

The Highs and Lows of Digitising Conveyancing



About InfoTrack

InfoTrack are pioneers in digitising legal processes. They provide a powerful suite of solutions across client onboarding, identity verification, e-signature, and conveyancing services. Their services help to assure compliance, enhance your client experience, and improve productivity within law firms. They take on the burden of labour-intensive, demanding administrative tasks within a single, award-winning platform, empowering firms to focus on delivering an exceptional client experience with every transaction.

About the Digital Conveyancing Maturity Index

The Digital Conveyancing Maturity Index is designed to help conveyancers from England and Wales understand the progress they are making in using technology to support their conveyancing practices. Created by InfoTrack, it assesses the digital capabilities of practitioners across the key stages of conveyancing. Using thousands of data points from hundreds of respondents, it provides the first comprehensive industry-wide view of just how digital conveyancing has become.

To read the full report, see here: www.infotrack.co.uk/digital-conveyancing-maturity-index.

To understand where your own firm's digital priorities should lie, and benchmark your current performance against over 200 industry peers, take a 10 minute assessment here: digitalconveyancingmaturityindex.co.uk/the-survey/.

16th November 2022

Chair



Sam Jordan
is COO at InfoTrack



Peter Ambrose
is Managing Director at The Partnership



Rachael Briggs
is Director at Landsmiths Solicitors



Lloyd Davies
is Managing Director of Convey Law & Chairman of the Conveyancing Foundation



Gareth Fullbrook
is a Senior Associate Executive at Dutton Gregory Solicitors



Emma Gilroy
is Director and Head of Residential Property at JCP Solicitors



Laura Harrington-Rutterford
is Partner & Head of Private Client at Attwells Solicitors



Wesley Huyton
is Conveyancing Team Leader at Optimal Solicitors



Victoria Marshall
is Solicitor & Head of Residential Conveyancing at Pearson Solicitors and Financial Advisers Ltd



Michelle Oliver
is Director & Conveyancing Solicitor at AConveyancing



Angelo Piccirillo
is Partner & CEO at AVRillo Conveyancing

29th November 2022

Chair



Sam Jordan
is COO at InfoTrack



Siobhan Beattie
is Head of Property at Prosperity Law LLP



Mary Beecham
is Head of Conveyancing at Optimal Solicitors



David Jabbari
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Rhian Jervis
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Mike Leeman
is Managing Partner at Bell Lamb & Joynson Solicitors



Christine McClenaghan
is Associate Director & Head of Conveyancing at Thomeycrofts Solicitors



Natalie Moore
is Founder & Director at AConveyancing



Kelly Myatt
is Legal & Commercial Director at Tinsdills Solicitors



Sarah Sams
is a Partner at Dutton Gregory Solicitors



Chloe Smart
is Senior Associate & Head of Residential Property at Landsmiths Solicitors



Simon St Clair-Law
is Director and Head of Legal Practice of DC Law and JS Law, Director of Advantage Property Lawyers & Chair of the Society of Licensed Conveyancers

16th November 2022

Sam Jordan, who chaired the discussion, starts by sharing the results from the InfoTrack Index Report, which analysed how digital the conveyancing process is at different firms. Some of the key findings were:

- The overall average of digitisation stands at 43%;
- At the top end, some firms scored over 90%;
- The results revealed that a thin margin of firms in the market are very digital, and another small margin are not digital at all, with most firms residing somewhere in between (although the average is relatively low);
- The top 10 is made up of: 5 small firms, 4 medium-sized firms (20-200 people), and 1 large firm;
- 2 Specialist Conveyancing firms were amongst the top 10.

One of the two specialist firms was The Partnership, whose Managing Director, Peter Ambrose, was present amongst the roundtable attendees. Thus, turning to him, Sam poses the first question: What are your thoughts on the results? Do you find anything surprising?

The low up-take of technology doesn't surprise Peter. Speaking from interactions he's had with lawyers looking to join his firm, he believes that oftentimes many firms are convinced of the "amazing tech" they have, but in reality, they fail to understand what minimal effect that technology is having on their business. While we are not seeing very high levels of tech investment, Lloyd Davies points to how the pandemic helped speed up the industry, and while there's still a long way to go, the future looks bright with better journeys and a happier clientele. This point resonates with everyone around the table; Emma Gilroy agrees that COVID gave people the push they so desperately needed, fast-forwarding conveyancing years beyond where it would otherwise be. As Gareth Fullbrook explains, where budgeting might have deterred investment pre-pandemic, firms were left with no choice unless they wished to remain behind.

The chair acknowledges that indeed the Index does indicate a correlation between required change and tech integration, particularly in the case of HMLR's mandated change to digital AP1s and the necessity of digital ID checks over the pandemic.

A sense of exasperation is shared by the panel, who feels that the industry never takes advantage of new technology until it is forced to. Angelo Piccirillo calls it "a tragedy", arguing that employers have a responsibility to digitise as a way of better looking after their employees. Lawyers constantly find themselves time-poor and firms are going out of business, and yet not enough firms are taking whatever profit they make and re-investing it into the business – a mistake, warns Angelo, that could cost many their hard-working employees.

Is mandating the answer?

It is suggested by some that authorities – like the Land Registry – should pressure firms to move faster towards technology. Picking up on this point, Sam asks who could make things move forward, and whether it's wise to argue that it might take mandates to do so.

Angelo maintains that firms "have to bite the bullet and invest in innovation". He stresses how clients are demanding much more from their lawyers today, and "mandated may be the only way to change" the industry and ensure more tech boundaries are pushed, and conveyancers are offered the help they need.

Rachael Briggs believes that a good starting point would be a more efficient relationship between lenders and conveyancers. She argues that there is much-needed amelioration in the document-sharing processes used by lenders. In a similar vein, Wesley Huyton argues that the likes of LMS and Lender Exchange must do more; the systems in place are useful to transactions, but if more automation were to be introduced, it would reduce the need to chase multiple avenues for different pieces of information.

Lloyd contends that the issue goes far deeper than what has been mentioned by the panel, as lenders themselves face the same struggles lawyers face, having to deal with "antiquated systems" before arriving at the point of document-upload. He refers to both lending and conveyancing systems as "fractured", believing that nothing will change until a disruptor is introduced to the system and offers the latest revolutionary tech for free.

It is not simply a matter of introducing new tech either, adds Sam, the industry must understand what best practice means in light of today's advanced tech, and it must stop trying to replicate traditional methods using digital platforms.

Peter disagrees that the system is entirely broken, instead he believes that it's "simply not good enough", and firms will keep getting away with using it unless they are faced with the need for a 'burning platform', such as was the case with digital ID checks over the pandemic. He also introduces the issue of 'integration' to the table, noting that many firms are not willing to adopt new technology as it would require them to completely alter their systems.

"Integration is the pitfall", agrees Michelle Oliver. She recounts her own firm's experience with new-tech introduction, emphasising how crucial it was to find systems that can easily integrate with those already existing. This led the panel to debate one question often asked around firm boardrooms: 'Is it worth changing systems?' Most agree that time is most rewardingly invested in searching for systems that will benefit the firm and integrate without hassle.

"mandated may be the only way to change"

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Throughout the discussion, many praised the benefits that they witnessed their firm gain as a direct result of digital solutions; for example, when dealing with overseas clients as Victoria Marshall explains, or with the introduction of electronic signatures during lockdown as Wesley points out. Yet, the debate kept returning to mandates and whether they were needed to ensure change. While electronic solutions work with overseas clients, you still face pushback by those unwilling to bend to modernisation, recounts Victoria from experience. Or, despite the Land Registry publishing a guide promoting the use of electronic signatures, approval was still needed from both parties before making use of the technology in transactions, much to the disapproval of Wesley, who describes how many people he has had to deal with who continue to object to their use.

When there is this much debate around the adoption of simple tech, many prefer to stick with traditional systems, and so, the cycle keeps going. The natural way around these issues would be a mandate, and while no explicit consensus was reached, many of the points made during the roundtable discussion point towards authority-intervention being the best course of action if the industry wishes for real change.

What is driving change in firms?

Turning now towards the question of 'what drives people forward', Sam asks the cohort to discuss their own firms and what active drivers they believe lie behind change at their companies.

Wellbeing is at the forefront for Angelo, who highlights the recent mass exodus of doctors and nurses from the medical industry as a very possible reality for lawyers in the near future. "People are our main motivator", he stresses, noting how hard his firm works to ensure its employees are treated correctly and don't form part of the ever-growing number of lawyers feeling disengaged from their jobs due to insufficient pay and unrealistic workloads.

Gareth shares Angelo's enthusiasm for automation, commenting how admin-heavy conveyancing could benefit from better streamlining of processes in order to free up more time for lawyers to focus on other tasks.

"human contact remains critical in conveyancing"





“it is key to ensure that what you onboard is always what works best for your specific company”

However, he also warns of the importance of a fine balance between automation and manual systems, as human contact remains critical in conveyancing. Emma makes a similar point, vouching for the personal touch in the conveyancing process while emphasising the advantages to better tech-implementation. Ultimately, allowing your employees to better manage their workload will improve their wellbeing, which results in a happier team, offering a better service, and boosting profitability.

Having taken over a well-established company – that has been running since the 80’s – Rachael’s main driver of change is the modernisation of pre-existing systems in order to maximise efficiency. Building on this idea of ‘modernisation’ as the main driver, Emma stresses the importance of not rushing into the adoption of new systems; she notes how it is key to ensure that what you onboard is always what works best for your specific company. Peter agrees, sharing his own experience of working with service providers and observing how selective a firm should be over what technological systems it onboards. He highlights how important it is for vendors to be malleable to your needs, and improve upon systems to fit with what you require.

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What’s next in 2023?

Looking forward towards the new year, Sam asks the attendees: “What are your digital priorities? What do you think every firm should be doing?”

Angelo believes it is using qualified or advance signatures for TR1s, instead of relying on the postal service to send across paperwork. Similarly, and referring back to the Index Report, Lloyd reveals how one of the most worrying statistics he read is the large number of people still not using digital ID and e-signatures – this should be the priority for him, particularly when conducting due diligence.

For Wessley, Emma, Michelle, and Gareth, the focus should be on customer onboarding, streamlining the process, and making sure it’s at its best capacity. They all note their own respective firms’ work on the matter. This client-centred priority is shared by Rachael, whose firm is reviewing their client portal and considering how to ameliorate the way clients can check the progress of their case, as well as better facilitate agents to log in and track documents, reducing the overall level of admin required.

Victoria’s focus is on report on title, taking a step back to analyse the firm’s current methods and figuring out a way to speed up the process. Peter’s attention turns to ‘straight-through processing’, a procedure that banks have been using for over 40 years, which he believes the conveyancing industry is missing out on.

As the country battles a recession – with impact across all areas of the law, including conveyancing – the cohort believes that, generally, a stronger focus will be put on technology and digitisation over the coming year to hopefully ease the obstacles every firm will face.

29th November 2022

Sam Jordan returned to chair the second roundtable discussion. He starts once more by placing the conversation within the context of InfoTrack’s Digital Conveyancing Maturity Index. He shares the key statistics, noting also that onboarding saw a good result thanks to more people doing digital ID checks, the post-completion process benefitted from the amount of people completing digital AP1s, and the least digitally mature part of the process was at pre-completion. External factors – like the pandemic and HMLR’s mandate – pushed many averages up; however, the digital maturity level of the industry remains low.

To begin, Sam asks the cohort for their thoughts on the results, and whether they matched their own observations.

David Jabbari is first to share his thoughts, admitting that “what the report captures is a very accurate reflection of the state of the conveyancing market”. He goes on to explain that on one hand, there are many reasons to be optimistic, particularly as we are in a time of conveyancing where some of the most significant interventions are coming into the market and challenging traditional processes, but on the other hand, the very nature of conveyancing itself can often restrict tech development.

Everyone around the table agrees with David that the results were unsurprising, with some – like Natalie Moore – even admitting that they were an “eye-opener” for their firm. Simon St Clair-Law shares his concern that the industry might have a long way to go before moving digital conveyancing further. He raises the issue of integration, and the dilemma firms face between employing external tech or building their own. There needs to be more communication between different case management systems used by separate companies, and Simon believes that an agreed API dataset, or even a digital register from the Land Registry, would greatly help the profession.

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The pandemic might have helped push digitalisation forward in the industry, but Mike Leeman feels that while some firms are trying to be more digital, the majority of the market isn’t interested, don’t see the benefit, or find it too difficult to implement change. He shares the frustration he has felt when dealing with firms who are still adamant on using traditional processes, like wet signatures on documentation, or correspondence over email in lieu of digital inquiries. The market is “too disjointed”, and Mike is not sure where the solution to a more digital conveyancing lies.

Chloe Smart and Kelly Myatt share similar experiences to Mike. Chloe explains how many draft contracts she still receives through the post, and how often digital advances are rejected by ‘the other side’ of a transaction. However, she is hopeful that HMLR’s mandate on AP1s is a “sign of things to come”, and seeing the progress made over the past two years, more will be done. For Kelly, the pandemic vaulted conveyancing forward by 10 to 15 years, otherwise the industry “would have sat happily where it was”. She also raises the interesting point that for many firms, who offer other services in addition to conveyancing, it is harder to find technology that integrates well, as it must be a ‘one-size-fits-all’ for all the different sections of the company.

What are the benefits of ‘digital’?

For a firm to prioritise digitisation, the benefits must outweigh the cost, so Sam poses the following question to the cohort: What are the particular benefits that your firm prioritises when it’s trying to be more digital?

It’s mainly efficiency for Rhian Jervis, as well as the improvement of journey for the client. She tells the group of her firm’s paper-free initiative and their change of case management system over lockdown, which has opened up many new avenues, such as portals to further streamline the service offered. Sarah Sams agrees with Rhian about the benefit of efficiency, describing how ensuring that the best person for the job is doing the work is how a company moves forward. Where a process can be automated, like in the case of property reports, that “leap of faith” should be taken so that fee-earners’ time is freed up.

Making sure that clients are completely onboard with any tech advancements is critical for Christine McClenaghan. Digitalising can make the process much smoother and efficient, but a firm must prove to its clients that they should trust their investment and that the process will be better for them, as was the case with Christine’s firm when developing their app.

Mary Beecham – whose firm is almost fully remote – explains how key technology is for them in terms of operating, implementing systems, efficiency, and providing a great client journey. She also mentions how beneficial digital-development is for compliance, especially in monitoring it and making use of it in reporting. Siobhan Beattie shares her story of moving from a firm in London,

where she'd developed a substantial client base, to her current firm in Liverpool. Through the great benefits of technology, she was able to move a great number of clients with her, as the distance between the two cities did not hinder the service provided.

Mike and David also agree that the client's journey is the main driver for their firm, with David explaining that the journey is where most conveyancers risk letting their client down. Mike shares how 98% of his clients use the firm's app, and the feedback is very positive. He emphasises that most clients today "expect a digital journey", as it allows them to do things on their own time. David believes that in conveyancing it's easy to end up focussing too much on "vanilla systems" like case management, CRM, and ID-checking, which could all be done very effectively by an external provider; what conveyancers need to focus on are the processes around those systems.

How have your people been impacted?

Given how client-driven the cohort seems, Sam asks them to discuss whether digitalisation has also improved employee experience.

For Simon, the most important advancement for his employees has been an increased agility in their work process. The firm has focused on increasing their integration with external providers, which has allowed for everything to be done through the main case management system. Mary shares a similar experience, with her firm's focus on remote working, full integration of new technologies into the main system is crucial for employees.

The reduction in admin work as a direct benefit of digitalisation is praised by the entire cohort. Christine explains how the introduction of their app has greatly reduced the number of calls and emails that her team receive, as matters can be more swiftly resolved online. Natalie adds how risk is also reduced as a result of technology like ID-verification, with less pressure put on the team to detect fraud.

Taking up the topic of ID-verification, Sam expresses his worry that some people might feel like their job is threatened as more administrative tasks become automated. He asks the group whether they've faced much resistance.

"digitalisation has facilitated collective work"



"the industry needs to find a smarter way of working and collaborating"

Rhian admits to hearing some murmurs when new technology is being implemented, but she emphasises how important it is to stress the benefits – lawyers having more time for legal work, junior lawyers able to focus on projects that will enhance their legal skills, less risk being involved – and the team eventually comes round to the idea. For Sarah's firm, being split over five offices, digitalisation has facilitated collective work, especially when someone needs an extra hand and anyone from any office is able to help them.

Is it easier to recruit?

The chair now turns to recruitment, asking: Does the technology you use give you a competitive advantage?

Both Kelly and David express how positive the response has been to the flexibility offered by remote working as a result of technology. David explains how careful his firm is in onboarding only those who fit in with the environment of the company. Siobhan highlights the same issue, emphasising how important it is to recruit "like-minded people", and to discuss the technology available at interview-stage to ensure that the expectations and abilities of whomever comes into the team are in line with the company.

It is an issue often raised at interview-stage, agrees Chloe, as it's "fundamental for both sides". The firm must ensure that it's bringing on a like-minded person, while that person needs to ensure they'll be happy with the system. Mike believes that the technology available at his firm has often given them the edge when competing for talent. The culture fostered at the company, one which encourages change and thrives to provide employees with all the tools they might need, has driven recruitment for the firm.

What's next?

Looking towards the next 3-5 years, Sam asks the cohort for their thoughts on where technology in the conveyancing industry is headed.

A lot of work is currently being focused on upfront information, especially at offer-stage, and so Kelly believes the industry will witness a lot of change on this front in the coming years. The group all agree that overall more collaboration is needed, not only between lawyers and firms, but with lenders as well. Mary expresses a wish to see a partnership between regulators, conveyancers and lenders tackle the need for change in the industry, and push for it together. "It's about unity across the board!", agrees Chloe.

Many among the cohort discuss the possibility of a mandate issued by organisations like HMLR, which would enforce technological advancement in some areas of the profession. Christine notes how the pandemic proved that the industry can be more digital when it is required to do so, and thus something should be done to encourage the process to speed up. Simon agrees that regulators ought to do more, and he also raises a very important point around climate change being another driver for change. He emphasises how firms should focus on climate matters too, such as their carbon footprint, when considering how digital innovation can help.

Mike asserts that the industry needs to find a smarter way of working and collaborating. He indicates how much risk is involved in communication channels like e-mail, which could be avoided if newer and more tech-advanced methods were developed and more widespread. Agreeing with Mike, David notes just how fragmented the conveyancing industry really is, as thousands of regulated firms operate with their own systems. He compares the UK with other countries, describing its system as "in crisis", particularly when considering the length of time for a transaction. What he believes would truly revolutionise the profession would be an automation of title-checking and lease review, ultimately leading to an automation of the enquiries process and eventually the entire end-to-end process.

To conclude the roundtable discussion, the chair and the attendees discuss conveyancing's digital maturity in the context of the ongoing recession. Opinions are mixed on whether this period will push firms to invest more into technology, or less. Some argue that many companies will become introverted and return to their old ways, or altogether avoid spending too much during the recession, while others believe that firms will only thrive if they use this time to reflect on their processes and highlight the areas to invest in.

