

# Who can make decisions at the SRA

Updated 2 May 2024 (Updated from 30 May 2023)

This document [formerly known as 'Schedule of delegations'] outlines who can make regulatory decisions at the Solicitors Regulation Authority (SRA) and their role and responsibilities. We have included a glossary function which explains some technical phrases used throughout this document.

# How does delegation work?

The SRA Board can delegate its functions to sub-committees and individuals, including to SRA staff. The Board's executive functions and regulatory powers are also delegated by the Board to the Executive.

Below, we have set out the regulatory decisions that are delegated to certain staff groups or individuals to make. All staff are sufficiently trained, experienced and competent to make these decisions. The Chief Executive is able at any time to delegate authority on a case by case basis unless the rules themselves set out who can make a decision.

#### In this document:

- Any references to standards, regulations or statutory provisions include any updated or amended versions produced following the publication of this document.
- References to a job title or role includes individuals undertaking the same or equivalent role in the future, should the job title or role change.
- References to a directorate, function or unit includes a directorate, function or unit fulfilling the same or equivalent role in the future
- 'Adjudication' means an Adjudicator, an adjudication panel or the Chief Adjudicator
- 'Director(s)' includes all Directors, Deputy General Counsel, Deputy Executive Directors, Executive Directors, the Chief of Staff and the Chief Executive of the SRA
- 'Heads' includes all persons described as 'Head' of a function in their iob title
- 'Licensed body' includes any body applying to become a licensed body
- 'Recognised body' includes a legal services body and any body applying to become a recognised body
- 'Investigation' includes Supervision, Forensic Investigations, the Assessment Team and the Intelligence Team at the SRA
- 'Technical Adviser(s)' includes Senior Technical Advisers and Senior Authorisation Advisers
- References to the 'SA 1974' means the Solicitors Act 1974, 'CLSA 1990' means the Courts and Legal Services Act 1990, 'AJA 1985'

means the Administration of Justice Act 1985, and 'LSA 2007' means the Legal Services Act 2007.

# **Decisions by number**

#### No. Decision

Rules

1

To decide the outcome of a review of:

- 1. decisions relating to Individual and firm authorisation, education, training and assessment providers, regulatory/disciplinary action and decisions made under the Compensation Fund Rules 2019 and the SRA Compensation Fund Rules 2021, that are listed in Annex
- 2. all other regulatory decisions or to correct an administrative error in, or in relation to, any decision that comes to the our attention, without the need to undergo a review

1 of the SRA Application,

Notice, Review and Appeals

- 2 To authorise the disclosure or publication of confidential information in the public interest as permitted by law to:
  - law enforcement agencies
  - regulators or those who exercise regulatory functions
  - other persons with a legitimate interest in receiving the information.

This includes but is not limited to disclosure in accordance with sections 32(4) and 33A(2) of the SA 1974, section 98 of the LSA

#### Job role/department

Adjudication, Directors and Heads. Senior Technical Adviser/Technical Manager in Client Protection: decision (1) Investigation and Supervision -Director, Head of Forensic Investigations and Intelligence. Head of Investigations, Investigation Managers, Investigation Knowledge and Development Manager; Authorisation - Director, Heads of Unit and Technical advisers: Client Protection - Interventions and Statutory Trust Manager, Cost Recovery Team Manager, Compensation Fund Manager, Technical Manager, Team Leaders and Senior Technical Advisers: Head of Ethics Guidance and Ethics Guidance Team Managers; Legal and Enforcement - Director and Heads; Head of Legal General Counsel Advice Team; Chief Adjudicator and Executive Directors: decision (2) Adjudication, Directors and Heads Investigation and Supervision -Investigation Knowledge and Development Manager and Investigation Managers Intelligence Officers Authorisation - Team Leaders and Technical Advisers Legal staff - Legal Advisers, Senior Legal Advisers, Senior Legal Consultant and Case Managers Client Protection - Interventions

and Statutory Trust Manager, Cost

Managers, Team Leaders, Senior

Recovery Team Manager,

Compensation Fund Team

2007 and under any SRA rules or regulations

To authorise inspection of a file in proceedings in bankruptcy of a solicitor in accordance with section 83 of the SA 1974

3

Technical Advisers and Technical Manager

Adjudication, Directors and Heads Investigation and Supervision -Investigation Knowledge and Development Manager, and **Investigation Managers** Authorisation - Team Leaders and Technical Advisers

To oppose admission to the Roll of 4

Solicitors pursuant to section 3(2) Adjudication, Directors and Heads of the Solicitors Act 1974

# Client protection - the compensation fund, statutory trusts and indemnity insurance

No. **Decision** Job role/department

> No limit: Adjudication panel save if urgent single adjudicator or

**Executive Director** 

Up to £1 million: A single

Adjudicator

Up to £500,000: Director of Client Protection, Technical Manager, Interventions and Statutory Trust Manager, Cost Recovery Team Manager, Compensation Fund Team Manager, Team Leaders and Senior Technical Advisers (in Client Protection)

Up to £250,000: Technical Specialists (in Client Protection) Up to £50,000: Complex

Caseworkers (in Client Protection)

To make decisions in respect of payment or rejection of claims 5 on the compensation fund (up to the value prescribed)

> To impose a cap of £5 million in line with Rule 10 of the

Compensation Fund Rules 2021 on payments relating to multiple **£5 million**: Executive Directors 6 applications for the same or connected claims

7 To decide whether to accept or reject claims on the compensation fund (up to the the proposed payment is urgently needed as an interim

No limit: Adjudication, Executive Directors and Director of Client Protection

value prescribed) in cases where **Up to £500,000**: Interventions and Statutory Trust Manager, Technical Manager, Cost Recovery Team measure to protect the interests Manager, Compensation Fund Team Managers, Team Leaders and Senior of an applicant or potential applicant to the fund

8

Technical Advisers (in Client Protection)

Up to £250,000: Technical Specialists (in Client Protection) Adjudication and Executive

**Directors** 

To authorise release of funds from the compensation fund in an emergency

Director of Client Protection Any two of: Technical Manager, Interventions and Statutory Trust Manager, Cost Recovery Team Manager, Compensation Fund Team Managers, Team Leaders and Senior Technical Advisers, (in Client Protection)

To give an undertaking on behalf of the compensation fund to 9 return an overpayment from a **Statutory Trust Account** 

To make decisions in respect of

10 fund to a Statutory Trust

Account to return an

overpayment

Interventions and Statutory Trust Manager, Cost Recovery Team Manager, Compensation Fund Team Managers, Team Leaders, Senior Technical Advisers, Technical Specialist, Technical Manager and Director (in Client Protection)

No limit: Adjudication

Up to £500,000: Interventions and Statutory Trust Manager, Cost Recovery Team Manager, payment from the compensation Compensation Fund Team Managers, Team Leaders, Senior Technical Advisers, Technical Manager and Director of Client

Protection (in Client Protection) Up to £250,000: Technical Specialists (in Client Protection)

To make any decision (without 11 limit) in respect of statutory trust money

Adjudication

In cases of urgency, any two of: Executive Directors and Director of Client Protection

Up to £500,000: Director of Client Protection, Technical Manager, Interventions and Statutory Trust Manager, Senior Financial Investigators, Intervention Project Officers, and Senior Technical Advisers (in Client Protection) Up to £100,000; Technical Specialist in Client Protection

Any two of: Director of Client Protection, Interventions and Statutory Trust Manager, Technical

To make any decision to make payments up to the value 12 prescribed in respect of statutory trust money

13 To pass a resolution under paragraph 6A of Schedule 1 of the SA 1974 or paragraph 4 of order to collect debts due to an intervened firm

To issue and defend financial or or tribunal (and to take 14 preliminary steps such as the bankruptcy) on our behalf or on

Schedule 14 of the LSA 2007, in Manager in Client Protection, Senior Technical Adviser in Client Protection

**Executive Directors** Technical Manager and Director, recovery proceedings in a court Interventions and Statutory Trust Manager, Cost Recovery Team Manager, Compensation Fund Team service of a statutory demand in Managers, Team Leaders, Technical Specialists, Senior Technical behalf of the compensation fund Advisers, Case working staff (in

Client Protection Team)

## **Authorisation**

# Authorisation - individuals, education and training

No. **Decision** Job role/department Adjudication

To make decisions about an applicant's character and suitability 15 under rule 1.1 of SRA Assessment of Character and Suitability Rules

Education and Training -Director, Head of and Policy Managers Authorisation - Director, Heads of Unit, Technical Advisers, Team Leaders, Authorisation

16 To grant applications or authorisations Authorisation – all staff: under the SRA Authorisation of Individuals Regulations including:

- 1. Determining eligibility for admission as a solicitor
  - 2. Granting applications for recognition of academic or vocational stage completion by equivalent means
  - 3. Recognising or requiring specified steps be taken or extending periods of training
  - 4. Granting applications for admission to the Roll of Solicitors (10)
  - 5. Granting applications for removal from the Roll of Solicitors
  - 6. Granting applications for practising certificates
  - 7. Granting applications for registration as a European

Officers levels 2 & 3 decisions (1) to (8) Adjudication – all decisions (1) to (10) Authorisation - Director, Heads of Unit, Technical Advisers, Team Leaders, and

Authorisation Officers Level 2 and Level 3: decision (9) **Education and Training -**Director, Head of and Policy Managers: decision (9) Education and Training -

Director and Head of: decision

lawyer

- 8. Granting applications for registration as a foreign lawyer
- 9. Granting applications from individuals for exemptions in respect of all or part of the Solicitors Qualifying Examination (SQE) assessment
- 10. Granting applications for all lawyers who hold a particular title in a particular jurisdiction for exemptions in respect of all or part of the SQE assessment

#### To:

- 1. Remove solicitors from the Roll of Solicitors under regulation 5.6(a)(i) of the SRA Authorisation of Individuals Regulations where following an enquiry they tell us that they do not wish to remain on the roll
- 2. Remove solicitors from the Roll of Solicitors under regulation 5.6(a)(ii) of the SRA Authorisation of Individuals Regulations where following an enquiry they do not, within eight weeks from the date of the notice, reply to us and pay the fee to remain on the Roll of Solicitors

Authorisation – all staff: decision (1) Authorisation – Director, Heads of Unit and Technical Advisers: decision (2)

- 18 To refuse, revoke or vary authorisations under the SRA Authorisation of Individuals Regulations including:
  - 1. Refusing applications for recognition of academic or vocational stage of qualification completed by equivalent means
  - 2. Determining completion of an apprenticeship
  - 3. Refusing to recognise (all or part of), requiring specified steps to be taken, extending periods of training

    Authorisation Officers Level 2 and Level 3: decision (13) Investigation and Supervision

     Director, Head of

Adjudication: all decisions (1) to (13)
Education and Training –
Director, Head of and Policy
Managers: all decisions (1) to (13)
Authorisation - all staff: decisions (1) to (12)
Authorisation - Director, Heads of Unit, Technical Advisers, Team Leaders, and Authorisation Officers Level 2 and Level 3: decision (13)
Investigation and Supervision – Director, Head of Investigations, Head of

- 4. Refusing applications for admission to the Roll of Solicitors Intelligence, Investigation
- 5. Refusing applications for removal Knowledge and Development from the Roll of Solicitors Manager and Investigation
- 6. Refusing applications for Practising Certificates
- 7. Refusing applications for registration as a European lawyer
- 8. Refusing applications for registration as a foreign lawyer
- Imposing conditions on practising certificates or registration
- Revoking or varying conditions on practising certificates or registration
- 11. Shortening or removing the 28 days' notice under regulation 7.5
- 12. Revoking a practising certificate or withdrawing registration
- 13. Refusing applications for exemptions in respect of all or part of the SQE assessment

To grant or refuse applications to extend the six year period to complete the SQE assessment under the SQE Assessment Regulations

- 20 To grant approvals or authorisations Authorisation under the SRA Education, Training and Adjudication Assessment Provider Regulations Education ar including: Director, Hea
  - 1. Granting an application for approval or authorisation as a training provider
  - 2. Approving an organisation to provide assessments in High Courts Civil and Criminal Advocacy and to confer a Higher Courts Advocacy Qualification (Higher Rights of Audience qualification)
  - 3. Approving an organisation to provide assessments for the

Forensic Investigations and Intelligence, Investigation Knowledge and Development Manager and Investigation Managers: decisions (10) and (11)

Education and Training –
Director, Head of and Policy
Managers
Authorisation – Director, Heads
of Unit, Technical Advisers,
Team Leaders, and
Authorisation Officers Level 2
and Level 3
Authorisation – all staff

Authorisation - all staff
Adjudication
Education and Training Director, Head of and Policy
Managers: decisions (1) to (3)

Police Station Representative Accreditation Scheme Assessment

To refuse, revoke or vary authorisations under the SRA Education, Training and Assessment Provider Regulations including:

- 1. Refusing an application for approval or authorisation as a training provider
- 2. Imposing conditions on an authorised training provider
- 3. Revoking authorisation as a training provider

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- 4. Requiring an authorised training provider to appoint a new training principal
- otherwise) to approve an organisation to provide assessments in High Courts Civil and Criminal Advocacy and to confer a Higher Courts Advocacy (Higher Rights of Audience) Qualification and to provide the Police Station Representative Accreditation Scheme assessment
- 6. Revoking an authorised Higher Rights or Police Station Representative Accreditation Scheme providers approval
- 7. Making an authorised Higher Rights or Police Station Representative Accreditation Scheme Providers approval subject to conditions

5. Refusing (subject to conditions or Adjudication: all decisions (1) to (7) Authorisation - all staff: decisions (1) to (4) Education and Training -Director, Head of and Policy Managers: decisions (5) to (7)

To determine applications for membership of professional accreditation schemes, panels and awards, including the waiving of requirements and to revoke membership of professional accreditation schemes, panels and awards.

Adjudication **Education and Training -**Director, Head of and Policy Managers Authorisation - Director, Heads of Unit, Technical Advisers, Team Leaders, and Authorisation Officers Level 2 and Level 3

In respect of the granting of applications for approval of employment under sections 41 or 43 of the Solicitors Act 1974:

1.to grant approval unconditionally, or subject to any conditions or requirements which have not been objected to by the person or persons concerned

All Investigation and
Supervision and Authorisation
staff can make decision (1)
Adjudication: decision (2)
Authorisation - Director, Heads
of Unit, Technical Advisers and
Team leaders: decision (2)

2.to refuse approval, or grant approval with conditions (whether objected to or not)

In respect of an application to terminate a suspended practising certificate:

1. to terminate the suspension, including conditions which have not been objected to by the person concerned

Authorisation – all staff: decision (1) Adjudication: decision (2) Authorisation – Director, Heads of Unit, Technical Advisers and Team leaders: decision (2)

to refuse to terminate the suspension, or to terminate the suspension subject to conditions
In accordance with the powers under articles 12-14 of the European Communities (Services of Lawyers)

Adjudication, Directors and Heads

Communities (Services of Lawyers) Adjudi-Order 1978 to determine whether the Heads person has verified their status to the SRA's satisfaction

### **Authorisation - firms**

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#### lob No. **Decision** role/department 26 To grant approvals or authorisations with conditions Authorisation - All or otherwise under the SRA Authorisation of Firms staff: decisions Rules including: (1) to (13) Adjudication: 1. Granting an application for authorisation decisions (1) unconditionally or with agreed conditions to(14) 2. Granting an application for authorisation with Authorisation conditions which are objected to Director, Heads of 3. Imposing conditions on a body's authorisation Unit, Technical (where there is no objection and also where Advisers and there is an objection) Team leaders: decision (14)

- 4. Revoking or suspending authorisation on application of the body concerned
- 5. Determining that an authorised body is not required to comply with rule 9.1 of the SRA Authorisation of Firms Rules (to seek approval of a manager or owner of the authorised body), where managers are not involved in the activities set out in rule 9.3(a) to (c) as follows:
  - a. the day to day or strategic management of the <u>authorised body</u> [https://consultations.sra.org.uk/solicitors/standardsregulations/glossary/#authorised-body];
  - b. compliance by the <u>authorised body</u>
    [https://consultations.sra.org.uk/solicitors/standards-regulations/glossary/#authorised-body] with the
    SRA's regulatory arrangements
    [https://consultations.sra.org.uk/solicitors/standards-regulations/glossary/#regulatory-arrangements];
    or
  - c. the carrying on of <u>reserved legal</u>
    <u>activities</u>
    [https://consultations.sra.org.uk/solicitors/standardsregulations/glossary/#reserved-legal-activities]\_, or
    the provision of legal services in England
    and Wales
- 6. Extending, revoking or varying an authorised body's terms and conditions
- 7. Approving a manager, owner, COLP or COFA of an authorised body
- 8. Approving a manager, owner, COLP or COFA of an authorised body, subject to conditions being imposed on the authorisation of the body (where there is no objection)
- Approving a restricted interest under Schedule
   LSA subject to a condition on that approval (where there is no objection)
- Approval of a manager, owner, COLP or COFA of an authorised body, subject to conditions being imposed on the authorisation of a body (where there is objection)
- 11. Approval of a restricted interest under Schedule 13 LSA subject to a condition on that approval (where there is objection)
- 12. Approval of a beneficial owner, officer, or manager of an Independent legal practitioner
- 13. Recommendation that a trust or company service provider or a beneficial owner, officer or manager of trust or company service provider, is fit and proper to carry out the work of a trust or service company provider

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14. Deciding to transfer or substitute authorisation of a body or approval of a manager, owner, COLP or COFA and to determine what application requirements apply

To refuse applications or authorisations under the SRA Authorisation of Firms Rules including;

- 1. Refusing an application for authorisation
- 2. Revoking or suspending authorisation on procedural grounds
- 3. Suspending or revoking authorisation on any grounds
- 4. Refusing to approve a manager, owner, COLP or COFA of an authorised body
- 5. Objecting to the holding of a restricted interest Adjudication: in a licensed body
- 6. Withdrawal of approval of a manager, owner, COLP or COFA of an authorised body.
- 7. Objecting to the holding of an existing approved restricted interest holder in a licensed body
- 8. Refusal of approval of a beneficial owner, officer or manager of an independent legal practitioner
- 9. Recommending that a trust or company service provider, or a beneficial owner, officer or manager or a trust or company service provider is NOT fit and proper to carry out the work of a trust or company service provider

Authorisation - all staff: decisions (1) to (6) decisions (1) to (9)Authorisation -Director, Heads of Unit, Technical Advisers and Team leaders:

decisions (7) to

(9)

Withholding from publication all or some 28 information that would usually be published in the public interest

29 In respect of determining or modifying the reserved All Investigation legal activities which a licensed body is authorised to carry out for the purposes of section 85 and 86

application for a licence):

1. To grant or amend the term of the licence where this is not objected to by the person or persons concerned

2. To grant or amend the term of the licence whether objected to or not

Adjudication and Executive Directors Authorisation - all staff

and Supervision and Authorisation of the Legal Services Act 2007 (including upon first staff: decision (1) Adjudication and Executive Directors: decision (2) Authorisation -Director, Heads of Unit, Technical Advisers and Team leaders: decision (2)

In respect of the exercise of these powers, all persons listed above may give notice of the same or decide to remove the notice requirement.

#### **Authorisation - other**

#### Job No. **Decision** role/department Authorisation - all To require an accountant's report to be obtained 30 or delivered in accordance with rule 12.4 of the staff **SRA Accounts Rules** Adjudication To make orders and exercise associated powers in Adjudication relation to modifying the application of licensing 31 Executive rules for special bodies arising from sections 106 **Directors** and 107 of the Legal Services Act 2007

# **Investigation**

No.	Decision	Job role/department
32	To authorise an onsite inspection	Adjudication Director and Heads Investigation and Supervision - Investigation Knowledge and Development Manager and Investigation Managers
33	To decide that it would not be in the public interest to notify the person subject to the decision or their employer of an investigation into an allegation	Investigation and Supervision – Director, Head of Investigations, Head of Forensic Investigations and Intelligence, Investigation Knowledge and Development Manager and Investigation Managers
34	To issue letters of advice or a warning regarding future conduct or behaviour under rule 2.4 of the SRA Regulatory and Disciplinary Procedure Rules (RDPR)	Adjudication, Directors and Heads Investigation and Supervision - Investigation Knowledge and Development Manager and Investigation Managers Legal staff - Case Managers, Senior Legal Consultant,

To decide not to give notice of an investigation to the relevant person under rule 2.5 of the RDPR where a further allegation is intended to be included in a matter already subject to an application or ongoing proceedings before the tribunal, or where we intend to make an urgent application to the tribunal in a case in which we are exercising our powers of intervention or it is otherwise in the public interest to do so.

To vary the procedures as per rule 8.1 of the RDPR relating to evidential and 36 procedural matters if we consider it to be in the interests of justice or in the overriding public interest to do so.

To decide to suspend a practising certificate

38 To give any notices required for the purposes of Schedule 14 of the LSA 2007 in relation to exercising our

Senior Legal Advisers and Legal Advisers Adjudication and Executive **Directors** Investigation and Supervision - Director, Head of Investigations, Head of Forensic Investigations and Intelligence, Investigation Knowledge and Development Manager and Investigation Managers Legal staff - Executive Director, Director of Legal and Enforcement and Chief Adjudicator, Head of Legal and Enforcement, Head of Legal - General Counsel Advice Team Adjudication and Executive Directors Investigation and Supervision - Director, Head of Investigations, Head of Forensic Investigations and Intelligence, Investigation Knowledge and Development Manager and Investigation Managers Legal staff - Director of Legal and Enforcement, Head of Legal and Enforcement and Head of Legal General Counsel Advice Team Adjudication Investigation and Supervision - Director, Head of Investigations and Head of Forensic Investigations and Intelligence Legal staff - Director of Legal and Enforcement, Head of Legal and Enforcement, Head of Legal General Counsel Advice Team and Executive Director (in General Counsel) Adjudication and Executive **Directors** Client Protection - Director,

powers of intervention of a licensed Technical Manager, body (including, for the avoidance of doubt, paragraphs 1(4), 3(5), 8 and 10) Trust Manager and Senior and Schedule 1 of the SA 1974 Advisers (including, for the avoidance of doubt, paragraphs 6 and 9) Investigation and Supervise - Director, Head of

Technical Manager, Interventions and Statutory Advisers Investigation and Supervision - Director, Head of Investigations and Head of Forensic Investigations and Intelligence Legal staff - Director of Legal and Enforcement, Head of Legal and Enforcement, Head of Legal General Counsel Advice Team Adjudication Investigation and Supervision - Director, Head of Investigations and Head of Forensic Investigations and

To disqualify an accountant from 39 making any accountant's reports under the Accounts Rules

## **Adjudication**

### No. Decision

**Job role/department** Adjudication panel unless the intervention

Intelligence

To decide to intervene into a firm (including under section 35 and Schedule 1 of the SA 1974, 40 Schedule 2 of the AJA1985, section 102 and Schedule 14 to the LSA 2007 and any provision with similar effect)

- 1. is due to severe and imminent risk to the public; or
- 2. into the closed files and any residual money forming the remnants of a practice in which case provided the Chief Executive, an Executive Director or a Director decides that the decision can be made by a single adjudicator

#### 41 To:

- 1. Give a written rebuke
- 2. Impose a fine falling within Band A, B, or C of our guidance on our approach to financial penalties
- 3. Make a decision to publish (or not) a regulatory decision or to publish at later date

Adjudication: decisions (1) to (7)

All Authorisation staff: decision (3) relating to publication of conditions affecting a practising certificate, recognition, registration, or approval and decision (6) in so far as it relates to imposing interim conditions upon practising certificates under rule 3.2 of the

- 4. Disqualify a person
- 5. make an order under section 43(2) of the Solicitors Act 1974
- 6. impose conditions, interim conditions or other controls upon practising certificates, registration or any other form of authorisation
- 7. direct payment of costs

SRA Regulatory and Disciplinary **Procedure Rules** 

[To impose (other than via a regulatory settlement

agreement) a financial penalty falling within Band D of the SRA's guidance on its approach to financial penalties]

To end a disqualification or order made by the SRA in accordance Disciplinary Procedure Rules

panel of adjudicators sub 44 chair

[To impose a fixed financial penalty under rule 3.1(h) of the Regulatory and Disciplinary Procedure Rules, to direct 45 payment of costs in respect of that matter, and/or to make a decision to publish (or not) that regulatory decision or to publish Legal and Enforcement - Director at a later date1

Adjudication panel

Adjudication with rule 7.2 SRA Regulatory and Authorisation – Director, Heads of Units and Technical Advisers

To appoint the membership of a Adjudication Support Officer Chief Adjudicator, or in the absence committee and to designate the of the Chief Adjudicator, a single Adjudicator

> Investigation and Supervision -Director, Head of Investigations, Head of Forensic Investigations and Intelligence, Investigation Knowledge and Development Manager and Investigation **Managers** AML - Director and Head of AML

Investigations Head of Thematic Team

and Heads of Legal and Enforcement Authorisation - Director, Heads of Unit and Technical Advisers.

# Legal and enforcement

#### No. **Decision**

### 46 To authorise disciplinary proceedings Adjudication and Executive and any other proceedings before the Directors Solicitors Disciplinary Tribunal, and to

#### Job role/department

Legal staff - Director of Legal and Enforcement. Head of

authorise the addition of further allegations

To authorise, issue and defend any proceedings or proposed proceedings Senior Legal Consultant, Senior Legal Advisers and Legal

The above includes the power to issue a restriction notice for the purposes of Part 5 Schedule 13 of the Legal Services Act 2007 to place restrictions on shares within a restricted interest held by a licensed body and to make any application to the High Court under Part 5 of Schedule 13 of that Act or Schedule 14 of that Act and to give any associated notices.

The power to decide whether to publish a decision, or refer to the Solicitors Disciplinary Tribunal.

To authorise a statement of agreed facts, admissions and outcome

To authorise prosecution of offences Legal staff - Director of Leg 48 under the SA 1974, the AJA 1985, the and Enforcement, Head of CLSA 1990, and the LSA 2007 Legal and Enforcement and

49 To decide to give notice:

- 1. pursuant to sections 44B of the SA 1974 to require a person or recognised body to provide information and documents and any equivalent notice, such as paragraph 14 of Schedule 2 to the Administration of Justice Act 1985 and to exercise the related powers pursuant to those provisions
- 2. pursuant to section 93 of the LSA 2007 requiring information to be provided by a licensed

Legal and Enforcement, Head of Risk and Compliance, Head of Legal - General Counsel Advice Team, Case Managers, Senior Legal Consultant, Senior Legal Advisers and Legal Advisers

Legal staff - Director of Legal and Enforcement, Head of Legal and Enforcement, Head of Legal - General Counsel Advice Team and Executive Director (in General Counsel) Chief Adjudicator and **Executive Directors** Legal staff - Director of Legal Legal and Enforcement and Head of Legal - General Counsel Advice Team Adjudication and Executive Directors: decisions (1) to (3) Investigation and Supervision -Director, Head of Investigations, Head of Forensic Investigations and Intelligence, Investigation Knowledge and Development Manager and Investigation Managers: decisions (1) and Legal staff - Director of Legal and Enforcement, Head of Legal and Enforcement, Head of Risk and Compliance, Head

body, and to exercise the related of Legal - General Counsel powers pursuant to those provisions

3. under regulation 66 of the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 to require information and documents to be provided.

To give notice under section 44BA of SA 1974 (to require an explanation of information or any document provided by the person to whom notice is given) any equivalent notice for the purposes of paragraph 14 of Schedule 2 to the AJA 1985, and to 50 exercise the related powers pursuant to those provisions

To authorise an application to court under section 44BB of SA 1974 or section 94 of LSA 2007, and to exercise the related powers pursuant to those provisions

51 To authorise a regulatory settlement agreement including (but not limited) to the following:

- give a written rebuke
- direct payment of a penalty up to and including £25,000
- make a decision to publish (or not) a regulatory decision
- disqualify a person

Advice Team, Case Managers, Senior Legal Consultant, Senior Legal Advisers and Legal Advisers: decisions (1) to (3) Authorisation - Technical Advisers: decisions (1) and (2) Client Protection - Director, Technical Manager and Interventions and Statutory Trust Manager: decisions (1) and (2) AML - Director, Head of AML Investigations and AML Investigation Manager: decisions (1) to (3) Chief Adjudicator and **Executive Directors** Legal staff - Director of Legal and Enforcement, Head of Legal and Enforcement and Head of Legal - General Counsel Advice Team Investigation and Supervision -Director, Head of Investigations, Head of Forensic Investigations and Intelligence, Investigation Knowledge and Development Manager and Investigation Managers in relation to a notice under section 44BA and equivalent notices

Client Protection - Director. Technical Manager and Interventions and Statutory Trust Manager Adjudication and Executive Directors Director of Legal and

Enforcement Heads of Legal Director of Investigation and Supervision Director of AML Any two of: Technical Advisers

in Authorisation, Director of • bring a disqualification to an end Authorisation, Heads of Unit (in

- make an order under section 43(2) of the SA 1974
- make an order under section 99 of the LSA 2007
- impose conditions, interim conditions or other controls upon practising certificates, registration or any other form of authorisation
- issue advice or a warning
- make an application to the SDT
- suspend, or extend the extension of, a practising certificate under section 13B of the SA 1974
- · direct payment of costs

Authorisation); Head of Investigation and Investigation Managers

To authorise a regulatory settlement 52 agreement including a financial penalty in excess of £25,000 Executive Directors Director of Legal and Enforcement

Director of Investigation and Supervision

Director of AML

Any two Heads of Legal and Enforcement or Heads of Investigation and Supervision

Adjudication Directors

Ethics Guidance - Head of Ethics Guidance and Team

Managers

To decide upon applications for 53 waivers of requirements of the SRA Standards and Regulations Authorisation – Director, Heads of Unit, Technical Advisers, Team Leaders, Senior Authorisation Officers and Authorisation Officers Level 2

and Level 3

Education and Training – Director, Head of and Policy

Managers
Adjudication

To deal with applications for authority Directors

Ethics Guidance - Head of Ethics Guidance, Team Managers and Ethics Advisers

55 To approve foreign legal professions for the purposes of section 89 of the CLSA 1990 (A register of foreign

54 to withdraw money from client

account

**Executive Directors** 

lawyers, maintained by The Law Society).

To exercise all powers and make all decisions (excluding waivers and the setting of fees) relating to course providers offering the academic and vocational stages of training under the SRA Education, Training and Assessment Provider Regulations

To deal with all matters relating to assessment organisations and/or providers of post-qualification training under the SRA Authorisation of Individuals Regulations and the SRA Education Training and Assessment Provider Regulations (excluding waivers and the setting of fees).

Adjudication Education and Training – Director, Head of and Policy Managers

To issue letters of advice or a warning regarding future conduct or behaviour under rule 2.4 of the SRA Regulatory and Disciplinary Procedure Rules (RDPR)

Adjudication, Directors and Heads
Investigation and Supervision - Investigation Knowledge and Development Manager and Investigation Managers
Legal staff - Case Managers,
Senior Legal Consultant, Senior Legal Advisers and Legal Advisers