk Management Analysis - Purchase	373
F7-31 Risk Management Analysis – Sale	374
F7-32 Business Continuity – Risk Matrix	375
F7-32A Business Continuity Completing Risk Matrix	376
F7-33 Cheque Requisition Form	378
F7-34 Billing Guide Form – Hourly	379
F7-35 Accident Book Form	381
F7-36 Accident Book Form - Visitor	383
F7-35 Accident Report Register	385
F11-1 Undertaking Given Form	386
F11-2 Undertaking Discharged Form	387
F11-3 Undertaking Records Form	388