

ANNEX 6

Multi Disciplinary Practice (MDP) working group terms of reference

1. Objectives

1.1. To facilitate the regulation and supervision of MDPs. The term 'regulator' includes professional bodies that impose conduct requirements on firms and individuals and 'regulation' includes such requirements.

1.2. In furtherance of 1.1:

- 1.2.1. to discuss proposals presented by the sub-committees in relation to addressing the issues associated with MDPs and approve the proposals or recommend improvements.
- 1.2.2. to agree a Memorandum of Understanding (MOU), or multiple MOUs, between regulators, ombudsmen and other relevant parties in relation to MDPs based on the proposals of the sub-committees.
- 1.2.3. to develop other means by which regulators will work together to facilitate the regulation of MDPs. Such means may include protocols for sharing information, procedures for joint enforcement action, proposals for greater harmonisation of regulation.
- 1.2.4. to ensure that there is a feedback loop to the Legal Services Board (LSB) via the Alternative Business Structure (ABS) Implementation Group.
- 1.2.5. to share information in relation to MDPs based on research and experience.
- 1.2.6. to have regard to the impact of its proposals on equality and diversity.

2. Deliverables

2.1. Template MOU on which to base the MOUs between the various organisations.

2.2. Final MDP MOU(s).

2.3. Agreement of policy conflicts between parties.

2.4. A decision on the requirement for and form of a permanent forum to be set up after the other deliverables are in place.

3. Scope

3.1. The MDP working group scope includes the scopes of the three sub-committees (technical/legal, client protection and conduct/discipline) as defined in the sub-committee terms of reference.

3.2. The MDP working group scope also includes any other issues identified in relation to MDPs.

4. Representation

4.1. The following bodies shall be represented within the working group:

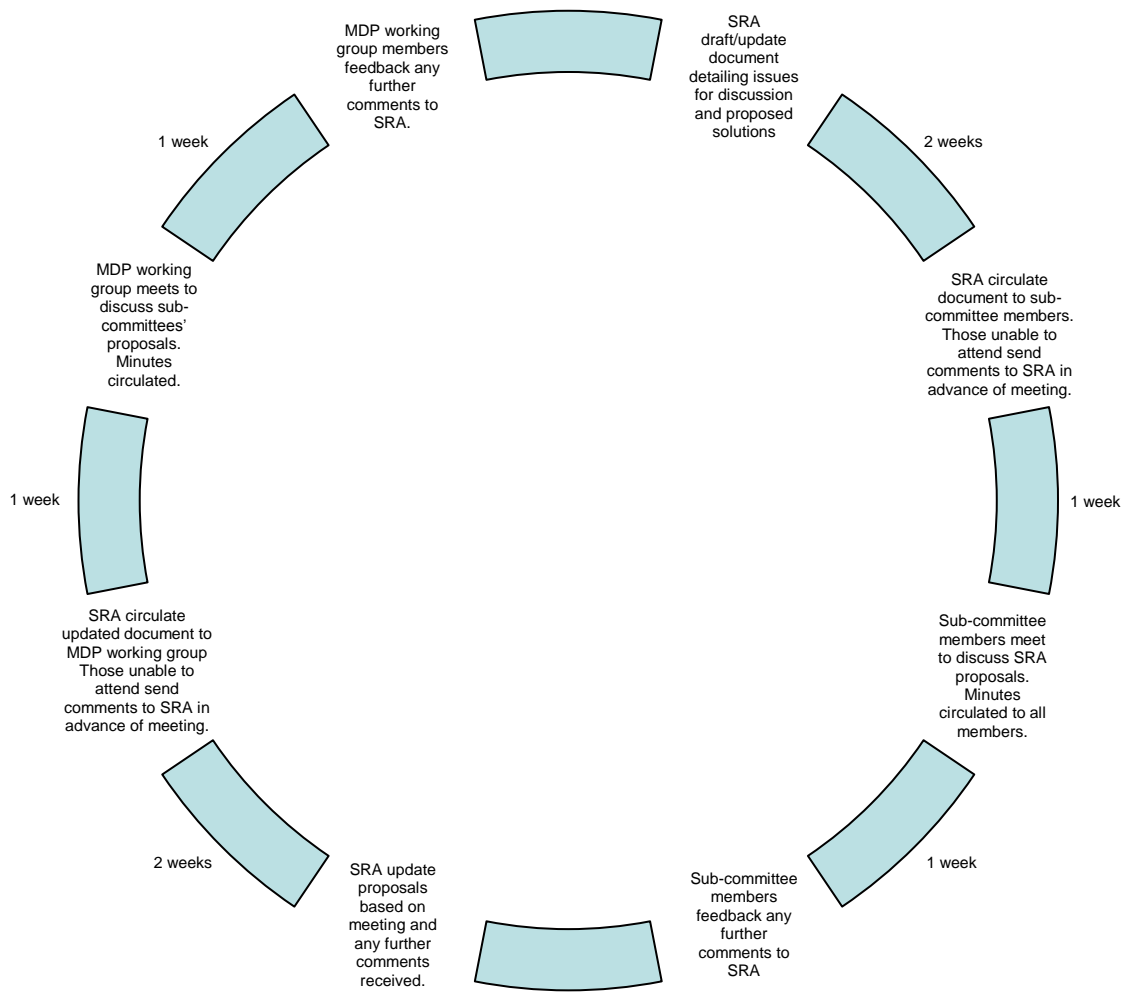
- a. Bar Standards Board (BSB)
- b. Council for Licensed Conveyancers (CLC)

- c. Financial Ombudsman Service (FOS)
- d. Financial Services Authority (FSA)
- e. ILEX Professional Standards (IPS)
- f. Institute of Chartered Accountants in England and Wales (ICAEW)
- g. Institute of Chartered Accountants of Scotland (ICAS)
- h. Intellectual Property Regulation Board (IPReg)
- i. Law Society of Scotland (LSS)
- j. Legal Ombudsman (LeO)
- k. Legal Services Board (LSB)
- l. National Federation of Property Professionals (NFOPP)
- m. Ombudsman Services: Property (OS)
- n. Royal Institution of Chartered Surveyors (RICS)
- o. Solicitors Regulation Authority (SRA)

4.2. The working group will be chaired by rotating representatives of the working group. The sub-committee chairs will initially rotate as chair of the main working group.

5. Development cycle

- 5.1. The MDP working group should meet ahead of any sub-committee meetings to agree on the prioritisation of the issues relating to MDPs to be addressed by each of the sub-committees.
- 5.2. A two-month cycle to develop the MOU(s) and other deliverables is outlined below. The issues should be addressed by the sub-committees in order of prioritisation as decided by the MDP working group.



5.3. As indicated in the above cycle, the MDP working group would meet every other month (in alternate months to the meetings of the sub-committees).

6. Timescale

6.1. The MDP working group shall agree a schedule for the development of deliverables, based on the work plans agreed by the sub-committees.