



Research into form TA6

Research Report

January 2025

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Contents

Introduction	4
Background	4
Aims and objectives of the research	4
Executive Summary	5
1. Methodology	7
Timeline and research methodology	7
Report layout	7
A note on terminology	8
Response rate of the online survey	8
Sample composition of the online survey participants	8
2. Use of property information forms	10
Key findings	10
Detailed results	10
3. Overall assessment of the 5th Edition	13
Key findings	13
Detailed results	13
4. Advantages and disadvantages of using the 5th Edition	16
Key findings	16
Detailed results	16
5. Experience of the transition to the 5th Edition	20
Key findings	20
Detailed results	20
6. Resources available to support the transition to the 5th Edition	25
Key findings	25
Detailed results	25
7. Detailed reactions to the 5th Edition	27
Key findings	27
Detailed results	27

8. Questions conveyancers believe sellers are having difficulty answering	30
Key findings	30
Detailed results	30
9. Material information	35
Key findings	35
Detailed results	35
10. Resolving problems with the 5th Edition	37
Key findings	37
Detailed results	37
11. Potential reforms to conveyancing	42
Key findings	42
Detailed results	42
12. Sellers' opinions of TA6 5th Edition	45
Key findings	45
Detailed results	45
13. Communication and Digitisation	50
Key findings	50
Detailed results	50
Appendix A – Online survey questionnaire	56
Appendix B – focus group discussion guide	74

Introduction

Background

The TA6 Property Information Form is the form for the seller to give the prospective buyer detailed information about the property. The 5th Edition was introduced in March 2024 and was due to be mandatory for Conveyancing Quality Scheme¹ members by 25th June 2024. The 5th Edition includes new topics (sections and questions) relating to material information, following changes to the NTSELAT (National Trading Standards) material information guidance. These included:

- a. Section 1: Council tax
- b. Section 2: Asking price
- c. Section 3: Tenure, ownership and charges
- d. Section 4: Physical characteristics of the property
- e. Section 7: Building safety
- f. Question 8.4: Restrictive covenants
- g. Question 10.4: Coastal erosion
- h. Section 13: Accessibility
- i. Section 14: Coalfield or mining area

However, having listened to feedback on the new form, including a resolution for a Special General Meeting, The Law Society have decided to postpone compulsory implementation for CQS members and to consult with the industry. The Law Society appointed 2CV Ltd, an independent research agency, to carry out objective research to seek the views of conveyancers, estate agents, sellers and other interested parties. This report summarises the feedback received during this research.

Aims and objectives of the research

The main objectives of the research programme were to:

- Gather feedback on the transition process to the 5th Edition.
- Understand users' experiences and views of the TA6 form (and its part in the wider conveyancing landscape).
- Identify potential improvements to the 5th Edition.
- Understand views on a wider range of potential reforms to the market.

Ideally the research should also:

- Demonstrate The Law Society's commitment to the consultation.
- Provide an evidence base which is demonstrably independent.

¹ The Conveyancing Quality Scheme (CQS) is a recognised quality standard for SRA-regulated firms in residential conveyancing. It sets out the standards of competence, risk management and client service levels expected of practices.

Executive Summary

1. The TA6 Property Information Form is the form for the seller to give the prospective buyer detailed information about the property. The 5th Edition was introduced in March 2024 and was due to be mandatory for Conveyancing Quality Scheme (CQS) members by 25th June 2024. The 5th Edition includes new topics (sections and questions) relating to material information, following guidance issued by NTSELAT (National Trading Standards) about material information.
2. However, having listened to feedback on the new form, including a resolution for a Special General Meeting, The Law Society have decided to postpone compulsory implementation for CQS members and to consult with the industry. The Law Society appointed 2CV Ltd, an independent research agency, to carry out objective research to seek the views of conveyancers, estate agents, sellers and other interested parties. This report summarises the feedback received during this research.
3. The 4th Edition of the TA6 form is still being used as the main property information form by a large majority of participants in the research. Many conveyancers are using the 4th and 5th Editions simultaneously, for example using the 4th Edition for their own (seller) clients while working with copies of the 5th Edition sent to them.
4. Those who have switched to the 5th Edition have largely done so due to it being required by the CQS or because they were supplied with the form by other conveyancers. At the time it was introduced, awareness of the rationale for the introduction of the 5th Edition and its impact on sellers and conveyancers was very low.
5. A large majority of those who have used the 5th Edition and participated in the research say it is difficult to use, and almost all participants say it is harder to use than the 4th Edition. So far, participants report that these problems are not being significantly reduced by increasing familiarity with the form through repeated use (although given that the majority of participants are still mainly using the 4th Edition this is not surprising).
6. Similar proportions of participants described the transition to the 5th Edition as difficult and also referred to it as coming on top of other burdens such as AML and BSA 2022. However, awareness of resources to help with the introduction of the form is fairly low and unfortunately it is not possible to identify from the responses which (if any) training resources have proven beneficial.
7. The majority of comments concerning issues with the transition to the 5th Edition relate to the form itself. However, many participants also feel that a consultation by the Law Society should have taken place on the new edition of the form before its introduction, along with more notice in advance and training on how to use the new form correctly. In addition, sellers and some conveyancers feel it is important that documents intended for completion by non-practitioners should be tested with consumers.
8. Reasons why the 5th Edition is seen as difficult by participants centre on the complexity and length of the new form, and the resultant knock-on effects on conveyancers. Participants believe the difficulty sellers have understanding the form means they need additional support, which results in more work for conveyancers who need to correct mistakes and help sellers more.
9. Many participants believe the resultant delays are actually undermining the whole rationale for the 5th Edition by causing delays and that there is the danger that misrepresentation may occur due to omissions or mistakes.
10. Many areas of the form are seen by conveyancers participating as difficult to answer for sellers, especially the restrictive covenants, building safety, coalfield or mining areas and erosions sections. The reasons for difficulty include sellers lacking the relevant information, the use of legal terminology and the questions not being relevant to them. Specific aspects of the form design such as the lack of "don't know" options are also mentioned, along with poor question design on some cases.

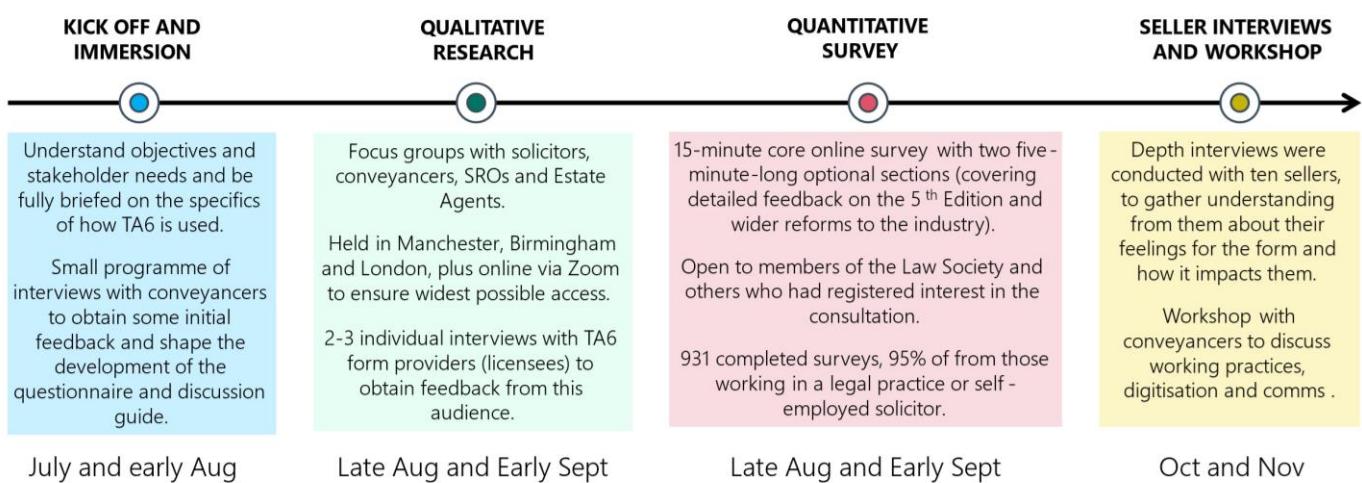
11. There also appears to be confusion amongst both conveyancers and sellers about the fact that form is to only be completed to the best of the sellers' ability. This confusion should be seen in the context that the form is a legal document and contains a warning of liability on the sellers' part for incorrect information.
12. Wider issues with the 5th Edition raised include the belief by some conveyancers participating that much of this information is better collected later in the sales process, via the Title search or the survey. More fundamentally, some participants believe the form moves away from the principle of caveat emptor and contradicts elements of the Conveyancing Protocol.
13. Most participants feel it is the responsibility of The Law Society, working with individual practitioners, to resolve these issues with the form. Changes that would be seen as most helpful include the postponement of making the form compulsory for CQS members, expanding the answer sections to include more "don't know" options and free text responses and improving the Law Society National Conveyancing Protocol to set out the TA6 requirements more clearly. Better explanatory guides would also improve the experience of conveyancers and solicitors working with the form, although this should be seen in the context of a lack of awareness (or use) of the existing guides amongst many participants.
14. Regarding issues within the industry more widely, there is almost universal agreement amongst participants that reforms are needed. The most commonly mentioned reforms are better regulation of estate agents and consumer education (in fact consumer education is more generally supported by the research). Also mentioned by more than half of participants are changes to estate agents' referral fees, ensuring that estate agents provide full details of the chain, and simplification of SDLT/LTT.

1. Methodology

Timeline and research methodology

- August 2024 The Law Society launches the consultation to hear from solicitors, licensed conveyancers and other professionals working in conveyancing. Interested individuals were asked to sign up to take part in the consultation.
- August and September 2024 – 2CV Ltd contacts solicitors, licensed conveyancers and other professionals working in the industry to participate in the research. A wide range of methodologies are used (see below) to maximise the opportunities for involvement in the consultation.
- October 2024 – 2CV reports the findings of the research to The Law Society and an online workshop is organised to explore key areas of concern arising from the research including communications and working practices.
- November 2024 – following analysis of the consultation participants' comments that sellers have having difficulty completing the form, the scope of the research is extended to include interviews with sellers.

The research methodology used by 2CV is summarised below. It involved a mixture of approaches and audiences to build a detailed and accurate view of opinions about the 5th Edition.



Report layout

Chapters Two to Eleven of the report broadly follows the structure of the online survey, while Chapter 12 contains the results of the seller interviews and Chapter 13 the conveyancers' workshop. Where differences are reported between audiences (such as CQS Accredited practices and others) these are statistically significant at the 95% level, unless otherwise recorded.

Findings from the conveyancers and SROs focus groups were highly consistent with the online survey and have been included where they provide additional information. Findings from the estate agents focus group are separately identified and are framed by the fact they often have their own forms for vendors which are completed before the property is listed.

Quotations from participants are shown in italics and the job description of the participants is indicated. Where participants wrote in a job title which was not on the list of common job titles in the online survey it has been labelled "Other" to avoid potentially revealing their identity. SROs, Equity Partners and Salaried Partners are referred to accordingly, regardless of the fact that they are conveyancers in the majority of cases.

Quotations have been taken verbatim from comments made in the online survey or the focus group and interview transcripts, any edits for clarity are shown in brackets thus [xx].

A note on terminology

In their comments, participants interchangeably use the terms "conveyancer" and "solicitor"; and "seller", "vendor" and to an extent "client", although the latter can also refer to the buyer or in a probate matter the executor or executors of the deceased's estate. In our commentary we have used the terminology "conveyancer" and "seller", unless the context requires otherwise.

Response rate of the online survey

Any online survey will have a self-selecting sample to some extent; however, the Law Society attempted to mitigate the self-selection issue as far as possible by extensively communicating the importance of taking part in the research to all solicitors with residential conveyancing as a specialist practice area or interest.

Invitations to the online survey were sent to participants who had registered to take part in the consultation and Practising Certificate holders working in property. In addition, links to the survey were also sent to a number of stakeholder groups for circulation to their members. Allowing for some overlap between these groups, approximately 18,000 people were invited to take part in the online survey. A total of 931 completed surveys were received, a response rate of 5%.

While this is a large enough sample to offer a considerable degree of confidence in the statistical reliability of the data (and to allow comparisons between different groups of participants such as SROs and others), by definition the sample is self-selecting. It is reasonable to infer that participants have stronger views about the subject matter than the sample population as a whole.

The online survey data has not been weighted either to reflect the characteristics of the participants (e.g. the size of their practice) or the volume of conveyancing work they undertake. Therefore, the data on the version of form TA6 used or the method of completion should not be taken as representing "market-share" and may differ from other data held, for example by the form licensees.

Sample composition of the online survey participants

The majority taking part in the survey (92 percent) work in a legal practice (including as a sole practitioner), a further four percent are freelance solicitors and just one percent are from a local authority. No other group comprised more than one percent of those taking part in the survey.

Of those in a legal practice, 88 percent work at practices which are CQS Accredited, and of those working at CQS Accredited practices, 29 percent are the SRO. This is a quarter (23 percent) of the total sample.

Table 1.1 Main organisation working in

	%
Legal practice (including as sole practitioner)	92%
I work as a freelance solicitor	4%
Local authority	1%
Estate agent	<1%
Property developer, builder etc.	<1%
Form TA6 Provider	<1%
Trade association	<1%
Government or regulator	<1%
Other	3%
NET: All in legal practice or self-employed solicitor	95%
NET: All working for estate agent, property developer or local authority	1%

Question: A1. Which of the following best describes the main organisation you currently work in?

Base: All respondents (931)

Of those working in a legal practice, just over a third (35 percent) are solicitors, around three-in-ten (29 percent) are equity partners and 15 percent salaried partners.

Of those working within a legal practice, or as a freelance solicitor, conveyancing is a main role for most (88 percent), while 18 percent manage team members involved in conveyancing. Those managing a team manage on average seven members of staff.

A third of those working within a legal practice (32 percent) say their firm currently pays Estate Agent referral fees.

Table 1.2 Role within legal practice

	%
Solicitor	35%
Equity Partner (you have a share in the business)	29%
Salaried Partner (managerial position)	15%
Licensed Conveyancer	4%
Conveyancing Executive	3%
Sole practitioner	3%
Consultant (you are an adviser to the other lawyers)	3%
Assistant Solicitor	2%
Chartered Legal Executive	2%
Paralegal	1%
Trainee Conveyancer or Solicitor	1%
Other	2%

Question: A4. Which of these roles best describes your position within your organisation?

Base: All working in a legal practice (854)

2. Use of property information forms

Key findings

- Fewer than a quarter of participants are mainly using the 5th Edition.
- There is widespread use of both the 4th and 5th Edition among participants. Additionally, many estate agents also require sellers to complete their own forms before listing a property.
- Nearly half of participants are mainly working with PDF versions of TA6 completed manually (In the conveyancer workshop this was also the most common form type used by participants).

Detailed results

The online survey participants working in a legal practice, as a self-employed solicitor or for an estate agent, property developer or local authority were asked about which property information form they mainly use, and if not TA6 5th Edition, whether they have used the 5th Edition at all since its introduction.

Around four-in-five (79 percent) are mainly using the TA6 4th edition and one-in-five (20 percent) are mainly using the 5th Edition. Even amongst those who found the transition to the 5th Edition easy, only two thirds (69 percent) are mainly using it.

Table 2.1 Property information form mainly used

	%
TA6 4th edition (2020)	79%
TA6 5th edition (2024)	20%
Propertymark PIQ	<1%
Other	1%

Question: B1. Which property information form do you mainly use now in conveyancing transactions when acting for sellers?

Base: All working in a legal practice, self-employed solicitor, estate agent, property developer or local authority (900)

Three quarters (75 percent) of those mainly using the 4th Edition or other property information forms, have used the 5th Edition (for example when sent it by another conveyancer). Combining these questions, 80 percent overall have worked with the 5th Edition and a significant number are working with both the 4th and 5th Editions.

"At present we currently use both editions of the form. We are in the process of updating our report which we send to our client and now need to include additional sections." (Solicitor)

"I don't use it, [but] others supply it with their contract packs. It just adds to the checking needed and generates more enquiries". (Solicitor)

Those working at CQS Accredited practices are significantly more likely to have used the 5th Edition (83 percent) than those working at non CQS Accredited practices (65 percent). However, there is not such a significant difference in these practices mainly using the 5th Edition (21 percent vs 17 percent respectively).

Table 2.2 Property information forms used

	%
Mainly using TA6 5th edition	20%
Other users of TA6 5th edition	60%
All users of TA6 5th edition	80%
Non-users	20%

Question: B2. Have you used the TA6 5th edition (2024) at all yet (either when acting for sellers or buyers)?

Base: All working in a legal practice, self-employed solicitor, estate agent, property developer or local authority and not using TA6 5th Edition as their main Property Information Form (720)

Some participants also discussed reverting to using the 4th Edition after using the 5th Edition a few times. This was due to finding the form difficult to use and/or finding out it was not mandatory to use the 5th Edition yet.

"So, we're not using it. We were gearing up to. We have a lot of automation in the sense of setting up files. We have a case management system which is quite advanced, so there's quite a lot of development in preparing a welcome pack out for clients to complete, to move that across to what then was going to be quite a larger form was going to take a bit [of work], so I think it was in the works with a few grumbles. And then as soon as we kind of heard, oh, it's going to be postponed, we just were like, great.... And kind of just our plan is realistically to hold on until it's absolutely necessary for various reasons" (Conveyancer)

"I have used the form once when I was told they were mandatory and then reverted to using 4th edition as the 5th edition is too onerous" (Other)

Nearly three quarters (71 percent) use a PDF version of the TA6, and only a quarter (26 percent) use a digital version. Just under half (46 percent) working with forms completed by hand. Use of digital forms has little impact on the TA6 Edition used; with 19 percent of those using digital forms mainly using the 5th Edition (vs 21 percent not using digital forms using the 5th Edition).

Table 2.3 TA6 format used

	%
PDF completed by hand	46%
PDF completed electronically	25%
Other digital form (with no automatic completion)	13%
Smart Form (a digital form partly completed automatically)	13%
Other	2%

Question: B4. Which format of TA6 do you mainly use in conveyancing transactions when acting for sellers?

Base: All using TA6 forms 4th or 5th edition (887)

The estate agents we spoke to expressed a general lack of awareness about the revised TA6 form, with some agents surprised at its existence and others not knowing it had changed recently. Many agents rely on their own in-house forms to gather property information, believing they are more comprehensive and tailored to their needs.

For many rental properties, the properties may have been marketed by the same agents for many years so the details will already be "on-file". There is also a perception amongst estate agents that the TA6 form is more of a legal document, which may not align with the practical needs of estate agents and their clients.

"We don't personally use it [TA6], because it is a Law Society form and therefore one would anticipate that this is therefore a legal form. And as an estate agent, we are getting the information prior to [the listing]." (Estate Agent)

However, even for these usually simpler estate agent forms, sellers often provide vague or incomplete information, leading to potential issues later in the conveyancing process. This is consistent with the challenges faced by users of TA6.

"We use a consumer form that we give all of our vendors prior to actually taking their property on the market, which asks enormous amount of these questions in the first place. But again, we do find that they're either, they're not necessarily completed correctly." (Estate Agent)

3. Overall assessment of the 5th Edition

Key findings

- The 5th Edition is seen as difficult to use by three quarters of users.
- Almost all believe it is harder to use than the 4th Edition.
- Even amongst those most familiar with the 5th Edition, many still report challenges.

Detailed results

Online survey participants who have used the 5th Edition were asked to rate how difficult it was to use on a five-point scale and to compare its ease of use with the 4th Edition. For completeness, the results of the question concerning whether the 5th Edition has become easier to use now participants are used to it (asked on an agree strongly to disagree strongly scale) are also reported in this section.

The 5th Edition is seen as very difficult to use by 35 percent and quite difficult to use by a further 38 percent. Only nine percent rated it as very or quite easy to use (the remainder replying it was neither easy nor difficult to use).

Table 3.1 Ease of using the TA6 5th Edition

	%
Very difficult to use	35%
Quite difficult to use	38%
Neither easy nor difficult to use	18%
Quite easy to use	7%
Very easy to use	2%
NET: Difficult	73%
NET: Easy	9%

Question: D3. On a scale of 1 to 5, 1 being "very difficult" and 5 being "very easy" ... how easy is the 5th Edition form to use?
Base: All that have used the TA6 5th edition (717)

Those working in a CQS Accredited firm are more likely to state that the 5th Edition is difficult to use (74 percent vs 59% of non-CQS Accredited firms). Those who are mainly using the 5th Edition are less likely to state that it is difficult to use, but 19 percent still say it is very difficult to use and 36 percent that it is quite difficult to use.

"The new TA6 form is overly complex for clients to complete and includes a large number of non-applicable enquires best left for a separate form which only adds to the confusion caused. The new TA6 form also contains a large number of generic enquiries that I would not normally accept if raised by a conveyancer under the CQS protocol." (Solicitor)

"The TA6 form (2024) is a much more comprehensive form, expecting much more knowledge from the seller than originally required. It was a step away from caveat emptor in respect of the questions regarding the construct of the property, and its incorporation of TA7 (to an extent) was a confusing aside for the clients." (Solicitor)

Almost nine-in-ten (89 percent) of those that have used the 5th Edition believe this form is harder to use than the 4th Edition. Variations by audience on this question are like those for the assessment about whether the 5th Edition is difficult to use.

Table 3.2 Ease of use compared to the TA6 4th edition

	%
The 4th Edition was easier to use	89%
The 5th Edition is easier to use	1%
Neither are easy to use	3%
Both are equally easy to use	7%

Question: D4. On a scale of 1 to 5, 1 being "very difficult" and 5 being "very easy" ... how easy is the 5th Edition form to use?

Base: All that have used the TA6 5th edition (716)

Some participants mentioned having to revert back to the 4th Edition due to these issues.

"We only "use" the 5th Edition if the seller's conveyancers use it. We do not use it on our own sales. It's a dreadful form and, given that very few 4th Edition forms are completed correctly by sellers, it has come as no surprise to me that the 5th Edition ones I have seen so far are woefully incorrect and incomplete." (Consultant)

Only nine percent agree with the statement "Now we are used to using the 5th Edition, it is not causing any significant problems". Variations by audience on this question are again like those for the assessment about whether the 5th Edition is difficult to use.

Table 3.3 Ease of use compared to the TA6 4th edition

	%
Strongly agree	2%
Agree	7%
Neither / nor	14%
Disagree	16%
Strongly disagree	61%
NET: Agree	77%
NET: Disagree	9%

Question: D5. On the basis that the only obligation for the seller is to answer the questions truthfully from their own knowledge to what extent do you agree or disagree with each of the following statements about the 5th Edition form?

Base: All that have used the TA6 5th edition (742)

In the focus groups with conveyancers and SROs, and the explanations for the scores given at Question D4 in the online survey, the concerns around ease of use are based mostly on the trouble clients have understanding the questions they are being asked and the knock-on effects for conveyancers. They believe the increase in questions increases the amount of back and forth necessary to complete the form, and puts them more at risk of answering incorrectly, leaving conveyancers at risk of misrepresentation. There is a general feeling that this leaves all responsibility on the lawyers' shoulders. These issues are discussed in detail in later sections of this report.

"For example, with cladding, well how would you know if a building is over 11 meters high without getting up there and measuring, I don't want to stake my professional reputation on it - it feels frustrating that it's been backloaded all onto lawyers because we carry Insurance". (Conveyancer)

"It is obvious from the way these forms are completed that the sellers either do not fully understand the questions or they do not know the answers. This has just resulted in further enquiries having to be raised on our part." (Solicitor)

Estate agents also noted that clients often struggle to complete forms accurately, with some sellers being disinterested or "lazy" in providing necessary details. This applied both to TA6 and the agents' own vendor forms.

"I find that most of the people, most of our vendors, they just can't even be bothered to fill it out. You give it to them and leave it with them for five minutes while you go around the place, come back and it's just half-filled and they can't be bothered to fill out properly. Or if there's something they need to look for, they can't be bothered to do that. Yeah. I'd say that's probably 75% [to] 80% of our vendors." (Estate Agent)

4. Advantages and disadvantages of using the 5th Edition

Key findings

- Many conveyancers who participated understood the intention of using the form to provide upfront information to speed up the sales process, but felt the 5th Edition did not achieve this.
- Only a minority are able to identify advantages to using the new version.
- A wide range of disadvantages are mentioned, many of which involve knock-on effects caused by the complexity of the form to conveyancers. These include additional workload (and costs), delays and the potential for misrepresentation.

Detailed results

Many conveyancers who participated understood the intention of using the form to provide upfront information to speed up the sales process, but felt the 5th Edition did not achieve this. A minority of conveyancers participating went further and felt the form might even cause delays due to being more complex for clients to fill out.

"It's not straightforward to buy a home, although everyone should be able to go through the process and that is part of our job day-to-day. But this [the 5th Edition] doesn't seem to achieve the goal of accessibility. I think it makes it far harder and far more confusing.' (Conveyancer)

'I think having a coherent form can be useful and providing more information to the buyer is always good but, in a time, when the main complaint is how long and costly the conveyancing process is, this perhaps isn't the best way to go about it.' (Solicitor)

Likewise, estate agents were sympathetic to the ideas behind the 5th Edition. Participants highlighted the importance of having accurate information to prevent deals from falling through, emphasising the need for thorough disclosures.

"[The] point around a deal breaking down, that was one of the other rationale, is that hopefully it would kind of reduce the likelihood of the sale and the purchase falling through at a later stage, because this information will have been collected, is my understanding." (Estate Agent).

The form is also seen by some estate agents as a tool to assist in marketing properties by providing essential information such as council tax banding, service charges, and property characteristics.

Estate Agents felt the process of filling out the form should be quick, provided that the necessary information is readily available to sellers and agents. However, some noted that the form's extensive sections may be overwhelming, and that in their own vendor forms they often collect less information than what is required by the TA6.

Despite many buying into the rationale behind the introduction of the 5th Edition, the majority of participants felt there were no, or very few, advantages to using this edition over the previous one.

However, the most identified advantages of the new version included:

- More information upfront: Some highlighted that the new form provides more detailed and comprehensive information at the outset reducing the number of withdrawals.

"Enhanced information provided at the outset, making it easier for clients to decide if they are happy to proceed / wish to withdraw at an earlier stage." (Solicitor)

"I like the idea of more up front information. The more information available to a prospective purchaser earlier on, the fewer abortive transactions there will be". (SRO)
- Reduction in enquiries: A few noted that the increased detail and upfront information could also potentially reduce the number of enquiries later in the process.

"It contains more in-depth questions which hopefully would stop the barrage of enquiries from Buyer's Solicitors." (Conveyancer)

"There has to be some sort of compulsion to get everyone to be using the same form, whether it's a simple one or not. If there was a means of having everyone using the same forms and being obliged to provide the same information, then it has a hope." (SRO)
- Practical information for buyers: Some appreciated that the form offers practical and relevant information for buyers, which can aid in making informed decisions. However, there was some caveating about whether the information was reliable without checking.

"If Part 1 were completed pre-listing (and is not included as part of the protocol forms - is a wholly separate form) it would help to "flush-out" concerns on properties early on." (SRO)

"More information for a buyer, but some of the new information is matters of opinion and comes with additional advice to give warnings to buyers." (Conveyancer)
- Comprehensive if completed correctly: Some also thought that if completed correctly, the new form could provide very comprehensive information.

"If I believed clients could actually complete it, then it would give much more information." (Other)

"If (and it's a big if!) completed accurately and fully by Sellers, it will reduce pre contract enquiries." (Solicitor)

The most commonly identified disadvantages of the 5th Edition by participants in both the focus groups and the online survey were:

- Length and complexity: Many highlighted that the new form is significantly longer and more complicated than previous versions. This increased length makes it daunting for sellers.

"The length of the form deters some clients - it actually slows things down because clients are taking so long to complete the form." (Solicitor)

"Too many questions, some of which aren't really helpful to a transaction. A lot more complicated for a layperson to fully wrap their heads around." (Solicitor)

- Client difficulties: Sellers often struggle to understand and accurately complete the form without assistance, leading to incomplete or incorrect submissions. The specific sections affected are discussed in Section 8 of this report, while Section 12 discusses the results of interviews with sellers.

"Sellers needing more assistance in completing the form at the outset and taking longer to complete the form causing delays with the conveyancing transaction." (Equity Partner)

"I don't think clients understand the form very well. There is a lot of technical jargon, and they often have no idea how to complete it as there are no explanations for the layperson and they often make errors or leave large amounts of the form blank which wastes time." (Solicitor)
- Increased time and effort: The additional time required for both clients to fill out the form and solicitors to review it has been a significant concern. Some conveyancers also believe that the form represents a change from the principle of caveat emptor which previously minimised the burden on the seller.

"More complex for clients, additional work for conveyancers and significantly higher risk to vendors. Principle of caveat emptor appears to have been lost." (Solicitor)

"It removes the concept of caveat emptor and places far too much of a burden on the seller in terms of having professional knowledge." (SRO)
- Risk of misrepresentation: There is thought to be an increased risk of misrepresentation claims due to errors or omissions in client responses, necessitating careful review by conveyancers.

"Increased liability to clients. LS has said there is not, however when you ask more questions there is more scope for misrepresentation [since] clients do not understand the questions." (Salaried Partner)

"There is confusion [and] concerns about the liability now being put on the seller." (Chartered Legal Executive)
- Solicitor involvement: Conveyancers find themselves needing to provide more assistance in completing these forms, which adds pressure on their workload. There are concerns about whether this work can be charged for, at least early in the sales process.

"Too complicated and technical for clients to complete and additional reliance on professionals to assist, which is fine if we had one case at a time but not with a busy caseload." (Solicitor)

"The form is too long, complex and cumbersome for an average client. It also takes twice as long to review, adding delay to conveyancing transactions. The protocol states that we must only raise legal enquiries, but half of the form relates to physical and non-legal aspects." (Solicitor)

- Irrelevant information: Some parts of the form include information that may not be relevant for all transactions or may be better confirmed at a later stage in the process, for example via the Title search or survey.

"It includes a lot of information that is simply not relevant to a large proportion of transactions - Leasehold TA7 [seems to have been] merged into the document."
(Conveyancer)

"It is too long and asks a number of questions which would be revealed by the searches, surveys and enquiries of a prudent buyer." (Solicitor)

- Impact on process efficiency: Knock-on effects from these challenges means tasks are having to be repeated, or undertaken in the "wrong" order, causing delays in transactions.

"Clients struggle with all the information, and they are leaving a lot more blanks which is causing a longer conveyancing process as forms are sent back to clients to fill the blanks."
(Other)

"People are not willing to pay for lawyers to help market and sell the property, so the form will not be completed by us until a sale is agreed." (Salaried Partner)

5. Experience of the transition to the 5th Edition

Key findings

- Adoption of the 5th Edition by participants was mainly due to CQS requirements or being supplied with the forms by other conveyancers, rather than a pro-active choice by the firms' management team.
- Participants were generally poorly informed about the rationale for the introduction of the 5th Edition and its particulars.
- Three quarters of participants have found the transition to the 5th Edition difficult, driven by a combination of problems sellers have completing the form and the impact on conveyancers' workloads. Some participants mentioned this in the context of other recent changes such as the AML regulations and the Building Safety Act 2022 (BSA 2022).

Detailed results

Online survey participants who have used the 5th Edition were asked their main reason for starting to use it. The main reasons were that it was required by CQS (43 percent), or because forms were supplied to them (26 percent) or due to information on the Law Society website (21 percent). Those who are CQS Accredited were more likely to say it was a CQS requirement (47 percent), as were SROs (53 percent) and Partners in legal practices (47 percent).

"Part of the difficulty is we started using an online portal where clients can complete these forms online and our portal provider insists on using the 5th Edition, not the 4th, and not going back to the fourth. So, you know, we're sort of trapped, as it were, into using these things". (SRO)

"We have not used the 5th Edition form ourselves but have been supplied with it a couple of times when acting for buyers. It is fine for buyers, but a nightmare for sellers and very difficult to report on bearing in mind it flies in the face of CQS practice." (Solicitor).

Table 5.1 Main reason for starting to use the 5th Edition

	%
Required by CQS	43%
Not our decision, we work with forms supplied to us	26%
Info on the Law Society website	21%
Conversations with work colleagues / manager	9%
Head office / management decision	9%
Info in trade press articles (e.g Today's Conveyancer, Estate Agent Today)	5%
Advised to by supplier of our forms	2%
Info on other web sites	2%
To remain on estate agent's approved panel	0%
Other	18%

Question: C1. Why did you start using the 5th edition?

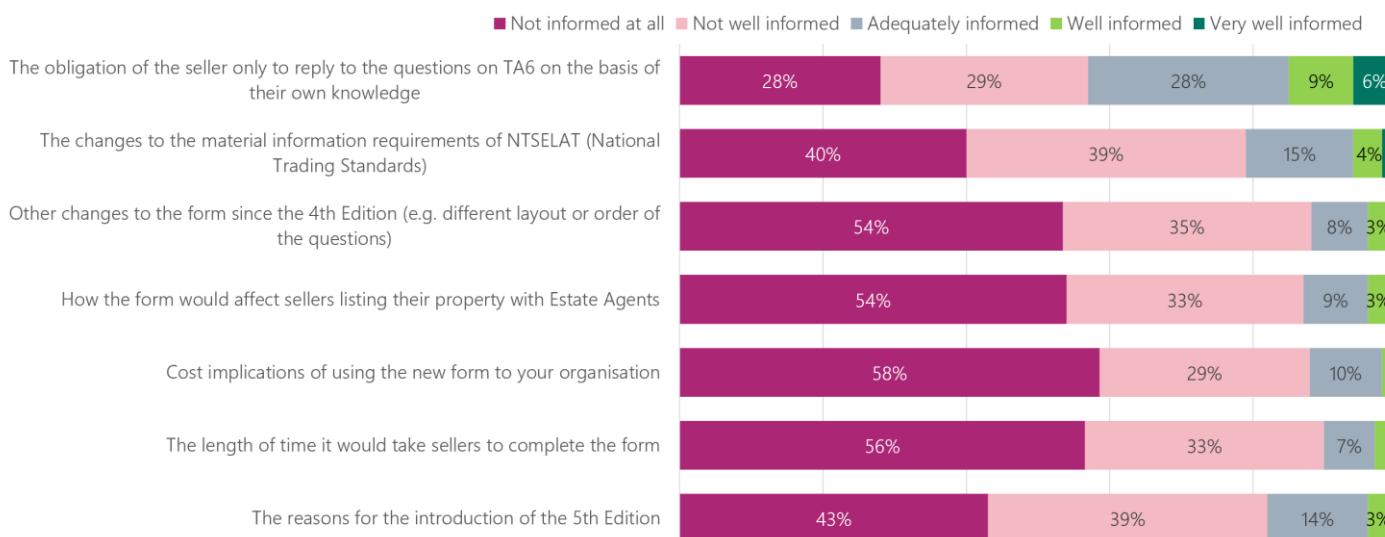
Base: All that have used the TA6 5th edition excluding those who said, "don't know" (695)

Online survey participants were asked about how well informed they had felt about a range of aspects concerning the introduction of the 5th Edition when they first starting using it:

1. The reasons for the introduction of the 5th Edition
2. The changes to the material information requirements of NTSELAT (National Trading Standards)
3. Other changes to the form since the 4th Edition (e.g. different layout or order of the questions)
4. The length of time it would take sellers to complete the form
5. Cost implications of using the new form to your organisation
6. How the form would affect sellers listing their property with Estate Agents
7. The obligation of the seller only to reply to the questions on TA6 on the basis of their own knowledge.

Participants were generally poorly informed about the rationale for the introduction of the 5th Edition and its particulars. For example, only four percent felt well informed about the reasons for the introduction of the 5th Edition and only six percent felt well informed about the changes to the material information requirements of NTSELAT. Furthermore, only three percent felt well informed about the length of time it would take sellers to complete the form. Comments from the focus groups, while less structured, confirmed the same issues.

Figure 5.1 How well informed were you about the introduction of the 5th Edition



Question: C4. Thinking back to when you started using the 5th Edition, how well informed were you about the following? Please select one answer for each statement.

Base: All that have used the TA6 5th edition excluding those who said, "don't know" (656-714 depending on statement)

The transition to the 5th Edition was rated as very difficult by 39 percent and quite difficult by 34 percent of online survey participants (and comments from the focus group respondents are also consistent with this). Only 10 percent rated it as very or quite easy.

Participants who are CQS Accredited were more likely to state the transition to the 5th Edition was difficult than those who are not CQS accredited (74 percent vs 59%), although the latter only represent one-in-ten participants. We have been unable to identify an explanation for this variation from the participants' replies to the other survey questions.

Those mainly using the 5th Edition found the transition easier, but still 50 percent rated it as difficult. There are no significant differences by role (conveyancer or solicitor, partner in legal practice, SRO or managing team).

Table 5.2 Difficulty of the transition to the 5th Edition

	%
Very difficult	39%
Fairly difficult	34%
Neither / nor	17%
Fairly easy	7%
Very easy	3%
NET: Difficult	73%
NET: Easy	10%

Question: C2. On a scale of 1 to 5, 1 being "very difficult" and 5 being "very easy" ... how have you found the transition to the 5th edition?

Base: All using the 5th Edition, excluding those who answered, "don't know" (719)

Those online survey participants found the transition to the 5th Edition difficult (522 respondents) were asked to explain in their own words the reasons why they found it so. The top reasons mentioned (which again are consistent with the comments by the focus group participants) were:

- Complexity and length: Many highlighted that the new form is significantly longer and more complex than the previous edition. There is also a suggestion of client dissatisfaction due to the 5th Edition covering similar ground to many estate agents' client forms and/or TA7.

"Clients are clearly struggling with the range and depth of questions. This has given rise to substantial further enquiries being required to clarify erroneous replies provided by sellers." (Other)

"Clients don't like it because it is very long and many of the questions now asked in the TA6 are duplicated in the TA7." (Solicitor)
- Client difficulties: Clients struggle to understand and complete the form correctly without assistance. This often leads to errors and incomplete forms, causing delays.

"Clients struggle with completing it and it needs much more lawyer involvement in a way the previous form did not. Clients are unhappy with providing what they see as unnecessary information or information they have already [provided]." (Equity Partner)

"Clients seem to have real difficulty in filling it in, often wanting an appointment to go through the form and discuss queries, or a telephone call to discuss filling in the form." (Solicitor)
- Increased workload: The complexity of the new form results in additional work for conveyancers and solicitors who have to spend more time reviewing and correcting errors. While at least some of this is just the same workload in a different point in the sales process (at the front rather than at the back end), some participants mentioned the timing was impacting the quality of responses.

"Because it's envisaged the seller completes the form before the sale is agreed, the forms I have seen are not very thoroughly completed. I normally check my clients' replies before issuing the form to the buyer's solicitors" (Solicitor)

"There's going to be a lot of people that don't want to start incurring costs before they've sold their property. If the market's down, and if you were in negative equity or something like that, you may not have the funds to incur a solicitors' cost to get this advice before you've got a sale agreed in principle." (SRO)

- Changes to process they are used to: The substantial changes in structure from the 4th Edition disrupted familiar workflows and 'muscle memory' developed over time with the old form. In this context, it is apparent that previous versions of the form also had some problematic Sections, but their impact was mitigated by users being familiar with them and being able to focus on them. It is also reasonable to assume this issue might reduce over time as users became more familiar with the form.

"Having used the previous version for years I know what the questions are and can therefore read the form quickly and answer client's questions about it quickly too." (Equity Partner)

"I think they [sellers] needed help with the 4th Edition. The 5th Edition is far worse, I think, in that respect." (SRO)

"4th Edition questions are very familiar so responses can be checked more quickly. Uncertainty regarding purpose and implications of new questions on 5th Edition." (Other)

- Legal advice requirement: Some questions on the new form are thought to require legal advice before completion, adding another layer of complexity for both clients and conveyancers. This topic is covered in more detail in Chapter 8, but Section 3: Tenure, ownership and charges and Question 8.4: Restrictive covenants are commonly mentioned.

"Because the 5th Edition didn't just tweak the 4th Edition, but substantially changed its structure, added new questions, some of which essentially require legal advice to be given to selling clients before they complete the form." (Solicitor)

It is apparent that most of these reasons relate to the form itself, rather than specifically to the transition, with the exception of the changes to familiar workflows. However, in addition to these issues, some focus group and online survey participants noted that the Law Society's communication regarding the new form was inadequate, with many feeling that their feedback was ignored, and that the introduction of the form was done without proper engagement.

There was a consensus that the introduction of the 5th Edition was perceived as a top-down decision, leading to feelings of frustration and the eventual (unsuccessful) vote of no confidence in the Law Society. Participants expressed scepticism about the Law Society's claims of consultation and support including this research, revealing a lack of trust in the process and outcomes related to the new form. In some cases, this came on top of previous unfavourable decisions they felt the Law Society had taken.

"The actual transition was managed terribly. Each firm should have been contacted well ahead of the changeover to explain that it was happening so that they could get ready for it. Instead, we all had to find out ourselves." (SRO)

"It appeared to have been implemented by diktat, informed by those who do not work at the 'coalface'" (Solicitor)

"Too much work as fees too low. Law Society at fault for allowing bulk conveyancing and referral fees to drive down our fees. Most conveyancers [are] overworked". (Equity Partner)

These comments need to be seen in the context of a market which many conveyancers find extremely challenging and where it they feel it is virtually impossible to pass on extra costs caused by the increased workload due the 5th Edition. This is consistent with the results from Question D5 in the online survey detailed in Section 7. Some participants also commented that it was likely these changes would cumulatively lead to people leaving the profession.

"No single problem but a culture of requirements built up over the years. Not enough Conveyancers are coming through, too much reliance of Junior staff to tackle the legal work. All the experienced Conveyancers are leaving, with the TA6 being another reason to go. From the outside Conveyancing looks terrifying." (Solicitor)

"Lack of sufficient resources to fund the task, both in terms of money to invest in the necessary digital support frameworks and staff due to relatively poor pay levels. The discrepancy between estate agent fees and solicitors' fees is staggering and is an example of how the conveyancing process is significantly underfunded." (Salaried Partner)

"The amount of pressure and responsibility put on solicitors and conveyancers by lenders and the Law Society which is extremely unfair, and I believe are one of the main reasons we are losing people in this area of law." (Solicitor)

Many participants commented that the changes to TA6 should not be seen in isolation but came on top of previous changes and new regulations such as AML and BSA 2022.

"Pressure of work due to competing pressures from clients/lenders and regulators and other third parties with vested interests. The sheer level of changes we have had to face with increasingly demanding clients and lenders and regulators is making the job feel a very thankless task." (SRO)

"Mission creep. From AML to climate change to the new TA6 we're expected to get involved with more and more things that we are totally unqualified to advise on." (Equity Partner)

"Leasehold has become unmanageable, excessive legislation creating with good intentions such as the Fire Safety Act, Building Safety Act have made many conveyancers refuse to act on perfectly normal buildings that should be clearly excluded from the legislation. Transaction times have increased exponentially to the point of being a primary reason for fall through. (Other)

6. Resources available to support the transition to the 5th Edition

Key findings

- A significant minority of conveyancers participating in the consultation are not aware of any resources to support them.
- Awareness and use of training courses (from The Law Society or third parties) is low
- There is no evidence base to identify which training resources have proven effective.

Detailed results

Online survey participants were asked about the resources available to support the transition, with those rating the transition to the 5th Edition as easy asked about what resources they had used, and the remainder asked about that they are aware of.

Even amongst the minority who found the transition to the 5th Edition easy, two in five (39 percent) were unaware of any resources to support them. The main resources participants were aware of are info on the Law Society website and the Explanatory Notes for Sellers and Buyers. Use of training courses either from the Law Society or external providers was minimal (five percent and eight percent respectively).

Unfortunately, because of the small number of participants rating the transition as easy, it has not proved possible to identify which if any of these resources have assisted in the transition. We also theorise that some firms may only have started to use these resources once the transition proved harder than expected.

Table 6.1 Resources to support transition used by those finding it easy

	%
Info on the Law Society website	35%
TA6 5th edition Explanatory Notes for Sellers and Buyers	31%
Conversations with work colleagues / manager	21%
Material Information included in TA6	20%
Training courses delivered by other professional body/ commercial training provider(s)	13%
TA6 FAQs	12%
Trade press articles (e.g. Today's Conveyancer, Estate Agent Today)	11%
Info on other websites	8%
Employer internal communications (e.g. intranet)	7%
Training/webinars provided by the Law Society	5%
Training course(s) delivered by my employer	4%
Training courses delivered by our TA6 form supplier	4%

Question: C5+C5b. What (if any) training or learning resources did you have to help with the transition to the 5th Edition

Base: All using the 5th Edition who found the transition "very easy" or "quite easy" (75)

Of those who found the transition difficult, or who have not started using the 5th Edition yet, a third (35 percent) are unaware of any resources to support them. The main resources known amongst this audience are information on the Law Society website and the Explanatory Notes for Sellers and Buyers. Awareness of training courses amongst this audience is considerably greater than their actual use by those who found the transition easy.

Table 6.2 Resources to support transition used by those finding it difficult or who have not started using the 5th Edition yet.

	%
Info on the Law Society website	47%
TA6 5th edition Explanatory Notes for Sellers and Buyers	39%
Training/webinars provided by the Law Society	26%
Training courses delivered by other professional body/ commercial training provider(s)	25%
Material Information included in TA6	22%
TA6 FAQs	21%
Consumer Protection Regulations in Conveyancing Practice Note	11%
Info on other web sites	11%
Instructions / explanatory guides (e.g. from Estate Agents to their Solicitor Panels)	9%
Training courses delivered by our TA6 form supplier	3%

Question: C9+C9b. What (if any) training or learning resources do you know about to help with the transition to the 5th Edition?

Base: All using the 5th Edition who found the transition "very difficult" or "quite difficult" or who have not starting using the 5th Edition yet (823)

7. Detailed reactions to the 5th Edition

Key findings

- There is a broad range of negative sentiment amongst participants about the 5th Edition and lack of buy-in of its benefits.
- While sentiment amongst those mainly using the 5th Edition is more favourable, even amongst this audience a significant proportion have unfavourable opinions.
- These opinions are consistent across all audiences (conveyancer or solicitor, partner in legal practice, SRO or managing a team), and between the online survey and the focus groups.

Detailed results

Online survey participants were asked about how much they agreed or disagreed with a series of statements to understand their views and experiences of using the TA6 5th Edition. Both positive and negative statements were included, and the order of the statements was randomised in the survey.

1. Sellers are not easily able to provide the Material Information material information needed
2. It is helpful that TA6 includes the NTSELAT Material Information material information
3. The 5th Edition form is excessively long and complex
4. Changes to the form since the 4th Edition (e.g. different layout or order of the questions) have made it harder to use
5. Now we are used to using the 5th Edition, it is not causing any significant problems (*reported in Section 3*)
6. We are unable to charge clients for the additional time needed to complete the form
7. We have concerns that the form potentially exposes sellers to increased risks of liability for misrepresentation
8. Sellers are uncomfortable with the idea of incurring fees and expenses before a property is put on the market
9. The increased transparency will see fewer transactions falling through
10. Sellers understand (as the note to sellers sets out at the front of the form) their only obligation is to answer the questions truthfully from their own knowledge?
11. The increased transparency means that consumers are better informed at the start of the transaction.

In general, participants were much more likely to agree with negative statements relating to the 5th Edition compared to the positive statements. Indeed, 80 percent of all participants agree with the statement "Changes to the form since the 4th Edition (e.g. different layout or order of the questions) have made it harder to use" with three-in-five (59 percent) strongly agreeing with the statement.

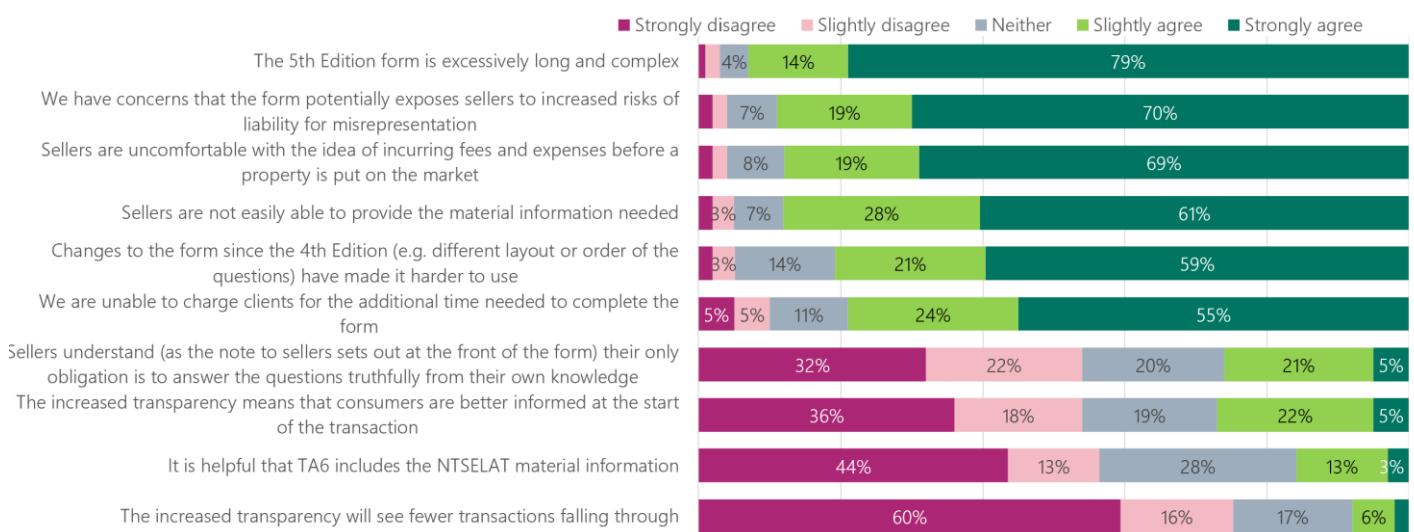
Participants at a CQS accredited firm are more likely to state that the 5th Edition is harder to use (83 percent). However, those mainly using the 5th Edition are less likely to state that it is harder to use, although nearly three quarters (72 percent) still agree with this statement.

Over three quarters of participants agree with the three statements concerning potential issues with the 5th Edition. They are most likely to agree that the form is excessively long and complex (93 percent agree, with 79 percent strongly agreeing). Almost nine-in-ten (88 percent) agree that they have concerns that the form potentially exposes sellers to increased risks of liability for misrepresentation (70 percent strongly agree). The same proportion (88 percent) also agree that sellers are not easily able to provide the material information needed (61 percent strongly agree).

A large majority (87 percent) agree that sellers are uncomfortable with the idea of incurring fees and expenses before a property is put on the market (69 percent strongly agree). Just under eight-in-ten (79 percent) agree that they are unable to charge clients for the additional time needed to complete the form (55 percent strongly agree).

Conversely only small minorities agree with the statements outlining the benefits of the 5th Edition; just over a quarter (27 percent) agree that the increased transparency means that consumers are better informed at the start of the transaction. Fewer than one-in-five (16 percent) agree that it is helpful the TA6 includes the NTSELAT material information, while only 7 percent agree that the increased transparency will see fewer transactions falling through.

Figure 7.1 Agreement with statements about the use of TA6 5th Edition



Question: D5. On the basis that the only obligation for the seller is to answer the questions truthfully from their own knowledge to what extent do you agree or disagree with each of the following statements about the 5th Edition form? Base: All excluding those who said, "don't know" (varies per statement 887-920)

Generally, the form is viewed more negatively by those who found the transition to the 5th Edition difficult and those who find using it difficult. Conversely, those who mainly use the 5th Edition and those informed about the reasons for its introduction are more positive than average, but even amongst these audiences most agree with the statements concerning issues with the 5th Edition.

There are no significant differences by role (conveyancer or solicitor, partner in legal practice, SRO or managing a team). Being aware of or attending training by the Law Society also has no impact on views about the form; indeed, for several of the negative statements a higher proportion of this group agree with the statements.

Estate agents in their focus group highlighted the need for simplification of the form to reduce anxiety and clarify its legal implications, especially for elderly individuals who may lack support in completing it. This is often (but not always) reflected in the design of estate agents' own vendor forms and is consistent with the results of the interviews with sellers.

"We've got our own [form] because our clientele is quite... hard of understanding the particular area that I work in. They're not probably full of much knowledge themselves, so we have to kind of simplify it for them." (Estate Agent)

The distinction between the form being informative versus legally binding was also a significant point of confusion and concern to some estate agents. There is a debate about the responsibilities of estate agents versus solicitors in gathering and verifying property information, with some feeling that agents should not take on solicitor-like duties.

"We're not insured. If somebody walks in tomorrow morning and says, can you sell my house? And you take one of these forms out, are you going to physically be insured? (Estate Agent)

8. Questions conveyancers believe sellers are having difficulty answering

Key findings

- A large majority of conveyancers participating believe that sellers don't understand that their only obligation is to answer the questions truthfully from their own knowledge.
- A half or more conveyancers participating feel that most of the new sections in the 5th Edition are causing problems for at least some sellers. Reasons for sellers having difficulty include the absence of "don't know" options, lack of knowledge, use of legal terminology and the need for specialist expertise.
- There are concerns about the overlap with TA7 and also with information many believe is more properly collected at later stages in the sales process such as Title searches or a survey.

Detailed results

All findings in this section are based on conveyancers' interpretation of the issues that sellers are having with the form and are based on both quantitative survey questions and written-in responses to follow-up questions. These beliefs maybe informed by direct conversation between seller and conveyancer, inferred from poorly completed forms, or a mixture of the two. The opinions of sellers are covered in Section 12 of the report.

Only 26 percent of the online survey participants believe sellers understand that their only obligation is to answer the questions truthfully from their own knowledge². Those who found the transition to the 5th Edition difficult or who find using the 5th Edition difficult to use are less likely to believe sellers understand this. Those mainly using the 5th Edition are more likely to believe it, but even amongst this audience only 38 percent agree with the statement.

In an optional section of the online survey, participants were given the opportunity to provide further detailed feedback on the new topics (sections and questions) that appear in the 5th Edition, but not the 4th Edition, relating to material information. This section was completed by slightly under half of the survey participants (388 of 931):

- Section 1: Council tax
- Section 2: Asking price
- Section 3: Tenure, ownership and charges
- Section 4: Physical characteristics of the property
- Section 7: Building safety
- Question 8.4: Restrictive covenants
- Question 10.4: Coastal erosion
- Section 13: Accessibility
- Section 14: Coalfield or mining area

² Question: D5. On the basis that the only obligation for the seller is to answer the questions truthfully from their own knowledge to what extent do you agree or disagree with each of the following statements about the 5th Edition form?

It is believed by conveyancers participating that some sections such as Council Tax only cause problems for a small minority of sellers, but other sections such as Restrictive covenants are believed to cause problems for many sellers. In addition, conveyancers mentioned that for sales under Probate their clients may lack even basic information concerning the property impacting normally unproblematic sections of the form (although this issue also applied to previous versions of the form and generally executors don't answer many of the questions).

Those who found the transition to the 5th Edition difficult or who find using the 5th Edition difficult generally mention more sections as causing sellers problems, although the differences are not all significant.

Table 8.1 TA6 5th Edition section sellers are having difficulty answering

	%
Question 8.4: Restrictive covenants	87%
Section 7: Building safety	86%
Section 14: Coalfield or mining area	76%
Question 10.4: Coastal erosion	72%
Section 3: Tenure, ownership and charges	63%
Section 4: Physical characteristics of the property	63%
Section 13: Accessibility	45%
Section 2: Asking price	11%
Section 1: Council tax	9%
Other	11%

Question: E1. Which new topics (sections or questions) in the 5th edition form are sellers having difficulty answering? Base: all who opted into answering extra questions (388)

Looking at the sections individually, the online survey participants say that Section 1: Council Tax is the least confusing section for sellers, with only nine percent mentioning sellers having problems. When asked what could be improved, the most common answer was that this section is not needed, as the buyer can look it up if they want to do so.

"As my clients are family members who are dealing with a property under Probate, they don't have the knowledge to complete this information." (Paralegal)

"Just ask for the Council Tax Band, but this should be in the agents' form as it is not a legal question." (SRO)

Most also agree that Section 2: Asking price, is also easy to answer for sellers; only 11 percent say it is difficult to answer. However, as with Section 1, participants say it is unclear why it is included. Some also mention that circumstances may change before completion, which would require the form to be amended.

"Clients seem to think this means what price was the property marketed for, not what price have they actually agreed with their buyer. Wording should be 'what is the agreed price'." (Solicitor)

"This information would surely be readily available via the estate agent, who would be providing the TA6 form. If the property has been marketed for a while, then this sheet may need revisiting over and over, with no benefit to the final buyer or seller."
(Solicitor)

Just under two-thirds (63 percent) believe that Section 3: Tenure, ownership, and charges, is difficult for sellers to answer. Sellers often don't understand the different tenure types; for example, they confuse freehold with shared ownership of a management company. The inclusion of Commonhold as a reply option is also questioned since it is so rare.

"Often clients don't understand difference between freehold and share of freehold so tick the freehold box when it is a leasehold with a share of freehold. This leads to enquiries from the buyer's solicitor to clarify the seller's reply when this information can be obtained from looking at [the] Title." (Solicitor)

"Sellers do not always know/understand differences in tenure. Sellers cannot read and understand title deeds, particularly unregistered titles and may not have copies of them if there is a mortgage. Probate and Attorney sales clearly have sellers with limited personal knowledge of a property." (Solicitor)

Section 4: Physical characteristics of the property is also seen as difficult to answer by over six-in-ten (63 percent), despite the fact that these questions match those required for buildings insurance and so should be known to the seller. Participants feel that sellers are not qualified to answer this and this should be covered by the buyer's inspection and/or survey. Those who are mainly using the 5th Edition see this as less difficult for sellers to answer versus those who are using other editions.

"Scrap the whole section. It is for the buyer to rely on their own inspection and survey. The Law Society should not be trying to fill in the gaps for those buyers who choose not to have a survey, by placing liability on sellers." (SRO)

"Consider the questions again. What would an average homeowner reasonably know about the physical condition of their property (assuming they are not a trained RICS surveyor)?" (Salaried Partner)

Section 7: Building safety, is seen as the second most difficult section for sellers to answer, with over eight-in-ten (86 percent) saying sellers would find this difficult. One reason for this being that it is too complex, especially if BSA2022 is involved. Some also mention that this should be covered by TA7 form or the survey.

"7.1 is not a realistic question - clients will list everything wrong with the property (despite them not being required to reveal information relevant to the property condition) or will list nothing and be liable for misinformation. Does having no alarm system constitute a hazard, if having non-operative alarm does? What about no electrical checks? What about possible asbestos in Artex ceilings? Are balconies supposed to be mentioned as a matter of course? What about thatched roofs If this section is to remain (and we hope it does not) its scope and all possible 'defects or hazards' will need to be identified, not just given as 'examples'." (Solicitor)

"Sellers are not experts, leave this section out and the buyers should rely on a survey."
(Solicitor)

Question 8.4, Restrictive covenants, is seen as the most difficult for sellers to answer, with 87 percent saying sellers would find it difficult. Participants believe sellers are unaware of the answers unless they have the Title deeds, which may be held by the mortgage company or the Land Registry.

"A seller will often have no idea of any restrictive covenants affecting the property - unless an agent is willing to obtain a copy of the title and then be able to explain what a restrictive covenant is - then this question can't be answered properly and fully until such time as the Seller has obtained legal advice." (SRO)

"Sellers guess this and even with hand holding during the enquiries stage, some still don't grasp it fully as some restrictive covenants are much harder to understand by the general public and this duplicates what the enquiries process is there for." (Solicitor)

Nearly three quarters (72 percent) say that Question 10.4: Coastal erosion is difficult for sellers to answer, and it is not relevant to many properties. The main reasons given for the sellers' difficulties are that it is a specialist topic, and it should be covered by the environmental search. These issues compounded by the absence of a "don't know" option or a definition of what "near" means.

"This question is location specific and should be optional/dealt with in a separate questionnaire. Any answer given by a lay seller is likely to be subjective or unreliable. Buyer should not rely on what the seller says. Expert objective advice [is] required." (SRO)

"You are asking clients to go online to get this information which they feel is our job. Not all clients are computer literate to deal with such a query. The wording NEAR to the coast is pointless: we have had clients answer 'yes' without any evidence when their property is 10 miles from." (Solicitor)

Section 13: Accessibility is seen as difficult to answer by just under a half (45 percent). These participants believe the buyer should look at the property to determine any accessibility issues, rather than the seller providing information on this.

"This isn't clear. Are we trying to ask if there are lifts and ramps? What if there are also stairs? Lateral living is not a term anyone would be familiar with. I'm not sure of the purpose of this section. It would be clear from the agents' particulars if the property was [accessible]." (Licensed Conveyancer)

"All points on accessibility should be obvious from an inspection so why is it included? Where they are not obvious a seller may not know about them anyway such as newbuilds having hidden construction for lifts to be installed should that be needed." (Equity Partner)

Finally, Section 14: Coalfield or mining area questions are seen as difficult to answer by just over three quarters (76 percent). As with other sections, participants believe that sellers can't be expected to know the answers here and believe that the information should be covered by the environmental search rather than the TA6 form. This question currently has no "don't know" option which would resolve some of the participants' comments.

"While some Sellers may be aware of this, this is not something a lay person can be expected to know. This can be verified by an environmental search and a mining search and is a matter for the buyer's solicitors to verify, not the seller to disclose."
(Solicitor)

"If clients don't mark N/A it generates more work for the Conveyancers having to explain why it's been missed out." (SRO)

9. Material information

Key findings

- Two thirds of participants don't believe TA6 should contain standardised enquiries about material information (that follow the NTSELAT guidance)
- The most commonly recommended alternative is that the estate agents should provide all the material information they have used in the marketing materials and the conveyancer incorporating this into the contract.

Detailed results

The online survey participants were asked if they agreed that Form TA6 should contain standardised enquiries about material information (that follow the NTSELAT guidance) so that sellers are able to provide information about properties to estate agents and buyers.

Only a quarter (24 percent) agree that TA6 should contain these standardised enquiries. Those mainly using the 5th Edition, those that found the transition to the 5th Edition easy or that find using the 5th Edition easy, are most likely to agree that the TA6 should contain standardised enquiries. Similarly, those who were better informed about the reasons for the introduction of the 5th Edition are also more likely to agree with this (39 percent vs 21 percent).

Table 9.1 Agreement that the TA6 form should have standardized enquiries about material information

	%
Yes, it should be included	24%
No, it shouldn't be included	67%
Don't know / Not relevant to me	9%

Question: D6. Do you agree or disagree that Form TA6 should contain standardised enquiries about material information (that follow the NTSELAT guidance) so that sellers are able to provide information about properties to (estate agents and) buyers? Base: all (931)

Among those who do not think the extra information should be included, half (49 percent) would ask the estate agents to provide all the material information they have used in the marketing materials and incorporate this into the contract. A third (32 percent) would ask the buyer which pieces of material information from the estate agent they are keen to rely on and incorporate this information into the contract.

Digital form users are more likely to answer that the estate agents should provide all the material information they have used in the marketing materials and incorporate this into the contract (57 percent). How easy participants found the transition to the form or how easy they find using the form doesn't affect their responses to this question.

In the SRO focus group, there was a call for a separation of responsibilities, suggesting that estate agents should handle issues relating to title while solicitors focus on other matters. Some participants in the online survey made similar proposals which contrast interestingly with some estate agents feeling they are being asked to take on legal matters early in the sales' process.

"I consider my job to deal with a legal title, to pass good and marketable legal title to whoever my clients might be whether they're buyers, sellers, mortgage lenders, whoever that is. I am not a surveyor; I'm not an accountant." (SRO)

The online survey participants who felt the form was too long or that sellers couldn't provide the information required (at Question D5) were asked which material information should not be included from the list below:

- a. Council tax
- b. Asking price
- c. Tenure
- d. Physical characteristics about the property
- e. Number of type(s) of room(s)
- f. Construction materials
- g. Building safety
- h. Erosion risk
- i. Property accessibility/adaptations for users with extra needs
- j. Coalfield or mining area

The most answered are construction materials and erosion risk by three quarters of participants (77 percent). Nearly two-thirds of participants answered coalfield or mining area (65 percent), property accessibility/adaptations for users with extra needs (64 percent) and physical characteristics about the property (62 percent).

Table 9.2 Which pieces of information do you think should not be provided to the buyer in the TA6 form?

	%
Construction materials	77%
Erosion risk	77%
Coalfield or mining area	65%
Property accessibility/adaptations for users with extra needs	64%
Physical characteristics about the property	62%
Number of type(s) of room(s)	60%
Asking price	57%
Building safety	48%
Council tax	35%
Tenure	31%

Question: D7. Which pieces of information do you think should not be provided to the buyer in the TA6 form?

Base: Participants who felt the form was too long or that sellers couldn't provide the information required (at Question D5) (884)

Those who found the transition to the 5th Edition difficult or who find using the 5th Edition difficult are generally in favour of excluding more information than those who found the transition easy or who find the form easy to use. There are no other consistent differences by audience.

10. Resolving problems with the 5th Edition

Key findings

- In addition to issues with the form itself, many participants felt the process surrounding its introduction should have involved more consultation and communications.
- The key players in resolving the issues are felt to be The Law Society and individual practitioners.
- The most popular remedial action is postponing making the 5th Edition compulsory for CQS members. This is followed by several improvements to the form design such as additional don't know options, which are seen as more helpful than splitting the form in two.

Detailed results

Those using the 5th Edition in the online survey were asked to explain in their own words how the process of updating the Property Information form could have been handled better. The top responses (which are very consistent with the comments from the focus groups) were:

- Consultation with users: Many emphasised the need for proper consultation with those who use the form.

"Consultation with practising conveyancing lawyers should have been undertaken i.e. a wide consultation like this one, across England and Wales, giving all firms an opportunity to comment on a draft." (Solicitor)

There should have been greater consultation with busy conveyancers. Also needed more testing on average members of the public to find out whether they can complete the form or understand the completed form (Solicitor)

- More notice and prior information: Several participants felt that more notice and prior information regarding the changes were necessary. Although not specifically raised by participants, by extension any new version of TA6 form needs to have a reasonable timeline before implementation.

"There was no indication in the CQS mandatory training that this was going to be coming in, heading in our direction and that a new version of the property information form was going to be issued." (SRO)

"The form should have been available to review months before so we could start discussions internally." (SRO)

- Guidance and training: There was a call for better guidance notes and training to accompany the new form.

"There should have been step by step guidance on what each question means and how to advise your client." (Licensed Conveyancer)

"Explaining how and why MI is being included, explaining why/how it is compulsory - giving examples of when/how it should be used." (Conveyancing Executive)

- Awareness and updates: Some participants were not aware of the new form until it was already in use, indicating a need for better communication about updates.

"There could have been a publicity campaign with marketing based on the provision of information at the start of a transaction." (Consultant)

"I was not aware that there was a new Form being introduced until I had some training, and it was mentioned that a new one was being used. I think that there should have been more updates on the introduction" (Solicitor)

- Consistency with the CQS: Concerns about inconsistencies between the 5th Edition and implementation of the CQS guidelines were raised by some participants.

"There are a lot of questions within the form that go against the principals of the CQS (there are a lot of non-legal questions)." (Consultant)

"The CQS specifically states questions of opinion are not to be raised, but then the Law Society adds this to their standard forms." (Equity Partner)

- Avoiding unnecessary changes: Participants felt that changes to the form were unnecessary or over-engineered and that had there been wider consultation with practitioners this could have been avoided.

"The process could have been handled better if there was some thought to maintaining a similar set up and format to the current form." (Salaried Partner)

"The form has been substantially updated, and this should not have been done unilaterally by the law society." (Solicitor)

- User testing and feedback mechanism: There was also a suggestion that forms should be sent to conveyancers and/or sellers first for comments before being trialled or implemented.

"Seems to be a lack of consultation and any kind of Beta testing or asking both us in the legal profession and the public about the form." (Solicitor)

"The form should be created and approved by property lawyers, preferably the ones who are going to use it." (Equity Partner)

When asked who should be involved in resolving issues with the 5th Edition form, key players are seen to be the Law Society and individual practitioners. Those who are mainly using the 5th Edition are much less likely to feel that individual practitioners should be involved (62 percent).

Half of participants also feel representative bodies (50 percent) and regulators (44 percent) should be involved. A significant minority of conveyancers / solicitors (34 percent) also believe the providers of TA6 forms should be involved.

Table 10.1 Who should be involved in resolving issues with the TA6 form

	%
The Law Society	84%
Individual practitioners	74%
Representative bodies	50%
Regulators	44%
The providers of TA6 forms	34%
The major estate agents	24%
National Trading Standards	24%
Digital Property Market Steering Group	12%
Other	5%

Question: D8. Who do you believe needs be involved in resolving any issues with the 5th Edition form? Base: all (923)

All participants in the online survey were asked how helpful a variety of amendments would be in making the 5th Edition easier to use in practice. The order of the statements was randomised in the survey.

1. Better explanatory guides for consumers and conveyancers on how to use the form
2. Training courses / webinars on how to use the form
3. Providing more information (e.g. explaining the seller's position concerning misrepresentation)
4. Postponing making the 5th Edition compulsory for CQS members
5. Improving the design of the form to make it easier to use
6. Splitting the form more completely into two to create (1) a section to be used when instructed early by a seller and (2) a section to be used when instructed by a seller after a buyer has been identified
7. Improvements to Smart Forms (e.g. Increased automatic completion)
8. Expanded answer sections to include more 'don't know' answers and free text boxes
9. Amend the Law Society National Conveyancing Protocol to set out requirements in relation to TA6 clearly
10. Encouraging solicitors through the Law Society National Conveyancing Protocol to accept instructions from sellers before a buyer has been found.

In general, those who found the transition to the 5th Edition very difficult (approximately a quarter) generally rate the remedies as less helpful than those who found the transition easier. Variations between the remainder of the participants (i.e. those who found it quite difficult, neither difficult nor easy and those finding it easy) are limited and / or inconsistent.

A similar pattern exists when how easy the 5th Edition is to use is considered, i.e. those finding the form hard to use generally view the remedies as less helpful than other participants. Again, variations between the remainder of the participants (i.e. those who find it quite difficult, neither difficult nor easy and those finding it easy) are limited and/or inconsistent.

The most popular action is postponing making the 5th Edition compulsory for CQS members (89 percent very or somewhat helpful). However, this question did not offer participants an option for the withdrawal of the 5th Edition, and we believe many answered this option as a proxy for that option. This is the only remedy which those finding the transition very difficult rate higher than average (95 percent believe it would be helpful). Those mainly using the 5th Edition rate this lower than other users, but 72 percent still believe it would be helpful.

Expanded answer sections to include more 'don't know' answers and free text boxes are also seen as helpful by the vast majority of participants (82 percent very or somewhat helpful). This is higher among digital form users (88 percent rating it very or somewhat helpful). However, additional free text boxes maybe more difficult to map for companies processing the information such as lenders, so the implications of these would need to be understood.

Improving the design of the form to make it easier to use is also one of the most popular remedies (79 percent very or somewhat helpful) and partners score this option above average (82 percent very or somewhat helpful). Participants in the focus groups and interviews felt this should in conjunction with testing for the form amongst both conveyancers and sellers.

Both these improvements are seen as more helpful than splitting the form into two, which is seen as very or somewhat helpful by 60 percent. However, there is a difference of opinion between those managing a team (69 percent rate this as very or somewhat helpful) and conveyancers / solicitors (56 percent).

Amending the Law Society National Conveyancing Protocol to set out requirements in relation to TA6 clearly is also seen as very or somewhat helpful by 78 percent. Those mainly using the 5th Edition and CQS accredited firms see this as more helpful (87 percent and 80 percent very or somewhat helpful respectively).

Greater information for sellers, for example, explaining the seller's position concerning misrepresentation, is seen as helpful by just over three quarters of participants (76 percent very or somewhat helpful). Those using digital forms rate this above average (81 percent very or somewhat helpful).

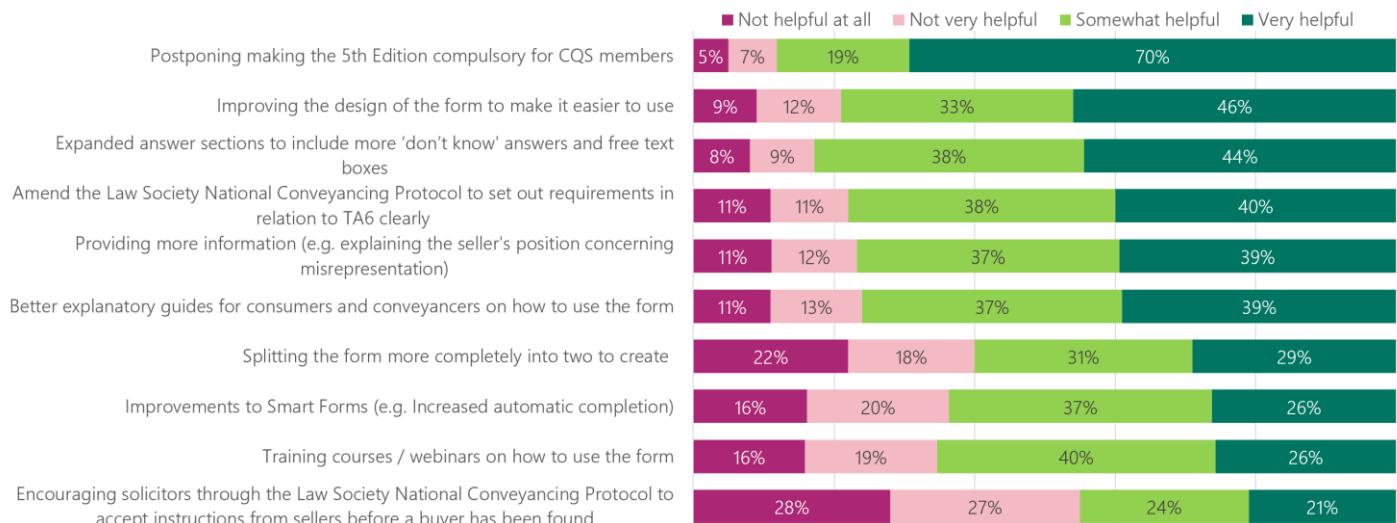
A similar proportion (76 percent) say better explanatory guides for consumers and conveyancers on how to use the form would be very or somewhat helpful. However, this should be seen in the context that many participants either don't know about or don't use the guides that do exist, so the solution will need to include better communication of these resources.

The remaining remediations are seen as helpful by a lower proportion of participants. Training courses / webinars on how to use the form are seen as very or somewhat helpful by 65 percent. Those who've been on Law Society training courses score this more highly (74 percent very or somewhat helpful).

Improvements to Smart Forms are seen as very or somewhat helpful by two thirds of participants (64 percent). Those using digital forms score this higher, but the difference is not significant (68 percent very or somewhat helpful).

Encouraging solicitors through the Law Society National Conveyancing Protocol to accept instructions from sellers before a buyer has been found, is seen as the least helpful remedy (45 percent very or somewhat helpful). Those mainly using the 5th Edition see this as more helpful (53 percent), while conveyancers / solicitors are less convinced (41 percent).

Figure 10.1 How helpful would each action be in making the 5th Edition easier to use



Question: D10. Here are possible actions which could be taken to change how the 5th Edition operates in practice make easier to use.
How helpful do you feel each would be?

Base: all excluding "don't know" responses (861-917)

11. Potential reforms to conveyancing

Key findings

- There is almost universal agreement amongst the online survey participants (97 percent) that some aspects of the industry need reform.
- The most frequently mentioned are regulation of estate agents and a variety of changes to how estate agents work.
- There is also considerable support for better consumer education.

Detailed results

This topic was covered in the SRO focus group and in an optional section of the online survey completed by approximately two thirds of participants (639 of 931). Participants were asked what issues they feel are important to reform within the conveyancing industry. The order of the statements was randomised in the survey.

- a. Estate agents providing full details of the chain
- b. Buyers understanding how much they can borrow and having a Decision in Principle from a lender
- c. Making more government data sets easily available
- d. Data interoperability and consistent data schemas
- e. Clear due diligence standards
- f. Changes to UK Finance Handbook
- g. Simplification of SDLT/LTT
- h. Estate agents to provide more information to conveyancers about the chain and the material information they have provided to buyers
- i. Synchronised completions to allocate funds rather than holding them to reduce risk of fraud
- j. Consumer education so that they are better informed about the process, the professionals and the property
- k. Educating sellers to instruct conveyancers earlier in the process to identify issues that could delay their sale
- l. Improvements to forms other than TA6
- m. Changes to the Code for Completion
- n. Improvements to the Exchange Formulae
- o. Changes to the National Conveyancing Protocol
- p. Better regulation of estate agents
- q. The Law Society continuing to engage with government and wider groups (e.g the Digital Property Market Steering Group and the Home Buying and Selling Council) to influence the home buying and selling process

- r. The changes to the material information requirements
- s. Having more practical practice information about digital ID and electronic and digital execution of documents
- t. Estate agents' referral fees
- u. Introducing a standardised conveyancing fees quotation format

The SRO focus group participants highlighted that the issues with the TA6 form are symptomatic of broader problems in the conveyancing process, emphasising the need for a more client-focused approach and improving client interactions rather than imposing additional regulatory burdens.

There was a strong desire for regulatory changes regarding estate agents and referral fees to improve the quality of conveyancing services.

"The issue is estate agents need regulation. If you're going to impose that, if you're going to put rules in place, they need regulation as much as we do. I think the other thing that would massively improve the market is banning referral fees, because people would select conveyances for quality then not for kickbacks. Transactions would speed up, people would get better advice, they'd be more confident in solicitors." (SRO)

Almost all online survey participants (97 percent) replied that least one area needed reform which is consistent with the views from the SRO focus group. Participants feel there is a wide range of issues affecting conveyancing which need reform, but the most voted for is better regulation of estate agents (71 percent); amongst partners in legal practice this rises to 76 percent.

Looking at the remaining possible areas of reform, seven more aspects of conveyancing are rated as important by around half of participants.

- Consumer education to ensure they are better informed about the process; the professionals and the property is the second most commonly selected (59 percent). Those managing a team involved in conveyancing more strongly agree with this (68 percent). Estate agents' referral fees are rated as important by 55 percent, and this is higher for those working in CQS accredited practices (56 percent) vs those not in CQS accredited practices (40 percent).
- The Simplification of SDLT/LTT is seen as important by over half (55 percent) and this rises to 59 percent amongst partners in legal practice.
- Just over half say estate agents providing full details of the chain is important (53 percent). The same proportion say it is important that estate agents can provide more information to conveyancers about the chain and the material information they have provided to buyers.
- Just under half say educating sellers to instruct conveyancers earlier in the process to identify issues that could delay their sale is important (49 percent). This rises to 60 percent amongst those mainly using the TA6 5th Edition.
- Finally, having clear due diligence standards is rated as important by 48 percent, but rises to 53 percent amongst partners in legal practice. Please see table 14.1 for all responses.

The Table below shows the percentage of participants replying that each reform is important, including those not mentioned in the commentary above.

Table 11.1 Reforms to conveyancing that are important for solving the problems in the industry

	%
Better regulation of estate agents	71%
Consumer education so that they are better informed about the process, the professionals and the property	59%
Estate agents' referral fees	55%
Estate agents providing full details of the chain	53%
Estate agents to provide more information to conveyancers about the chain and the material information they have provided to buyers	53%
Simplification of SDLT/LTT	55%
Educating sellers to instruct conveyancers earlier in the process to identify issues that could delay their sale	49%
Clear due diligence standards	48%
The Law Society continuing to engage with government and wider groups (e.g the Digital Property Market Steering Group and the Home Buying and Selling Council) to influence the home buying and selling process	38%
Changes to UK Finance Handbook	35%
Having more practical practice information about digital ID and electronic and digital execution of documents	35%
The changes to the material information requirements	28%
Improvements to forms other than TA6	28%
Buyers understanding how much they can borrow and having a Decision in Principle from a lender	23%
Changes to the National Conveyancing Protocol	18%
Making more government data sets easily available	18%
Synchronised completions to allocate funds rather than holding them to reduce risk of fraud	18%
Introducing a standardised conveyancing fees quotation format	19%
Data interoperability and consistent data schemas	11%
Improvements to the Exchange Formulae	9%
Changes to the Code for Completion	8%
None of the above	3%

Question: F3. Here are some potential reforms to conveyancing and matters that impact on reforms to conveyancing. Which of them are important for the residential conveyancing industry to focus on in resolving the problems which exist in conveyancing? Base: All opting in to answering (639)

12. Sellers' opinions of TA6 5th Edition

Key findings

- Sellers are more often than not left feeling daunted by the length of the form, and even where they felt they could complete it, a solicitor checking it before it goes to the buyer is felt to be a necessary safeguard.
- Opinion is divided on what 'complete to the best of their ability' means. For some it means a one hundred per cent accurate completion of the form, for others it means gaining a bit of leeway in how they can answer questions yet, those filling in the form need clarity on it.
- Language used in the form impacts a seller's ability to accurately and comfortably complete the form. It is felt that meaning and comprehension can easily be lost when written with jargon and it would leave sellers asking more questions of their solicitors.

Detailed results

Depth interviews were conducted with ten sellers, to gather understanding from them about their feelings for the form and how it impacts them. As part of this interview, the participants were emailed a copy of the 5th Edition approximately 48 hours before the interview and asked to look at it (it was left up to the participants how much time they spent on this exercise, and they were not prompted to look at particular questions). The version sent to them was fully functional with working hyperlinks.

A few sellers spontaneously mentioned that they were very pleased to have been approached for discussion about such a form, as they feel that legal documents can often be daunting and not written for those who are expected to fill them out.

"I think that the Law Society are very sensible in terms of commissioning this work because it makes them, in my mind, think that they are thinking about the people that are going to be filling this in. I think it is good to ask people who...maybe don't know much about it to challenge and ask questions ... like I say, in terms of some of the wording, not everybody will understand them." (Seller)

Sellers were generally concerned about the length of the document, that it was longer than may be necessary. There was a feeling that it could take anywhere from an evening to a week to complete, however, they felt that it was simply a part of a (lengthy) selling process and acceptable in that context. Much of the time necessary for completion was seen to be in the hunt for documentation that they may or may not have anymore and a lack of knowledge or clues as to how to find documents they were missing.

"What, 32 pages? And I was like, what's this?... It's confusing because why would you fill a form in that's 32 pages long if you're paying for the solicitor to be on board? That does not make any sense." (Seller)

"It's fine. It's a big form that needs to be filled out. It takes me a long time to read it and absorb it and kind of think about it. So that's my problem. The form has to be what it has to be." (Seller)

There is little understanding of the concept of 'material information' as it relates to selling a property. Sellers were able to make a guess, but there is little appreciation of the connection between 'material information' and the purpose of the form.

"Yeah, yeah, I'm familiar with the information that you mean, but I didn't know that that's called material information. So that's something I learned today" (Seller)

"Assume that it meant something like the EPC, the deeds, anything that needed collecting" (Seller)

"Don't know is the honest answer. But my stab in the dark guess is material information is the most important information. Names, addresses, numbers." (Seller)

There was a mixed response from sellers regarding their confidence to fill the form out, especially if there is an expectation that they should complete the form by themselves. Some sellers, often those that have prior history of buying and selling, had a feeling that they may be able to complete the form. For others there is an immediate feeling of giving it their best shot, but ultimately an expectation that they will bring in their solicitor to aid in completion.

"I'm going to say a day or two. The reason being I would give it a good go. I'd fill out what I thought I knew and then if there was something I was unsure about, I'd leave it and come back to it." (Seller)

"I feel comfortable doing it because I've had experience of it before... if I don't know, I would add 'don't know' rather than putting yes or no." (Seller)

"Yeah, I wouldn't feel confident filling that in. Not providing all the information that that TA6 form required." (Seller)

"I don't want to have to spend hours looking. I wouldn't know where to start looking for some of that information. You know, it's like, even like the construction of the property, what materials are used? To me it looks like brick, but I don't know, I don't. Where do I find that out from? I don't know." (Seller)

It was felt that the length of the form could play into the feeling of being unable to complete the form without help – that receiving a large legal form and accompanying explanatory text can be overwhelming. There were some sellers who felt that the onus was on the solicitor to lead on the form (sharing it with them, filling in relevant data prior to sharing with them, supporting on completion etc.) rather than on estate agents - felt very much to be a legal document, to be handled by legal people.

"So, I'm paying the solicitor however much money to find out all that information. And some of the wording on the form, I didn't even know what it means or how I would find out that information. And I think, I'm sorry, but I'm paying somebody to find that out, you know, ask me for my documentation. The solicitor should be doing that. I feel there should be an article clerk, someone doing that work." (Seller)

Sellers would also like confirmation that their eyes would not be the last set of eyes to look at the document before it goes over to prospective buyers – that there would be a guarantee on the information shared due to a solicitor's sign off.

"Then it would be over to solicitors to tell me what's outstanding or whether there is anything which I haven't actually filled out correctly and therefore solicitors are there [checking]. So that's why I pay them the fees, for them to look at the document and tell me whether that's been done correctly." (Seller)

"... and the thing with solicitors is they give you the confidence that the legal work will be done. 100 percent right, yeah. And like I said, it just takes that pressure off your shoulders." (Seller)

Sellers consistently felt that the layout of the form and its comprehension need to be made clearer and that there needs to be a focus on them as the primary people filling the form out:

- Clarity on what is a hyperlink and what is simply highlighted text, sellers' ability to recognise links with sellers was varied, only the web links starting with 'https:' being consistently recognised as a hyperlink. The form must follow commonly accepted standards for embedded hyperlinks:

"If there's any links to [an] website, it's got the HTTP colon, all of that. It'd be better if that were a link that you could click. I don't think they are links, but that would be better." (Seller)

"Continuing the conversation about hyperlinks. They should be in the document." (Seller)

"I mean, because it says HTTPs, they're much more obvious that you click on them. Even if you underline it, that will work. That would make it more obvious to click on it. So, it's only just something simple. It's just I saw it in bold and I thought, oh, it must be something that they've sent separately and not part of this form at all." (Seller)

- Accessibility considerations for those that are more elderly or have conditions such as dyslexia:

"It's just my learning abilities. It's white and [there's] a lot of boxes. I struggle with colours and forms and things like that. But what I can normally do in Microsoft programmes, I can change the colour or the font size. I have to say that, because I'm not the only one." (Seller)

"I don't know about my fingers, but you have to make it bigger. Green's my colour, it's how I can read things easier. And the font size. My views are more practical, and I wanted to get that across in talking to you and to whoever this is for, because we're not all computer literate." (Seller)

- Language needs to be easier to understand, with one participant mentioning that it should be written to the reading age of a 12-year-old:

"I always write to [that age]. Even when I'm writing professional documents, I write to the reading age 12 and I'm not sure that this would meet that. That is a gold standard when you are developing forms for the public, that it should be reading age 12." (Seller)

"Some things I had to read twice just to make sure I'd interpreted it properly. There's a couple of things where it'd be really, really great if we hovered over it and it was a little bit more plain English. I think a lot of people would have struggled to fill it in." (Seller)

- No outright preference by format. Sellers felt there needs to be the option of digital copy or physical, it cannot be limited to an either-or situation:

"I prefer it to be physical because these forms can be really glitchy when you're trying to do them electronically." (Seller)

"Oh, well, I'm slightly old fashioned. I think you need both." (Seller)

"You know, there's a thing about mentally having a bit of paper and taking a [question] and doing it. That means you have to invest more emotional energy into doing it and you're more likely to put the correct amount rather than [guessing]. I think it doesn't seem so serious when it's electronic on a form like this, that would be my one thought to have. And 32 pages electronically. Have I got the patience for that? I'm not sure." (Seller)

- It is seen to all be one document, there is minimal to no recognition of it being a 2-part document. Opinions on whether it is better to split the form into smaller documents or consolidated everything into a single form were divided.

"I was going to say that broken down into smaller parts rather than one big form. And it could be six stages to it. That would be easier for me. It also helps with [checking] the progress." (Seller)

"I think it is better if it is one form with the information that they need. So, if this, this redraft consolidates the information from multiple forms, much better." (Seller)

- Greater provision of 'do not know' or 'not applicable' options on more questions would be appreciated by sellers. At a minimum, sellers felt these would work well to act as a placeholder so that the form could be completed with the support of a Solicitor.

"Not that I would guess, but I, some people might just think, oh God, I might put no because I don't know. I think it would be more truthful and also I would imagine if a solicitor went through it then they, they would pick [that] up." (Seller)

"Because there isn't a box that says I don't know or unsure, I would probably write unsure on it. But...I would feel a bit funny about doing that on a form like this where it's quite structured and you should answer in the boxes." (Seller)

"I did notice that, and I just thought that what will happen is with the not sure ones, I'll get an email from the solicitor saying on question on page 15, you've ticked you're not sure about this and... and then it'll just be thrown back to me at some point." (Seller)

There was some recognition of the 'complete to the best of your ability' from sellers when reading the form. However, it had varying impacts upon them – from doubt and confusion to fear of any repercussions for incorrect information. Some see it to mean that they would need to get it completely and utterly correct; others see it giving them a bit of leeway in how they answer.

For those sellers for whom the phrase would make them feel pressure to fill it out the best they could, some felt that they would not have the confidence in answers they were giving which would increase the questions they would have for their solicitors. The implications of needing to answer questions accurately made some sellers nervous about being held accountable for any inaccuracies, and this was felt to be compounded by the usage of legal terminology adding to their uncertainty.

"The option of unknown or don't know on some of the questions would be useful ... and then maybe if the form isn't [accurate], I don't get in trouble for putting the wrong answer. If it could say that [don't know], that would be nice." (Seller)

However, for those who didn't feel the onus to answer everything as correctly as they could, it was mentioned how the phrase would make them be a bit looser in their responses. Where they were unsure, they would 'simply put no if they were unsure and can then just say 'I forgot' or 'I didn't know' if it comes up later on'.

"If don't know, I would add 'don't know' rather than putting yes or no. But I don't think everybody would feel that. They would just see I've got to put yes or no." (Seller)

"In reality, there are likely no significant repercussions. Once the transaction is complete, the buyer is left with the property, and any undisclosed issues may not lead to legal action, making the disclosure process feel somewhat meaningless." (Seller)

"I'm just looking at some interesting ones here. 'Have you ever had difficulty obtaining insurance?' Yes or no. So that's quite interesting. Who's going to tick, yes? And if I do tick no, but I have had what's the kick? What's the fallback on me as the seller? I don't know." (Seller)

In terms of extra support, online videos and tutorials are quite appealing and often mentioned without probing, along with the idea of sharing example responses to questions.

"There's the page that says definitions, they could always add more definitions on there. But if it is a digital form like this, if you wanted to know, for example, radon, if you click on the word radon, it will take you to the definitions page and explain it there. So, something maybe a bit more intelligent, you know, a bit more interactive." (Seller)

"It could be you've got the form online and you click on the relevant section, and you've got a little photo, a little 'how to' couple of steps or like a little information icon. I quite like little YouTube clips that I take things in better that way [although] I realise that everybody's different." (Seller)

13. Communication and Digitisation

Key findings

- Individual practitioners are most likely to be responsible for keeping up to date on legal aspects of conveyancing and use a range of sources – most likely legal journals.
- Digital information sources are preferred due to ease of access, environmental concerns and speed. Many also like using a mix of hard copy and digital.
- Over half of those taking part said they are involved with helping their business to digitise. Transition to digital is easy for many but there are still a lot for whom it is slow or disjointed.

Detailed results

Participants taking part in the online workshop were asked a number of survey questions relating to how they stay up to date on legal aspects of conveyancing and the types and formats of information sources used. In each case, respondents were shown a list of response options to choose from.

In most cases, staying up to date is the responsibility of the individual practitioner, with almost half of workshop participants giving this response. Remaining responses were split almost equally between the SRO and one of the partners.

Table 13.1 Responsibility for staying up to date

	%
Individual practitioners	48%
SRO	27%
One of the partners	25%

Question 1: Who is responsible for keeping practitioners updated on the legal aspects of conveyancing where you work?

Base: All workshop participants answering this question (56)

Three quarters of conveyancers taking part in the workshop said that the most common primary sources used for staying up to date on legal aspects of conveyancing are legal journals and publications. This was followed by online legal forums and communities; a response given by almost two thirds of workshop participants. The Law Society website and communications as well as legal news websites were the next most popular responses (mentioned by just over a half of workshop participants).

Table 13.2 Information sources used to stay up to date on the legal aspects of conveyancing

	%
Legal journals and publications	75%
Online legal forums and communities	64%
Law Society website and communications	58%
Legal news website	58%
Official government website	44%
Social media platforms	27%
None of these	7%

Question 2: What is your primary source for staying updated on the legal aspects of conveyancing?

Base: All workshop participants answering this question (59)

Conveyancers in the workshop were most likely to use The Law Society Gazette, followed by The Conveyancing Handbook and Today's Conveyancer. Lexis Nexis was the fourth most popular legal journal/publication and the only other mentioned by more than a third of participants. The most commonly mentioned response among those mentioning another source not on our prompt list was 'Practical Law'.

Table 13.3 Which legal journals and publications do you use?

	%
The Law Society Gazette (lawgazette.co.uk)	80%
The Conveyancing Handbook	60%
Today's Conveyancer - Conveyancing News Articles & Market Knowledge (todaysconveyancer.co.uk)	60%
Lexis Nexis	40%
News - boldgroup.co.uk	33%
Inside Conveyancing	32%
Insight Conveyancing - Developments within the Conveyancing Industry	32%
Lexology	22%
Property Industry Eye - Where news comes first - Property Industry Eye	22%
Developments within the Conveyancing Industry	12%
The Negotiator	7%
Property News from the Real Estate Market Property Week	5%
PropertyWire - UK & International Property News Service	3%
Inside Housing – Home	3%
Estate Agency Market News Property Market News Estate Agent Today	3%
Latest Property News - Letting Agent Tips - Letting Agent Today	-
Something else	28%
None of these	2%

Question 3a: Which legal journals and publications do you use?

Base: All workshop participants answering this question (60)

Almost all conveyancers in the workshop use digital sources for legal updates. Webinars are most commonly used, followed by LinkedIn and Online magazines. The most commonly mentioned response among those mentioning another source was 'Practical Law'.

Table 13.4 Digital sources used

	%
Webinars	75%
LinkedIn	67%
Online magazines	52%
TikTok	3%
Instagram	-
Other sources	26%
I do not use digital sources	3%

Question 4a: Which digital sources do you frequently use for legal updates, changes in the market or to read the opinions of leaders and others in the conveyancing profession and the wider industry?

Base: All workshop participants answering this question (61)

Workshop participants were then asked an open question about whether they preferred digital or hard-copy publications and their reasons. Most (two thirds) said they preferred digital materials – this was mostly due to ease of access. Digital was also cited as being less wasteful and more cost effective.

"Digital as they are easier to access and easier to share with colleagues."

"Digital is easier to use and keep track of."

"Digital as it's far easier to share with colleagues and find links to official sources and other opinions."

"I would say there is a very fine margin between the two however the practicality and ease of being able to save down and search within digital publications gives digital the edge."

"Digital, better for the environment and can be easily updated. It is tedious for example getting the new Conveyancer's Handbook (which is also costly) every year."

The remaining third were equally divided between those who preferred hard copy and those with no preference (or who saw benefits in both). Conveyancers who preferred hard copy often did so because they found it easier to mark up.

"Hard copy as it is easier to read and mark and cross check."

"Hard copy to mark up."

"Hard copy can refer back to and easily pass on information."

Workshop participants ranked a range of methods for receiving on conveyancing matters from the Law Society (however we believe they answer the question more generally as updated on conveyancing matters). They were most likely to rank emails as their preferred method of communication, followed by Law Society Gazette and newsletters. Newsletters and websites are ranked lower but still have considerable reach.

Table 13.5 Preferred method for receiving conveyancing matters from the Law Society

	Ranked by	Ranking
Emails e.g. CQS communications/Webinars	91%	1st
Law Society Gazette	88%	2nd
Newsletters	81%	3rd
Website	75%	4th
Attending conferences	75%	5th
LinkedIn	61%	6 th =
Trade press (Today's Conveyancer etc)	60%	6 th =
Magazines (via Sections)	54%	8th
National press/media	51%	9th

Question 5a: What is your preferred method for receiving updates on conveyancing matters from the Law Society?

Base: All workshop participants answering this question (57)

Among those mentioning websites as one of their information sources (three quarters), The Law Society's website and Bold Legal were the most frequently mentioned as sources.

Table 13.6 Preferred websites for updates on conveyancing matters from the Law Society?

	%
Law Society / Law Society Gazette	49%
Bold Legal	21%
Today's Conveyancer	13%
Practical Law	10%
HMRC	8%
SRA, Lexis, CLC, HM Land Registry, Conveyancing Association	All 5%

Question 5b: For those of you ranking websites highly, can you tell us which websites you use?

Base: All workshop participants mentioning websites and answering question (39)

Digital and electronic conveyancing forms were most commonly used among workshop participants; in each case by around one in three of those taking part. Compared to the results of the web survey the proportion using smart is similar (18 percent of workshop participants answering this question vs 13 percent of participants in the web survey). However, the proportion using electronic and digital forms is greater and the proportion using print/paper forms is considerably lower).

Table 13.7 Types of conveyancing forms used

	%
Digital forms: designed to be filled out on computers and mobile phones with basic input fields. They can be integrated with other databases and systems that often require manual setup	32%
Electronic forms: emailed to clients which requires printing, filling the form manually, scanning the completed form and return by email	32%
Smart forms: advanced digital forms with enhanced input fields. Seamlessly connects with databases and could be used on different devices.	18%
Print/Paper forms: printed and sent by post to be completed manually and returned by post	18%

Question 6: Which type of conveyancing forms does your firm or business primarily use: digital, smart, electronic or print/paper?

Base: All workshop participants answering this question (60)

While participants in the workshop were more likely than those in the web survey to complete the form electronically, when it comes to sellers completing TA6, they still believed sellers were most likely to write answers by hand on a printed version of the form.

Table 13.8 How do sellers complete form TA6

Ranking	
Seller writes answers by hand into a printed version of the form and returns it by post or electronically.	1 st
Seller keys answers into a fillable pdf version of the form and returns it electronically	2 nd
Seller uses smart form version that can be completed on a mobile phone, tablet or PC	3 rd

Question 7: Please rank the following according to how likely sellers are to use them for completing the TA6 (4th or 5th edition)
Base: All workshop participants answering this question (60)

Thinking more generally, more conveyancers taking part in the workshop said they were involved in the evolution of their business towards digitisation, than were not.

Table 13.9 Involvement in the evolution of their business towards digitisation

	%
Yes, I'm involved	59%
No, I'm not involved	41%

Question 10: Are you involved in evolving the business model structure at your firm to a more digital one?
Base: All workshop participants answering this question (58)

When asked for their spontaneous thoughts, participants were most likely to say that the transition to a digital way of working was 'efficient' but 'awkward', 'disjointed' and 'slow' were also mentioned by many.

Figure 13.1 The transition to a digital based way of working



Question 8: What word would you use to describe the transition to more digital based ways of working?
Base: All workshop participants answering this question (59)

However, when asked to rate the ease of transitioning to a digitally based way of working on easy to difficult scale, more said that the transition process was easy, compared to the proportion who said it was difficult.

These scores provide an interesting benchmark for Question C2 in the web survey (On a scale of 1 to 5, 1 being "very difficult" and 5 being "very easy" ... how have you found the transition to the 5th edition?). In that question, 73 percent rated the transition as difficult and only 10% as easy compared to 17 percent and 37 percent respectively here).

Table 13.10 Ease of transitioning to a digitally based way of working

	%
Very difficult (1)	5%
2	12%
3	47%
4	16%
Very easy (5)	21%
NET : Difficult	17%
NET : Easy	37%

Question 9: How easy are you finding the transition to a more digital based way of working on a scale of 1 to 5 where 1 is very difficult and 5 is very easy?

Base: All workshop participants answering this question (58)

Appendix A – Online survey questionnaire

SECTION A - RESPONDENT PROFILE AND ROLE IN RESIDENTIAL CONVEYANCING

In this section, we are going to ask about where you work, what your job role is and your involvement in residential conveyancing. The answers will help us analyse the results by audience (e.g. conveyancers or estate agents). You will not be asked to provide any personal information in your answers (e.g. your name or the name of your employer).

ASK ALL. SINGLE CODE

A1. Which of the following best describes the main organisation you currently work in?

Please select one answer.

1	Legal practice (including as sole practitioner)
2	I work as a freelance solicitor
3	Estate agent
4	Property developer, builder etc.
5	Local authority
6	Form TA6 Provider
7	Trade association
8	Government or regulator
9	Consumer organisation
98	Other

ASK IF A1=98. OPEN END

A1a. Please provide details of your employer.

Please write in.

ASK IF LEGAL PRACTICE (A1=1). SINGLE CODE

A2. Is your firm CQS Accredited?

Please select one answer.

1	Yes
2	No
97	Don't know

ASK IF CQS ACCREDITED (A2=1). SINGLE CODE

A2a. Are you the SRO at your firm?

Please select one answer.

1	Yes
2	No

ASK IF LEGAL PRACTICE (A1=1). SINGLE CODE

A3. Does your firm pay Estate Agent referral fees?

Please select one answer.

1	Yes
2	No
97	Don't know

ASK IF LEGAL PRACTICE (A1=1). SINGLE CODE

A4. Which of these roles best describes your position within your organisation?

Please select one answer.

1	Licensed Conveyancer
2	Conveyancing Executive
3	Trainee Conveyancer or Solicitor
4	Solicitor
5	Assistant Solicitor
6	Sole practitioner
7	Equity Partner (you have a share in the business)
8	Salaried Partner (managerial position)
9	Consultant (you are an adviser to the other lawyers)
10	Chartered Legal Executive
11	Paralegal
12	Clerical or admin
98	Other

ASK IF IN LEGAL PRACTICE OR SELF-EMPLOYED SOLICITOR (A1=1 OR 2). MULTIPLE CODE

A5. Which of the following best describes your involvement in residential conveyancing?

Please select all that apply.

1	It is my main role / one of my main roles
2	I am involved occasionally, for example as part of Probate
3	I manage a team involved in conveyancing
98	Other

ASK IF A1=7 TO 98 OR A5=98. OPEN END

A5a. Please provide details of your involvement in residential conveyancing:

Please write in.

A6 missing intentionally

ASK IF WORK FOR ESTATE AGENT, PROPERTY DEVELOPER OR LOCAL AUTHORITY (A1=3 TO 5). MULTICODE

A7 Which of the following best describes your involvement in residential conveyancing?

Please select all that apply.

1	Checking material information (e.g. before listing properties)
2	Providing material information / undertaking searches
98	Other

ASK IF A7=98. OPEN END

A7a. Please provide details of your involvement in residential conveyancing:

Please write in.

ASK IF WORK FOR ESTATE AGENT, PROPERTY DEVELOPER OR LOCAL AUTHORITY (A1=3 TO 5). MULTICODE

A8. Do you manage other staff within your organisation involved in residential conveyancing?

Please select one answer.

1	Yes
2	No

ASK IF A5=3 OR A8=1. NUMERIC.

A9. How many staff do you manage involved in residential conveyancing?

INCLUDE AN OPEN TEXT BOX THAT ACCEPTS NUMERIC ANSWERS ONLY, WITH A MIN OF 0 OR 1 (ITDMS) AND A MAX OF 1,000 ALLOWED. INCLUDE A DON'T KNOW OPTION.

Please write in.

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SECTION B – EXPERIENCE OF USING THE 5TH EDITION

ASK SECTION B IF IN LEGAL PRACTICE, SELF-EMPLOYED SOLICITOR ESTATE AGENT, PROPERTY DEVELOPER OR LOCAL AUTHORITY (A1=1 TO 5).

In this section, we'd like to ask about how (if) you are using 5th Edition of TA6. This will help us understand your answers about your experiences of the form, and make sure we only ask questions which are relevant to you.

ASK ALL, SINGLE CODE

B1. Which property information form do you mainly use now in conveyancing transactions when acting for sellers?

Please select one answer.

1	TA6 4th edition (2020)
2	TA6 5th edition (2024)
3	BASPI
4	Propertymark PIQ
98	Other

ASK IF B1=98. OPEN END

B1a. Which other property information form do you mainly use now in conveyancing transactions when acting for sellers:

Please write in.

--

ASK ALL NOT MAINLY WORKING WITH 5TH EDITION (B1 =1, 3 ,4 OR 98), SINGLE CODE

B2. Have you used the TA6 5th edition (2024) at all yet (either when acting for sellers or buyers)?

Please select one answer.

1	Yes
2	No

ASK IF WORKED WITH TA6 5TH EDITION (B1=2 OR B2=1). NUMERIC.

B3. Approximately how many times have you used the 5th Edition of TA6? Please give your best estimate.

INCLUDE AN OPEN TEXT BOX THAT ACCEPTS NUMERIC ANSWERS ONLY, WITH A MIN OF 0 OR 1 (ITDMS) AND A MAX OF 1,000 ALLOWED. INCLUDE A DON'T KNOW OPTION.

Please write in.

--	--	--	--

ASK ALL MAINLY USING TA6 (B1=1 OR 2), SINGLE CODE

B4. Which format of TA6 do you mainly use in conveyancing transactions when acting for sellers?

Please select one answer.

1	Smart Form (a digital form partly completed automatically)
2	Other digital form (with no automatic completion)
3	PDF completed electronically
4	PDF completed by hand
98	Other

ASK IF B4=98. OPEN END

B4a. Which other format of TA6 do you mainly use?

Please write in.

--

ASK IF USING SMART FORM OR ELECTRONIC FORMS (B4=1 OR 2), MULTICODE

B5. Who is the provider of your digital TA6 forms?

Please select all that apply.

1	Coadjute
2	Dye & Durham
3	FormEvo
4	Hipla
5	Hoowla
6	Home Owner's Passport (HOP)
7	InfoTrack
8	Law Firm Services (Minerva)
9	LEAP
10	Lexis Smart Forms
11	OneAdvanced (Laserform, Legal Forms and OyezForms).
12	ProConvey
13	Redbrick Solutions
14	Shaw & Sons
15	Smoove
98	Other
99	Don't know

ASK IF B5=98. OPEN END

B5a. Which provider of digital TA6 forms do you use?

Please write in.

--

SECTION C – THE TRANSITION TO THE 5TH EDITION

SHOW IF USING 5TH EDITION (B1=2 OR B2=1)

Now, we'd like to ask about the transition to using the 5th Edition, we'll ask about the 5th Edition form itself in the next section. If you found the transition easy, we will ask about what training or learning resources were helpful. If you found the transition difficult, we'll ask about what training or learning resources you would like to support you.

SHOW IF NOT USING 5TH EDITION (B2=2)

Now, we'd like to ask about why you have not started using the 5th Edition, we'll ask about the 5th Edition form itself in the next section. We'll also ask about what training or learning resources would be helpful in supporting using the 5th Edition.

ASK IF USING 5TH EDITION (B1=2 OR B2=1), MULTICODE

C1. Why did you start using the 5th edition?

Please select all that apply.

RANDOMISE ROWS, EXCEPT OTHER AND DON'T KNOW. CODE 8 MUST ALWAYS APPEAR BELOW CODE 7.

1	Head office / management decision
2	Conversations with work colleagues / manager
3	Required by CQS
4	To remain on estate agent's approved panel
5	Advised to by supplier of our forms SHOW IF USING SMART FORM OR ELECTRONIC FORMS (B4=1 OR 2)
6	Info in trade press articles (e.g Today's Conveyancer, Estate Agent Today)
7	Info on the Law Society website
8	Info on other web sites
9	Not our decision, we work with forms supplied to us
98	Other ANCHOR
99	Don't know ANCHOR

ASK IF USING 5TH EDITION (B1=2 OR B2=1), SINGLE CODE

C2. On a scale of 1 to 5, 1 being "very difficult" and 5 being "very easy"...how have you found the transition to the 5th edition?

Please select one answer.

1	Very difficult
2	Fairly difficult
3	Neither / nor
4	Fairly easy
5	Very easy
99	Don't know GO TO SECTION D

ASK IF USING 5TH EDITION (B1=2 OR B2=1), OPEN END

C3a. Why do you say that?

Please write in.

ASK IF USING 5TH EDITION (B1=2 OR B2=1), OPEN END

C3b. How do you think the process of updating the Property Information form could have been handled better? Please answer about the process here, we'll ask about the form itself in the next section.
Please write in.

ASK IF USING 5TH EDITION (B1=2 OR B2=1), RATEMENT, SINGLE CODE PER ROW

C4. Thinking back to when you started using the 5th Edition, how well informed were you about the following?
Please select one answer for each statement.

RANDOMISE ORDER OF STATEMENTS. ATTRIBUTE 3 SHOW ALWAYS BE SHOWN LAST.

		Very well informed	Well informed	Adequately informed	Not well informed	Not informed at all	Don't know / Not relevant to me
1	The reasons for the introduction of the 5 th Edition	5	4	3	2	1	99
2	The changes to the material information requirements of NTSELAT (National Trading Standards)	5	4	3	2	1	99
3	Other changes to the form since the 4 th Edition (e.g. different layout or order of the questions)	5	4	3	2	1	99
4	The length of time it would take sellers to complete the form	5	4	3	2	1	99
5	Cost implications of using the new form to your organisation	5	4	3	2	1	99
6	How the form would affect sellers listing their property with Estate Agents	5	4	3	2	1	99
7	The obligation of the seller only to reply to the questions on TA6 on the basis of their own knowledge.	5	4	3	2	1	99

IF TRANSITION TO 5TH EDITION WAS NOT EASY (C2=1 OR 2 OR 3), GO TO QUESTION C9

ASK IF TRANSITION TO 5TH EDITION WAS EASY (C2=4 OR 5), MULTICODE

C5. What (if any) training or learning resources did you have to help with the transition to the 5th Edition?

Please select all that apply.

RANDOMISE ROWS, EXCEPT OTHER AND NONE. CODE 6 MUST ALWAYS APPEAR BELOW CODE 5.

1	Conversations with work colleagues / manager
2	Employer internal communications (e.g. intranet)
3	Training course(s) delivered by my employer
4	Trade press articles (e.g Today's Conveyancer, Estate Agent Today)
5	Info on the Law Society website
6	Info on other web sites
7	Instructions / explanatory guides (e.g. from Estate Agents to their Solicitor Panels)
8	Training/webinars provided by the Law Society
9	Training courses delivered by our TA6 form supplier SHOW IF USING SMART FORM OR ELECTRONIC FORMS (B4=1 OR 2)
10	Training courses delivered by other professional body/ commercial training provider(s)
98	Other ANCHOR
99	None ANCHOR

ASK IF C5=10. OPEN END

C5a. Which other professional body/ commercial training provider(s) training courses did you use?

Please write in.

ASK IF C5=5, MULTICODE

C5b. Which information on the Law Society web site did you use?

Please select all that apply.

1	TA6 5th edition Explanatory Notes for Sellers and Buyers https://www.lawsociety.org.uk/topics/property/transaction-forms/ta6-form-explanatory-notes
2	Material Information included in TA6 https://www.lawsociety.org.uk/topics/property/material-information-included-in-ta6-form
3	TA6 FAQs https://www.lawsociety.org.uk/topics/property/q-and-a/ta6-form-faqs
4	Consumer Protection Regulations in Conveyancing Practice Note https://www.lawsociety.org.uk/topics/property/consumer-protection-regulations-in-conveyancing
98	Other

ASK IF TRANSITION TO 5TH EDITION WAS EASY (C2=4 OR 5), MULTICODE

C6. How helpful were these training or learning resources with the transition to the 5th Edition?

Please select one answer for each statement.

RANDOMISE ORDER OF STATEMENTS – SHOW ONLY THOSE SELECTED AT C5/C5B

		Very helpful	Somewhat helpful	Not very helpful	Not helpful at all
1	Conversations with work colleagues / manager	5	4	2	1
2	Employer internal communications (e.g. intranet)	5	4	2	1
3	Training course(s) delivered by my employer	5	4	2	1
4	Trade press articles (e.g Today's Conveyancer, Estate Agent Today)	5	4	2	1
5	TA6 5th edition Explanatory Notes for Sellers and Buyers	5	4	2	1
6	Material Information included in TA6	5	4	2	1
7	TA6 FAQs	5	4	2	1
8	Consumer Protection Regulations in Conveyancing Practice Note	5	4	2	1
9	Info on other web sites	5	4	2	1
10	Instructions / explanatory guides (e.g. from Estate Agents to their Solicitor Panels)	5	4	2	1
11	Training/webinars provided by the Law Society	5	4	2	1
12	Training courses delivered by our TA6 form supplier	5	4	2	1
13	Training courses delivered by other trade professional body/ commercial training provider(s)	5	4	2	1

IF TRANSITION TO 5TH EDITION WAS EASY (C2=4 OR 5), GO TO SECTION D

ASK IF NOT USING 5TH EDITION (B2=2), MULTICODE

C7. Why are you not yet using the 5th Edition?

Please select all that apply.

RANDOMISE ORDER EXCEPT OTHER AND DON'T KNOW

1	Sellers are not easily able to provide the material information needed
2	The 5 th Edition form is excessively long and complex
3	Changes to the form since the 4 th Edition (e.g. different layout or order of the questions) have made it harder to use
4	The new Protocol Forms are causing delays to the sale of properties
5	We are unable to charge clients for the additional time we think it would involve to complete the form
6	We have concerns that the form potentially exposes sellers to increased risks of liability for misrepresentation
7	Sellers are uncomfortable with the idea of incurring fees and expenses before a property is put on the market
8	It has been suggested that solicitors/conveyancers will be liable for any misrepresentation or omission
9	Head office / management decision
10	Conversations with work colleagues / manager
11	Not our decision, we work with forms supplied to us
98	Other ANCHOR
99	Don't know ANCHOR

ASK IF NOT USING 5TH EDITION (B2=2), SINGLE CODE

C8. Before the recent consultation started, how likely were you to starting using the 5th Edition form before the 15th Jan 2025 deadline?

Please select one answer.

1	Very likely
2	Quite likely
3	Not very likely
4	Not at all likely
99	Don't know

ASK IF TRANSITION TO 5TH EDITION WAS NOT EASY (C2=1 OR 2 OR 3), OR NOT STARTED USING YET (B2=2)

MULTICODE

C9. What (if any) training or learning resources do you know about to help with the transition to the 5th Edition?

Please select all that apply.

RANDOMISE ORDER EXCEPT OTHER AND DON'T KNOW. CODE 2 MUST ALWAYS APPEAR BELOW CODE 1.

1	Info on the Law Society website
2	Info on other web sites
3	Instructions / explanatory guides (e.g. from Estate Agents to their Solicitor Panels)
4	Training/webinars provided by the Law Society
5	Training courses delivered by our TA6 form supplier SHOW IF USING SMART FORM OR ELECTRONIC FORMS (B4=1 OR 2)
6	Training courses delivered by other professional body/ commercial training provider(s)
98	Other ANCHOR
99	None ANCHOR

ASK IF C9=6. OPEN END

C9a. Which other professional body/ commercial training provider(s) training courses do you know about?
Please write in.

ASK IF C9=1, MULTICODE

C9b. Which information on the Law Society web site did you use?

Please select all that apply.

1	TA6 5th edition Explanatory Notes for Sellers and Buyers https://www.lawsociety.org.uk/topics/property/transaction-forms/ta6-form-explanatory-notes
2	Material Information included in TA6 https://www.lawsociety.org.uk/topics/property/material-information-included-in-ta6-form
3	TA6 FAQs https://www.lawsociety.org.uk/topics/property/q-and-a/ta6-form-faqs
4	Consumer Protection Regulations in Conveyancing Practice Note https://www.lawsociety.org.uk/topics/property/consumer-protection-regulations-in-conveyancing
98	Other

ASK IF TRANSITION TO 5TH EDITION WAS NOT EASY (C2=1 OR 2 OR 3), OR NOT STARTED USING YET (B2=2)
MULTICODE

C10. How helpful do you think the following resources would be in the transition to the 5th Edition?

Please select one answer for each statement.

RANDOMISE ORDER OF STATEMENTS – SHOW ONLY THOSE SELECTED AT C9/C9B

		Very helpful	Somewhat helpful	Not very helpful	Not helpful at all
1	TA6 5th edition Explanatory Notes for Sellers and Buyers	5	4	2	1
2	Material Information included in TA6	5	4	2	1
3	TA6 FAQs	5	4	2	1
4	Consumer Protection Regulations in Conveyancing Practice Note	5	4	2	1
5	Info on other web sites	5	4	2	1
6	Instructions / explanatory guides (e.g. from Estate Agents to their Solicitor Panels)	5	4	2	1
7	Training/webinars provided by the Law Society	5	4	2	1
8	Training courses delivered by our TA6 form supplier	5	4	2	1
9	Training courses delivered by other professional body/ commercial training provider(s)	5	4	2	1

SECTION D – THE 5TH EDITION FORM

In this section, we'd like to ask about 5th Edition form itself. The section will start with general questions about the 5th Edition, followed by (optional) questions for you to provide feedback on specific parts of the form.

ROTATE THE ORDER D1 AND D2 ARE SHOWN TO RESPONDENTS**ASK ALL. OPEN END**

D1. What (if any) do you believe are the advantages of using the 5th Edition form?
Please write in.

ASK ALL. OPEN END

D2. What (if any) do you believe are the disadvantages or challenges of using the 5th Edition form?
Please write in.

ASK IF USED TA6 5TH EDITION (B1=2 OR B2=1). SINGLE CODE

D3. On a scale of 1 to 5, 1 being "very difficult" and 5 being "very easy"...how easy is the 5th Edition form to use?

Please select one answer.

1	Very difficult to use
2	Quite difficult to use
3	Neither easy nor difficult to use
4	Quite easy to use
5	Very easy to use
99	Don't know / not relevant to me

ASK ALL RATING THE 5TH EDITION FORM (D3=1-5), SINGLE CODE

D4. And how does this compare to the 4th Edition?

Please select one answer.

1	The 5 th Edition is easier to use
2	The 4 th Edition was easier to use
3	Neither are easy to use
4	Both are equally easy to use
99	Don't know / not relevant to me

ASK ALL, RATEMENT, SINGLE CODE PER ROW

D5. On the basis that the only obligation for the seller is to answer the questions truthfully from their own knowledge, to what extent do you agree or disagree with each of the following statements about the 5th Edition form? Please select one answer for each statement.

RANDOMISE ORDER OF STATEMENTS

		Strongly agree	Slightly agree	Neither agree nor disagree	Slightly disagree	Strongly disagree	Don't know / Not relevant to me
1	Sellers are not easily able to provide the material information needed	5	4	3	2	1	99
2	It is helpful that TA6 includes the NTSELAT material information	5	4	3	2	1	99
3	The 5 th Edition form is excessively long and complex	5	4	3	2	1	99
4	Changes to the form since the 4 th Edition (e.g. different layout or order of the questions) have made it harder to use	5	4	3	2	1	99
5	Now we are used to using the 5 th Edition, it is not causing any significant problems	5	4	3	2	1	99
6	We are unable to charge clients for the additional time needed to complete the form	5	4	3	2	1	99
7	We have concerns that the form potentially exposes sellers to increased risks of liability for misrepresentation	5	4	3	2	1	99
8	Sellers are uncomfortable with the idea of incurring fees and expenses before a property is put on the market	5	4	3	2	1	99
9	The increased transparency will see fewer transactions falling through	5	4	3	2	1	99
10	Sellers understand (as the note to sellers sets out at the front of the form) their only obligation is to answer the questions truthfully from their own knowledge	5	4	3	2	1	99
11	The increased transparency means that consumers are better informed at the start of the transaction	5	4	3	2	1	99

ASK ALL

D6. Do you agree or disagree that Form TA6 should contain standardised enquiries about material information (that follow the NTSELAT guidance) so that sellers are able to provide information about properties to [estate agents and] buyers?

1	Yes, it should be included
2	No, it shouldn't be included
3	Don't know / Not relevant to me

ASK IF D6=2, MULTIPLE CODE

D6a. If you answered "no it shouldn't be included" how would you ensure that the buyer is able to rely on the material information supplied?

Please select all that apply.

RANDOMISE ORDER EXCEPT OTHER

1	Ask the estate agents to provide all of the material information they have used in the marketing materials and incorporate this into the contract
2	Ask the buyer which pieces of material information from the estate agent they are keen to rely on and incorporate this information into the contract
98	Other ANCHOR

ASK IF D6A=98. OPEN END

D6b. What other approach(s) would you use to ensure that the buyer is able to rely on the material information supplied?

Please write in.

ASK IF D5_1=4 OR 5 OR D5_3 = 4 OR 5 (SELLERS CAN'T PROVIDE INFO OR FORM IS TOO LONG). MULTIPLE CODE

D7. Which pieces of information do you think should not be provided to the buyer in the TA6 form?

Please select all that apply.

RANDOMISE ORDER EXCEPT OTHER

1	Council tax
2	Asking price
3	Tenure
4	Physical characteristics about the property
5	Number of type(s) of room(s)
6	Construction materials
7	Building safety
8	Erosion risk
9	Property accessibility/adaptations for users with extra needs
10	Coalfield or mining area
98	Other ANCHOR

ASK ALL, MULTICODE

D8. Who do you believe needs be involved in resolving any issues with the 5th Edition form?

Please select all that apply.

RANDOMISE ORDER EXCEPT OTHER/NONE OF THE ABOVE

1	The Law Society
2	Regulators
3	National Trading Standards
4	Representative bodies
5	The major estate agents
6	The providers of TA6 forms
7	Individual practitioners
8	Digital Property Market Steering Group
98	Other ANCHOR
99	None of the above ANCHOR

ASK IF D8=98, OPEN END

D8a. Who else should be involved?

Please write in.

ASK IF D8=1 TO 98, OPEN END

D9. And what are they key actions (if any) you think they need to take?

Please write in.

ASK ALL, RATEMENT, SINGLE CODE PER ROW

D10. Here are possible actions which could be taken to change how the 5th Edition operates in practice. How helpful do you feel each would be?

Please select one answer for each statement.

RANDOMISE ORDER OF STATEMENTS

		Very helpful	Somewhat helpful	Not very helpful	Not helpful at all	Don't know / Not relevant to me
1	Better explanatory guides for consumers and conveyancers on how to use the form	4	3	2	1	99
2	Training courses / webinars on how to use the form	4	3	2	1	99
3	Providing more information (e.g. explaining the seller's position concerning misrepresentation)	4	3	2	1	99
4	Postponing making the 5 th Edition compulsory for CQS members	4	3	2	1	99
5	Improving the design of the form to make it easier to use	4	3	2	1	99
6	Splitting the form more completely into two to create (1) a section to be used when instructed early by a seller and (2) a section to be used when instructed by a seller after a buyer has been identified	4	3	2	1	99
7	Improvements to Smart Forms (e.g. Increased automatic completion)	4	3	2	1	99
8	Expanded answer sections to include more 'don't know' answers and free text boxes	4	3	2	1	99
9	Amend the Law Society National Conveyancing Protocol to set out requirements in relation to TA6 clearly	4	3	2	1	99
10	Encouraging solicitors through the Law Society National Conveyancing Protocol to accept instructions from sellers before a buyer has been found	4	3	2	1	99

ASK ALL, SINGLE CODE

D11. Would you like to complete the next section which allows you to provide detailed feedback on individual parts of the 5th Edition. If you do not wish to answer this additional section your responses above will still be included in our analysis.

1	Yes
2	No

IF YES AT D11 ASK SECTION E, OTHERWISE GO TO OPT IN TO SECTION F QUESTION

SECTION E – DETAILED FEEDBACK

ASK SECTION E IF OPTED IN (D11=1)

This section allows you to provide detailed feedback on the new topics (sections and questions) that appear in the 5th edition, but not the 4th edition, relating to material information.

ASK SECTION E IF OPTED IN (D10=1). MULTIPLE CODE

E1. Which new topics (sections or questions) in the 5th edition form are sellers having difficulty answering?

1	Section 1: Council tax
2	Section 2: Asking price
3	Section 3: Tenure, ownership and charges
4	Section 4: Physical characteristics of the property
5	Section 7: Building safety
6	Question 8.4: Restrictive covenants
7	Question 10.4: Coastal erosion
8	Section 13: Accessibility
9	Section 14: Coalfield or mining area
98	Other

ASK IF E1=98. OPEN END

E1a. What other topics (sections or questions) in the 5th edition form are sellers having difficulty answering:
Please write in.

ASK E2 FOR EACH SECTION OF THE FORM RESPONDENT HAS HAD PROBLEMS WITH (ANSWERING AT E1).
OPEN END

E2. What changes need to be made to <INSERT CODE FROM QUESITON E1, OR TEXT FROM E1A IF E1=98> so that sellers can complete the form more easily? If the section contains more than one question, please detail in your answer which question you are referring to. Please write in.

SECTION F – OTHER ISSUES AFFECTING CONVEYANCING

ASK ALL, SINGLE CODE

F1. Would you like to complete the final section which asks about issues affecting conveyancing beyond the TA6 form? This section should take you approximately 5 minutes to complete. If you do not wish to answer this additional section your responses above will still be included in our analysis.

1	Yes
2	No GO TO F6

ASK ALL OPTING IN (F1=1), OPEN END

F2. From your experience, what is the single biggest problem you think exists today in conveyancing?
Please write in.

ASK ALL OPTING IN (F1=1), MULTIPLE CODE

F3. Here are some potential reforms to conveyancing and matters that impact on reforms to conveyancing. Which of them are important for the residential conveyancing industry to focus on in resolving the problems which exist in conveyancing?
Please select all that apply.

RANDOMISE ORDER EXCEPT NONE OF THE ABOVE

1	Estate agents providing full details of the chain
2	Buyers understanding how much they can borrow and having a Decision in Principle from a lender
3	Making more government data sets easily available
4	Data interoperability and consistent data schemas
5	Clear due diligence standards
6	Changes to UK Finance Handbook
7	Simplification of SDLT/LTT
8	Estate agents to provide more information to conveyancers about the chain and the material information they have provided to buyers
9	Synchronised completions to allocate funds rather than holding them to reduce risk of fraud
10	Consumer education so that they are better informed about the process, the professionals and the property
11	Educating sellers to instruct conveyancers earlier in the process to identify issues that could delay their sale
12	Improvements to forms other than TA6
13	Changes to the Code for Completion
14	Improvements to the Exchange Formulae
15	Changes to the National Conveyancing Protocol
16	Better regulation of estate agents
17	The Law Society continuing to engage with government and wider groups (e.g the Digital Property Market Steering Group and the Home Buying and Selling Council) to influence the home buying and selling process
18	The changes to the material information requirements
19	Having more practical practice information about digital ID and electronic and digital execution of documents
20	Estate agents' referral fees
21	Introducing a standardised conveyancing fees quotation format
99	None of the above ANCHOR

ASK ALL OPTING IN (F1=1), OPEN END

F4. And what aspects of the conveyancing process should the Law Society focus on?
Please write in.

ASK ANY TWO OF F5A-F5D, SELECT LEAST FILLED, ROTATE ORDER.

ASK ALL RATING FORMS OTHER THAN TA6 IMPORTANT (F3 = 12). OPEN END

F5a. What improvements do you feel are needed to forms other than TA6?

Please write in.

ASK ALL RATING THE CODE FOR COMPLETION IMPORTANT (F3 = 13). OPEN END

F5b. What changes would you like to see to the Code for Completion?

Please write in.

ASK ALL RATING THE EXCHANGE FORMULA IMPORTANT (F3 = 14). OPEN END

F5c. What improvements do you feel are needed to The Exchange Formulae?

Please write in.

ASK ALL RATING THE CONVEYANCING PROTOCOL IMPORTANT (F3 = 15). OPEN END

F5d. What changes would you like to see to the National Conveyancing Protocol?

Please write in.

Appendix B – focus group discussion guide

Introduction (5 minutes)

- Introduce self and role (independent market researcher commissioned by Law Society as part of the TA6 consultation.)
- Explain purpose of the research is to understand sector's responses/reactions to TA6 form (reiterate that this is one part of the consultation). Emphasise....
 - confidentiality of participants
 - will not discuss any commercially sensitive information
 - nature of forum is to hear *all* viewpoints
 - understanding strength of feeling new form has elicited
- Explain length and structure of the session
- Ask participants to introduce themselves
 - Where organisation is based; size of organisation, main focus of work of firm, current role within organisation/individual focus/specialism?
 - What is their current involvement in conveyancing in their firm? *Listen for then prompt on whether main role; occasional; management of team*

Responses to the TA6 (5th Edition) (40 minutes)

In this section participants will be encouraged to give their opinions on the new TA6 form and whether it is fit for purpose

[NB moderators will look to manage anger about TA6 Form 5th edition and have built additional time in this section to allow participants to feel heard and get issues off their chests]

Moderator to introduce this section by acknowledging that the revised TA6 form provoked strong feelings across the sector and that this has resulted in Law Society starting this consultation. Emphasise we want to hear all points of view on the form and that sessions are a forum to capture these but also capture reactions to specific elements of the form. Before we get to that we just want to cover current usage....

- What property information form(s) are they currently using?
 - Why are they currently using this form (*moderators to note that CQS firms have to use new edition and be mindful of any strong/negative reactions*)?
 - For those using the TA6 (5th edition), how long have they been using it?
 - Why did they start using it? *Listen for then probe around whether a management decision; advised by suppliers, no real choice in the matter?*
 - How would they describe the transition to the 5th edition? Rationale
 - What, if anything, has helped with the transitioning to using the 5th edition (*listen for then prompt on training/learning resources*)
 - What else might have helped with transitioning?
 - For those not using the 5th edition, why have they not?
 - What are they using instead? *Listen for and prompt on alternatives /reverted to 4th edition*

- What might have helped them make the transition/decide to use the TA6 5th edition?
 - What might persuade them to start using it?

- Overall, what are their thoughts on the TA6 form (5th edition) and what informs these views?
 - What words would they use to describe the revised form?

- What do they feel the sectors' response to the TA6 form has been (conveyancers, estate agents, lenders trade press etc)? What informs these views?

- When did they first become aware of the revised form? How did they learn it was going to be introduced?
 - How well informed did they feel regarding the introduction of the form more broadly? What would they have liked to have known and why?
 - What were their initial views on it? How, if at all, have these views changed since seeing/using the form?
 - How does the new form compare to previous iterations in terms of content? Ease of completion/comprehension?

- What do they understand to be the rationale behind the new TA6? What issues was the revised form trying to resolve?
 - *Explore thoughts on the following:*
 - *That the new form is designed to improve the process by helping facilitate the flow of information from marketing a property through to the legal process*
 - *That the new form will help solicitors to be instructed earlier*
 - *The aim is to make sure buyers know more about what they are buying. It is hoped this will reduce the likelihood of the sale and purchase falling through at a later stage.*
 - *Idea that information disclosed by seller to buyer will match what's disclosed to buyer in course of marketing*
 - *New form will cover the same material information required for disclosure in marketing and reduce inconsistencies & allow any inadvertent errors in the marketing info to be corrected before contracts are exchanged*
 - How recognisable are the issues (inconsistencies in information etc)? What impact, if any, has the new form on these alleviating any of these challenges?
 - Thoughts on how these issues can be resolved.

- When the form was introduced, how well were the intentions behind the revisions communicated?

- What has been the impact of using the revised form? On them as practitioners? On their organisations? On their clients?
 - Are some issues manifesting more than others?

- What would they say is the most significant impact of the new form?
 - What are the main challenges/benefits of this impact
 - What, if anything, would help overcome any challenges?

Detailed exploration of the form to understand whether there are specific elements within the form picked out by my participants

- Thinking about the form, what specific changes would they identify as being most impactful? *Listen & then prompt on Part 1 vs Part 2? Specific questions/sections?*
 - What is it about these changes that have impacted on their perceptions of the form?
 - *Explore thoughts on / reactions to the 2 parts of the form*
 - From recall. how straightforward/complex are these 2 parts? Is one easier/more problematic than the other? Rationale

Moderator to hand out printed copies of the TA6 (5th Edition) and invite participants to identify/annotate specific sections of the form

- What are the specific things that stand out most regarding the new form? *Prompt on:*
 - Comprehension
 - Completion of form
 - Process
 - Length / Layout
- *Listen for then prompt on the TA6 (5th edition) containing questions that capture material information as defined by NTSELAT*
 - Thoughts on whether it should / shouldn't & rationale
 - Is there any information that should not be provided before an offer is made? Rationale

As time allows, invite participants to page through the form to identify any sections they wish to discuss.

For each section/question discuss

- Impact of section on process
- Thoughts on what changes/improvements they'd make
- *Listen for then probe on following sections*
 - Section 1: Council tax
 - Section 2: Asking price
 - Section 3: Tenure, ownership and charges
 - Section 4: Physical characteristics of the property
 - Section 7: Building safety
 - Question 8.4: Restrictive covenants
 - Question 10.4: Coastal erosion
 - Section 13: Accessibility
 - Section 14: Coalfield or mining area

Improving the TA6 (5th Edition) experience (10 minutes)

In this section, discussions will focus on what change might positively impact experiences of the form

- What things would they suggest to make using the 5th edition easier?
 - How would these things help conveyancers?
- *Listen for then probe on/discuss:*
 - *Better explanatory guides*
 - *Training courses on how to use the form*
 - *Postponing making the 5th edition compulsory*
- What things/areas would they prioritise? Rationale
- What could the Law Society do to help?

Wrap up (5 minutes)

- Has anything you've heard/discussed confirmed / challenged your previous views about TA6 (5th edition)? What?
- Overall, how has the discussion left you feeling?
- Any final questions thoughts from respondents?

Thank & close. Remind participants that this is one of three consultative opportunities to allow people to feedback