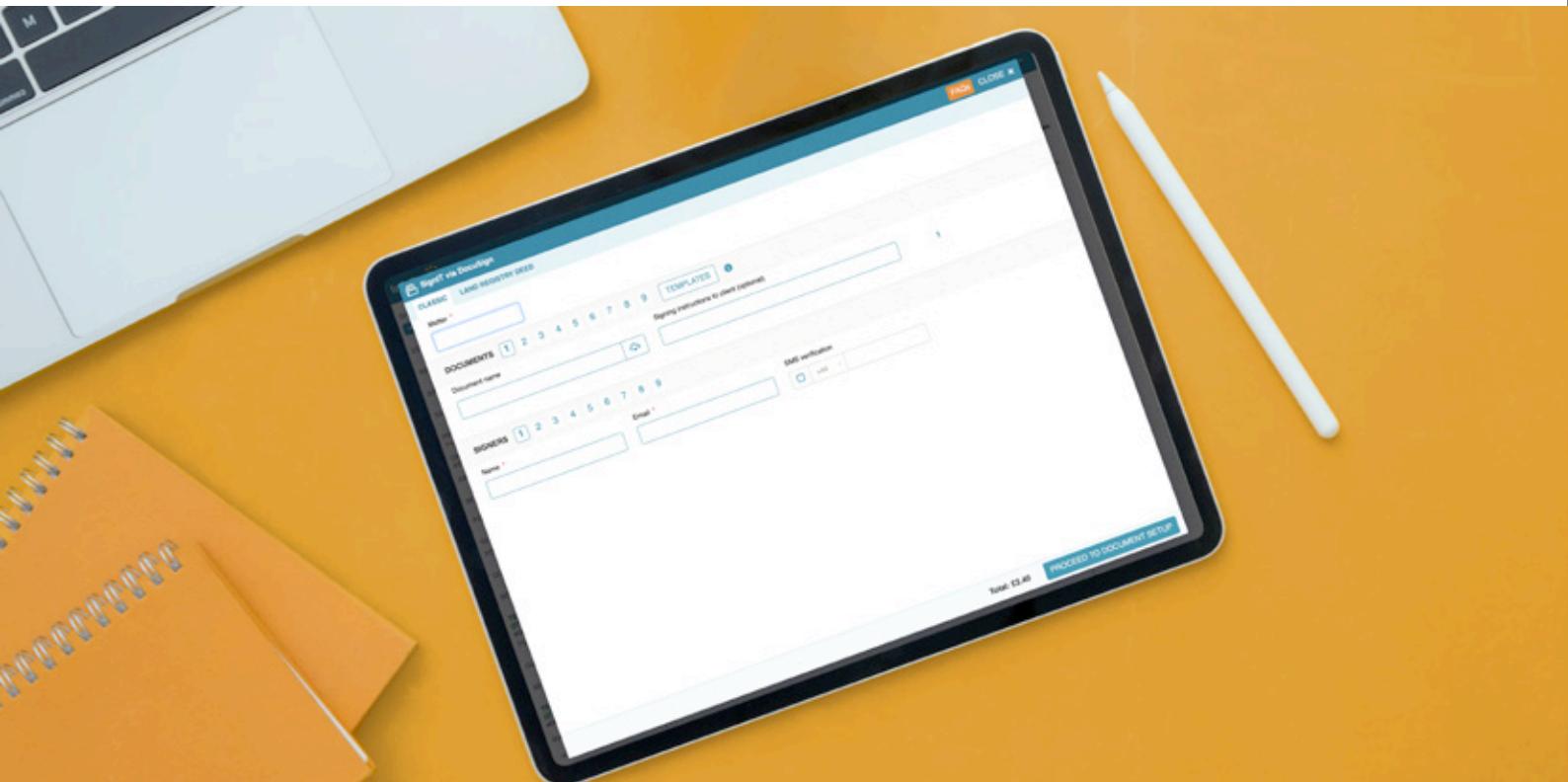




ELECTRONIC SIGNATURES FOR HMLR DEEDS

Improving efficiencies in conveyancing

On 27 July 2020, HM Land Registry started accepting witnessed electronic signatures. Two days later, the first property deeds to be signed electronically were submitted by The Partnership, a leading property solicitors firm, using InfoTrack's SignIT eSignature solution supported by DocuSign technology. This historic moment is a clear tipping point in the digital transformation for conveyancing.




In this eBook, we'll take a closer look at:

- The advantages of electronic witnessing and signing
- How InfoTrack's SignIT facilitated an industry first during a global pandemic
- Expert insights from leading industry practitioners
- Recommended practices for the electronic signing and witnessing of HMLR deeds
- What's next in electronic witnessing

Agreements are evolving

There's nothing new about electronic signatures. Peter Ambrose, Managing Director of The Partnership, says his firm has been pushing the paperless world for years despite continuing scepticism.

"With SignIT from InfoTrack we not only save a lot of time, but we also get a greater assurance of security. As a business we are paperless; anything that improves the efficiency of signing is fantastic."



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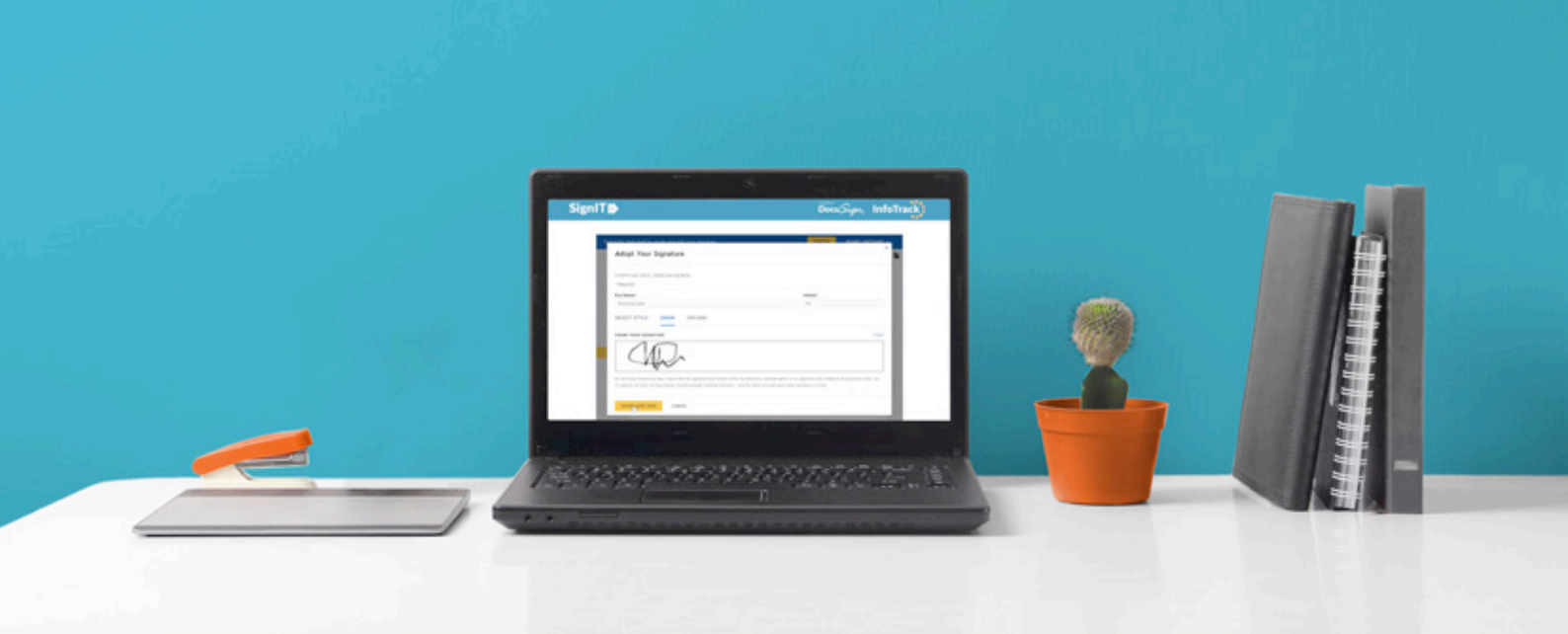
Use of digital signatures in 2020



increased
x5

There's been a five-fold increase in the use of electronic signatures in 2020, according to Scott Bozinis, CEO of InfoTrack. He adds, "we were already seeing good momentum in the market, but people working from home have little access to printers and scanners. So, this has been a strong year for digital."

In short, the digital trend is only accelerating. Organisations need to keep up or risk falling behind.



Advantages of electronic witnessing and signing

At InfoTrack, we're focused on harnessing the power of technology. Organisations want to work quicker, smarter, and more effectively, so it's no surprise that many have already embraced electronic witnessing and electronic signatures.

Here's how your organisation could benefit too.

Make faster agreements

Digital solutions enable legal firms and conveyancers to turn agreements around much faster. This can reduce completion time to a matter of hours – or even minutes. In fact, 67% of SignIT transactions are returned within 12 hours, well before the forms could even arrive by post.

Switching to digital is particularly relevant where a document needs witnessing, such as a deed execution. The extra steps and need for a witness to be physically present can create unnecessary delays, especially if individuals can't meet face-to-face.

Digital agreements also make the whole process cheaper too. With fewer resources wasted, you'll save up to £30 per agreement compared to paper processes. Add to this the environmental advantages of dispensing with hard copies and it's an easy choice.



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of SignIT transactions are returned within 12 hours

Track every step

Embracing digital workflows not only speeds up processes but has practical benefits too.

Using SignIT, our electronic signature and witnessing solution, creates a digital audit trail to ensure robust tracking information. This maintains transparency in your processes and ensures the agreement is available for future reference if there is a dispute down the line.

Maintaining visibility is of critical importance when signers and witnesses are unable to sign in person.

Support legal recognition

Ensuring a document will stand up in court is vital for any conveyance agreement. While following a consistent process is important evidence, you can take this a step further with SignIT and have access to an audit log, called a Certificate of Completion. This provides downloadable evidence of details such as signatories, timing, and content.

Having a Certificate of Completion can help substantiate actions that support the enforceability of the agreement in court should it be necessary.

Improve agreement security

According to a 2018 customer experience report by PwC, 84% of businesses say having greater certainty about customer ID reduces risk. Electronic signing and witnessing solutions have built-in verification steps that help ensure the appropriate level of identification is collected. Running fully integrated identity checks - whether SMS based, knowledge based, or image based - helps protect against forgery by confirming the identities of both signer and witness.

When it comes to conveyance agreements – and particularly HMLR use cases – using a one-time password (OTP) is essential. This capability is built into SignIT for convenience and compliance.



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InfoTrack, The Partnership and DocuSign: making history together

While the benefits of digital are clear, when it comes to conveyancing, there was a piece of the puzzle missing. It was only at the end of July that the last step of the process was made digital as the HMLR began accepting witnessed electronic signatures. Two days later, InfoTrack and The Partnership made history.

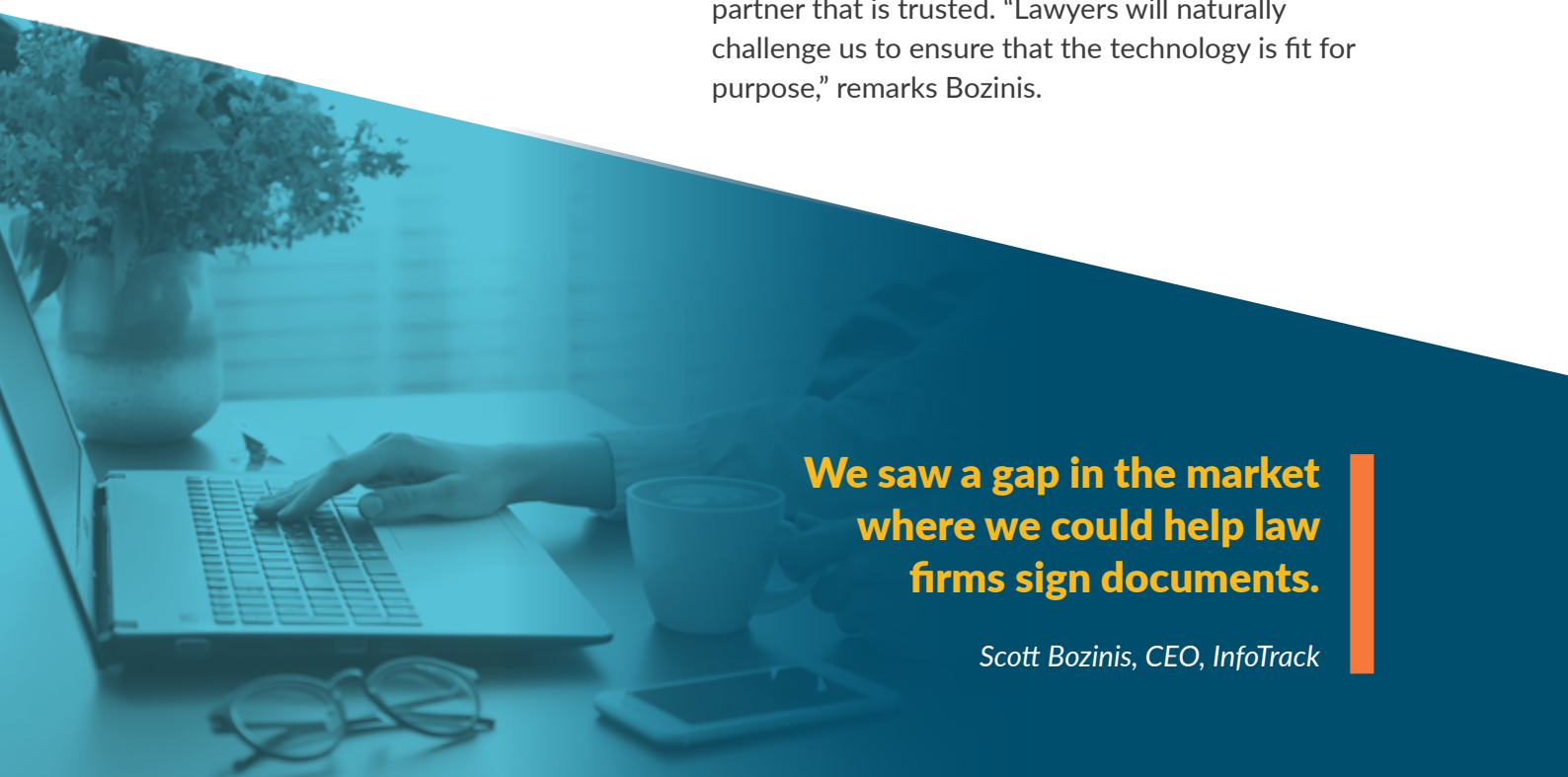
The agility of both firms, InfoTrack's existing integration with DocuSign and the digital pioneering approach from The Partnership, meant action met opportunity at warp speed. Turning around the first electronically signed witness deeds in just two days. However, there was a good deal of work behind the scenes to reach that point.

"We saw a gap in the market where we could help law firms sign documents," says Bozinis.

Leading the way with InfoTrack

InfoTrack and The Partnership are tech-savvy companies. Digital solutions are embedded in everything we do.

As a global business, InfoTrack chose to become a DocuSign API partner because DocuSign is a partner that is trusted. "Lawyers will naturally challenge us to ensure that the technology is fit for purpose," remarks Bozinis.



We saw a gap in the market where we could help law firms sign documents.

Scott Bozinis, CEO, InfoTrack



1000

**AP1 forms submitted
by InfoTrack to HMLR
every day**

At InfoTrack, we submit around 1000 change of registry AP1 forms to HMLR every day. It was our expertise and passion for solving problems with technology that drove the deal through so quickly. Utilising our existing relationship with HMLR, we were able to quickly build and implement the requirements for digital deed signing that assures firms their compliance needs are met.

“We can now provide the industry with an end-to-end digital conveyancing solution from onboarding, through searching, through electronic document registration with signatures to the AP1 transfer digitally,” says Bozinis.

The Partnership have also seen the benefit of reducing the timeline of having signed documents returned. Averaging a week to turnaround the signed and witnessed paperwork, with the first electronic deed they were able to achieve having it signed and witnessed within five minutes. A win during a critical point of the deal and with the limitations faced during lockdown.

The Partnership reduced their signed document turnaround time from a week to 5 minutes by transitioning from paper processes to SignIT





Aligning with HMLR

Our key strength is that we have built a step-by-step solution, SignIT for Land Registry deeds. Enabling conveyancers to process documents with ease by following the stages laid out onscreen, we have instilled confidence in our users. The process makes transitioning to digital easier, helping to overcome some of the understandable hesitations in a conservative industry.

“It’s a big change management for the industry, we understand that,” says Bozinis, “but if you follow the steps you can’t go wrong. You’ve got a better chance of knowing that someone has completed an electronic signing than a wet signature, because you put their email address in, their SMS number – only they have access to their email and mobile phone. A lot of data is captured.”

Using SignIT involves:

1

Entering your matter number

2

Entering title reference
(InfoTrack looks up the address
and proprietor’s name)

3

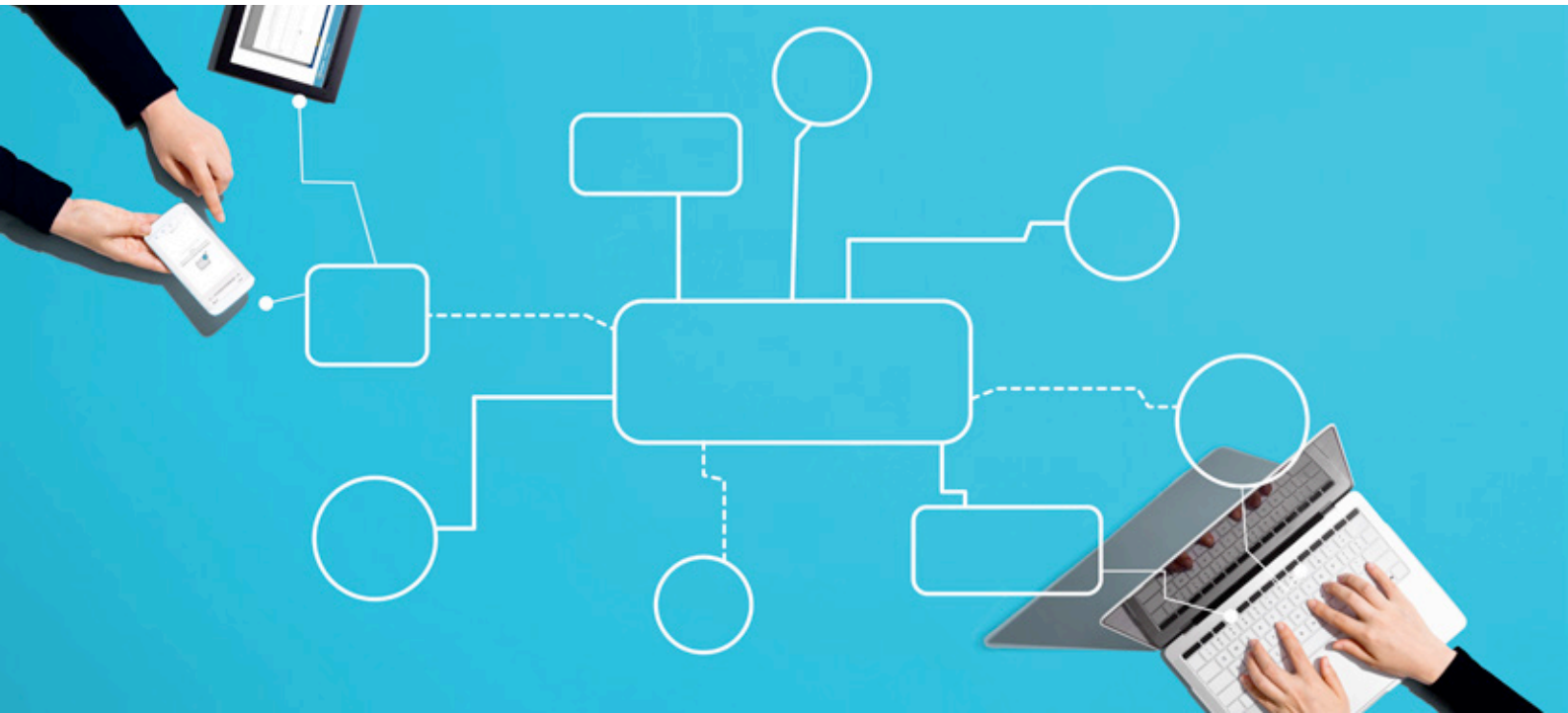
Entering how many deeds
you’d like to get signed and
upload PDFs

4

Nominating the conveyancer
and the signers/clients

The process of nominating witnesses is completed by the signers. Once the first form is complete, it is emailed to the signers, who must nominate their witnesses, with email and mobile numbers as identification. Finally, the signer and the witness complete a box and the signed deed is returned to the conveyancer with a completion certificate.

“InfoTrack has built this workflow in partnership with DocuSign because we specialise in conveyancing. We’ve built a workflow that meets the requirements and will do all the heavy lifting,” says Bozinis.



Guidance for the use of witnessed electronic signatures was issued by the HMLR on 27 July 2020. There are two key requirements:

1. a need for the physical presence of a witness
2. a one-time password (OTP) access authentication for the signatory and the witness

HMLR suggests that an electronic deed includes the following statement for witness: “I confirm that I was physically present when [name of signatory] signed this deed.”

It recommends that a copy of the completion certificate is retained with the

conveyancing file. This ensures an audit trail of the signing, including:

- the time and date of the signatures
- email addresses the document was sent to
- the OTP method used
- the fields that were completed
- the IP address of the devices that were used

To keep things simple, InfoTrack’s SignIT offers two workflows. One for the sending experience (known as the Envelope Creation, equivalent to setting up the documents and the signers) and

a second for the signing experience (for the signer and witness). Both workflows are supported by DocuSign's electronic signature functionality and meet the HMLR requirements for electronically signed deeds.

What's next in electronic witnessing?

Electronic signatures may seem like the latest trend to some – but make no mistake, they are here to stay. For Ambrose, the future of e-signature is guaranteed. He adds, “we've seen clients who have had money stolen on the back of wet signatures, so we know the pain. Every day you wait to do business this way you are putting your client's money at risk.”

HMLR's decision is the latest step in the acknowledgement of electronic signatures and witnessing as crucial to protecting your client's business. The world is moving on from printing, signing, and posting documents. For many organisations, these technologies are now demanded as standard rather than nice-to-have.

Every day you wait to do business this way you are putting your clients' money at risk.

Peter Ambrose, Managing Director of The Partnership



At InfoTrack, we're continually working on propelling the digitisation of conveyancing. This involves expanding where electronic signatures are used throughout the process. "InfoTrack is deep in the development of onboarding solutions to help law firms onboard their clients digitally. A key part of any onboarding process is accepting the terms and conditions of the contract which needs a binding signature. We use DocuSign eSignature for that process," says Bozinis.

Ambrose agrees that digital is the way forward and electronic signatures are part of the solution. He adds, "it will be used more widely by lawyers as they start to gain trust in it as a medium. I think it's the start of a movement. Land Registries are known for being very cautious and sensible when it comes to securing data, so as they drive this it will gain credibility amongst law firms. It has to be the future."

The future of signatures and witnessing is digital. With government departments now accepting of the technology, there is no excuse for commercial firms not to embrace paperless agreements.



SignIT, the fast, compliant solution for signing documents and deeds electronically. Assuring confidence, compliance, and trust with every submission. Find out more about SignIT for Land Registry deeds today.

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