

*Note: the timings quoted are indicative only and the meeting may extend beyond the anticipated finish.*



## Meeting of the Bar Standards Board

**Thursday 28 November 2024, 5.00 pm** (Hybrid meeting - in person and online)

**Rooms 1.4 – 1.7, First Floor, BSB Offices / MS Teams**

### Agenda – Part 1 – Public

**This meeting will be recorded for the purposes of minute taking as previously agreed by the Board. Your consent to this is assumed if you decide to attend. The recording will be deleted once the minutes are formally approved at the next meeting**

*Note: this meeting will be preceded by a Board Member seminar on Ethics from 3.15 pm-4.45 pm*

**Page**

1.	<b>Welcome / announcements</b> (5.00 pm)		Chair	
2.	<b>Apologies</b>		Chair	
3.	<b>Members' interests and hospitality</b>		Chair	
4.	<b>Approval of minutes from the last meeting (26 September 2024)</b>	Annex A	Chair	<b>3-9</b>
5.	a) <b>Matters arising &amp; Action List</b>	Annex B	Chair	<b>11-13</b>
	b) <b>Forward agenda</b>	Annex C	Chair	<b>15-16</b>
6.	<b>Performance Report: Quarter 2 2024/25</b> (5.10 pm)	BSB 058 (24)	Mark Neale	<b>17-59</b>
7.	<b>Feedback from IPSOS Mori poll on the BSB</b> (5.25 pm)	BSB 059 (24)	Wilf White	<b>61-83</b>
8.	<b>Performance and Strategic Planning Committee (PSP) Mid-Year Report 01 May 2024 to 31 October 2024</b> (5.40 pm)	BSB 060 (24)	Steve Haines	<b>85-88</b>
9.	<b>Governance, Risk and Audit Committee (GRA) - Annual Report 2024</b> (5.45 pm)	BSB 061 (24)	Stephen Thornton	<b>89-93</b>
10.	<b>Director General's Report – Public Session</b> (5.50 pm)	BSB 062 (24)	Mark Neale	<b>95-100</b>
11.	<b>Chair's Report on Visits &amp; External Meetings</b>	BSB 063 (24)	Chair	<b>101</b>

*Note: the timings quoted are indicative only and the meeting may extend beyond the anticipated finish.*

- |     |   |              |                   |            |
|-----|---|--------------|-------------------|------------|
| 12. | <b>Schedule of Board Meetings<br/>Jan 2025 – Mar 2026</b>     | BSB 064 (24) | Rebecca<br>Forbes | <b>103</b> |
| 13. | <b>Any other business</b>                                     |              |                   |            |
| 14. | <b>Date of next meeting</b><br>Thursday 30 January 2025, 2 pm |              |                   |            |
| 15. | <b>Private Session</b><br>6.00 pm                             |              |                   |            |

**John Picken**  
**Governance Officer**  
21 November 2024

BAR  
STANDARDS  
BOARD

REGULATING BARRISTERS

**Part 1 - Public**

**Minutes of the Bar Standards Board meeting**

**Thursday 26 September 2024 (2.00 pm)**

**Hybrid Meeting, Rooms 1.4-1.7, BSB Offices & MS Teams**

- Present:** Kathryn Stone OBE (Chair)  
Alison Allden OBE  
Simon Lewis – via Teams  
Steve Haines  
Emir Feisal JP  
Irena Sabic KC  
Stephen Thornton CBE
- By invitation:** Malcolm Cree CBE (Chief Executive, Bar Council) – via Teams  
Barbara Mills (Vice Chair, Bar Council) – via Teams  
Andy Russell (Director, Council of the Inns of Court) – via Teams
- Press:** Neil Rose, Legal Futures  
Joshua Rozenburg, Legal Commentator – via Teams (items 8-15)
- BSB Executive** Ahmet Arikan (Senior Policy Officer) (items 7-10)  
Ben Bray (Head of Risk Based Regulation)  
Laura Cassidy (Stakeholder Engagement Officer) – via Teams  
Charlie Cormack (Regulatory Panel Manager) – via Teams  
Mike Farmer (Head of Programmes) – via Teams  
Rebecca Forbes (Head of Governance & Corporate Services)  
Laura Franks (Head of CAT Operations)  
Edoardo Furlani (Reports and Data Analysis Officer)  
Teresa Haskins (Director of People)  
Saima Hirji (Acting Director of Regulatory Operations)  
Samantha Jensen (Corporate Services Manager) – via Teams  
Imogen Kirby (Reports and Data Analysis Manager) – via Teams  
Ewen Macleod (Director of Strategy & Policy)  
Rupika Madhura (Interim Director of Standards)  
Mark Neale (Director General)  
Richard Parnham (Regulation Policy Manager) (items 7-10)  
John Picken (Governance Officer)  
Elena Townsend (Project Manager) – via Teams  
Wilf White (Director of Communications & Public Engagement)  
Alex Williams (Head of Operational Support)
- Resources Group** Richard Cullen (Director of Finance) – via Teams

**Item 1 – Welcome / Announcements**

1. Kathryn Stone welcomed those present, in particular:
- Andy Russell, the new Director for the Council of the Inns of Court;
  - BSB staff members attending for the first time (Mike Farmer and Elena Townsend).

**Action**

**2. Item 2 – Apologies**

- Gisela Abbam
- Jeff Chapman KC
- Andrew Mitchell KC
- Professor Leslie Thomas KC

**Item 3 – Members’ interests and hospitality**

3. Kathryn Stone noted that a declaration had already been made in respect of both her and Emir Feisal’s attendance at the South Eastern Circuit’s Keble Advanced Advocacy Course at Keble College, Oxford (27-31 August 2024). She expressed her gratitude to the organisers of this event noting the exceptional quality of the training provided.

**Item 4 – Approval of Part 1 (public) minutes (Annex A)**

4. The Board **approved** the Part 1 (public) minutes of the meeting held on 25 July 2024.

**Item 5a – Matters arising & Action List**

5. There were no matters arising. In response to comments from the Chair about the action list, Mark Neale stated that:
- some timelines on actions were extended due to pressure of work;
  - proposals around revised fees for transferring lawyers will be presented to the Board in November 2024.

**Item 5b – Forward agenda**

6. The Board **noted** the forward agenda list.

**Item 6 – Performance Report: Quarter 1 2024/25**

BSB 044 (24)

7. Mark Neale commented that:
- this is the first time that the new “balanced scorecard” on performance has been presented to the Board. *Note: Members received a briefing on this topic in the pre-Board seminar immediately before the meeting.*
  - in overall terms, the Quarter 1 results are positive with notably increased productivity in most areas;
  - there is a continuing challenge regarding authorisations for transferring qualified lawyers (TQL) despite the proactive steps we have so far taken to tackle backlogs. Further action is now necessary;
  - we also propose that future iterations of the scorecard include volume measures in the productivity quadrant (i.e. targets for the number of cases completed).
8. In respect of TQL applications, Saima Hirji commented that:
- we currently have a backlog of around 740 applications;
  - we accept that delay has a deleterious effect on applicants and are very empathetic in that regard. It also impacts detrimentally on the Authorisations Team which continues to work very hard to process these fairly and accurately;
  - application numbers have only been high since January 2023. Prior to that, they were much lower and fully manageable but since then, around 40 - 50 per month are being received. These are complex and time-intensive to resolve so we have not been able to keep up with demand;

- we have had a “TQL Task Force” in place since January 2024, which is solely for processing priority cases ie transferring qualified solicitors with higher rights of audience and those with offers of tenancy or pupillage;
  - we estimate it will be a further year before the backlog is fully mitigated.
9. She also explained her new strategy to address the backlog. The salient points for the short term were:
- identifying if those applicants who originally made contact over 12 months ago either wish to continue, and if so, update their applications;
  - securing an additional resource outside of the existing Task Force to assess applications and manage email enquiries: we have already contacted an existing law firm to help expedite matters;
  - improving the expectation management of applicants.
10. Medium term goals include:
- simplifying existing Authorisation policies and procedures;
  - sharing the experience of other regulators facing similar issues;
  - contacting other jurisdictions with a view to mapping across qualifications.
11. The Chair thanked Saima Hirji for her commentary. She also noted that the challenges on TQL applications should not overshadow the very positive improvements in performance elsewhere in the organisation or the continuing vigorous efforts of the Authorisations Team itself.
12. Board Members agreed with these sentiments and commented as follows:
- the proposed reinforcement of resources is necessary and should be rapidly deployed;
  - the option of using an external law firm is viable providing:
    - it offers “value for money”;
    - the external team is able to work effectively with existing BSB staff.
  - a projected timeline of a year still seems too long so considering any other means possible to address the backlog would be welcome;
  - it would help to understand the average cycle time for TQL applications and whether our own policy requirements might unnecessarily add to processing time;
  - a further report on TQL applications is needed for the November Board to highlight the impact of extra resources and timelines for improvement;
  - the balanced scorecard will be an important tool to highlight future performance issues in real time (for the BSB’s Senior Leadership Team, as well as the Board). This will facilitate earlier management intervention should that be required.
13. Saima Hirji acknowledged these points and stated that:
- the most time efficient way is for an external law firm to consider assessment of applications and for decision making to remain with experienced BSB staff;
  - processing times vary depending on the cases concerned. Applications from solicitors based in England and Wales can be determined much more quickly than those from overseas jurisdictions;
  - the current policy framework is acknowledged to be overly complex hence our medium-term aim to simplify this;

- we will continue with our policy on prioritisation but the additional resource will allow us to make in-roads into the backlog (which hitherto has not been possible).

14. **AGREED**

- a) to note the operational performance set out in Annex 1 of the paper and progress to date on delivery of the current business plan.
- b) to take immediate steps to reinforce resources to deal with applications from Transferring Qualified Lawyers (TQLs) through outsourced external legal support. SH
- c) to request an update on progress at the November Board meeting. SH
- d) to welcome the introduction of the balanced scorecard on performance and to endorse the suggestion of further amendment on volume measures (to be discussed with the Performance & Strategic Planning Committee – cf. min 7). MN / AW

**Item 7 – Regulatory Decision-making Annual Report 2023-24**

BSB 045 (24)

15. Saima Hirji highlighted the following points from the Annual Report on regulatory decision making:
- a high-quality standard of decision making has been maintained during the year;
  - outside of TQL applications, performance has generally improved and the Fieldfisher report also made recommendations on its review of our end-to-end enforcement processes;
  - trends identified during the year include:
    - fewer than anticipated reports about the use of social media;
    - a fall in the number of cases around sexual harassment.
16. The Chair welcomed the report. She noted that this is a retrospective document and, as such, the outcome of the Bar Council's Independent Review of bullying and harassment at the Bar ("the Harman Review") will feature in the 2024/25 report.
17. Members agreed on the interesting and informative nature of the report. They also commented that:
- it would be more transparent to quote the dates of the report in full ie *1 April 2023 – 31 March 2024*. Also, given its retrospective nature it would (ideally) be preferable to publish at an earlier point in the year;
  - the text refers to the establishment of a "Professional Enabler" Team in the Home Office. It would be helpful to know if that is now in place;
  - it is concerning that regulatory fees have not been increased to a regular cycle to recover costs and to keep pace with inflation
  - the report does reference Transferring Qualified Lawyers (TQLs) but could have been more open as to the difficulties the BSB has faced in terms of processing these applications (cf. mins 8-13). We might therefore consider a re-draft for this part of the text.
  - the report confirms that criminal and family law cases account for the majority of reports received. However it may be helpful in future to expand on trends for other areas of law and geographical regions of the Bar.

18. In response, the executive stated that:
- the Supervision Team is in touch with Home Office and will confirm when this team is in place.  
**Post meeting note:** the Professional Enabler Team from the Home Office is now established and the BSB has since been in contact.
  - following the inflationary increase applied from April 2024, regulatory fees are now subject to a triennial review and will increase by inflation during the intervening years. The paper due in November 2024 (cf. min 5) constitutes the first of these reviews. We aim to increase TQL fees at that point and all others with effect from 1 April 2025;
  - an accompanying statistical analysis will be included when the Annual Report is published online. This will give further analysis on the different areas of law to which reports related.

19. **AGREED**

to publish the BSB report on Regulatory Decision Making (2023/24) subject to further consideration of the points made at the meeting (cf. min 17).

**SH / WW**

**Item 8 – Independent Decision Making Body Annual Report 2023-24**

BSB 046 (24)

20. Alex Williams highlighted the following:
- nine IDB cases were returned to IDB panels (compared to three in the previous reporting year (*Note: these are termed ‘reconvened cases’*);
  - for reasons of efficiency, all IDB Panel meetings are conducted online. Where possible, however, training events are conducted in person to help encourage greater cohesion between Panel Members;
  - the IDB accepted the recommendations of the Fieldfisher report on enforcement and will implement these during the next reporting year;
  - the report mentions the recruitment of eight new IDB Members and all of these have since been fully inducted.
21. Stephen Thornton welcomed the report but added that there may be scope for a further trend analysis on the nature of the cases the IDB considered i.e. whether there are any aspects that might further inform the BSB’s evidence base on regulatory risks and how we regulate.
22. The Chair agreed this point and thanked the executive for the thoroughness of the report. She also congratulated the IDB on its open and positive attitude and its willingness to learn from past experience.
23. **AGREED**
- a) to publish the Independent Decision Making Body Annual Report 2023/24 as set out in the agenda papers. **WW**
  - b) to investigate the scope for a trend analysis on IDB data with a view to further informing the BSB’s regulatory risk evidence base. **AW**

**Item 9 – Chambers**

BSB 047 (24)

24. Mark Neale invited comments on proposed actions to improve the consistency and effectiveness of chambers’ oversight following the BSB’s earlier consultation on this issue.

25. The Chair emphasised that the proposals do **not** place any new regulatory obligations on chambers. They are simply aimed at achieving better and fuller compliance with existing regulations. Board Members added that:
- the figure of 22 consultation responses only refers to the number of *written* replies received. We also had feedback from nine roundtable discussions held with various stakeholders;
  - the report includes two proposed “definitions of chambers” (*paragraphs 15, main report and 23 of Annex B*) but these are not identical so should be further reviewed;
  - the equality impact assessment (Annex C) is also relevant in the context of the current debate on the BSB’s equality rules;
  - the proposed statement (Annex B) does not represent a final “end”. The BSB will continue to listen to feedback about chambers to develop a culture of continuous improvement;
  - the “next steps” to create dedicated webpages is encouraging but we also need a plan for future stakeholder engagement opportunities.

26. **AGREED**

- a) to publish the public statement on the Bar Standards Board’s response to the consultation on chambers. **MN**
- b) that the BSB continues to collate feedback from stakeholders and establishes a plan for future engagement opportunities. **MN**

**Item 10 – BSB Empowering consumers compliance review**

BSB 048 (24)

27. Richard Parnham highlighted the following:
- the annexes to the report set out the BSB’s formal report and assessment in respect of its compliance with the Legal Services Board’s Statement on empowering consumers;
  - we are satisfied that the BSB is fully compliant with the requirements of this Statement and have an ambitious roadmap which will take us beyond these minimum requirements.

28. Members supported the paper and welcomed the executive’s intent to further improve consumer empowerment.

29. **AGREED**

- a) to approve the draft compliance report and forward this to the Legal Services Board before 30 September 2024. **RP**
- b) to publish this document on the BSB’s website. **RP**

**Item 11 – Director General’s Report – Public Session**

BSB 049 (24)

30. At the Chair’s invitation, Mark Neale commented on the BSB’s current equality rules consultation which has already generated a good deal of useful debate. He highlighted the following:
- a key question is to identify what regulatory framework best promotes our shared objective of enhancing the diversity and inclusiveness of the barrister profession;
  - the relevant definitions about diversity, equality and inclusion are already included in the consultation document and the BSB looks forward to receiving feedback on these;



- whilst feedback is encouraged, some unwarranted concerns have arisen which is necessary for us to address ie:
  - we remain fully supportive of the cab rank rule and there will be no effect on this as a result of these proposals;
  - likewise, no quotas will be imposed on chambers.

31. The Chair stated that:

- the consultation on the equality rules ends on 30 November 2024;
- the Board will consider all feedback received and act in the light of this. It is not, and should not be regarded as, a *fait accompli*.

32. **AGREED**

to note the report.

### **Item 12 – Chair’s Report on Visits and External Meetings**

BSB 050 (24)

33. The Chair highlighted the workshop for “all BSB Task Forces” which took place on Wednesday 18 September 2024. This was very well received, particularly by the Board Members who were also present. Several of those who attended commented on the illuminating and inspiring nature of the various talks. It may help at a later date to present a paper to the Board on the Task Forces including their membership, purpose and outcomes.

34. **AGREED**

to include a paper on the BSB Task Forces at a future meeting of the Board

**DS**

### **Item 13 – Any Other Business**

35. None.

### **Item 14 – Date of next meeting**

36. • Thursday 28 November 2024, 5.00pm.

### **Item 15 – Private Session**

37. The Board resolved to consider the following items in private session:

- (1) Approval of Part 2 (private) minutes – 25 July 2024.
- (2) Matters arising and action points – Part 2.
- (3) Authorisations Review
- (4) Consolidated Risk Report
- (5) Budget for 2025/26
- (6) Reform Programme: progress, timetables and reporting
- (7) Strategic plan consultation
- (8) Board evaluation action plan
- (9) Director General’s Report – Private Session.
- (10) Any other private business.

38. The meeting finished at 3.15 pm.



**BSB – List of Part 1 Actions  
28 November 2024**

*(This includes a summary of all actions from the previous meetings)*

Min ref	Action required	Person(s) responsible	Date of action required	Progress report	
				Date	Summary of update
14b (26/09/24)	take immediate steps to reinforce resources to deal with applications from Transferring Qualified Lawyers (TQLs) through outsourced external legal support	Saima Hirji	immediate	28/11/24	<b>Completed</b> - a paper has been submitted for the Board's review and discussion in the private session of their November meeting. Mark Neale will give an overview of the paper during the public session. The paper has already been reviewed by the PSP and discussed with Emir Feisal and Alison Alden.
14c (26/09/24)	give an update on progress about TQL applications at the November Board meeting	Saima Hirji	28 November 2024	28/11/24	
14d (26/09/24)	discuss with the Performance & Strategic Planning Committee re: proposal include data for volume of work completed within the balanced scorecard for performance	Alex Williams / Mark Neale	by 14 November 2024	28/11/24	<b>Completed</b>
19 (26/09/24)	revise the BSB report on Regulatory Decision Making (2023/24) as discussed at the meeting and publish this on the website	Wilf White	immediate	03/10/24	<b>Completed</b> – published on website
23a (26/09/24)	publish the Independent Decision Making Body Annual Report 2023/24	Wilf White	immediate	03/10/24	<b>Completed</b> – published on website
23b (26/09/24)	investigate the scope for a trend analysis on IDB data with a view to further informing the BSB's regulatory risk evidence base	Alex Williams	by end January 2025	20/11/24	<b>To be removed</b> This request has been noted and will be incorporated into the IDB report for 2024-25, assuming there are no issues with cases being identifiable due to small numbers. That report will be published in September 2025, hence the request to remove this item from the action list

## BSB – List of Part 1 Actions

28 November 2024

*(This includes a summary of all actions from the previous meetings)*

Min ref	Action required	Person(s) responsible	Date of action required	Progress report	
				Date	Summary of update
26a (26/09/24)	publish the public statement on the Bar Standards Board's response to the consultation on chambers	Mark Neale	immediate	02/10/24	<b>Completed</b> – published on website
26b (26/09/24)	continue to collate feedback from stakeholders about the policy on chambers and establish a plan for future engagement opportunities	Mark Neale	by end March 2025		
29a (26/09/24)	forward the “empowering consumers” compliance report to the Legal Services Board	Richard Parnham	on or before 30 September 2024	04/10/24	<b>Completed</b>
29b (26/09/24)	publish the above report (min 29a) on the website	Richard Parnham	on or before 30 September 2024	04/10/24	<b>Completed</b> – published on website
34 (26/09/24)	include a paper on the BSB Task Forces at a future meeting of the Board	Dee Sekar	by end March 2025	20/11/24	<b>Noted</b> – we shall contact the Chair of the Board in due course for guidance on the required scope of the paper
16c (23/05/24)	reconsider the points made about applications from transferring qualified lawyers who are not seeking to practise at the Bar in England and Wales (cf. mins 11 & 13 – 23/05/24) and provide an update at the July Board meeting	Mark Neale	<del>before 18 July 2024</del> before 19 September 2024	26/09/24	<b>In hand</b> – the report on performance in the first quarter of 2024/25 provides an update
16d (23/05/24)	include headline results on the market study on intermediaries for the Board Away Day (27 June 2024)	Ewen Macleod	<del>27 June 2024</del> January 2025	16/07/24	<b>Ongoing</b> – the SLT commissioned some additional research on this, which is currently being undertaken before coming back to the Board

**BSB – List of Part 1 Actions**  
**28 November 2024**

*(This includes a summary of all actions from the previous meetings)*

Min ref	Action required	Person(s) responsible	Date of action required	Progress report	
				Date	Summary of update
16c (30/11/23)	investigate the reasons for the rise in applications from overseas lawyers seeking to transfer to the Bar for England and Wales and to involve the Bar Council as necessary	Mark Neale	<del>end March 2024</del> end July 2024	29/09/24	<b>Action in hand</b> – an update will be provided in discussion of the Performance paper on the public agenda
16d (30/11/23)	consider expediting full cost recovery analysis of authorisation applications	Rebecca Forbes	<del>25 January 2024</del> end Sept 2024	26/09/24	<b>Action in hand</b> – the paper on the Budget for 2025/26 updates on the re-basing of fees.



## Forward Agenda

### Thursday 30 January 2025 – 2 pm start

- Annual report – Bar Training
- Annual Diversity Data Report
- Director General’s Report (public & private session)
- Reform and re-organisation
- Risk Framework Review: Fundamentals
- BSB Empowering Consumers Consultation
- Ethics at the Bar stakeholder/public engagement document

### Thursday 27 March 2025 – 5 pm start

- Director General’s Report (public & private session)
- BSB Business Plan 2025/26 and final budget
- Q3 performance report
- Reform and re-organisation
- Equality Rules
- Corporate Risk Report
- Authorisations review phase 1 (deferred from July 2024)
- BSB Updated First-tier Complaints Rules: Consultation

### Thursday 22 May 2025 – 2 pm start

- Director General’s Report (public & private session)
- Enforcement Regulations – proposals for change (consultation)
- Reform and re-organisation
- PSP Committee Annual Report

### Thursday 26 June 2025 (9.30 am start)

- BSB Strategy – final version

### Thursday 24 July 2025 – 5 pm start

- Director General’s Report (public & private session)
- Q4 performance report
- Reform and re-organisation
- Annual “deep dive” on the corporate risk register

### Thursday 25 September 2025 – 2 pm start

- Director General’s Report (public & private session)
- Q1 performance report
- Reform and re-organisation

### Thursday 27 November 2025 – 5 pm start

- Director General’s Report (public & private session)
- Dates for Board Meetings (Jan 2026 – Mar 2027)
- Annual report – Bar Training
- PSP Committee Mid Year Report
- GRA Committee Annual Report
- Q2 performance report
- Enforcement Regulations – outcome of consultation
- Reform and re-organisation

**Thursday 29 January 2026 – 2 pm start**

- Director General's Report (public & private session)
- Reform and re-organisation

**Thursday 26 March 2026 – 5 pm start**

- Director General's Report (public & private session)
- Q3 performance report
- Reform and re-organisation



<b>Meeting:</b>	Bar Standards Board	<b>Date:</b>	28 November 2024
<b>Title:</b>	Performance Report: Quarter 2 2024/25		
<b>Author:</b>	Mark Neale		
<b>Post:</b>	Director General		

<b>Paper for:</b>	<b>Decision:</b> <input type="checkbox"/>	<b>Discussion:</b> <input checked="" type="checkbox"/>	<b>Noting:</b> <input checked="" type="checkbox"/>	<b>Other:</b> <input checked="" type="checkbox"/> Recommendation
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<b>Paper relates to the Regulatory Objective (s) highlighted in bold below</b>	
(a)	<b>protecting and promoting the public interest</b>
(b)	<b>supporting the constitutional principle of the rule of law</b>
(c)	<b>improving access to justice</b>
(d)	<b>protecting and promoting the interests of consumers</b>
(e)	<b>promoting competition in the provision of services</b>
(f)	<b>encouraging an independent, strong, diverse and effective legal profession</b>
(g)	<b>increasing public understanding of citizens' legal rights and duties</b>
(h)	<b>promoting and maintaining adherence to the professional principles</b>
(i)	<b>promoting the prevention and detection of economic crime.</b>
<input type="checkbox"/>	Paper does not principally relate to Regulatory Objectives

## Summary

1. This paper reviews operational performance in the second quarter of 2024/25 and reports on progress in delivering this year's Business Plan 2024/25. It reflects discussion in the Performance and Strategic Planning Committee.
2. The overall picture is positive. The quality of our decisions remained high, with all targets hit. There were improvements in the timeliness of our assessments of reports on barristers and of the handling of authorisation applications. The authorisations caseload has now stabilised, although we have a continuing challenge to tackle both the stock and flow of applications from overseas lawyers. It was the strongest quarter for the productivity of investigations for over a year, with 27 investigations concluded, but because a number of these investigations had passed the target, timeliness fell marginally.
3. Many colleagues are essential to both the delivery of our operational work and of our reforms, particularly the re-design of our end-to-end enforcement process. We are backfilling a number of key delivery roles to free up resources for reform, but we can expect to see some impact on output in quarter 3.
4. Despite these pressures, we are largely on track with the delivery of our Business Plan commitments, including the delivery of our Reform Programme (which is the subject of a separate paper and report).

## Recommendations

5. The Board is invited to note and comment on operational performance and progress in delivering the business plan in Q2.

## Overview

### *Operational performance*

6. The second quarter includes the peak Summer leave months so we would expect to see some fall-off in the levels of operational output compared to quarter 1. Nevertheless, the caseload of reports for assessment continued to fall and, pleasingly, the authorisations caseload stabilised, with a much smaller net increase than in recent quarters.
7. Somewhat bucking the Summer trend, we concluded the highest number of investigations for five quarters. The paradoxical impact of concluding some long-running investigations was, however, to depress the timeliness target (67% for the quarter) which had only just been missed in quarter 1. Nevertheless, the investigation caseload is now stable and, currently, at a sustainable level. This reflects the success of our accelerating investigations programme of 2022/23.
8. The Board has received a separate paper on our plans to address applications for transferring overseas lawyers. The objective of this work is to protect standards by ensuring that only transferring lawyers with the right skills and experience are able to practise in England and Wales. The key to progress will be to establish some standard rules or guidelines for handling these applications based on the mapping of the qualifications and experience gained in overseas jurisdictions to our professional standards. Meanwhile, our Task Force has been working very hard and decided 54 applications during the quarter within the framework of our current process. The Board is also receiving a separate paper on our review of the fee we should charge for this work in order to recover our costs.

### *Delivery of Business Plan*

9. We made also steady progress in implementing the business plan over the first two quarters. Highlights in Q2 included:
  - the establishment of projects to take forward implementation of the independent review of enforcement – see here the separate Board paper on the progress of the Reform Programme;
  - the launch of our consultation on the revision of the *Equality Rules*;
  - the introduction of the balanced scorecard for reporting on the Bar Standards Board's operational performance;
  - the completion of a review of the fees we charge to Bar training students, applicant for authorisations and entities – see here the separate Board paper;
  - the publication of our annual report on anti-money laundering activity.
10. Looking forward, we intend to explore the establishment of a parallel balanced scorecard to capture the impact of our regulatory work on the public interest. We would enable the Board and its committees to monitor over time whether our regulatory interventions were contributing to higher standards, to the diversity of the Bar, and to the competitiveness of, and access to, the market for barristers' services.

**Annexes**

Annex 1 – Operational Performance, Q1 2024/25: balanced scorecard

Annex 2 – Business Plan & Performance Monitoring Dashboard, Q1 2024/25

Annex 3 – Progress against published business plan activities

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**Director General**



## 2024-25 Quarter 2 Performance report – Balanced scorecard

### Performance against KPIs

KPI	Balanced Scorecard chart number	Target %	Target met	Quarterly performance	Change on previous quarter
<b>Quality</b>					
CAT - Quarterly Audit	1	95%	<span style="color: green;">●</span>	98.1%	↘
CAT - Requests for Review	2	95%			
Investigations - Quarterly Audit	3	95%	<span style="color: green;">●</span>	100.0%	
Investigations - Requests for Review	4	95%	<span style="color: green;">●</span>	100.0%	
Investigations - Administrative Sanction Appeals	5	0%			
Investigations - DT Decision Appeals	6	0%			
Authorisations - Quarterly Audit	7	95%	<span style="color: green;">●</span>	100.0%	↑
Authorisations - IDB Reviews	8	95%	<span style="color: green;">●</span>	100.0%	↑
Supervision - Quarterly Audit	9	95%	<span style="color: green;">●</span>	100.0%	
<b>Timeliness</b>					
CAT - General enquiries-closed	10	80%	<span style="color: green;">●</span>	95.5%	↘
CAT - Reports & Other-closed	11	80%	<span style="color: red;">●</span>	69.4%	↑
Investigations - Investigations decided	12	80%	<span style="color: red;">●</span>	66.7%	↓
Authorisations - Applications-decided	13	80%	<span style="color: red;">●</span>	56.1%	↑
<b>Service</b>					
CAT - Calls answered	14	85%	<span style="color: orange;">●</span>	84.5%	↘
Authorisations - Calls answered	15	85%	<span style="color: red;">●</span>	64.7%	↑
All teams - Complaints	16	95%	<span style="color: orange;">●</span>	90.0%	↑
<b>Productivity</b>					
CAT - General enquiries-live	17	80%	<span style="color: green;">●</span>	100.0%	
CAT - Reports & Other-live	18	80%	<span style="color: orange;">●</span>	73.4%	↑
Investigations - Investigations-live	21	80%	<span style="color: orange;">●</span>	77.4%	↘
Authorisations - Applications-live	23	80%	<span style="color: red;">●</span>	19.1%	↘

● - KPI met or exceeded

● - Performance within 10 percentage points of target

● - Performance more than 10 percentage points lower than target

↑ - Performance increased compared to previous period

↘ - Performance decreased by 10 percentage points or fewer compared to previous period

↓ - Performance decreased by more than 10 percentage points compared to previous period

**No arrow** - Performance the same as for the previous period; or there is no applicable data for one of the comparable periods

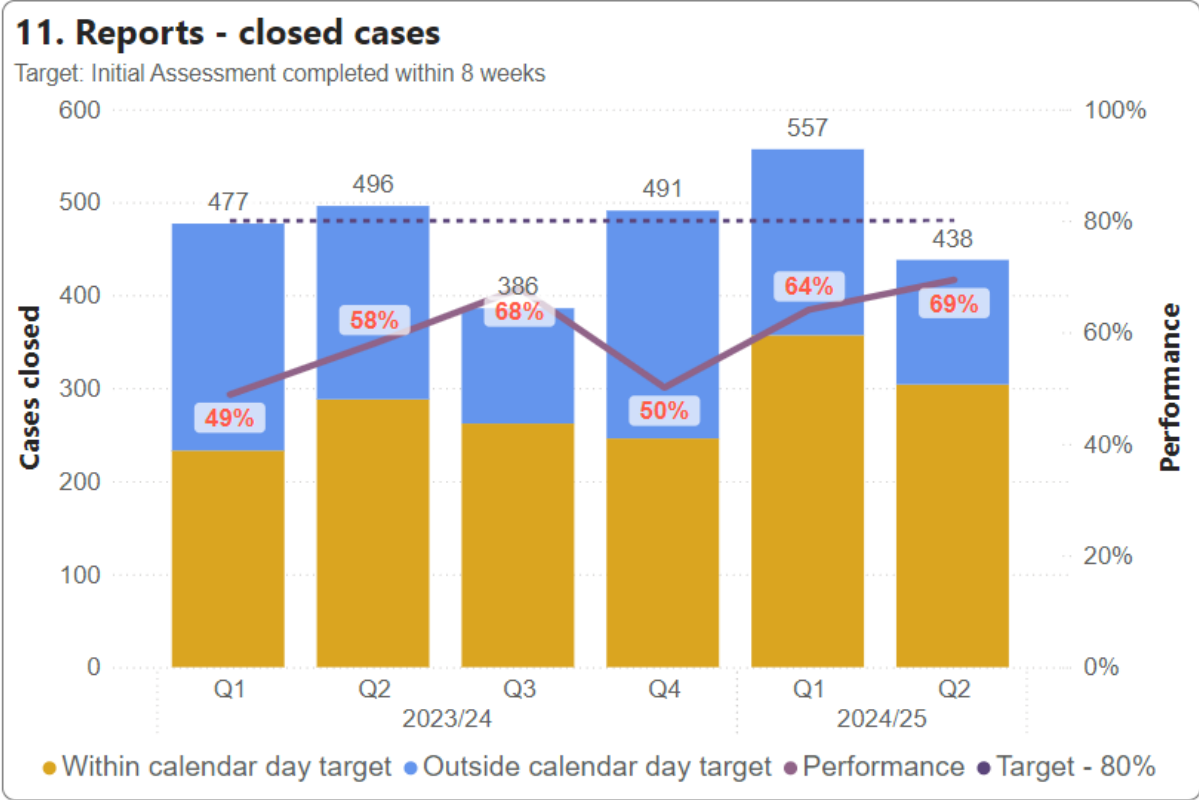
## **Summary headlines**

1. There has been an improvement in performance in 7 of the 13 metrics for which comparisons with the previous quarter are available. These improvements cover all 4 areas of the balanced scorecard. 8 of the 17 applicable KPI targets were met, with a further 4 only narrowly missed. There is a trend of overall improvement in the Timeliness and Service quadrants, while the quality of decision-making remains high.

## **Key points**

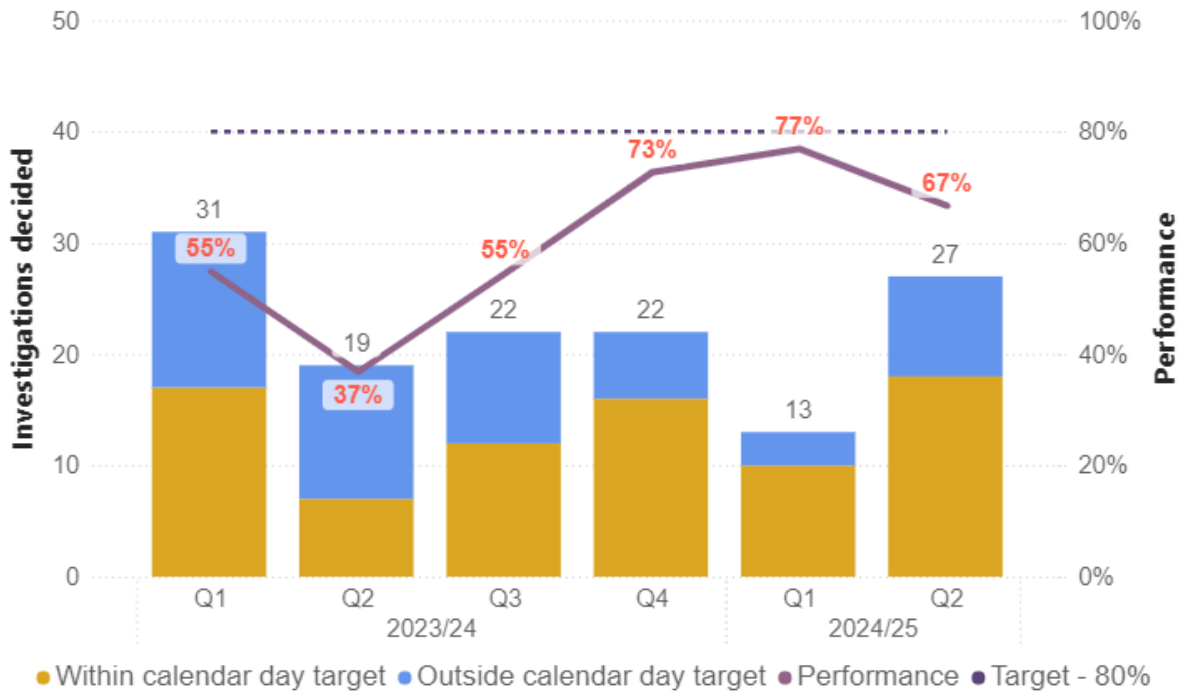
2. General enquiries performance for CAT continues strongly, with both the Timeliness and Productivity targets for this case type met.
3. Timeliness and Productivity performance for CAT Reports show improvements compared to the previous quarter, although the 80% targets have not yet been met.
4. All applicable Quality targets for all four teams have been met.
5. There were no appeals of administrative sanctions or appeals to the High Court during Quarter 2, and so the only applicable targets for I&E were for Requests for Review and Quarterly Audit outcomes, which were met.
6. There were no Requests for Review completed for CAT during this quarter, and so the only applicable Quality target for this team was the Quarterly Audit outcomes, which was met.
7. The Service Complaints performance for all teams increased to 90%.

### Timeliness



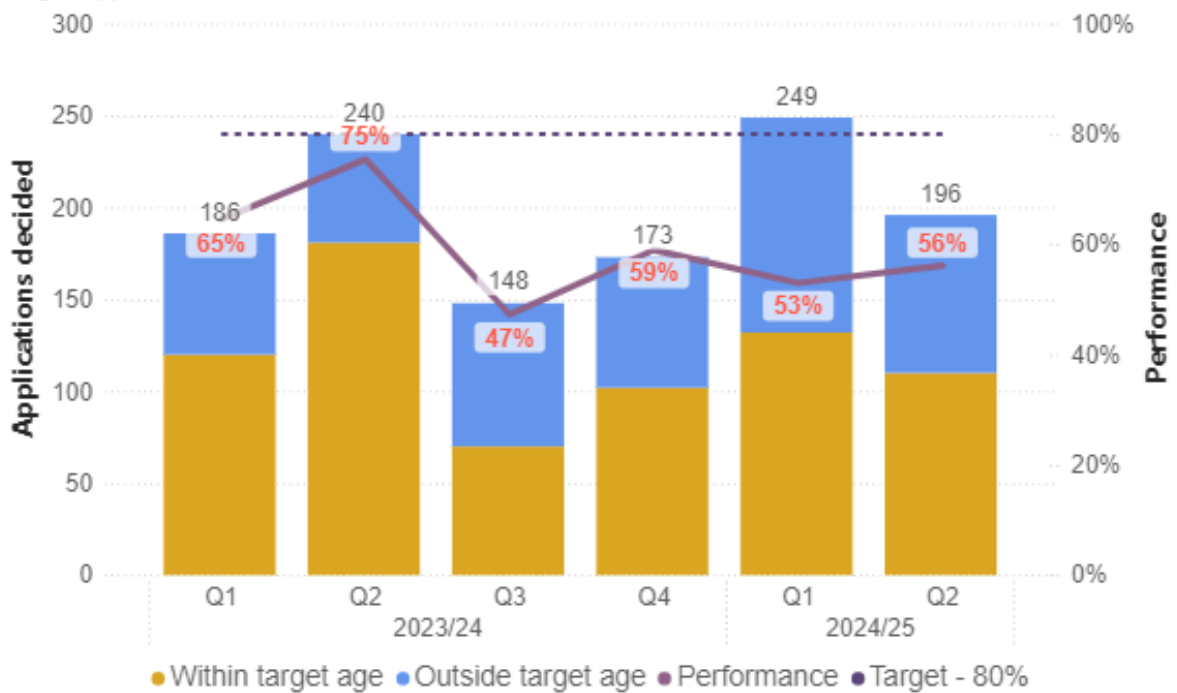
### 12. Investigations - decided cases

Target: Referral accepted and Investigation decided within 38 weeks



### 13. Applications - decided

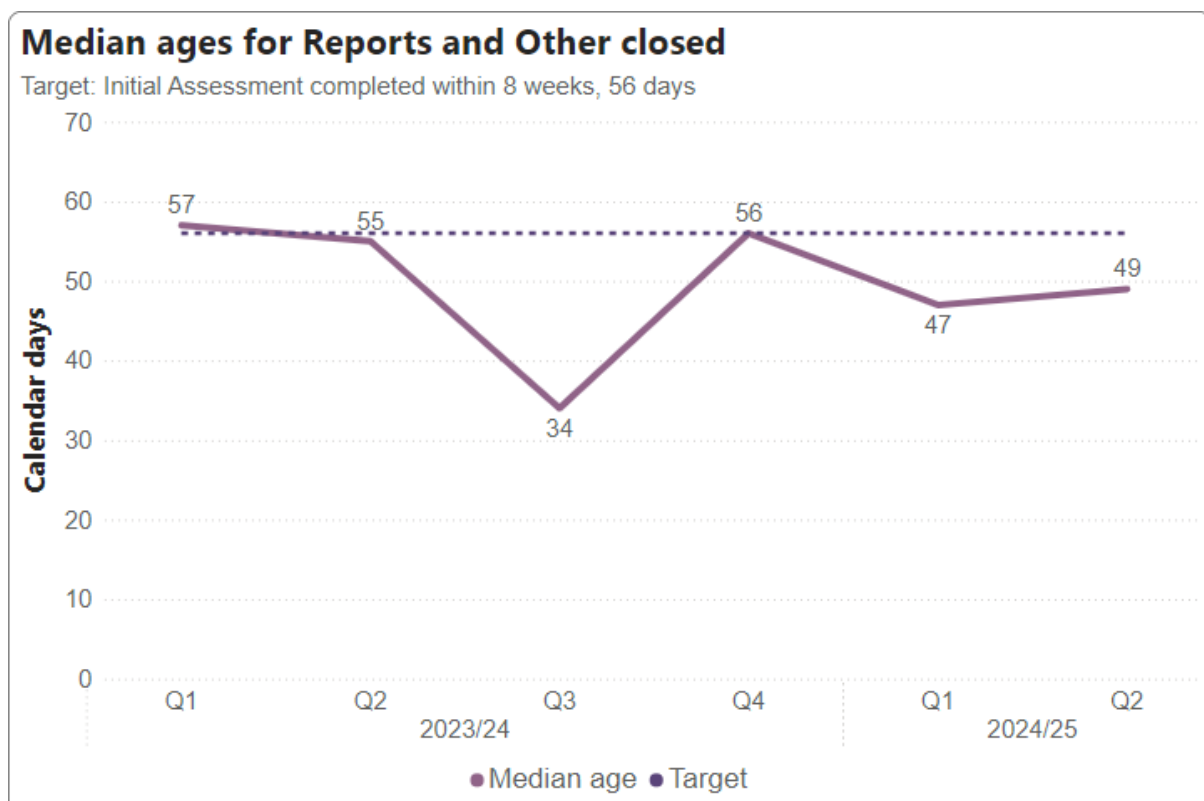
Target: Application decided within 12 weeks

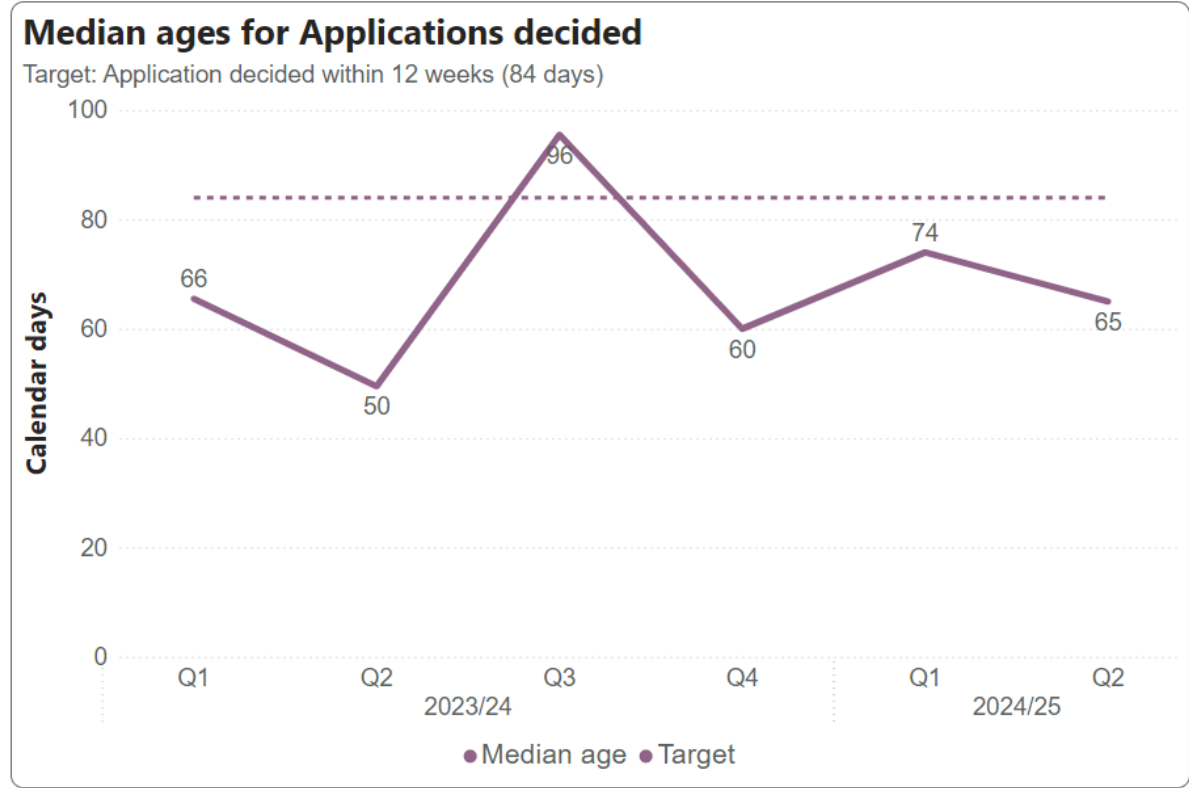
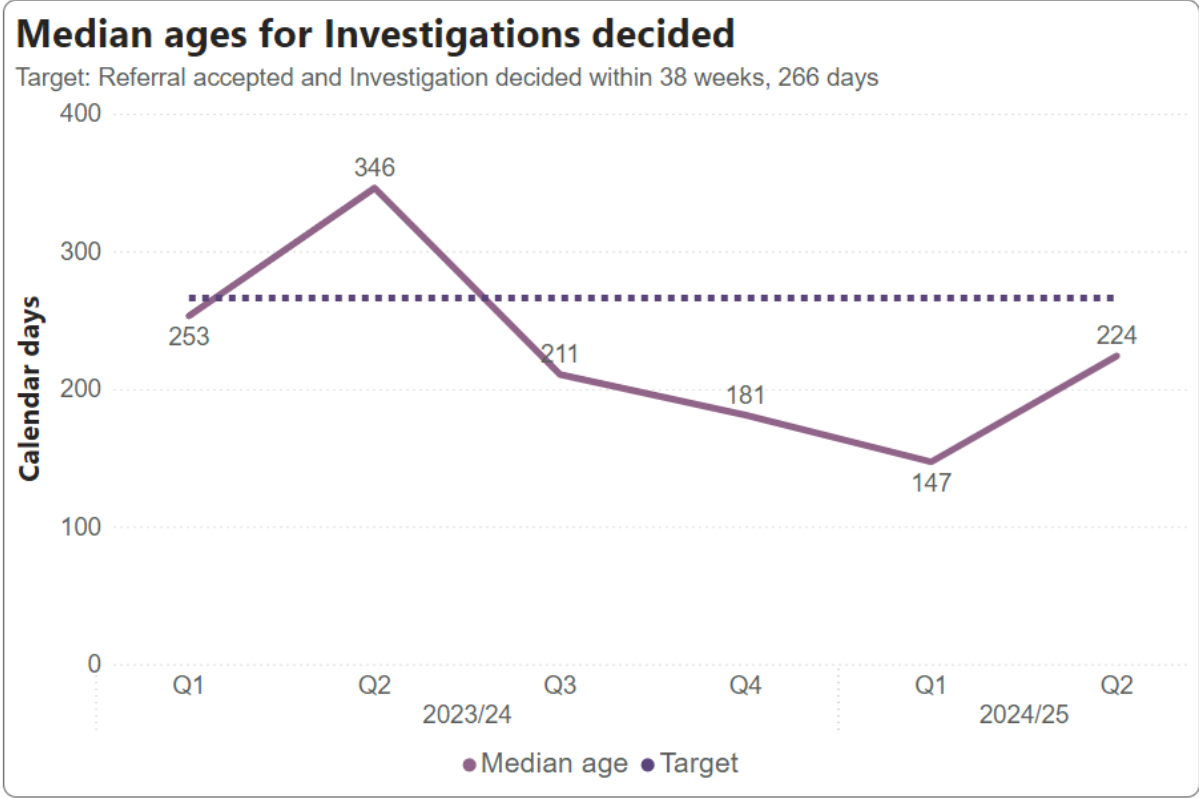




## Key points

8. Timeliness performance for CAT reports continues to improve, with 69% assessed within the target period. Although the output decreased, the number of decisions still exceeded the number of reports received during Quarter 2.
9. The Investigations output increased with decisions made on 27 cases, although Timeliness performance dropped by 10 percentage points as six extra cases were decided outside the target age compared to the previous quarter. A review of the nine cases outside KPI did not provide any consistent reason for the cases not meeting the target. Factors included: longer than usual extensions for barristers' responses (albeit with good reason such as mental health issues and obtaining legal representation via BMIF); awaiting documentation from third parties; and obtaining witness evidence.
10. Authorisations saw a decrease in output with almost 200 application decisions during the quarter (down from 249). Median age of cases

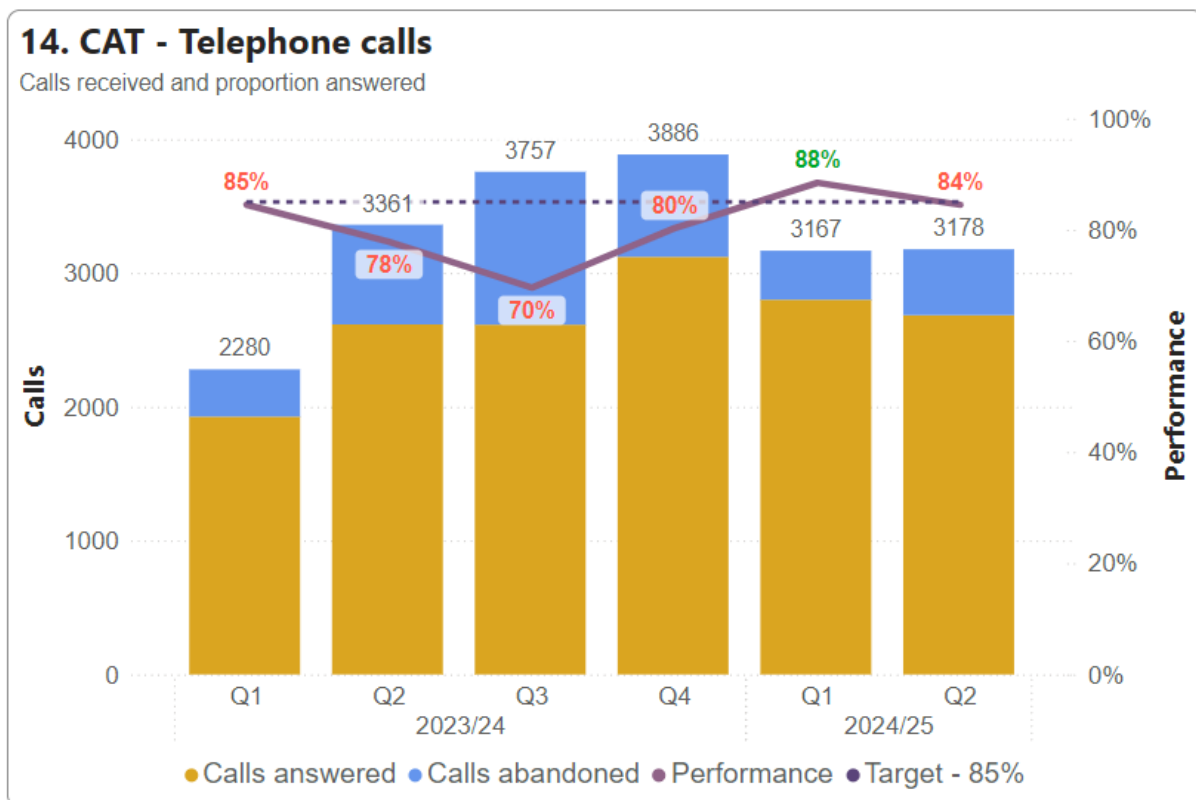




11. The median time it took for a CAT report to be assessed increased by two days, and this average remained lower than the target of 8 weeks.

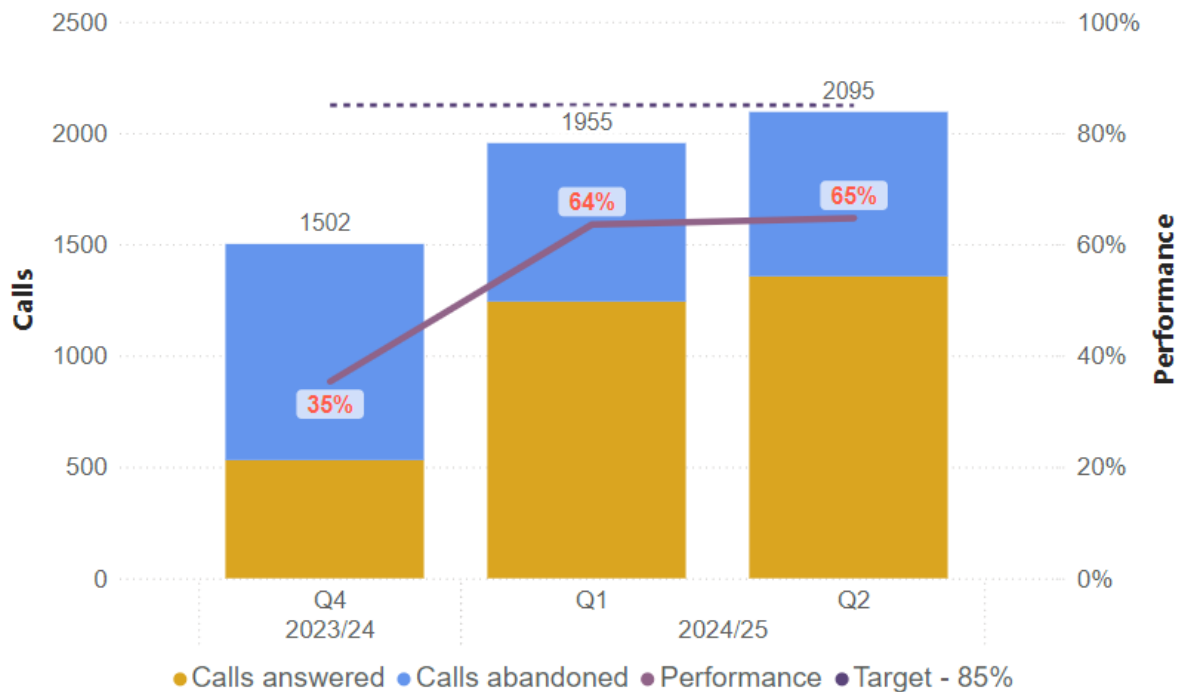
12. The median age of Investigations decided has increased to 224 days, or 32 weeks. Whilst still within the target of 38 weeks, this is higher than the median over the previous three quarters and is connected to the greater proportion of investigations decided which had exceeded the target age.
13. The median age of decided Authorisations applications has decreased to 65 days (9 weeks) and remains lower than the target of 12 weeks.

## Service



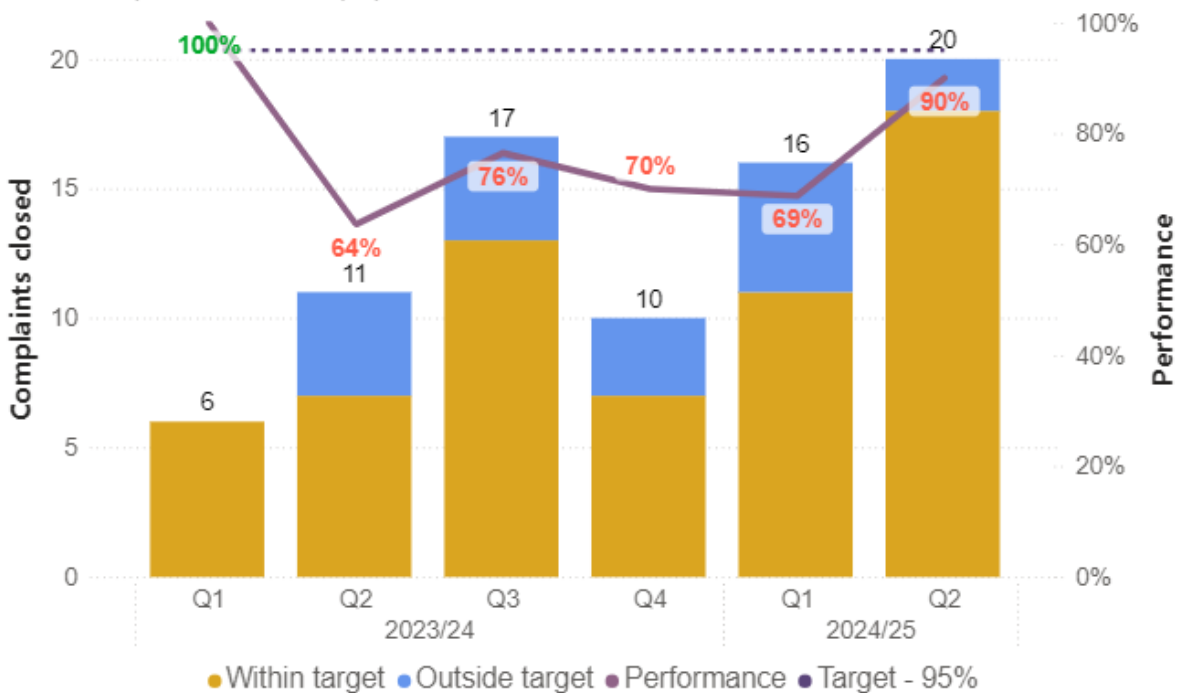
### 15. Authorisations - Telephone calls

Calls received and proportion answered



### 16. All teams - Service complaints

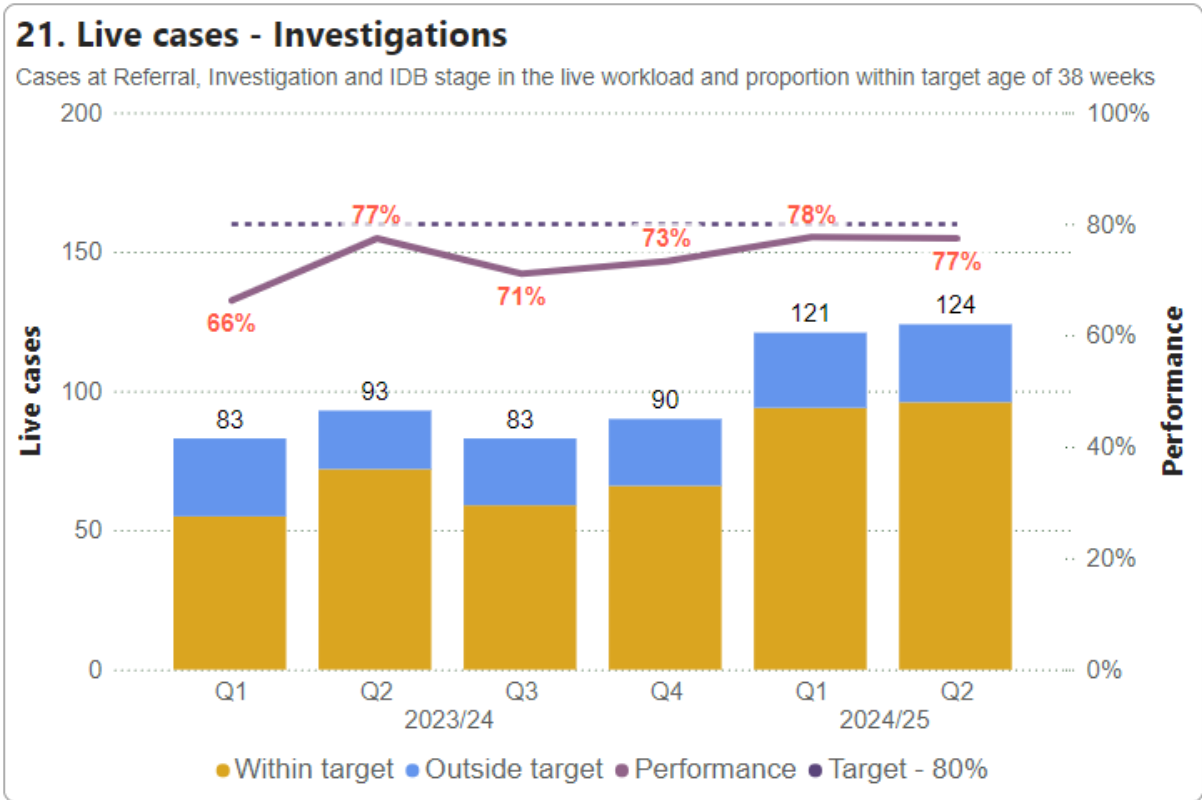
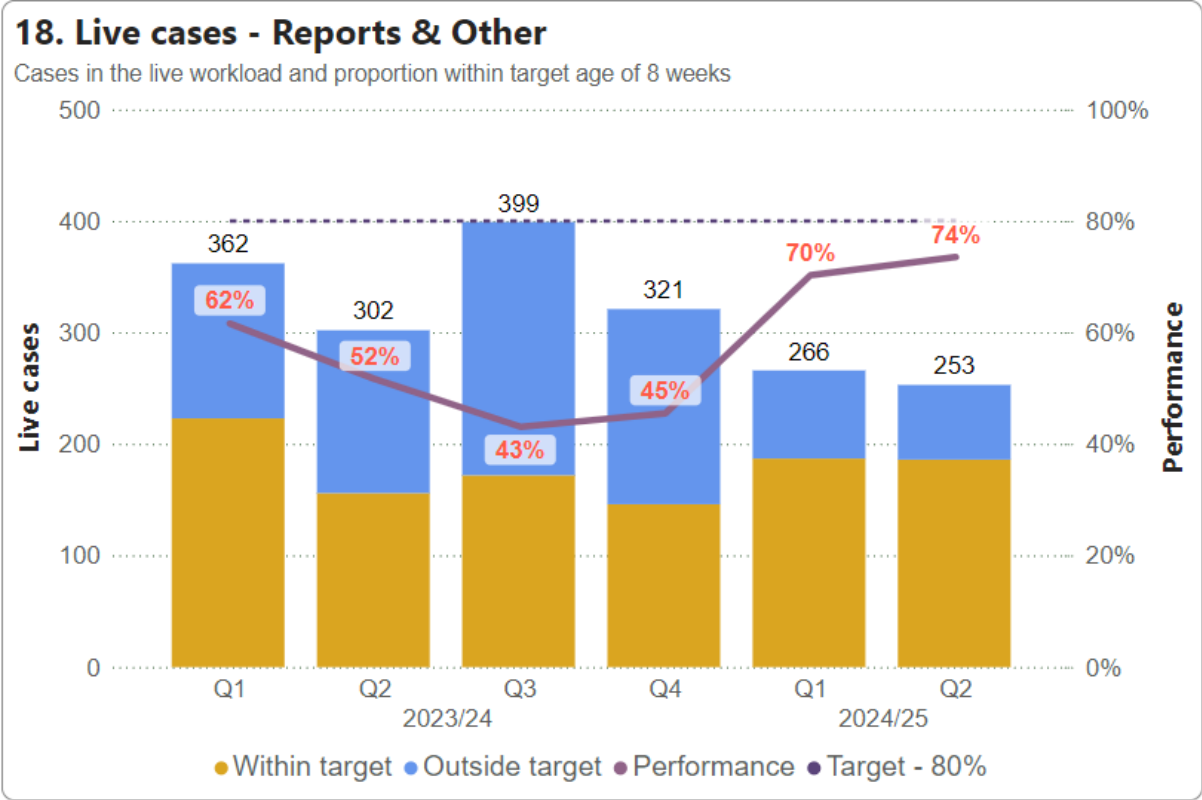
Service complaints handled and proportion closed within due date



## Key points

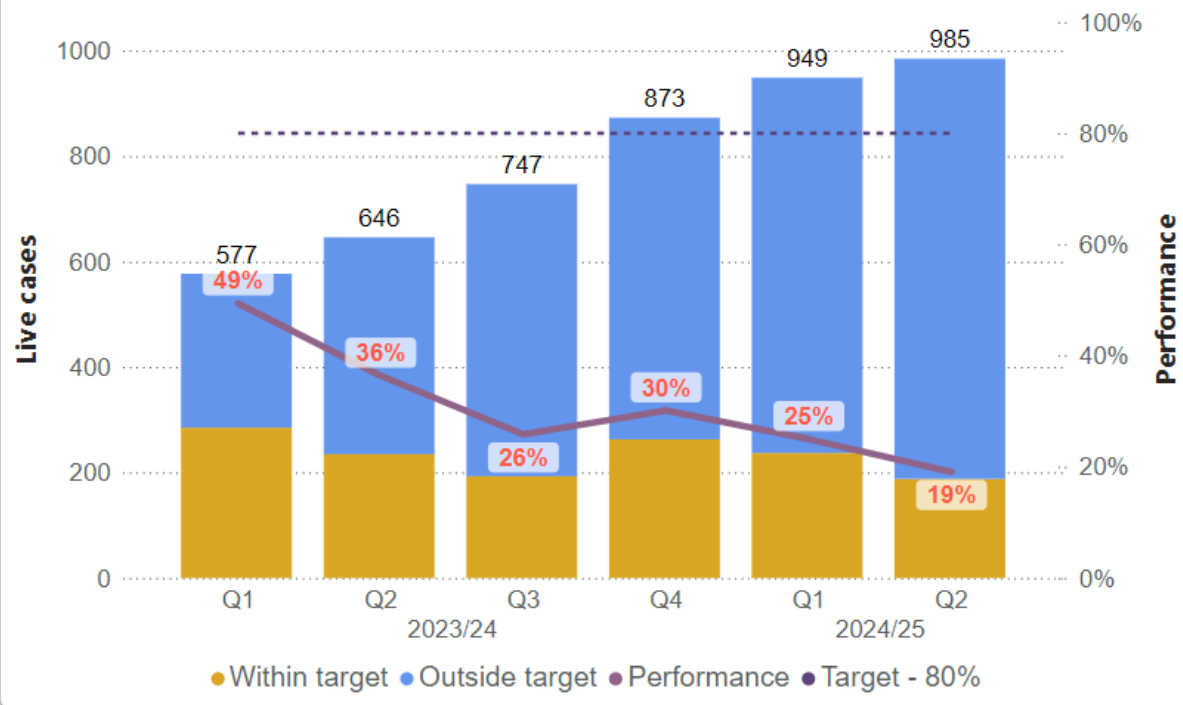
14. The CAT performance for Service, based on the proportion of telephone calls received which were answered, fell just below the target to 84%. Whilst the target of 85% was exceeded in both July and August, performance dropped in September because of a combination of factors including annual leave and team-wide training sessions.
15. In addition, September saw an increase in the daily average number of calls, jumping from between 40 and 45 calls a day up to 61 calls received each day. We have not identified a reason for this sharp increase in the call numbers, but this will be closely tracked in the coming months.
16. Call volumes also increased for the Authorisations team, with the main Authorisations line and the Transferring Qualified Lawyer (TQL) extension receiving a combined total of 2095 calls. Performance increased by one percentage point, with 65% of calls answered across Quarter 2.
17. For the TQL extension line, the Taskforce are taking extra time on each call, providing more detail to applicants so that the correct information can be obtained in order to ensure the applications are then ready for assessment.
18. The service complaint target to respond to 95% of complaints within the due date was narrowly missed, resulting in the Quarter 2 performance of 90%. Two responses, one from Authorisations and one from I&E, missed the deadlines.

# Productivity



### 23. Live applications

Applications in the live workload and proportion within target age of 12 weeks

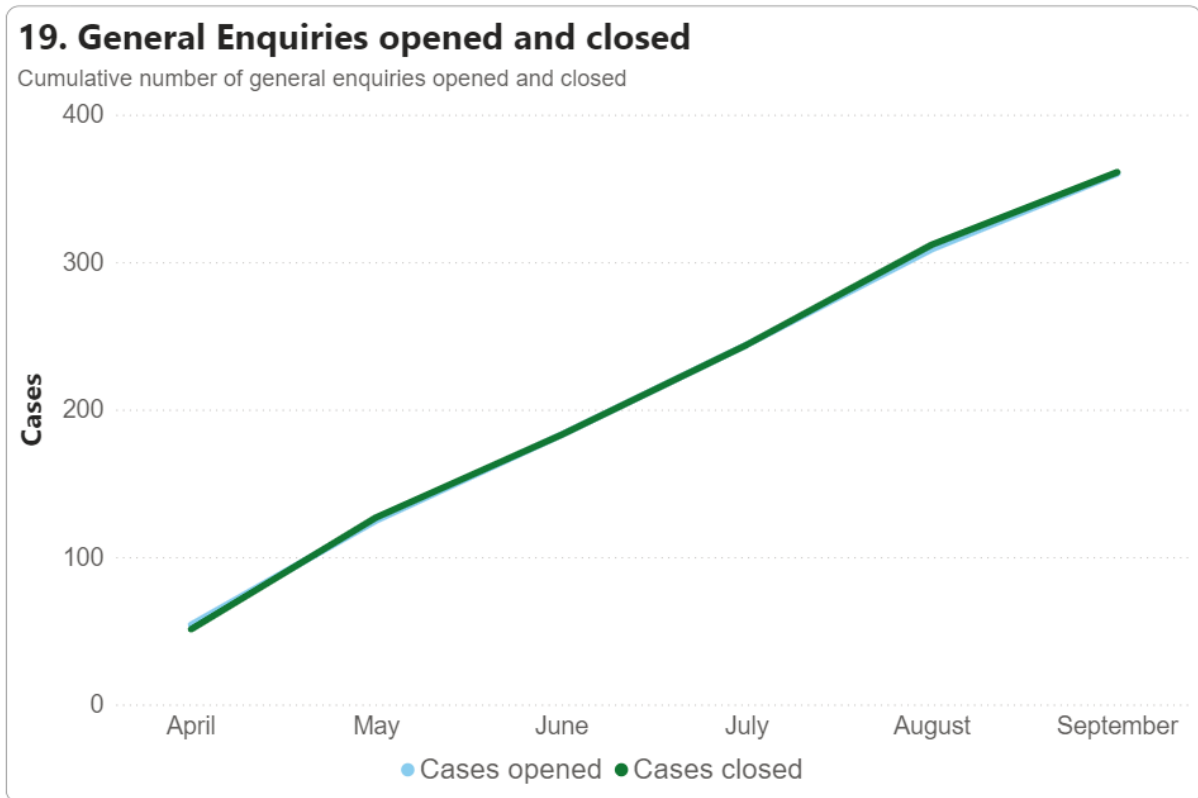


### Key points

19. At the conclusion of Quarter 2, 74% of open CAT reports were within the target age. In absolute terms, the number of open cases outside the target age of 8 weeks has reduced to 65 reports, a record low.
20. The Productivity target was almost met for live investigations, with 77% within the target age at the end of Quarter 2. However, the number of live investigations outside the target age has been gradually rising. Currently this stands at 28 cases.
21. 20% of open Authorisations applications are within the target age of 12 weeks. The performance is lower for TQL applications, of which 12.5% are within the target age, than for other application types, for which almost 30% were within the target age at the end of September.

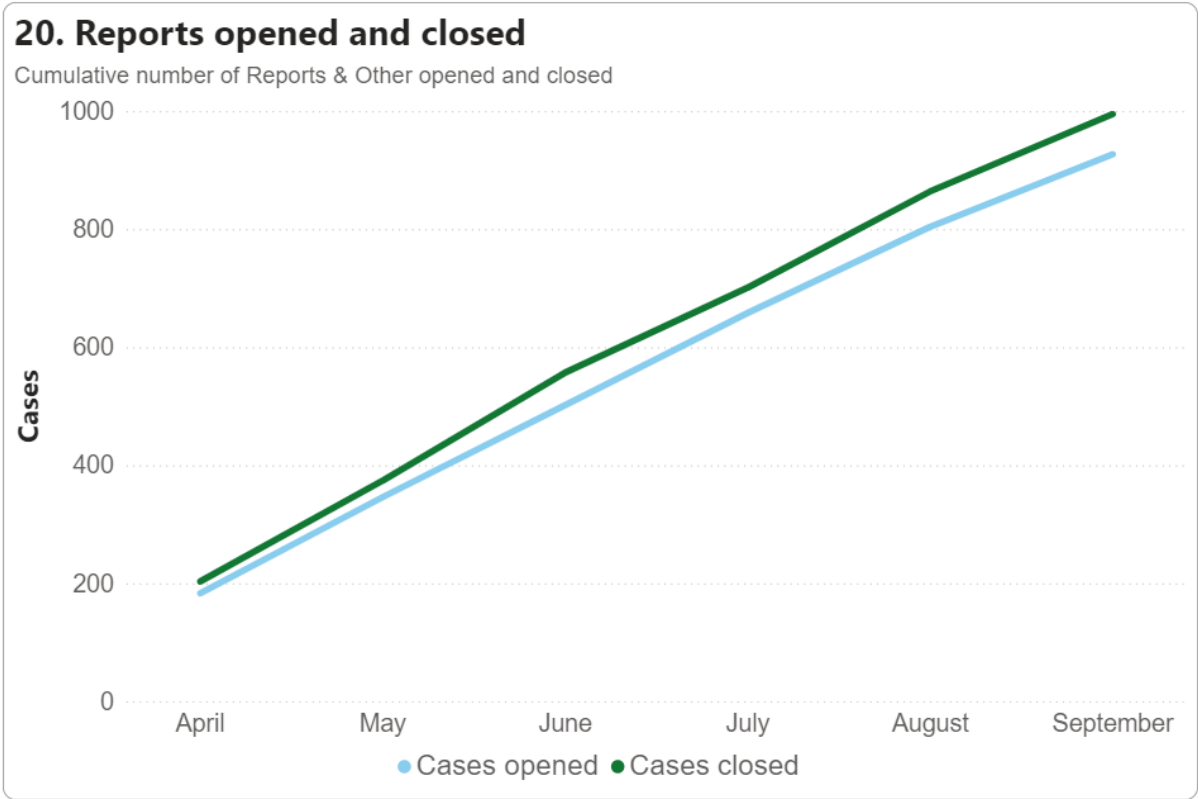
*Cumulative opens and closures*

22. In the Quarter 2 and Quarter 4 performance reports, charts showing the cumulative total number of cases or applications opened and closed will be included.

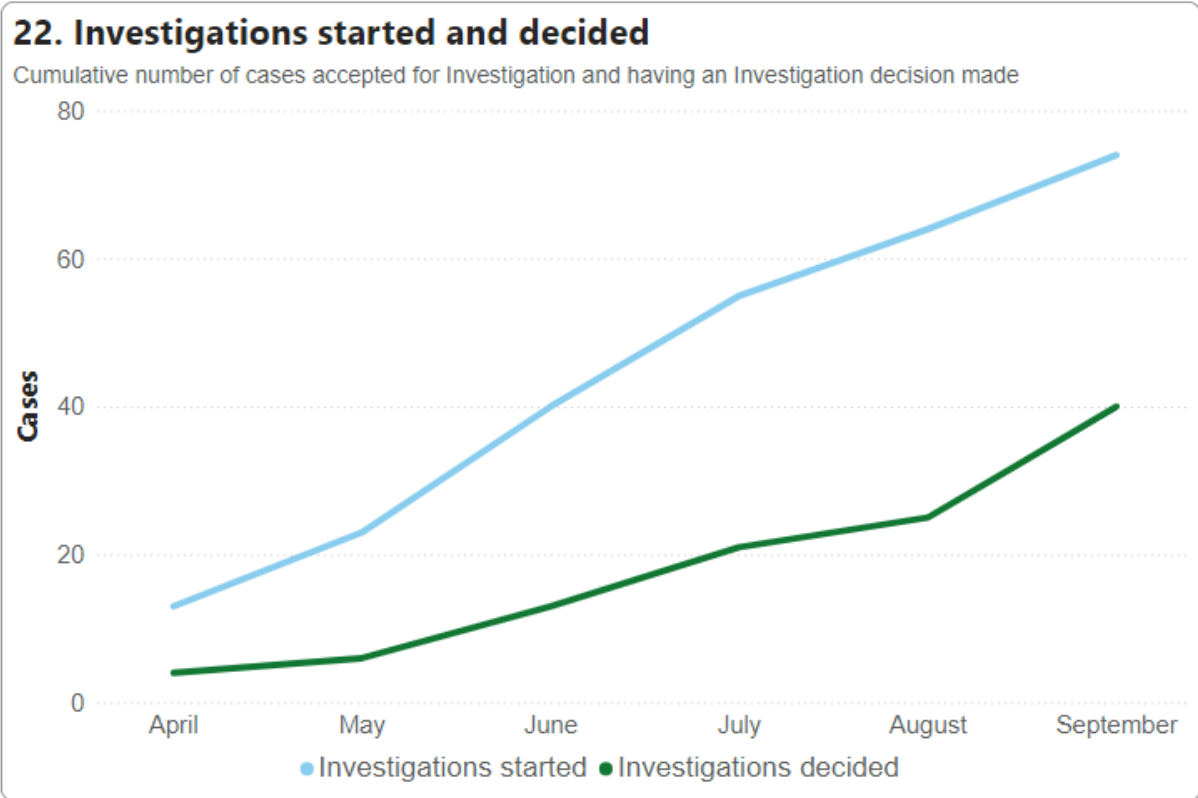


23. For CAT, the running total number of General Enquiries closed continues to closely track the number opened. The team is able to keep this workload to low single figures and to close the vast majority within the target time of one week.

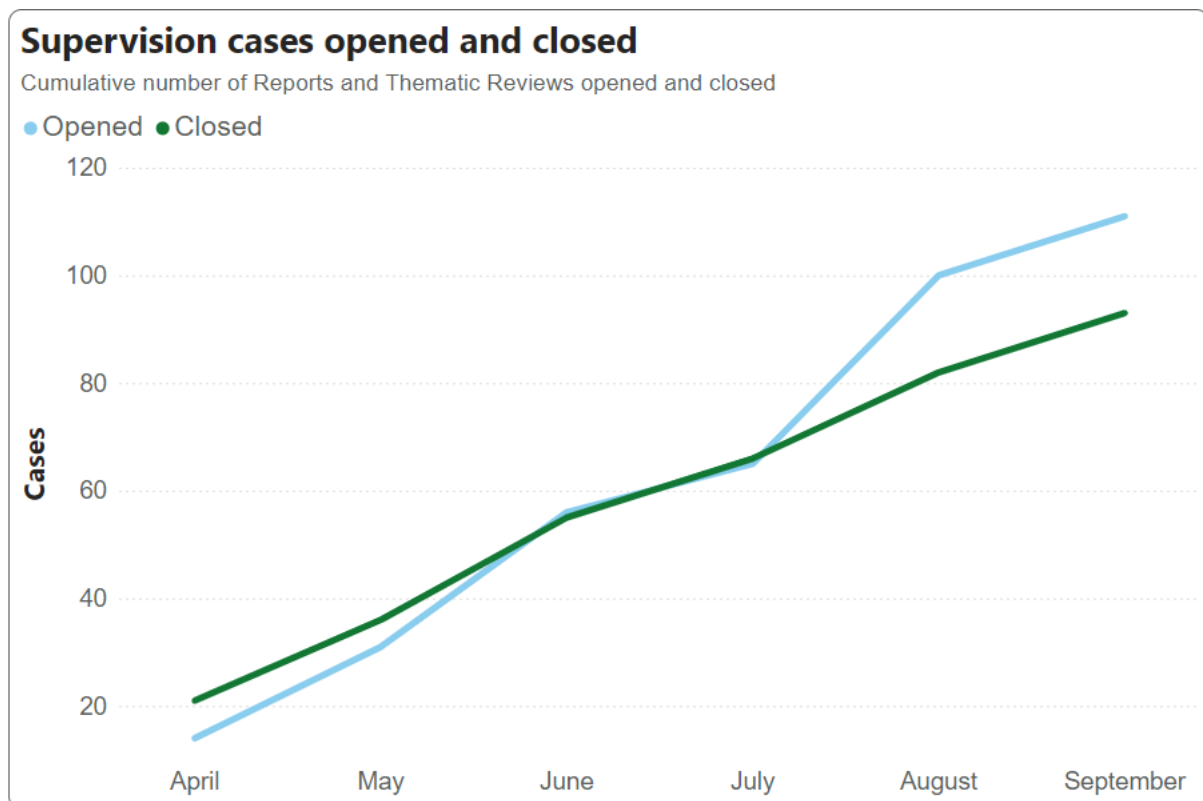




24. For the first half of this year, the cumulative total number of CAT reports closed has always exceeded the number opened, leading to a continuous reduction in the live workload.



25. The Investigations opened and closed chart shows the widening gap between the number of new cases accepted for investigation and the number which have received investigation decisions during the same period. This reflects the increase in the number of new cases received by I&E in the first two quarters of this year.

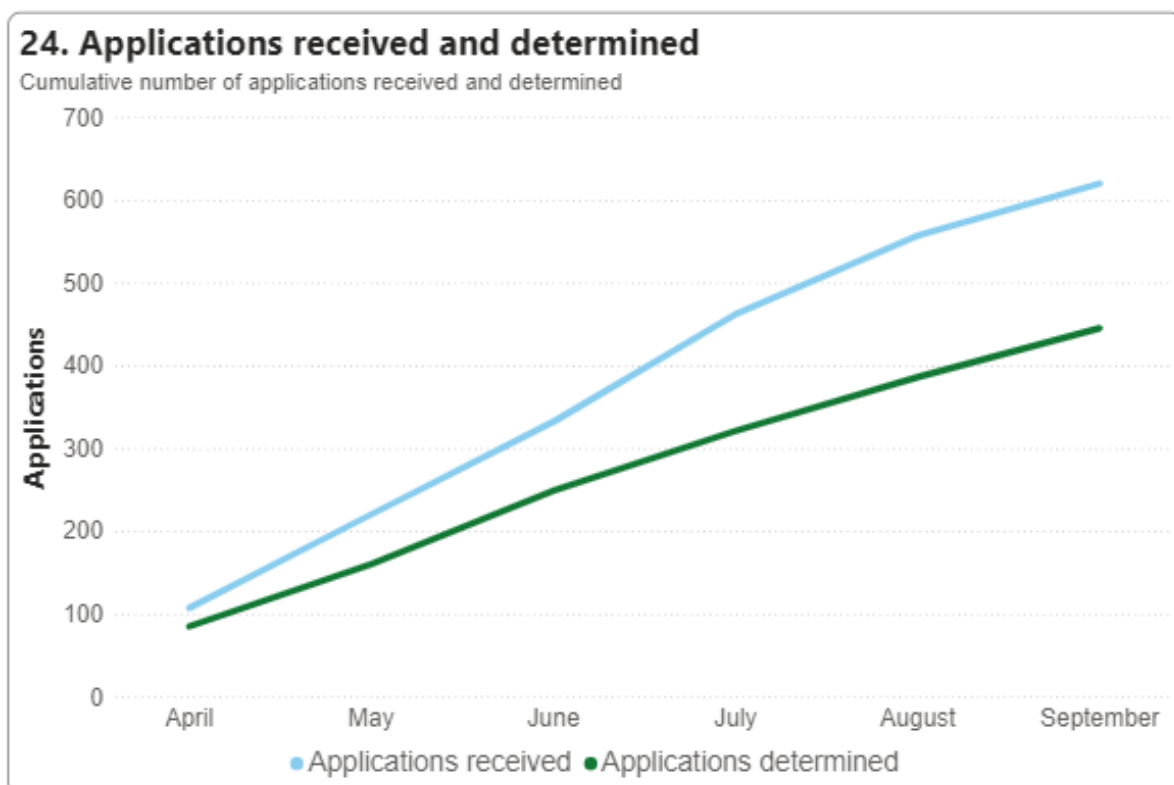


26. The Supervision chart above shows the steady rate of closures for this team, with an average of 16 cases closed each month. Both Reports and Thematic Reviews are captured in this chart, and the rise in cases opened between July and August was due to both an increase in referrals from CAT (16 in total in August, which was slightly above average) and 17 new Thematic Review cases being opened as part of our rolling programme of testing compliance with the Money Laundering Regulations (MLRs).

27. The Thematic Reviews cover the following areas:

- Barristers registered as Register of Overseas Entities (ROE) agents. This follows new processes established at Companies House to share data with all Professional Body Supervisors under the MLRs. The Supervision team cross checks whether those listed as ROE agents at Companies House have declared to the BSB that they conduct work within scope of the Money Laundering Regulations. Those who have not are sent a questionnaire to assess risk.

- Barristers conducting work in the area of property law transactions, which is part of our rolling programme of compliance testing. Questionnaires have been issued to six chambers and they will be risk assessed in Quarter 3. Visits will be conducted with any assessed as high risk, and a sample of instructions will be selected to assess compliance with Customer Due Diligence requirements.
- Spot checks for compliance with the obligation to conduct practice risk assessments. Barristers who may have mis-declared during the Authorisation to Practise process that they do work within scope of the Money Laundering Regulations are being prioritised as part of a rolling programme to improve the accuracy of data on the number of barristers conducting in-scope work.



**28.** Authorisations applications received continue to outpace the applications determined. TQL applications account for 37% of the total applications received so far during 2024/25 and for 22% of the applications decided in the same period.

### Team workloads

#### CAT

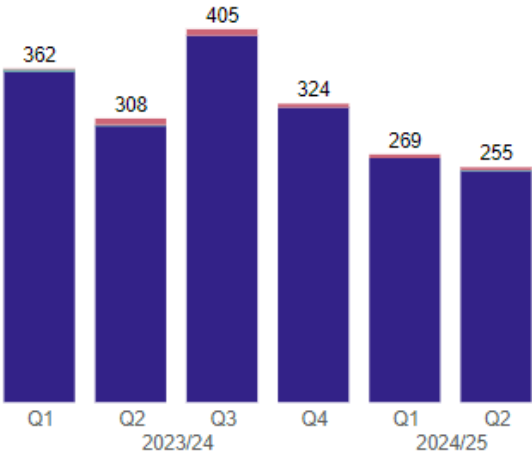
Reports  
251

Other  
1

Queries  
3

73% within target age

100% within target age



#### I&E

Referrals  
7

Investigations  
117

Disciplinary  
37

Appeals  
7

77% Investigations and Referrals within target age

16 Investigations+Referrals on hold

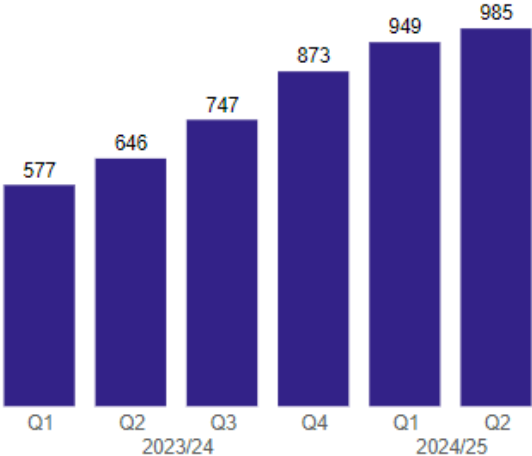
49% within service standard  
3 on hold



#### Authorisations

Applications  
985

19% within target age



#### Supervision

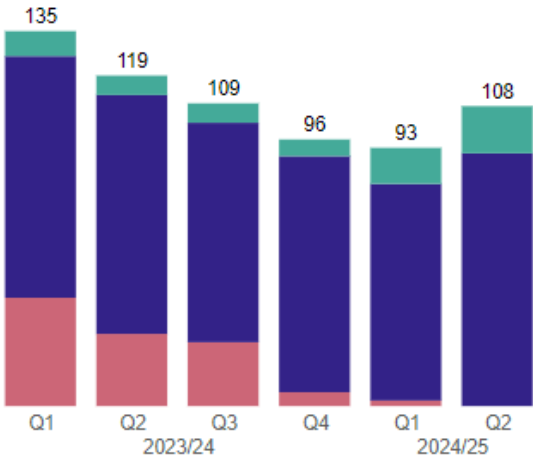
Reports  
91

Thematic Reviews  
17

Regulatory Returns  
0

30 open actions  
18 on hold

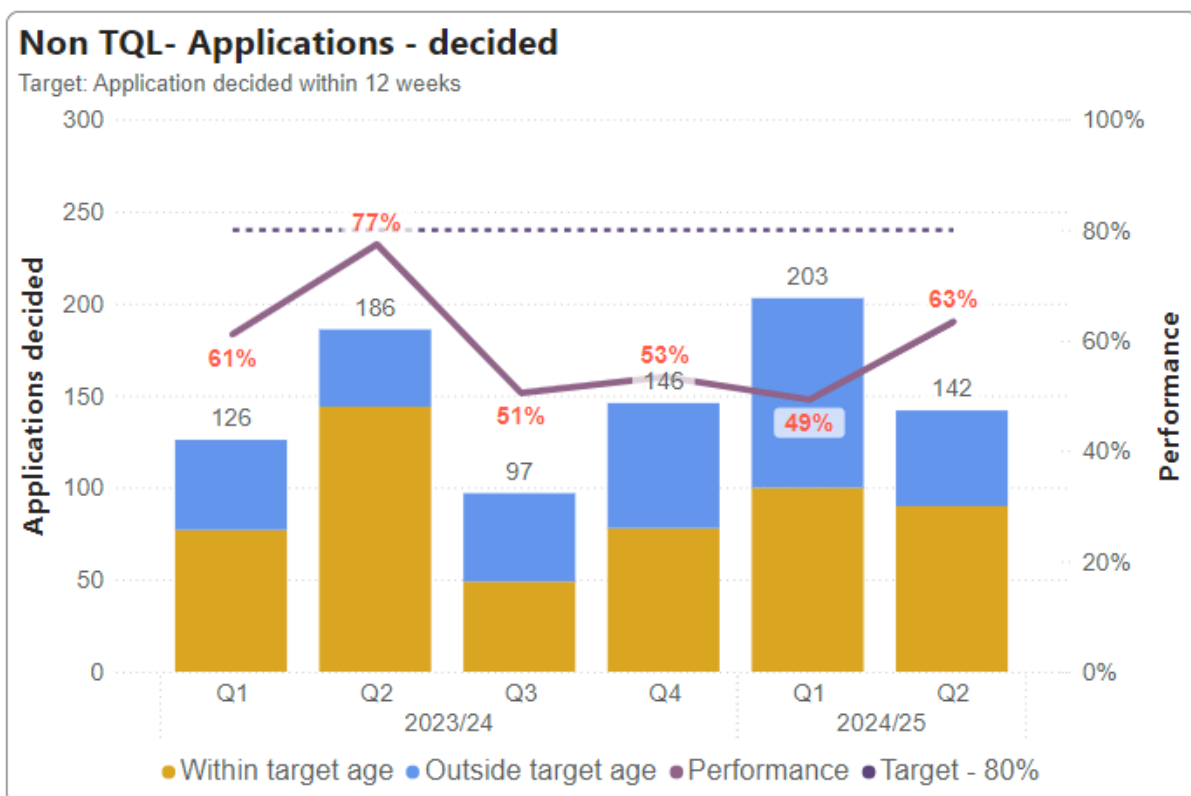
0 open actions

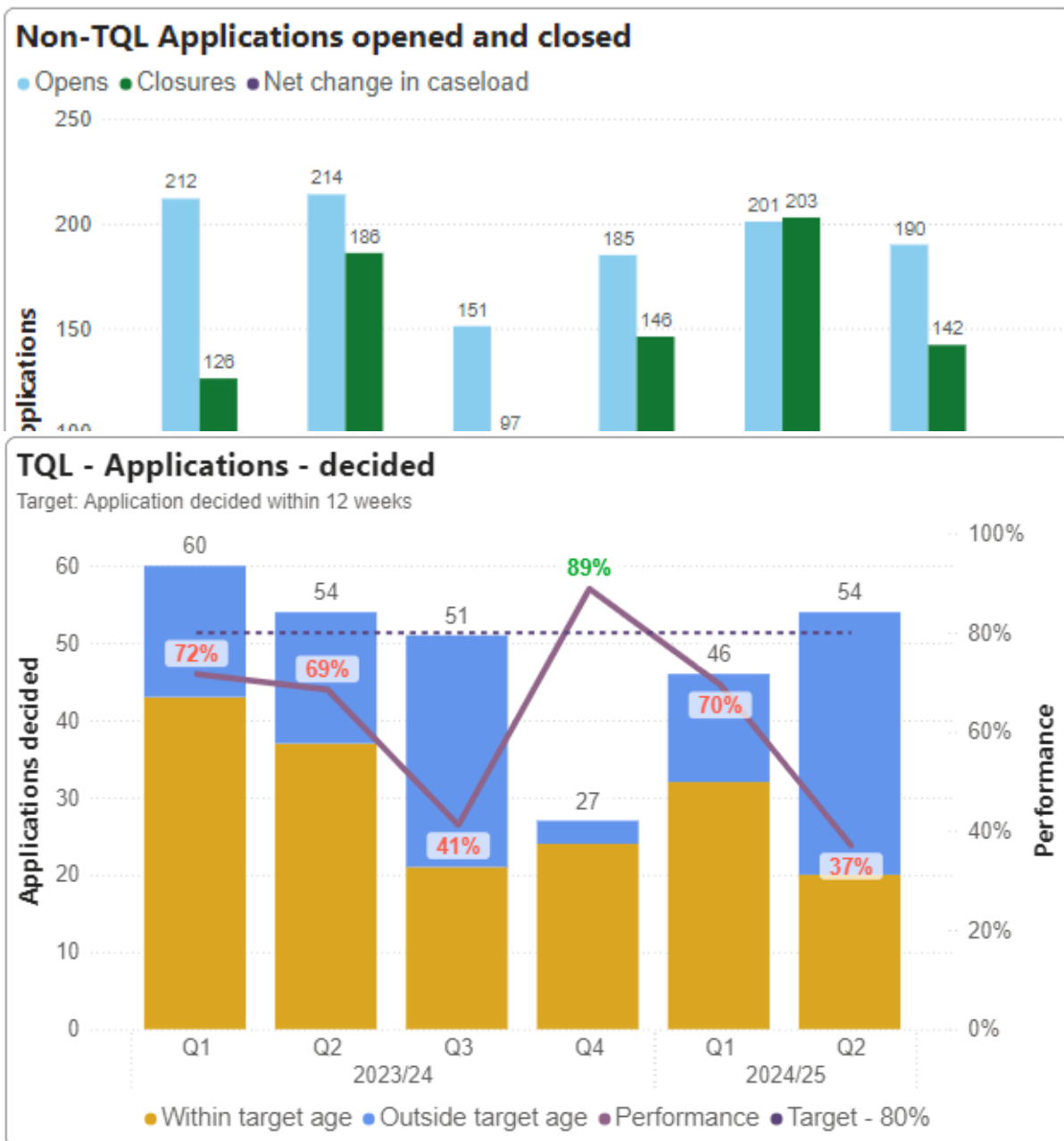


Key points

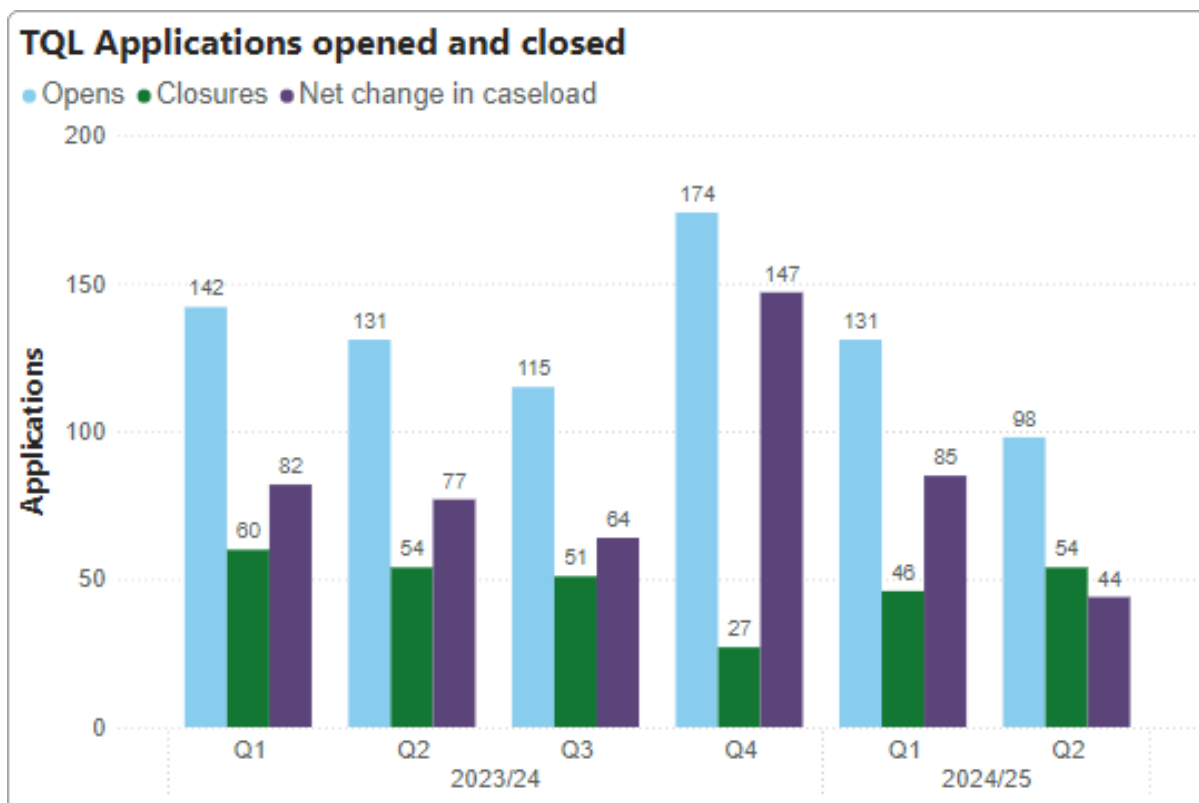
- 29. For this quarterly report we have presented the teams’ workload snapshots as quarterly instead of monthly charts. We think this allows readers to more easily see the changes in workload over time and avoids potential confusion which may be caused by peaks and troughs of work during an individual quarter.
- 30. Caseloads have increased for the I&E, Supervision, and Authorisations teams.
- 31. The live workload for CAT, predominantly composed of Reports, has continued to reduce.

Authorisations





32. The workload of non-TQL applications has stabilised since Quarter 1 due to the higher number of applications closed in Quarter 1 and to a reduction in the pace of applications opened towards the end of Quarter 2. The team has been working to ensure that only those applications that we are able to progress are retained as open cases.



33. The TQL workload has stabilised, just showing a slight increase of 5 applications over the course of Quarter 2, from 604 to 609 by the end of September. This decrease follows a peak in caseload reached in July with 632 applications. This is due to the TQL Taskforce closing more TQL applications in Quarter 2 than in Quarter 1 (54 vs 46), and an increase in the number of applications withdrawn by the team for non-submission of an online application form or failure to respond to an information or fee request. Nonetheless, TQL applications continue to make up the largest proportion of the overall workload.
34. Pupillage tasks, which includes both completions of pupillages registered the previous year and registrations of new pupillages, began to rise at the start of the quarter. The team has registered 409 pupillages with starting dates between 1 August and the end of the calendar year, with the majority starting in September and October. The team has also signed off 386 pupillages which began in the previous Autumn, with a further 130 still to be completed. These tasks typically peak between August and October and demands significant time from the administrative assistants in the team. This work will continue into the first half of Quarter 3, and may require some involvement from officers as well, limiting the time available to focus on other application types.

## Supervision

35. The Supervision workload grew over Quarter 2 due to an increase in new Reports and Thematic Reviews described in paragraph 34. One fifth of the live reports (18 cases in total) were on hold at the end of the quarter. Eight of these have the status “Hold – I&E” as they stem from reports received from another agency which were referred to both I&E and Supervision. I&E has completed their review of most of these cases now and a number of cases are expected to be closed with no further action in Quarter 3.
36. The final two Regulatory Return cases were closed by Supervision during this period, bringing this project to a close. Regulatory Returns have been a component of the Supervision workload since January 2021 and the closure of the final set of cases over the past year has increased the team’s capacity to carry out a higher number of focused reviews into areas of our regulation which pose the biggest threats to our Regulatory Objectives, such as the AML Thematic Reviews described above.
37. During Quarter 2 the team also concluded a set of 100 CPD compliance spot checks. A report on outcomes is being prepared for discussion at the November Assuring Standards Programme Board.

## Appendices (all available in the BSB reading material section)

Appendix 1: Overview of all metrics and KPI targets.

Appendix 2: Definitions (explaining how targets are calculated).

Appendix 3: Types of case.



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**BAR STANDARDS BOARD**

**Published Business Plan Activities**

The Bar Standards Board publishes an annual Business Plan with key objectives to help it achieve its five strategic aims. There are a number of published activities which are carried out by the executive via business as usual or projects and programmes. To ensure that the BSB achieves its published business plan activities the Governance and Corporate Services Team seek quarterly updates from activity owners.

Strategic Aim	Published Action	Lead	Contact	Milestone and timetable	Progress report		
					Date of update	Update on progress / completion	RAG
<b>1. Efficiency (Performance)</b>	<b>Enforcement Review</b> We will implement the recommendations of the independent end-to-end review of our enforcement policies and processes led by Fieldfisher and improve our key IT systems which support these processes to reflect the recommendations of the review by Deloitte.	SJa/SH	MF/CN	<p>1) Conclusion of consultation on Enforcement Review proposals and agreement by Board to way forward in light of responses</p> <p>2) Planning of implementation project</p> <p><i>Completed</i> Completion of review – by April 2024 with presentation of final recommendations to the Board.</p> <p><i>Completed</i> Project mobilisation and detailed planning for the 4 component projects</p> <p>Forecast project completion dates:</p> <p>EEE: May 2025 Systems Review: Dec 2026 Knowledge Mgmt: Nov 2025 Enforcement Regs: Jan 2027</p>	17/10/24	<p>The Amber status reflects progress against the business plan for 2024/25 which was adopted in March 2024 before we had baselined the Reform Programme, including the re-organisation. That Programme, as approved by the Board, is currently on track.</p> <p>The executive response to the Enforcement Review report was endorsed by the Board on 11 April, with progress updates on implementation provided at the July and September Board meetings. The Reform Programme Board has been instituted and will meet monthly to oversee progress in addressing all Enforcement Review recommendations. Programme Board oversight will be supplemented by quarterly update reporting to the Performance and Strategic Planning Committee. We have onboarded a dedicated programme manager and will shortly onboard dedicated project manager and project co-ordinator resource to further support progress at pace.</p> <p>Nine recommendations contained within the report have been actioned through continuous improvement activity in the CAT, IE and Comms teams, with a further 16 scheduled for completion by the end of October 2024. Additionally, the Re-organisation project will provide numerous enablers to the overall Enforcement Review response, most notably a single point of accountability for the end-to-end process and re-balancing of resource to workload where required.</p> <p>We have now mobilised four projects to address the remaining recommendations, (i) Enforcement Efficiency and Effectiveness, (ii) Systems Review, (iii) Knowledge Management and (iv) Enforcement Regulations.</p> <p>Detailed project plans and supporting PID's have been signed off by the sponsors for each project, with formal Programme Board sign off scheduled for the end of October. Additional technical resources have been agreed to expedite plans to deliver the Enforcement Regulations and Knowledge Management projects following a challenge from the PSP.</p> <p>Immediate focus is on the end-to-end process review and refresh and will be managed under the Enforcement Efficiency and Effectiveness project. Mapping of "as-is" and "to be" processes has commenced supported by dedicated Business Analyst resource. Focus on the supporting systems will be informed by the end-to-end process changes and will commence in Q4 (Systems Review project). The enabling Knowledge Management project will be progressed simultaneously and will be supported by the onboarding of a Knowledge Management consultant.</p>	

Strategic Aim	Published Action	Lead	Contact	Milestone and timetable	Progress report		
					Date of update	Update on progress / completion	RAG
<b>1.Efficiency (Performance)</b>	<b>Authorisations Review Project</b> We will continue our review into our decision-making processes for authorisations while concluding its first phase and implementing its recommendations	SH	JB	Analyse responses from the public consultation. Review final recommendations and aim to take a report to SLT in June.  Delivered in phases with the first phase proposals for the overarching framework to be discussed with the Board before the end of 2023 and a public consultation launched in early 2024.  Forecast project completion: Phase 1: Sept 2025 Phase 2: TBC	17/10/24	Consultation on the academic standard for entry to Bar training concluded on 29 April 2024 and was followed by engagement with stakeholders, including the Bar Council and COIC, to address concerns raised. Work continues to refine the phase 1 recommendations and associated guidance to Bar training providers following feedback from SLT and external stakeholders.  The project continues to address the issues raised and is working towards assurance workshops with the Bar training providers on the proposed guidance. We are currently aiming to share the final recommendations and guidance with the Board in January or March 2025 for review and sign off.  Work on Phase 2 of the project (Transferring Lawyer) has been paused to allow for focus on completing phase 1.  The Amber status reflects progress against the baseline plan for 2024/25	
<b>1.Efficiency (Performance)</b>	<b>Developing a Balanced Scorecard</b> We will establish a new balanced scorecard for monitoring performance which captures the quality of our decision-making, and our timeliness, productivity, and service standards more comprehensively	AW	AW	Year 2: • Begin formally reporting against new measures Year one: • Agree shadow measures for piloting in May 2023 (completed)	17/10/24  25/07/24	The Q1 KPI report, including the balanced scorecard, was presented to the Board on 26 September. The Q2 report (using the balanced scorecard), incorporating the revisions requested by PSP is currently being finalised and will be presented to the Board on 28 November. This activity can be considered as complete.  Pilot completed and Q1 2024/25 reporting in against new measures commenced – with first report in September 24.	
<b>1.Efficiency (Performance)</b>	<b>Pupillage Self-Service Facility</b> We will design and launch a new Pupillage Self Service facility which will enable pupils to register and record their progress online via MyBar	SM	TBC	1) Commence off-line design of pupillage forms to be hosted on MyBar portal - input from Exams and Supervision Teams (and Barrister Records?) to ensure that all relevant information is captured in the draft forms.  2) Commence initial discussions with PMO regarding MyBar functionality of new pupillage forms and	17/10/24	Because of constraints to supplier capability and competing priorities the decision was made at the IM Programme Board to delay phase 1 systems development by 3 months. This also aligns better from a BSB perspective with the cycle of pupillage registrations.  A revised go-live date for phase 1 has now been agreed for July 2025 vs November 2024. Whilst the overall project scope remains the same, phase 1 will now focus on the more complex Registration module - as such additional time has been allowed to complete this. The Registration module delivers the most benefit in terms of underpinning efficiencies within the Authorisations Team. Systems requirements have been developed and signed off by the customer and shared with the supplier with systems development expected from January 2025. Subsequent phases will now focus on 1st six and 2nd six	

Strategic Aim	Published Action	Lead	Contact	Milestone and timetable	Progress report		
					Date of update	Update on progress / completion	RAG
				<p>interaction with Training Records.</p> <p>3) Initial external comms (to pupillage AETOs and Inns of Court?) to publicise intention to move to online MyBar pupillage processes</p> <p>Forecast project completion: Phase 1: June 2025 Phase 2: Dec 2025</p>		<p>and material changes – the detailed plans for the subsequent phases will be agreed in Q4.</p> <p>Similarly, the external comms and engagement plan will be reviewed and recast considering the current delays.</p> <p>The Amber status reflects progress against the baseline plan for 2024/25, specifically the impact of the agreed (short-term) de-prioritisation, compounded by the change of scope for phase 1 delivery.</p>	
<b>1.Efficiency (Performance)</b>	<b>Entity Access to MyBar</b> We will extend online access to MyBar to entities	SM	DBL	<p>1) Off-line design of entity forms to be hosted on MyBar portal (input from Supervision Team and Barrister Records?) to ensure that all relevant information is captured in the draft forms.</p> <p>2) Support from PMO (and external developers if needed) in creating draft MyBar forms.</p> <p>3) Support from PMO (and Finance?) on payment facility via MyBar for variable fee structure.</p> <p>4) Initial external comms to existing entities to publicise intention to move to online MyBar processes.</p> <p>Forecast project completion: Dec 2025.</p>	17/10/24	<p>This project is in progress, but implementation may be delayed.</p> <p>Requirement gathering to enable direct input to CRM via MyBar will commence in December 2024. The full project scope and likely duration will be confirmed during this exercise and project plan re-baselined thereafter.</p> <p>The Amber status reflects progress against the baseline plan for 2024/25, with progress slowed by capacity in BSB and the IM PMO (BA resource).</p>	
<b>1.Efficiency (Performance)</b>	<b>Regulatory Fees Review</b> We will review our regulatory fees to ensure that we are achieving full cost recovery	RF	RF	<p>Board decision on fees for TQL applications and authorisations fees, per capita fees and Entity applications (to align with LSB timetable) To be agreed at September 2024 Board</p>	22/10/24  25/07/24	<p>The paper proposing revised fees was considered by SLT on 29 October for recommendation to the Board in November. If recommendations are agreed implementation is planned for financial year 2025/26 (for fees other than the Bar training provider per capita fee).</p> <p>The Regulatory Fees Review is on track and progressing well.</p> <p>Recommendations will come to the Board in November on the fees for Bar training students and applications from transferring qualified lawyers</p>	

Strategic Aim	Published Action	Lead	Contact	Milestone and timetable	Progress report		
					Date of update	Update on progress / completion	RAG
<b>1.Efficiency (Performance)</b>	<b>Risk Framework Review</b> We will reform our regulatory risk framework to ensure that our intelligence is joined up and flows both up and down the organisation	EM	BBray	Year two: • Implement new processes.  Forecast project completion: Phase 1 (Process and Tools) Mar 2025.  Phase 2 (Comms and deployment. Mar 26.	17/10/24	Implementation commenced in April 2024 and will conclude in March 2026, incorporating three phases: Regulatory Risk fundamentals, Data driven and risk-based decisions making, and Communications and Engagement.  The <u>Regulatory Risk Fundamentals</u> phase is underway with the Regulatory Risk team currently surveying members of the Risk Forum on how to develop the forum further. Plans to reform our micro risk assessment, which selects cases for enforcement, will be reviewed as part of the EEE project of the Enforcement Review.  For <u>Data driven decision making</u> , the Regulatory Risk team have been commencing steps to improve how we organise and analyse data to support the monitoring of risk. It has been developing early data models for regulatory risks, principally for professional competence. The Regulatory Risk team and other relevant staff have also been developing its capabilities in tools like Power BI, SQL and DAX  The Risk Management Tools proposals have been reviewed by the Risk Forum, and by APEX member for Regulatory Risk, Paul Dyer, and presented to SLT for approval on 25 September. Final proposals will go to GRA in November 2024 and those areas requiring Board approval will be agreed with GRA and then submitted for Board approval in early 2025. This will focus on the definition of risk, and the setting of risk tolerance.  Once proposals are agreed, the BSB's underlying Regulatory Risk Management Policy will be updated to reflect this prior to the end of the fiscal year. This update will also include any other relevant changes, such as to the Risk Forum.	
<b>1.Efficiency</b>	<b>Five Year Strategy</b> Consulting on our new five year strategy	EM	EM	Consulting on our new five-year strategy.	17/10/24  25/07/24	We are still planning to consult this Autumn following the Board discussion on 9 October. But the Board agreed to take a different approach in terms of timescales and stakeholder/consumer engagement. We will also be working with the Board in parallel on the development of a vision statement. So we will be circulating an updated version of the strategy consultation to the Board prior to publication (publication will likely be next month)	
<b>1.Efficiency</b>	<b>Data &amp; Intelligence Strategy</b> make better use of data and intelligence so that we are able to identify and manage risks to the Regulatory Objectives earlier, be more proactive,	B Bray	T Smith	Year two • Commence implementation of agreed strategy Implementation of Interim Data Governance (Regulatory Risk, Programmes, Policy, Research • Commencement of Data and Intelligence Governance Review Project (Regulatory Risk,	17/10/24	The Data and Intelligence Programme is fully mobilised with the Programme Board meeting quarterly and providing direction to the emerging "Quick Wins" projects. Focus in Q2 has been on the development of plans to support 4 projects: (i) Case and Report Tagging, (ii) Data Culture Quick Wins, (iii) State of the profession Dashboard and (iv) Analytical Software tools. The objective is to deploy all quick wins by the end of Q4 2024/25 and build on these foundations through the core projects scheduled for development and progression on 2025/26. The first of the core projects, Data Foundations, has been temporarily put on hold pending the implementation of the BSB Re-organisation in December 2024. The re-organisation provides for the establishment of a new Regulatory Risk and Insights team, which will centralise the BSB's analytical capabilities, strengthening the BSB's ability to generate	



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	improve our efficiency, and model good data practices			OST, Supervision, Dir Strat + Policy)  Year one: Create and publish a data and intelligence strategy.  Forecast Programme completion: Mar 26		insight and evidence to support its work. These proposals are consistent with the early thinking of the Foundations project, and the Programme will build on the capabilities provided by the investment in this space in Q4 - including the scoping and mobilisation of Data Foundations.	
<b>2. Standards (Regulatory approach)</b>	<b>Assuring Competence</b> We will continue our programme to assure the required standards of professional competence at the Bar. This includes collecting better data about standards of professional competence at the Bar, using that data to identify competence-related risks, reviewing our approach to continuing professional development, and reviewing how we handle competence-related concerns.	RM	B Burns	Continuing the Assuring Competence Programme  Refine our approach to assuring professional competence of barristers including a refresh of the competences we expect barristers to demonstrate, our approach to CPD and the regulation of competence and standards in the early years of a barrister's career Complete reform to CPD and commence supervision against the new arrangements by April 2024.  Forecast completion of current Programme scope: CPD: Apr 25 Assuring Standards Framework: June 25 Competency Management Framework: June 25 Professional Standards review: Mar 26	17/10/24	We have completed the rolling programme of CPD spot checks and the fundings will be shared with the Programme Board in November 2024 and published thereafter. The findings provide a baseline for the evaluation of our revised CPD guidance and templates, which we will spot-check from Q4.  As part of our Evaluation Framework, we have completed the second round of web sweeps, and we saw a positive change in the signposting of the revised CPD materials across organisations. We will continue to progress reviews to confirm website uplifts with regards to CPD guidance and engage stakeholders where further improvement opportunities exist. Currently working with two chambers to develop CPD good practice case studies which we intend to publish by the end of Q3.  Work continues with Comms to improve the CPD related web pages, including the addition of pop ups to capture user feedback. We also continue to benchmark with other regulators on the broader approach to CPD, with a view of establishing a formal network group to pool information and best practice approaches.  The CPD approach will be shaped by the data and intelligence available from our developing Competency Monitoring Framework. Additionally, it will be refined in response to recommendations from the internal pilot to test our Assuring Standards Framework which completed in June 2024.  In Q4 2024/25, we will consider how to reflect findings from our Bar Training Evaluation and Technology at the Bar research. Also, in Q4, we will determine whether to review the Professional Statement as part of our next multi-year strategy, confirming the scope of any review, and ensuring we have robust plans to deliver it.	
<b>2. Standards (Regulatory approach)</b>	<b>Continuing the Assuring Competence Programme</b> We will continue our programme to assure the required standards of professional competence	RM	B Burns	<b>Competence Monitoring Framework</b> – (project to build our capacity to capture and analyse data from external and internal sources bearing on barristers' professional competence) 1) Commence the initial preliminary phase of the Competence Monitoring Framework (with initial data)	17/10/24	<b>Intelligence Outlook Report</b>  Endorsed by the Programme Board in July, data sources to be incorporated into the emerging Dashboard.  <b>Alternative Data Sources</b>  As demonstrated in the Intelligence Outlook Report we can monitor competency at a basic level and will continue to evaluate and develop alternative data sources.	

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	at the Bar. This includes collecting better data about standards of professional competence at the Bar, using that data to identify competence-related risks, reviewing our approach to continuing professional development, and reviewing how we handle competence-related concerns.			<p>2) Develop the data analysis software and tools to support the framework long term (such as data visualisation and dashboard creation)</p> <p>Forecast project completion: June 25</p>		<p>Findings from the evaluation of the IPSOS survey were positive and it will now be an annual data source going forward.</p> <p>AtP – Two competency questions featured in the 2024-25 AtP cycle and results were presented in the Intelligence Outlook Report. All avenues have now been exhausted to find an alternative solution to include the 3<sup>rd</sup> CPD question on the AtP form, following dissent from the Bar Council. The project team will raise the issue at November’s ASPB for a decision on whether we proceed with the question.</p> <p>Legal Needs survey – This valuable external data source is no longer available in a raw data format. Attempts had been made to secure an agreement with the Law Society to access the raw data, however, as the BSB will be conducting a similar survey which will run every two years, with the next survey due to launch before the end of 2024, the project team agreed that this will replace the Legal Needs survey.</p> <p>BMIF Annual Report 2023-24 has been used to create competency related charts for the CMF dashboard. However, we still wish to obtain raw data to carry out in depth analysis which requires a data sharing agreement. This has been transferred to the Data Sharing Agreement project under the D&amp;I Strategy.</p> <p><b>Judicial Survey</b> – Director General shared the proposed survey questions with the Regulatory Judges in October.</p> <p><b>Dashboard design</b> – First iteration will be presented to November’s ASPB.</p>	
<b>2. Standards (Regulatory approach)</b>	<p><b>Assuring Standards Framework (ASF)</b></p> <p>We will develop a consolidated set of regulatory requirements for barristers in chambers in collaboration with best practice guidance provided by the Bar Council, the Legal Practice Management Association and the Institute of Barristers’ Clerks and others in order to support their work in maintaining</p>	RM	B Burns	<p>Develop framework during 2023/24 business year and implement in Q1 of 2024/25</p> <p>Assuring standards through supervision of chambers, authorising new entities and taking targeted regulatory action where necessary</p> <p>Forecast project completion: June 25</p>	17/10/24	<p>In Q1 2024/25, we completed an internal pilot to test the robustness of our framework to assure that barristers meet the required standards of professional competence throughout their careers (ASF).</p> <p>We will be agreeing recommendations to strengthen our ASF and deciding how to implement and evaluate those recommendations at the November Programme Board. Implementation will be incremental, for example, to refine elements of our ASF in response to data and intelligence collected by our Competence Monitoring Framework (CMF) which is now in place.</p> <p>As stated in October 2023, implementation will be incremental, for example, to refine elements of our ASF in response to data and intelligence collected by our Competence Monitoring Framework (CMF). We will scale it up our CMF throughout 2024/25, with the supporting dashboard launched in Q3.</p>	

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	standards, and promoting access and equality support their work in maintaining standards, and promoting access and equality						
<b>2. Standards (Regulatory approach)</b>	<b>Bar Training Evaluation</b> We will continue our evaluation of the recent reforms to Bar training	EM		Forecast project completion: Jan 25	17/10/24	The Bar Training evaluation is delayed by external and internal issues. Firstly a combination of data coding and missing data issues with the operational data supplied by BSB needed to be addressed, and secondly, capacity issues at Alpha Plus led to significant delays sending across the second draft of the evaluation report. The updated draft report has now been received and we plan to circulate this for feedback before publishing by the end of Q3 2024/5.	
<b>2. Standards (Regulatory Approach)</b>	<b>Apprenticeships (Bar Training)</b> We will support the development of an apprenticeship route for Bar training	VS	MF	Internal project group to have been formed and report to the Bar Training Oversight Group  Forecast project completion: TBC, dependent upon Trailblazer Group progress.	17/10/24	<p>Project progressing with the submission of mandatory documentation to IfATE, the governing body overseeing Apprenticeships. The documentation confirmed the BSB as the External Quality Assurance provider (EQA) and the End Point Assessment Organisation (EPAO) for a Bar Training Apprenticeship.</p> <p>The BSB continues to engage with the Trailblazer Group to establish firm timescales for the development and launch of the planned Apprenticeship route. Additionally, the BSB continue to work to ensure the Trailblazer group ensure the respective accountabilities in the development and assurance of the apprenticeship are understood and actioned.</p> <p>The BSB project plan details the policies, processes and resources needed to support the Authorisation and Supervision of the Apprenticeships route. This activity was originally planned for Q3, but this will now be re-baselined due to delays against the assumed Trailblazer Group plan. Depending on the information received from the Trailblazer Group tis activity will be moved to Q4 of 2024/25 or Q1 of 2026/26.</p> <p>The Amber status reflects progress against the baseline plan for 2024/25</p>	

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<b>2. Standards (Regulatory approach)</b>	<b>Curriculum &amp; Assessment Strategy (Bar Training)</b> We will continue to develop and implement arrangements for the assessment of advocacy and negotiation skills during pupillage as the final part of our reforms to Bar training	VS	HL	Publish requirements for negotiation  Continue to approve advocacy course providers  Forecast project completion date: Advocacy: Complete Negotiation: Sept 25	17/10/24	The refreshed advocacy course was launched in September 2024 with applications for delivery received from all four Inns. Our Supervision arrangements for the course have been updated and published.  Engagement of potential providers of the Negotiation Course continues - ICCA (Inns of Court College of Advocacy), Middle Temple and the Society of Mediators. Next steps will be confirmation from the potential providers, (notably ICCA) that they will progress to offering the course. We continue to work towards a launch of the course in September 2025, and the deployment profile is still subject to discussion with internal and external stakeholders (pilot, big bang launch, other). We are asking for confirmation of intention to provide the course from each stakeholder by the end of March 2025, this will then inform the approach to launching the course. We will also commence work to assess the impact on Pupil Supervisors and the providing AETO's.	
<b>2. Standards (Regulatory Approach)</b>	<b>Anti-Money Laundering</b> We will develop a strategy to address the new regulatory objective of "promoting the prevention and detection of economic crime"	SM	SM		17/10/24	We are waiting for the LSB to set out their expectations for regulators in complying with this new regulatory objective. Once we have those expectations, we can then start creating a strategy.	
<b>2. Standards (Regulatory approach)</b>	<b>BSB Handbook Review</b> We will continue updating the BSB Handbook and keeping it under review	EM	RP	In year two: <ul style="list-style-type: none"> <li>We will begin systematically consulting on more strategic changes to the Handbook, taking on board challenge and feedback from a variety of stakeholders.</li> </ul> In year one: <ul style="list-style-type: none"> <li>We will identify any urgent Handbook changes that are needed to address gaps or improve efficiency in the short to medium term.</li> <li>We will complete our review of the regulation of standards in non-professional life and of barristers' use of social media in the light of our recent consultation.</li> <li>We will complete our review of the Equality Rules to ensure that they remain fit for</li> </ul>	17/10/24	Formal Programme established and Programme Board in place and meeting quarterly. Current focus on "Quick Wins" and "Priority Actions" – activity to address pending changes and ensure all existing sections are accurate and up to date.  A series of incremental projects will then follow from Q4 and into and beyond 2025/26, these will include.  <ul style="list-style-type: none"> <li>Internal Guidance review (How to guides) - 2025/26 Q1</li> <li>Handbook Layout and Design Principles - 2025/26 Q1</li> <li>Conduct Code Review – 2025/26 Q4</li> </ul> The programme is being formally planned and resourced and detailed milestones will be updated as this process progresses.  The objective is to significantly improve the Handbook in terms of structure, accessibility and usability, with design options including app-based access solutions and breaking the current document down into end user focussed sections. This represents a significant undertaking, and we continue to benchmark other legal regulators who have already completed similar exercises.  We currently plan to commence a pre-consultation engagement exercise with stakeholders in Q3 to gain further input into end user requirements, seeking	

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				<p>purpose and clearly set out minimum standards for chambers' and employers' oversight of diversity, including appropriate governance.</p> <ul style="list-style-type: none"> <li>We will also be looking at our "association rules" which regulate how barristers interact with intermediaries which provide information about their services.</li> </ul> <p>Forecast programme completion: June 26</p>		input on the ethical challenges facing the profession, to understand how we capture these in our forward approach.	
<b>2.Standards</b>	<p><b>Role of Chambers Project</b></p> <p>We will continue to clarify our expectations of barristers in chambers</p>	MN		<p>Completion of roundtables and of consultation.</p> <p>Forecast project completion: Phase 1 (Updated guidance) Mar 25</p> <p>Phase 2 (Evaluation) Mar 26</p>	17/10/24	Project remains on track following approval of proposals by the Board in September 2024. A further stakeholder engagement event is scheduled prior to the publication of the outcomes and launch of dedicated website page in mid-November 2024. Early evaluation activity is being planned for Q1 of 2025/26 along with a series post implementation engagement sessions from Q2 onwards.	
<b>3.Equality</b>	<p><b>Equality Rules Project</b></p> <p>We will consult on the recommendations arising from our review of the Equality Rules to ensure that they remain fit for purpose and clearly set out the right standards for chambers' and employers' oversight of diversity, including appropriate governance</p>	EM	PK	<p>Consult on changes to Core Duties and equality rules</p> <p>Forecast project completion: Mar 26.</p>	17/10/24	Project plan re-baselined for 24/25 with milestones revised to reflect progress to date and feasible milestones going forward, taking into account resources and competing priorities. The decision was made to hold the consultation until after the summer period and as such it was launched on the 4 <sup>th</sup> September (vs the planned July date) and will close at the end of November. Throughout the consultation period we are pro-actively engaging key organisations to solicit their views and encourage formal responses to the consultation. We have recently published a Q&A document to further inform responses. The key deliverables will be completed in Q1 (25/26). Focus will move to the review and analysis of the consultation outputs from December, with the report submitted to Programme Board for their review and input in Q4, before engagement of LSB and the Board later in the quarter, and publication in Q1 of 2025/26. Preparation for the launch of the new Rules and changes to Core Duty 8 will commence in Q1, with the creation of a dedicated section of the website (noting and managing the overlap with the regulation of barristers in Chambers project)	

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3.Equality	<b>ED&amp;I at the Bar</b> Our Religion and Belief, Race Equality and Disability taskforces, which are made up of barrister and lay experts in these areas, will continue their work to advise us as to how best we can promote equality and inclusion				17/10/24	Taskforce groups in place and meeting regularly – training in development to better inform the role of the regulator	
3.Equality	<b>Differences in consumer satisfaction (DCT research)</b> We also intend to research whether the experience of using barristers differs between groups of clients with different protected characteristics					Complete	
3.Equality	<b>Anti Racist Strategy</b> We shall also be launching our Anti-Racist Strategy and action plan	TH		Launch Anti-Racist Strategy and action plan EDI Communications plan	17/10/24 25/07/24	Launched strategy, some minor delays in implementing the action plan  On track	
4.Access	<b>Public Legal Education Strategy</b> We will focus on promoting public legal education in collaboration with our fellow regulators and with other frontline providers of help to those in legal need.	WW	WW	This is an ongoing commitment, and the Board last reviewed our PLE strategy in May. All our projects are evaluated in terms of their reach and impact.	17/10/24 25/07/24	We continue to support projects with frontline PLE providers such as Law for Life, Citizens Advice, Support through Court and Refugee Action.  We have rejoined the Legal Choices website and are playing an active role in the Legal Choices Governance Board and Steering Group.	

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4.Access	<b>Regulatory Information Service</b> We will work with other regulators to look at how the Legal Choices website can develop a Regulatory Information Service which would provide consumers with a one-stop shop for reviewing regulatory information about any regulated lawyer	WW		Forecast project completion:  BSB dependent upon Legal Choices Governing Body (chaired by SRA) for completion of project. Current estimate on conclusion of project – Jun 25.	25/07/24	This is not a BSB led project.  Legal Choices are running this project which involves all the legal regulators but with the SRA in the lead. We are now in the final part of the design phase and assuming the design phase is completed successfully in December, the anticipated timeframe for implementation (build and test) is approximately January to April 2025.  The key deliverable of a build-and-test phase is a fully functioning beta service in public release – before the end of April 2025.  Transition from public beta to production (i.e., to a fully supported, operational system) is likely to occur several months later, in late summer 2025.  The exact timing of the transition to production will depend on several factors, including how stable the system is (i.e., number of incidents and issues being reported) and how much relevant, actionable user feedback is received during public beta.	
4.Access	<b>Transparency Rules</b> We will continue to ensure that our transparency rules are being complied with and are being effective	EM	RP/AD	Publish outcome of DCT market study and scope next steps  Compliance checks are ongoing and we will consider next steps on transparency in the light of our DCT market study and other evaluation work undertaken to date.	17/10/24	We have updated our existing transparency guidance in light of feedback. Research into barrister preferences is complete and will be published in Q4, this will be rolled into the DCT Market Study reports along with research findings of consumer preferences regarding transparency (which was launched w/c 14 <sup>th</sup> October). Peer engagement with other approved regulators continues on next steps regarding updating our existing rules, this has been boosted by the submission of each Regulators “Empowering Consumers” response to the LSB The Board received an update on the BSB response in September 2024 and this was submitted to LSB and then published in October.	

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4.Access	<b>Role of Technology in Legal Services</b> We will take forward our examination of the role of new technology in the legal services market both in improving the efficiency and lowering the cost of barristers' services and in facilitating access for consumers to those services	EM	HF	This is an ongoing commitment (we now have dedicated policy staff taking this work forward) and we will review the DCT pilot following its conclusion.	17/10/24	Technology Oversight group is in place to direct and drive this activity for the remainder of the year with initial focus on Intermediaries and the ongoing review of opportunities afforded by Lawtech UK  Intermediaries project initiated with interviews undertaken with organisations offering intermediary services. Report being produced for SLT summarising the findings with the purpose of identifying further focus (guidance to the regulated community – support and control)	
4.Access	<b>Role of Intermediaries</b> We will complete our market study which is considering whether consumers' interests can be best served by online comparison or by other intermediaries offering to broker access to barristers	WW			17/10/24	See above	
4.Access	<b>DCT Research – digitally excluded consumers</b> We will look at the needs of digitally excluded consumers by taking part in research with other front-line regulators to examine the experience of consumers with	EM	HF	Provider will have been appointed before the beginning of the business year, so project will be ongoing  Year two: <ul style="list-style-type: none"> <li>In 2024-25 we intend in particular to look at the extent to which solicitors offer their clients a choice of barrister and at whether access to justice in future may be threatened by a</li> </ul>	17/10/24	Off track against plan:  <ul style="list-style-type: none"> <li>Digital Exclusion Research – publication expected in March 2025</li> <li>Pupillage recruitment research: complete and published on 2 May 2024</li> <li>DCT evaluation: Research completed, findings currently being evaluated, findings expected to be published in January 2024</li> <li>Bar Training Evaluation: report subject to review with findings to be published in January 2025.</li> <li>Enforcement outcomes: complete</li> </ul>	



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	limited access to, or ability to use, digital technology			<p>lack of barristers as the profession ages</p> <p>Year one:</p> <ul style="list-style-type: none"> <li>We shall undertake research with pupillage providers to investigate the recruitment outcomes of different approaches aimed at increasing diversity.</li> <li>We aim to complete our evaluations of our DCT pilot, and our Bar training reforms by end of 2023-24.</li> </ul> <p>We also plan to undertake analyses of enforcement outcomes and begin to build a more substantive evidence base in relation to the use of technology and innovation at the Bar in 2023-24.</p> <p>Forecast project completion: See progress report summary</p>		<ul style="list-style-type: none"> <li>Joint research with SRA into “Solicitors Choice” endorsed, tendering of research resource underway, expected conclusion of research and publication by end May 2025.</li> <li>IPSOS Consumer Research – to be published at the end of October 2024</li> </ul>	
<b>4.Access</b>	<b>Solicitors and Choice</b> We will examine the extent to which solicitors offer their clients a choice of barrister	EM	RP	<p>Begin project</p> <p>Forecast project completion: May 25</p>	17/10/24	Joint research with SRA into “Solicitors Choice” endorsed, tendering of research resource underway, expected conclusion of research and publication by end April 2025.	
<b>5.Independence</b>	<b>Governance Reforms</b> We will be completing the governance reforms in our action plan, while making the case for the operational independence necessary to complement the independence of our decision-making and to promote external	MN	TH	<p>Embedding our values and behaviours to deliver continuous improvement.</p> <p>Forecast Programme completion:</p> <p>Reform Programme consists of 13 projects aligned to 3 sub-programmes, each underpinned by plans and resources. Projects and Programmes complete through 2025/26 – with the final deliverable, review of</p>	17/10/24  25/07/24	<p>This work has been superseded by plans to review our values as part of the latest Reform Programme. The amber rating reflects this change in priorities.</p> <p>On Track</p>	

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	confidence in our independence			Enforcement Regulations, forecast to complete in Dec 26.			
5.Independence	<b>Organisational Learning Strategy</b> We will be designing and launching a new organisational learning plan	TH	TH	Design and launch 2024-2025 organisational learning plan On going delivery of senior leadership development and teambuilding, plus delivery of a leadership development programme by April 2024  Delivery of the 2023/24 organisational learning plan, to be launched in April 2023 and completed by March 2024	17/10/24  25/07/24	Design and launch is complete. Senior leadership development is paused due to the Reform Programme, but management and development and coaching continues. The amber rating reflects the current status.  On Track  Delivery of the learning plan is progressing well. We are about to launch an on-line learning platform to host a range of learning modules.  Leadership development activities are continuing, and the project is on track. We are currently running and 'Emerging Leaders' programme for those new to leadership. We are facilitating a range of interventions tailored to individual requirements for more experienced leaders.	
5.Independence	<b>Performance Management &amp; Development Plan</b> We will be designing and implementing a new performance management and development policy	TH	TH	Draft and consult on new policy. Discuss proposals with Leadership Group and SLT. Select and launch performance review system, policy and guidance.	17/10/24  25/07/24	Delayed due to the Reform Programme. Aiming to complete by March 2025. The rating is amber to reflect this delay  On Track	
5.Independence	<b>Public Engagement &amp; Collaboration</b> We will be continuing to promote engagement and collaboration with consumer organisations, the profession and other regulators	WW	RM	Ongoing Commitment	21/10/24  25/07/24	<i>Update pending</i>  Ongoing commitment – status unchanged	

Performance, Business Plan, HR and Finance Summary Dashboard (Q2)

Business Plan Summary 2024/2025		
Aim	Activity	Status
1. Efficiency	Enforcement Review Project	On Track
	Authorisations Review Project	On Track
	Developing a Balanced Scorecard	On Track
	Pupillage Self-Service Facility	On Track
	Entity Access to MyBar	On Track
	Regulatory Fees Review	On Track
	Risk Framework Review	On Track
	Five-Year Strategy	On Track
2. Standards	Assuring Competence Framework	On Track
	Assuring Standards Framework (ASF)	On Track
	Bar Training Evaluation	Delayed >6 months
	Apprenticeships (Bar Training)	On Track
	Curriculum and Assessment Strategy (Bar Training)	On Track
	Anti-Money Laundering	On Track
	BSB Handbook review	On Track
	Role of Chambers Project	On Track
3. Equality	Equality Rules Project	On Track
	Equality Diversity & Inclusion at the Bar	On Track
	Differences in consumer satisfaction (DCT research)	On Track
	Anti-Racist Strategy	On Track
4. Access	Regulatory Information Service	On Track
	Transparency Rules	On Track
	Role of Technology in Legal Services	On Track
	Role of Intermediaries	On Track
	Digitally Excluded Consumers (DCT Research)	On Track
	Solicitors and Choice	On Track
5. Independence	Governance Reforms	On Track
	Organisational Learning Strategy	On Track
	Performance Management & Development Plan	On Track
	Public Engagement & Collaboration	On Track

RAG
On Track
Delayed
Delayed >6 months
On Hold/deferred
Closed

KPI Summary				
KPI	Target %	Target met	Quarterly performance	Change on previous quarter
<b>Quality</b>				
CAT - Quarterly Audit	95%	●	96.2%	↘
CAT - Requests for Review	95%			
Investigations - Quarterly Audit	95%	●	100.0%	
Investigations - Requests for Review	95%	●	100.0%	
Investigations - Administrative Sanction Appeals	0%			
Investigations - DT Decision Appeals	0%			
Authorisations - Quarterly Audit	95%	●	72.7%	↓
Authorisations - IDB Reviews	95%	●	100.0%	↑
Supervision - Quarterly Audit	95%	●	100.0%	
<b>Timeliness</b>				
CAT - General enquiries-closed	80%	●	95.5%	↘
CAT - Reports & Other-closed	80%	●	69.4%	↑
Investigations - Investigations decided	80%	●	66.7%	↓
Authorisations - Applications-decided	80%	●	56.1%	↑
<b>Service</b>				
CAT - Calls answered	85%	●	84.5%	↘
Authorisations - Calls answered	85%	●	64.7%	↑
All teams - Complaints	95%	●	90.0%	↑
<b>Productivity</b>				
CAT - General enquiries-live	80%	●	100.0%	
CAT - Reports & Other-live	80%	●	73.4%	↑
Investigations - Investigations-live	80%	●	77.4%	↘
Authorisations - Applications-live	80%	●	19.1%	↘

- - KPI met or exceeded
- - Performance within 10 percentage points of target
- - Performance more than 10 percentage points lower than target
- ↑ - Performance increased compared to previous period
- ↘ - Performance decreased by 10 percentage points or fewer compared to previous period
- ↓ - Performance decreased by more than 10 percentage points compared to previous period
- No arrow - Performance the same as for the previous period; or there is no applicable data for one of the comparable periods

BSB People Team 2024/25 Q2 HR Stats

Directorates		% Occupied Posts
<b>C&amp;PE</b>	Communications & Public Engagement	100%
<b>G&amp;CS</b>	Governance and Corporate	100%
<b>LED</b>	Legal and Enforcement	89%
<b>ROD</b>	Regulatory Operations Department	97%
<b>S&amp;P</b>	Strategy and Policy	95%
<b>Standards</b>	Standards	95%

Financial Summary

Financial Summary				
Category	Q2 YTD Actual(k)	Q1 YTD Budget(k)	Variance(k)	Index
<b>Income</b>	£8,365	£8,350	£14	100
<b>Expenditure</b>	£8,708	£9,208	£501	95
Category	FY Forecast (k)	FY Budget (k)	Variance (k)	Index
<b>Income</b>	£18,614	£18,407	£208	101
<b>Expenditure</b>	£19,213	£18,856	(£357)	102

Service complaints Summary					
<b>Q2 Received</b>	28	<b>YTD Received</b>	42	<b>YTD Upheld (fully or partly)</b>	28



<b>Meeting:</b>	Bar Standards Board	<b>Date:</b>	28 November 2024
<b>Title:</b>	Feedback from IPSOS Mori poll on the BSB		
<b>Author:</b>	Wilf White Oliver Jackling and Sergio Postarini		
<b>Post:</b>	Director of Communications and Public Engagement, Research and Evaluation Manager Research and Evaluation Officer		

<b>Paper for:</b>	<b>Decision:</b> <input type="checkbox"/>	<b>Discussion:</b> <input checked="" type="checkbox"/>	<b>Noting:</b> <input type="checkbox"/>	<b>Other:</b> <input type="checkbox"/> (enter text)
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<b>Paper relates to the Regulatory Objective (s) highlighted in bold below</b>	
(a)	<b>protecting and promoting the public interest</b>
(b)	<b>supporting the constitutional principle of the rule of law</b>
(c)	<b>improving access to justice</b>
(d)	<b>protecting and promoting the interests of consumers</b>
(e)	<b>promoting competition in the provision of services</b>
(f)	<b>encouraging an independent, strong, diverse and effective legal profession</b>
(g)	<b>increasing public understanding of citizens' legal rights and duties</b>
(h)	<b>promoting and maintaining adherence to the professional principles</b>
(i)	<b>promoting the prevention and detection of economic crime.</b>
<input type="checkbox"/>	Paper does not principally relate to Regulatory Objectives

## Summary

- To improve our understanding of public awareness and confidence in the Bar and its regulation by the BSB and to seek to measure further the effectiveness of our efforts to communicate and engage with the public, we commissioned Ipsos Mori to collect the data from a representative sample of GB adults aged 16-75, along with a booster sample of 200 responses specifically for Wales. The survey took place in March 2024 and received a total of 2047 responses. We now propose to run a similar survey annually. We hope that this will provide a useful complement to the Legal Services Consumer Panel's annual tracker survey which looks at those using legal services as a whole but does not focus specifically on the Bar.
- The key findings from the Survey along with our analysis are attached to this paper in a report prepared by our Research and Evaluation Team as Annex A.

## Reflections on the key findings

- The report is brief and, we hope, self-explanatory so this cover paper simply focuses on what we take to be the most important messages for the BSB.
  - 97% of those surveyed had heard of barristers and
  - 85% claim to know something about them but
  - 76% say they don't know anyone who works or has worked as a barrister or in the legal profession and
  - 74% said that they have never had any personal experience dealing with a barrister.

- 85 per cent think barristers are regulated and only 8 per cent think they are not.
  - But looking specifically at the BSB
    - i. 50% of respondents said they had not heard of the BSB
    - ii. 27% said they had heard of the BSB but do not know what we do,
    - iii. 16% said they knew a little about us
    - iv. only 2% said they knew a lot about us and
    - v. 71% said they did not know whether or not we were independent of the Bar Council although only 5% said that we were not independent.
4. When it came to knowledge of what the BSB does:
- 52% expected us to investigate reports about the conduct of barristers
  - 50% expected us to regulate the training of barristers
  - but 41% said that we should represent the interests of barristers and their profession in negotiations with the government, which is clearly the role of the Bar Council
  - 40% think that promoting equality and diversity within the profession should be a part of our role
  - but 22% said they did not know what our role was and
  - 12% would not expect the BSB to do anything other than setting rules and standards.
5. These findings clearly suggest that we have a job to do in raising public awareness and understanding of the regulation of the Bar and of the BSB in particular, and in reassuring the public that we are indeed independent of the profession. But it is encouraging to see that there is already some understanding of our role and that only a small minority think that our role should only be to set rules and standards.
6. Confidence in the profession was high, with most respondents saying they had confidence in each of the four areas covered in the survey
- acting in their clients' interests,
  - providing a competent standard of service to their clients,
  - acting with integrity, and
  - treating everyone fairly and without discrimination.
7. But it is clear that confidence in service quality and integrity is higher than confidence that barristers treat everyone fairly and without discrimination and responses to the questions on confidence differed considerably by certain characteristics of respondents. Confidence was higher than average among
- those who had used a barrister personally,
  - those with higher incomes
  - those from the ABC1 social grades, and
  - those who knew someone who worked in the legal sector.
8. In contrast, confidence was lower than average among
- those from the C2DE social grades,
  - those who did not think the Bar was regulated, and
  - those from a minoritised ethnic background.

9. Interestingly confidence in the Bar also seemed to vary by region, with levels of confidence highest in Wales, and lowest in the North-East.
10. The majority of those who had used a barrister personally were satisfied both with the service they received and with the outcome of their legal matter. Perhaps not very surprisingly satisfaction was slightly higher with service received than it was for outcome. What is perhaps more surprising is the proportion of people who said they had employed a barrister directly given that we know that the Bar remains a predominantly referral profession. That is clearly a finding which we may want to interrogate further.
11. There were some variations in satisfaction levels across different groups of respondents. Satisfaction was higher among those who had used a barrister to represent them in court compared to those who had used them for other legal advice. Satisfaction was also higher among those with higher incomes or from the ABC1 social grade, and, interestingly, higher among those from a minoritised ethnic background.

### **Equality and Diversity**

12. The survey will allow us to look at differing levels of knowledge and understanding between different groups and to explore for example why the proportion of respondents who are confident that barristers treat everyone fairly without discrimination is significantly lower for those from a minoritised ethnic background, with only 62% of respondents agreeing while 23% disagreed. These figures compare to 70% and 16% respectively for those surveyed as a whole.

### **Communications and Stakeholder Engagement**

13. This survey will greatly assist those working in communications and stakeholder engagement at the BSB in future by helping them to focus on both messaging and target groups more precisely. Running the survey annually will also enable the Executive and the Board to assess what success they are having, and provide valuable evidence for our Risk and Research work that will enable us to monitor the views of the public over time.

**Wilf White**

**Director of Communications and Public Engagement**





## The Bar - Public Awareness and Confidence Research Report

### Executive Summary

- In exercising its functions, the BSB is committed to understanding the needs of consumers and to targeting its regulatory intervention where there is evidence of the need to do so. In this context, the BSB wishes to develop an improved understanding of public awareness of, and confidence in, the profession, as well as understanding and awareness of barristers' regulatory status and the role of the BSB. This will help to inform our work around our regulatory objectives, particularly around protecting and promoting the public interest, and improving public understanding of their legal rights and duties.
- In order to improve our evidence base around public awareness and confidence of the Bar, the BSB commissioned a survey of the general public in March 2024. The survey covered questions on awareness, impressions of, and attitudes towards, barristers among the adult population in England and Wales, including some additional questions around use of a barrister. The BSB commissioned Ipsos Mori to collect the data from a representative sample of GB adults aged 16-75, along with a booster sample of 200 responses specifically for Wales.

### Key Findings

- The vast majority of respondents had heard of barristers, at a similar level to other high-profile roles within the legal system, with 97% stating they had heard of barristers. The proportion who stated they knew something about barristers was slightly lower, with 85% of respondents stating they knew something about barristers. Among respondents as a whole, 85% thought that the Bar was regulated, and 8% thought that it was not regulated.
- A much lower proportion of respondents had heard of the BSB – half had not heard of the BSB, and only 18% stated they knew something about the organisation. Awareness of whether the BSB was independent of the Bar Council was even lower, with 71% of respondents stating that they did not know.
- Overall, confidence in the profession was high, with the majority of respondents stating they had confidence in each of the four areas covered in the survey (acting in their clients' interests, providing a competent standard of service to their clients, acting with integrity, and treating everyone fairly and without discrimination). However, confidence in the two questions relating service to clients was higher than the other two areas, with confidence that barristers treated everyone fairly and without discrimination lowest across the four areas.
- Responses to the questions on confidence differed considerably by certain characteristics of respondents. Confidence was higher than average among those who had used a barrister personally, among those with higher incomes or from the ABC1 social grades, or who knew someone who worked in the legal sector.

- In contrast, confidence was lower than average among those from the C2DE social grades, those who did not think the Bar was regulated, and among those from a minority ethnic background. Confidence in the Bar also varied by region, with levels of confidence highest in Wales, and lowest in the North-East.
- Among those who had used a barrister personally, the majority were satisfied both with the service they received and with the outcome of their legal matter, although satisfaction was slightly higher with service received than it was for outcome.
- There were some variations in satisfaction levels across different groups of respondents. Satisfaction was higher among those who had used a barrister to represent them in court compared to those who had used them for other legal advice. Satisfaction was also higher among those with higher incomes or from the ABC1 social grades, and higher among those from a minority ethnic background.

## Introduction

1. The Bar Standards Board (BSB) is the regulator for barristers in England and Wales. The BSB is responsible for:
  - Setting the education and training requirements for becoming a barrister;
  - Setting continuing training requirements to ensure that barristers' skills are maintained throughout their careers;
  - Setting standards of conduct for barristers;
  - Authorising organisations that focus on advocacy, litigation, and specialist legal advice;
  - Monitoring the service provided by barristers and the organisations we authorise to assure quality;
  - Responding to concerns about barristers and the organisations we authorise and taking disciplinary or other action where appropriate.
2. Our regulatory objectives are laid down in the Legal Services Act 2007 and are:
  - Protecting and promoting the public interest;
  - Supporting the constitutional principle of the rule of law;
  - Improving access to justice;
  - Protecting and promoting the interests of clients;
  - Promoting competition in the provision of services;
  - Encouraging an independent, strong, diverse and effective legal profession;
  - Increasing public understanding of citizens' legal rights and duties;
  - Promoting and maintaining adherence to the professional principles;<sup>1</sup> and
  - Promoting the prevention and detection of economic crime.

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<sup>1</sup>As defined in the Legal Services Act (2007), the "professional principles" are (a) that authorised persons should act with independence and integrity, (b) that authorised persons should maintain proper standards of work, (c) that authorised persons should act in the best interests of their clients, (d) that persons who exercise before any court a right of audience, or conduct litigation in relation to proceedings in any court, by virtue of being authorised persons should comply with their duty to the court to act with independence in the interests of justice, and that the affairs of clients should be kept confidential.

3. The Legal Services Act 2007 requires the BSB to regulate in a transparent, accountable, proportionate, consistent and targeted way. We also have a responsibility to base our regulatory activities on risk and take an evidence-based approach to determine the priority risks. To achieve this, we allocate our resources where we think they would be most effective in addressing these priority risks and constantly monitor the market for barristers' and advocacy services.

## Background

4. In exercising its functions, the BSB is committed to understanding the needs of consumers and to targeting its regulatory intervention where there is evidence of the need to do so. In this context, the BSB wishes to develop an improved understanding of public awareness of, and confidence in, the profession, as well as understanding and awareness of barristers' regulatory status and the role of the BSB. This will help to inform our work around our regulatory objectives, particularly around protecting and promoting the public interest, and improving public understanding of their legal rights and duties.

## Research Objectives

5. In order to improve our evidence base around public awareness and confidence of the Bar, the BSB commissioned a survey of the general public in March 2024. The survey covered questions on awareness, impressions of, and attitudes towards, barristers among the adult population in England and Wales, including some additional questions around use of a barrister.

## Methodology

6. The research focussed on answering the following key questions:
  - To what extent are the public aware of the barrister profession and its regulatory status?
  - To what extent are the public aware of the BSB and its role?
  - To what extent do the public have confidence in the barrister profession?
  - If they have used a barrister before, were members of the public satisfied with the service they received and the outcome of their legal issue?
  - Are there any key differences in responses to the above questions related to the characteristics of those responding?
7. The research used a quantitative approach. The BSB commissioned Ipsos Mori to collect the data from a representative sample of GB adults aged 16-75, along with a booster sample of 200 responses specifically for Wales. To ensure representativeness, quotas were set on age within gender, region, and working status. Overall results were then weighted according to these demographic variables as well as social grade to reflect the proportions of the overall population.
8. The data was collected using the Ipsos online panel, with fieldwork taking place in March 2024. The survey received a total of 2047 responses. The survey questions are included in Appendix 1.

Limitations

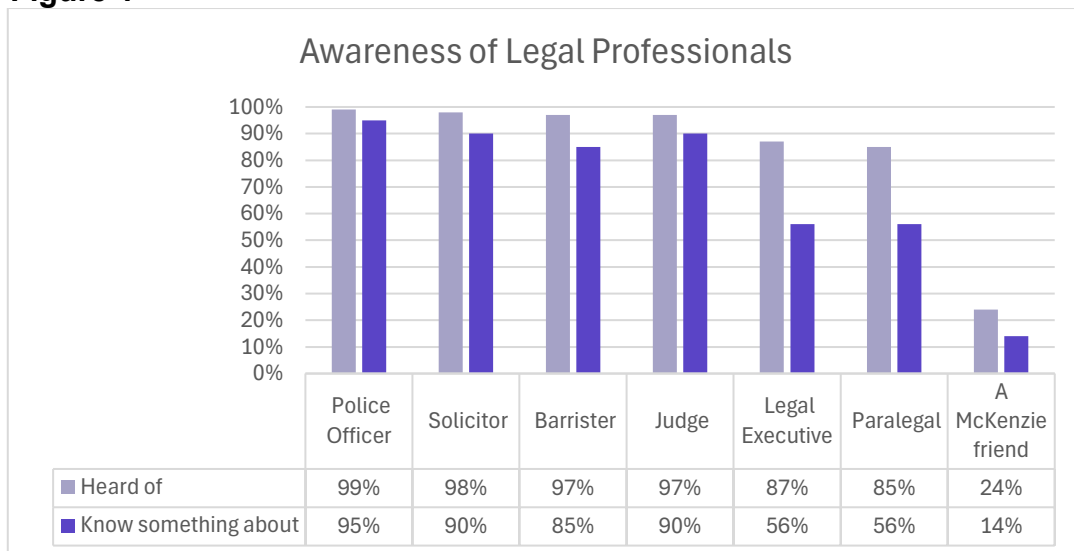
- While the results from this survey that cover the population as a whole are based of a large sample which is weighted to be representative, responses to some questions have been broken down by sub-groups, such as by region or by income. These results are based on a smaller subsection of the sample that is not weighted to be representative of that group within the wider population. As such, these results are less reliable than those covering all respondents.

Key Findings

Public Awareness

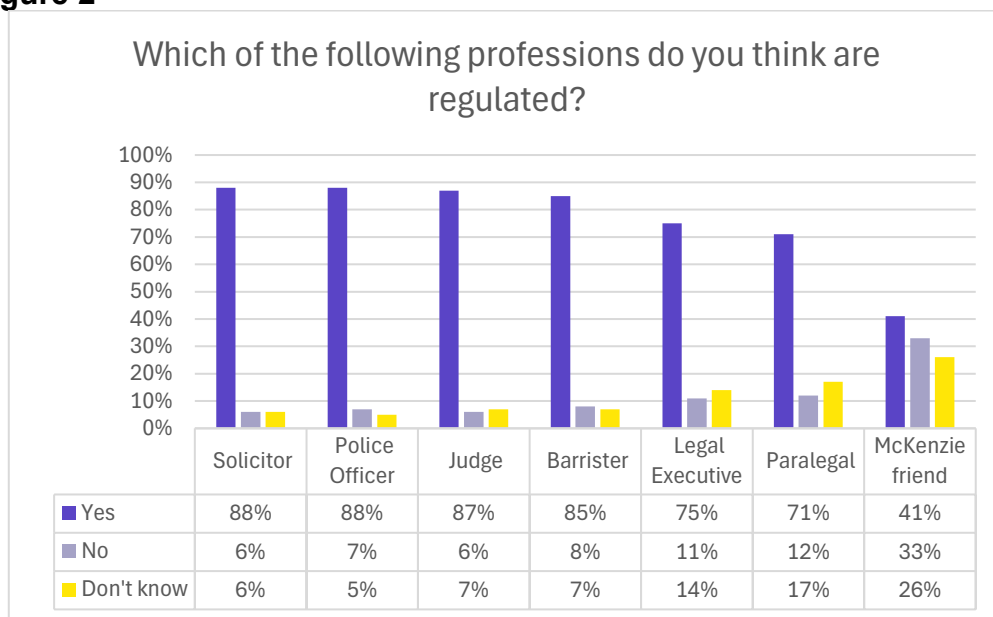
- Figure 1 looks at levels of awareness of different legal professionals. For all types of legal professionals, the proportion of respondents who have heard of them is higher than those who know something about them. Police Officer and Solicitor are the types of professionals that most respondents have heard of (99% and 98%, respectively), followed by Barrister and Judge (both 97%). The roles that most respondents know something about are Police Officer (95%), Solicitor (90%), and Judge (90%). Although 97% of respondents have heard of Barristers, only 85% know something about them. The roles that the fewest respondents have heard of or know something about are Legal Executive, Paralegal, and McKenzie Friend. There is a significant difference between those who have heard of Legal Executives (87%) and Paralegals (85%) and those who know something about these professionals (both 56%).

Figure 1



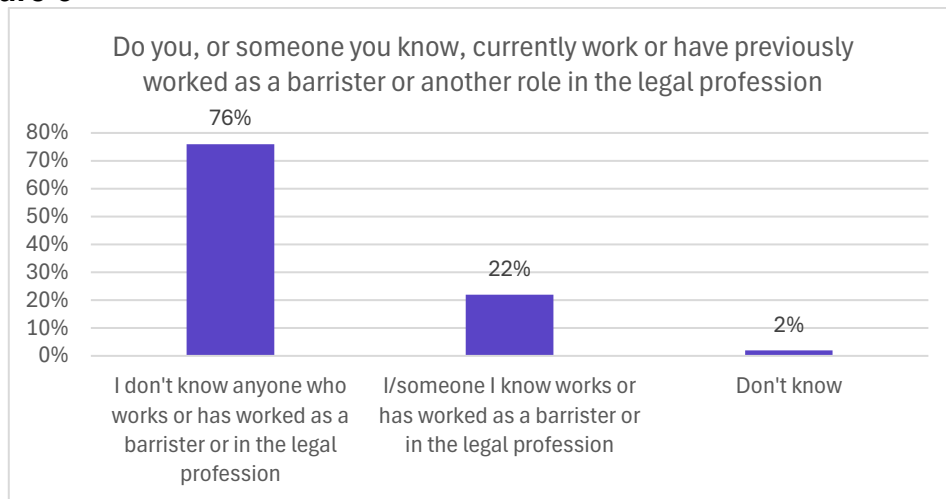
11. Figure 2 illustrates the percentage of respondents who think which professions are regulated, which are not, and those who don't know. Over 85% of respondents think that Barristers, Judges, Police Officers, and Solicitors are regulated, while 75% think that Legal Executives are regulated, 71% that Paralegals are regulated, and only 41% think that a McKenzie Friend is regulated. Some respondents are unsure whether a McKenzie Friend, Paralegal, and Legal Executive are regulated, with proportions of 26%, 17%, and 14%, respectively. This figure illustrates how, for those professions with a lower proportion of respondents who know something about or have heard of them, a higher proportion of respondents don't know if they are regulated or not. Regarding the barrister profession, 85% of respondents think they are regulated, 8% said they are not regulated, and 7% don't know if barristers are regulated.

**Figure 2**



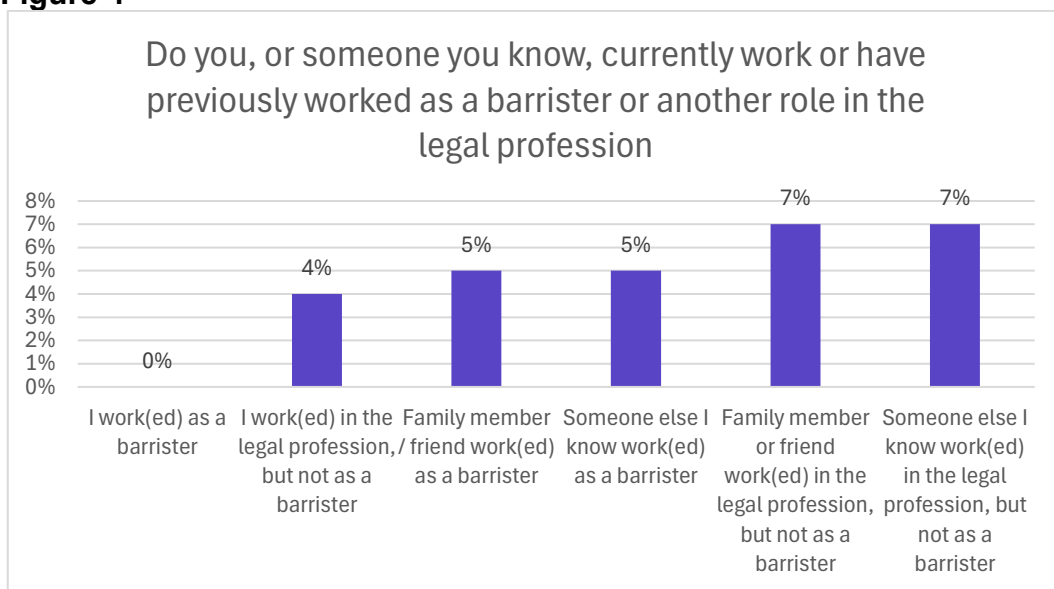
12. Figure 3 shows the proportion of respondents who don't know anyone who works or has worked as a barrister or in the legal profession (76%), and those who know someone who works or has worked as a barrister or in the legal profession (22%). Over three quarters of respondents don't know anyone who works in the legal profession.

Figure 3



13. Figure 4 shows the different responses from those who work or know someone who works in the legal profession. 4% of them said that they worked in the legal profession themselves, but not as barristers; 5% responded that a family member or friend worked as a barrister; 5% said that someone else they know worked as a barrister; 7% mentioned that a family member or friend worked in the legal profession but not as a barrister; and the remaining 7% said that someone else they know worked in the legal profession but not as a barrister.<sup>2</sup> Over the sample as a whole, 9% of total respondents know someone who worked as a barrister, and none of them worked as a barrister.

Figure 4



<sup>2</sup> The percentages given here do not sum up to 22% (i.e. the proportion who had worked or knew someone who had worked in the legal profession) because respondents could choose more than one response.

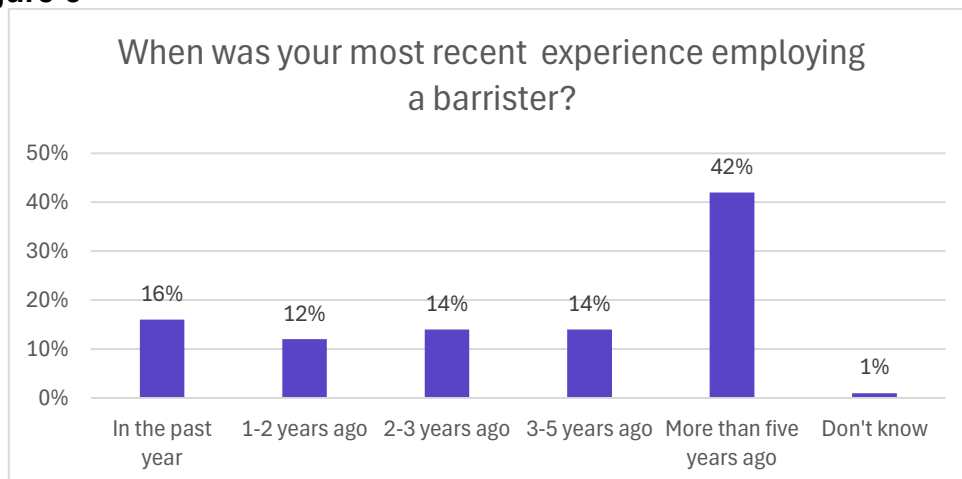
14. Survey respondents were also asked if they had any previous experience with a barrister in a professional context. Table 1 shows different situations that apply to respondents regarding their previous experience with barristers. The largest proportion of respondents (74%) said that they have never had any personal experience dealing with a barrister, followed by 10% who said that a barrister has either represented them or given them legal advice (combined). Additionally, 6% said that a barrister has given them legal advice, and 5% mentioned that a barrister has personally represented them in court. Only 1% of respondents mentioned that they had contact with a barrister for a legal matter in another way, and the same percentage preferred not to say.

Table 1

Previous Experience with Barristers	
I have never had any personal experience dealing with a barrister	74.0%
A barrister has represented me or gave me legal advice (Combined)	10.0%
A barrister has given me legal advice for a matter which did not go to court	6.0%
A barrister has represented me personally in court	5.0%
I have been a witness in a court and a barrister cross-examined me as a witness	5.0%
I have worked in a job which involved working with barristers	5.0%
Don't know	5.0%
I had a legal matter which didn't go to court and a barrister was representing someone else	4.0%
I have been to court for my own legal matter and a barrister was representing someone else	3.0%
I had contact with a barrister for a legal matter (either in or out court) in another way	1.0%
Prefer not to say	1.0%

15. Figure 5 suggests that for most respondents (42%) who have been involved with barristers, the most recent experience was more than five years ago. 16% of respondents said it was last year, 28% said it was between 2-5 years ago, and 12% said it was 1-2 years ago.

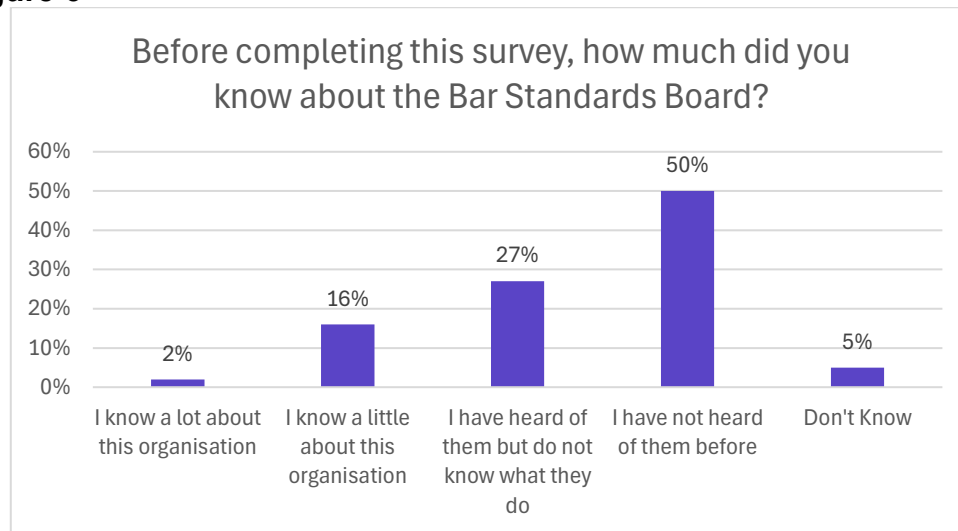
Figure 5



## Public Awareness – BSB

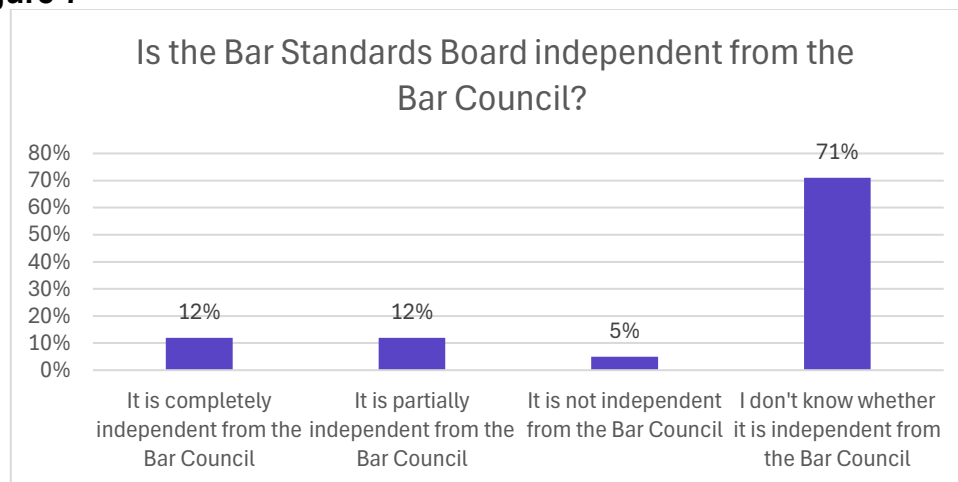
16. Figure 6 shows public awareness about the Bar Standards Board (BSB). 50% of respondents said they have not heard of the BSB before, 27% mentioned that they have heard of the BSB but do not know what they do, 16% said they know little about this organisation, and only 2% said they know a lot about it. This figure suggests that half of the respondents don't know anything about the BSB, and only a small proportion of them are truly familiar with it.

Figure 6



17. Respondents were also asked if they thought the BSB was independent from the Bar Council.<sup>3</sup> A large majority of respondents (71%) said they don't know whether it is independent from the Bar Council. Meanwhile, 12% thought that it is completely independent, and 12% thought it is partially independent from the Bar Council. Only 5% of respondents think that the BSB is not independent from the Bar Council.

Figure 7

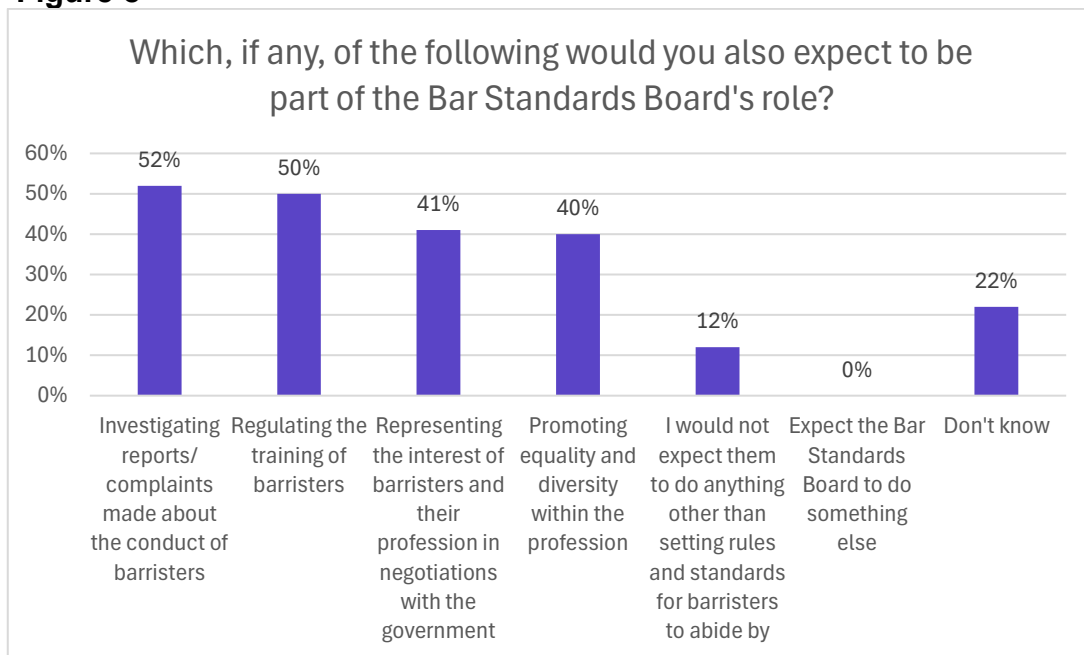


<sup>3</sup> The BSB and the Bar Council are legally the same entity ('the General Council of the Bar') – however, the BSB operates the GCB's regulatory function independently of the Bar Council



18. Figure 8 shows what respondents think should be covered by the BSB's role. 52% of respondents would expect investigating reports and complaints made about the conduct of barristers to be part of the BSB's role, followed by 50% who expect the BSB to regulate the training of barristers. Additionally, 41% said that representing the interests of barristers and their profession in negotiations with the government should be included, while 40% think that promoting equality and diversity within the profession should be a part of the BSB's role. Furthermore, 22% admitted they don't know the role of the BSB, and 12% would not expect the BSB to do anything other than setting rules and standards for barristers to abide by. None of the respondents expect the BSB to have other responsibilities.<sup>4</sup>

**Figure 8**



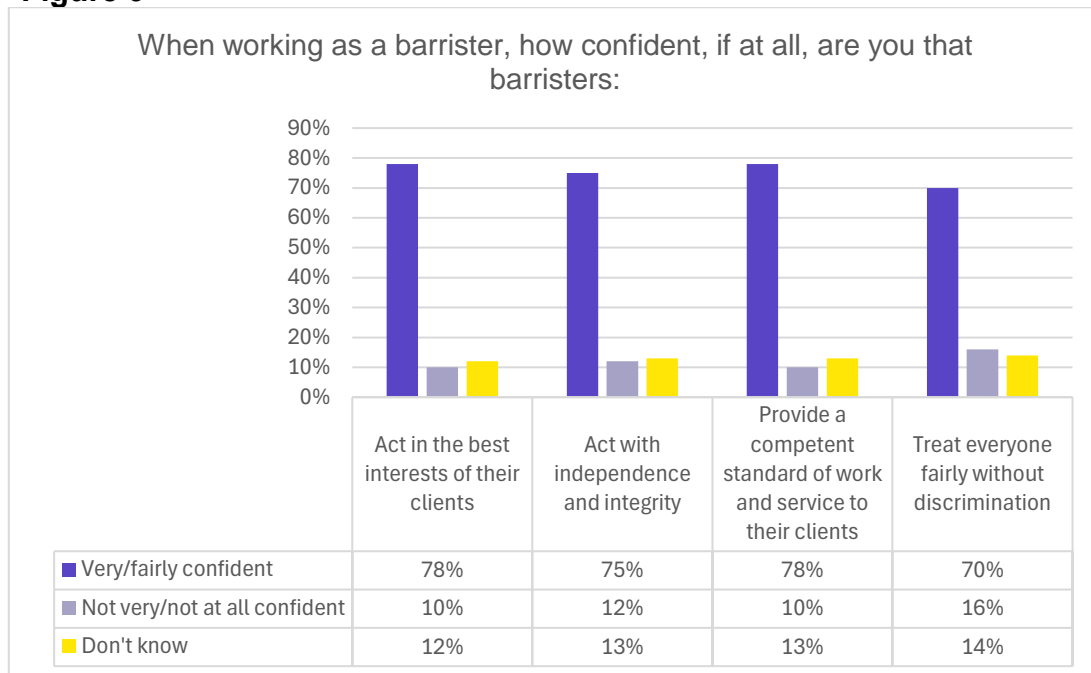
### Public Confidence

19. Figure 9 compares respondents' confidence regarding aspects of barristers' role and responsibilities when undertaking their work. 78% of respondents are very/fairly confident that barristers act in the best interest of their clients, compared to 10% who are not very/not at all confident about this. Additionally, 12% of respondents indicated they don't know. These proportions of responses are the same for those who think that barristers provide a competent standard of work and service to their clients, except for respondents who are unsure about this (13%).

<sup>4</sup> The percentages given here do not sum up to 100% because respondents could choose more than one response.

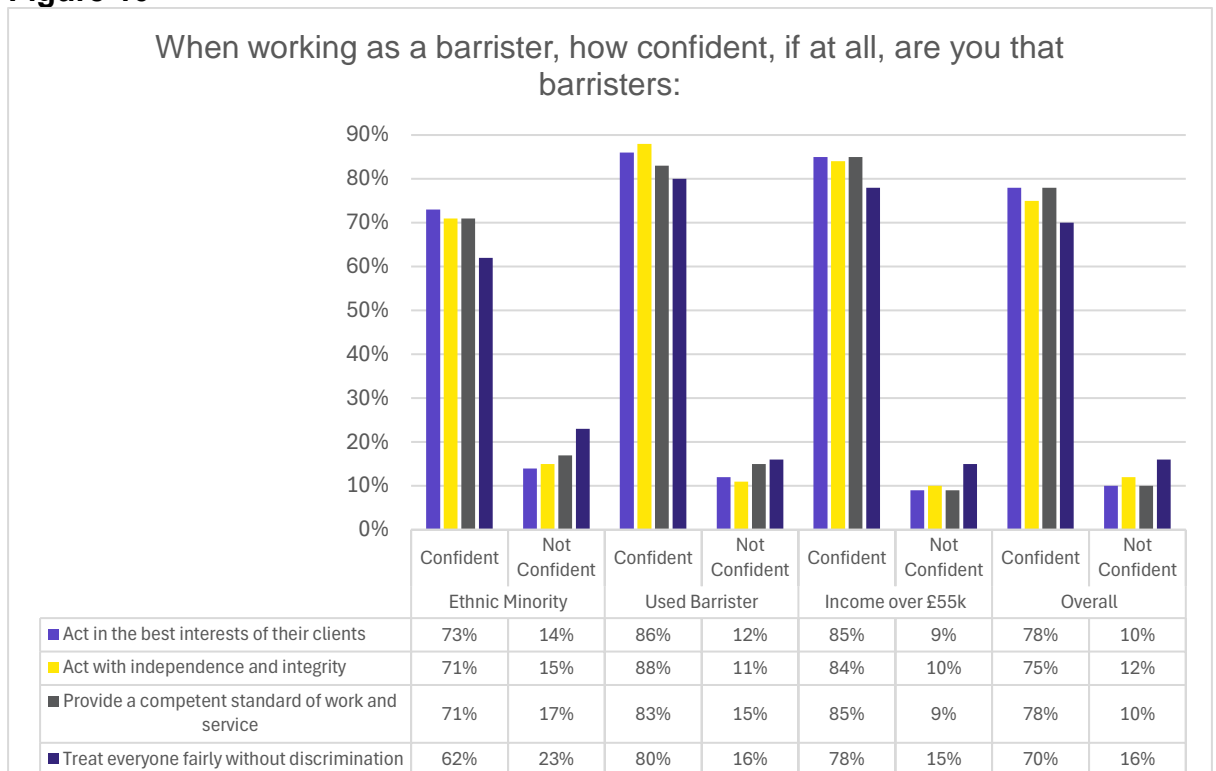
20. 75% of respondents feel very/fairly confident that barristers act with independence and integrity, while 12% are not very/not at all confident about it. Moreover, 12% responded that they don't know. This contrasts with 70% of respondents who are very/fairly confident that barristers treat everyone fairly without discrimination, while 16% are not very/not at all confident about it. Additionally, 14% of respondents said they don't know. This suggests the general public may have slightly higher confidence around barristers' provision of services to clients than they do about aspects that relate to their ethical responsibilities.

Figure 9



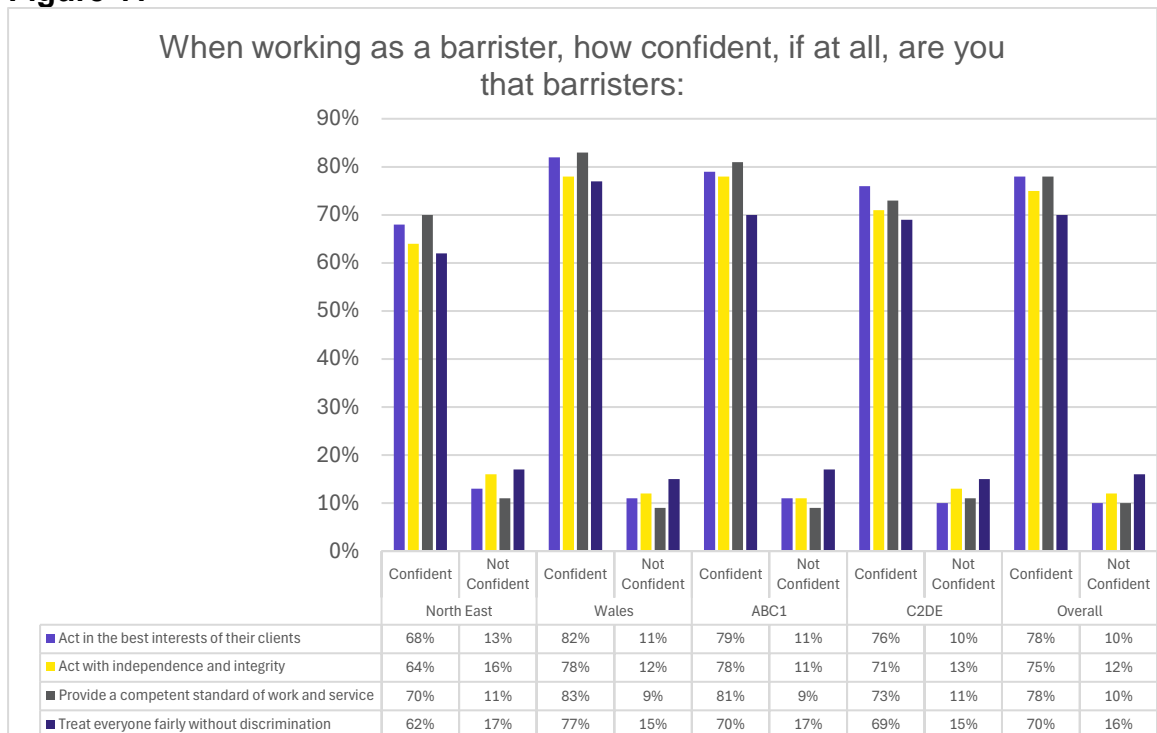
21. Figure 10 looks at some notable group differences in responses to the questions about confidence in the profession. The proportion of respondents who are confident that barristers act in the best interest of their clients, act with independence, provide a competent standard of work and service, and treat everyone without discrimination is higher for those respondents who have used barristers personally. Respondents from an ethnic minority background have lower levels of confidence in the profession than those from a white background (with confidence being between 5-9% lower depending on the question).

Figure 10



22. In all groups, the proportion of respondents who are confident that barristers treat everyone fairly without discrimination is lower than for the other confidence questions. This is specifically significant for those from an ethnic minority background, with only 62% of respondents agreeing with this statement, while 23% of them are not confident about this statement. This compares to 80% of respondents who have used a barrister and are confident about this statement, and with 16% of this group who are not confident with the statement.
23. There is a common trend in Figure 10, which suggests that more respondents, except for those who have used barristers, are confident that barristers act in the best interest of their clients, followed by those who are confident that barristers provide a competent standard of work and service to their clients, followed by those who are confident that barristers act with independence and integrity, and finally, those who are confident that barristers treat everyone fairly without discrimination. This differs for respondents who have used barristers, where the order of confidence is: barristers act with independence and integrity; act in the best interest of their clients; provide a competent standard of work and service to their clients; treat everyone fairly without discrimination.
24. Overall, 16% of respondents are not confident that barristers treat everyone fairly without discrimination, which compares to 10% of respondents who are not confident that barristers either act in the best interest of their clients or provide a competent standard of work and service to their clients.

Figure 11

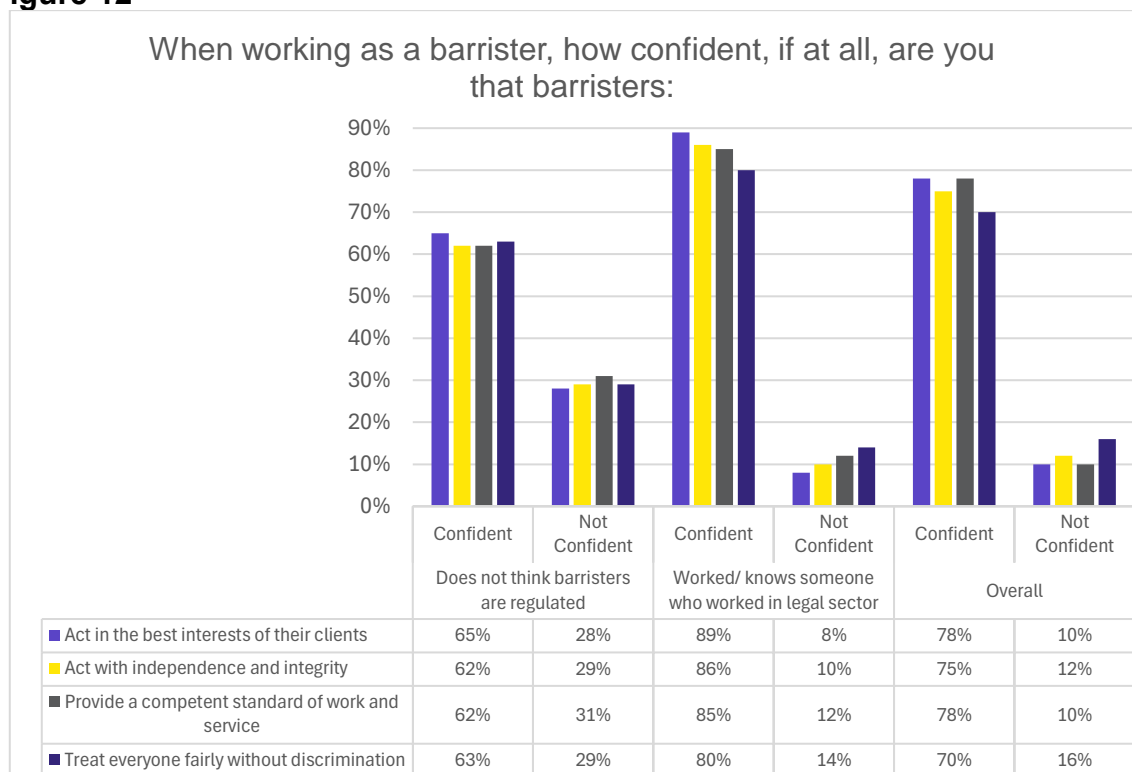


25. Figure 11 compares group differences in responses to the questions about confidence in the profession. Wales was the region with the highest levels of confidence in the profession, whereas the North East was the region where confidence was lowest. The proportion of respondents who are confident that barristers act in the best interest of their clients, act with independence, provide a competent standard of work and service, and treat everyone without discrimination is higher for those respondents from Wales (3-7% higher than average depending on the question) than for those from North East (8-11% lower than average depending on the question). Confidence was also higher for those from the ABC1 social grades (0-3% higher than average depending on the question) than for those from the C2DE social grades (1-5% lower than the average depending on the question).
26. In all groups, the proportion of respondents who are confident that barristers treat everyone fairly without discrimination is lower than for the other confidence questions. This is specifically significant for those from the North East, with only 62% of respondents agreeing with this statement, while 17% of them are not confident about this statement. This compares to 77% of respondents from Wales who are confident about this statement, and with 15% of this group who are not confident with the statement.
27. There is a common trend in Figure 11, which suggests that more respondents, except for those from C2DE background, are confident that barristers provide a competent standard of work and service to their clients, followed by those who are confident that barristers act in the best interest of their clients, followed by those who are confident that barristers act with independence and integrity, and finally, those who are confident that barristers treat everyone fairly without discrimination. This differs for respondents from C2DE background, where the order of confidence is: barristers act in the best interest of their clients; barristers provide a competent

standard of work and service to their clients; barristers act with independence and integrity; barristers treat everyone fairly without discrimination.

28. In all groups the proportion of responses who are not confident that barristers treat everyone fairly without discrimination, is higher than for other confidence questions. 17% of respondents from North East are not confident about this statement; 17% from ABC1 background are not confident about the statement; 15% of respondents from Wales are not confident about this statement; and finally 15% of those from C2DE background are not confident that barristers treat everyone fairly without discrimination.
29. Figure 12 compares those respondents who don't think that barristers are regulated and those who worked or know someone who worked in the legal sector, in responses to the questions about confidence in the profession. The proportion of respondents who are confident that barristers act in the best interest of their clients, act with independence, provide a competent standard of work and service, and treat everyone without discrimination is higher for those respondents who worked or know someone who worked in the legal sector than for those who don't think that barristers are regulated (17-24% higher depending on the question).

Figure 12

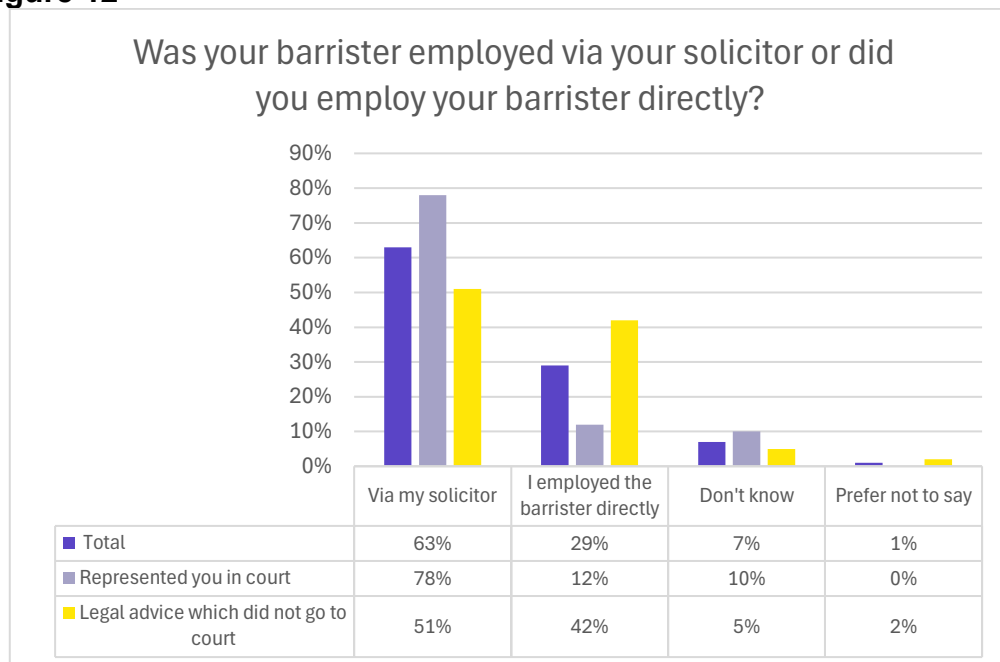


30. In both groups, the proportion of respondents who are confident that barristers act in the best interest of their clients is higher than for the other confidence questions. For those who don't think that barristers are regulated, 65% of respondents agreed with this statement, while 28% of them are not confident about this statement. This compares to 89% of respondents who worked or know someone who worked in the legal sector and are confident about this statement, and with 8% of this group who are not confident with the statement.

## Barristers Clients

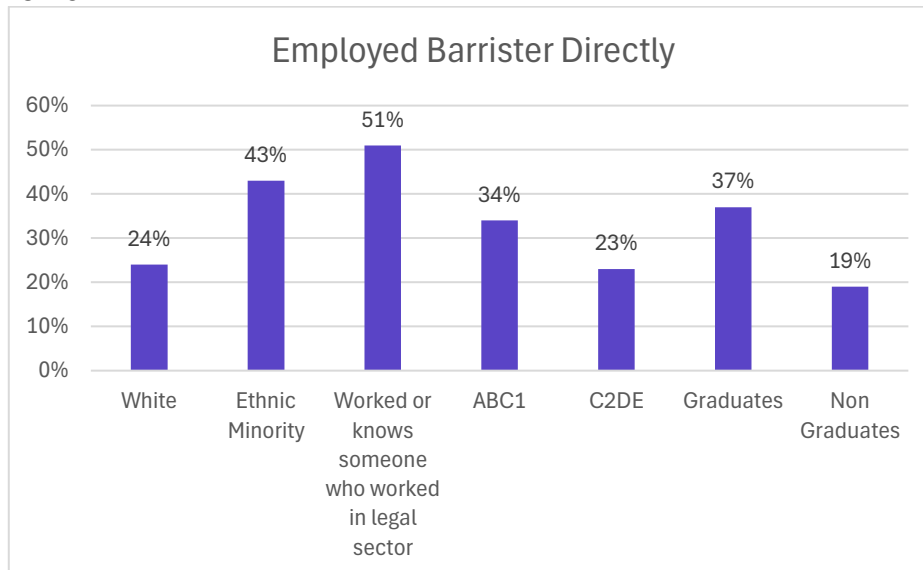
31. For the 10% of the sample who had employed a barrister personally, the survey asked several additional questions about their use of a barrister. It is worth highlighting that the results for these questions are based on a smaller sample (only 195 of the overall sample had used a barrister personally) and therefore some caution should be taken in drawing generalisable conclusions about barrister's clients.
32. Figure 13 compares responses from those who have used a barrister before regarding how the barrister was employed, either directly by the respondents or via solicitors. The proportion of respondents who employed barristers via solicitors is higher (63%) than the proportion of those who employed barristers directly (29%), with 7% of respondents not knowing how they employed barristers. This suggests that most barristers' clients employed their barrister via their solicitor.
33. 78% of respondents employed a barrister via their solicitor for representation in court, while 51% did so for legal advice that did not go to court. This compares to 12% of respondents who employed a barrister directly for representation in court, while 42% did so for legal advice without going to court. 10% of respondents mentioned that they don't know how they employed the barrister for representation in court, while 5% said the same for legal advice without going to court. This suggests that the proportion of respondents who employed their barrister directly for representation in court is significantly lower (12%) than the proportion of respondents who employed the barrister via solicitor for representation in court (78%).

**Figure 12**



34. Figure 14 compares key differences between groups in terms of employing a barrister directly in the past. It shows that 51% of those who have worked or know someone who worked in the legal sector employed their barrister directly; and 43% of those from an ethnic minority background did so compared to 24% from a white background. Employing a barrister directly was also more common among those from the ABC1 social grades,<sup>5</sup> and more common among graduates.

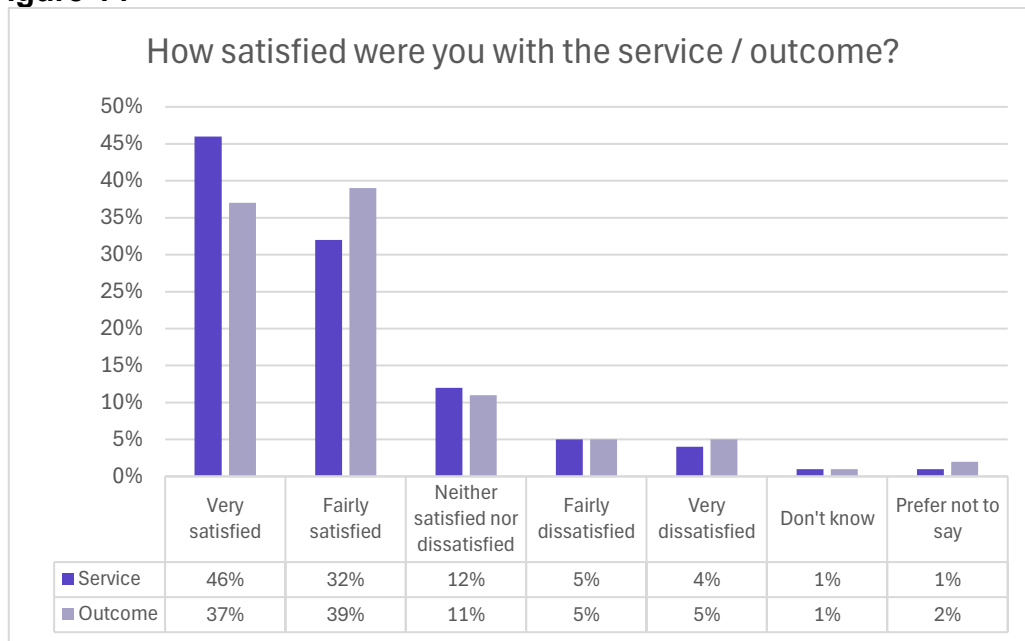
**Figure 13**



35. Figure 15 compares the degree of satisfaction of respondents with the service offered by the barrister and the outcomes of this service. Overall, 78% of respondents said that they were fairly/very satisfied with the service, 12% said they were neither satisfied nor dissatisfied with it, and 9% said they were fairly/very dissatisfied with the service. Regarding the outcome, 76% of respondents said they were fairly/very satisfied, 11% were neither satisfied nor dissatisfied with it, and 10% were fairly/very dissatisfied with the outcome.

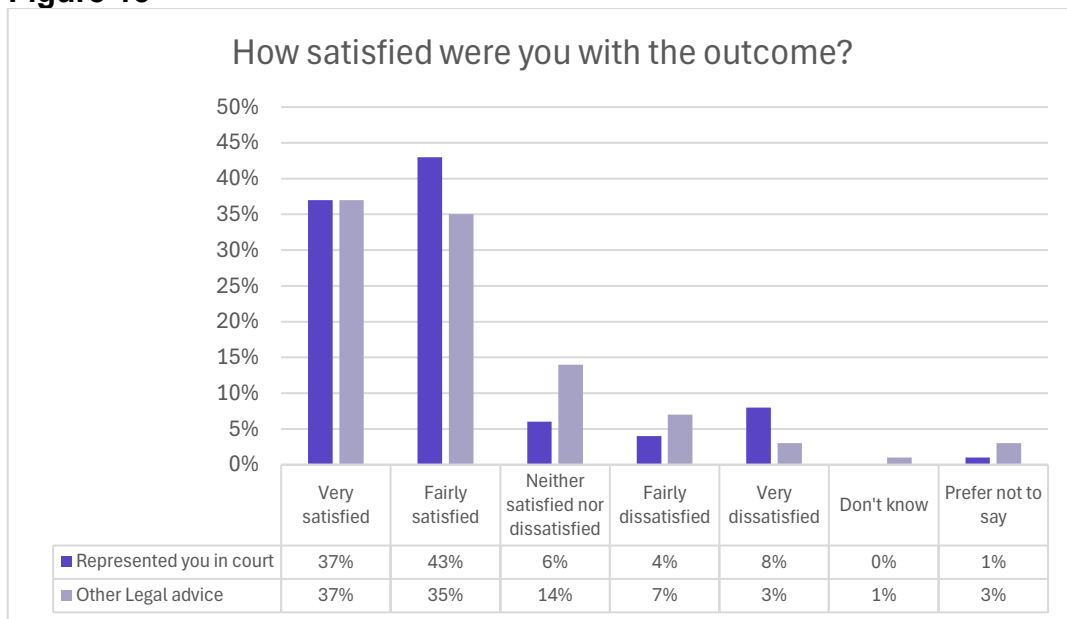
<sup>5</sup> The NRS Social Grade classification is based on the occupation of the head of household. ABC1 represents those who work in professional, managerial and other office-based occupations, whereas C2DE represents those working in skilled and unskilled manual occupations, as well as those who are unemployed or in receipt of the state pension.

Figure 14



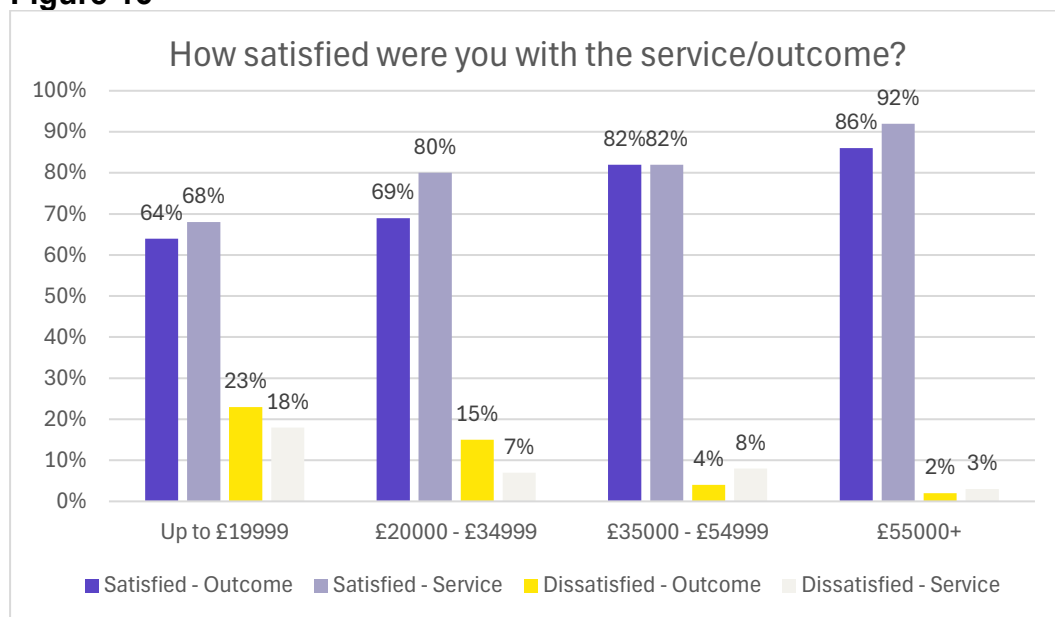
36. Figure 16 compares the satisfaction with the outcome of their experience with a barrister between respondents who were represented at court and those who accessed other legal advice. It shows that 80% of those who were represented at court were fairly/very satisfied with the outcome, and 12% were fairly/very dissatisfied with it. This compares with 72% and 10%, respectively, for those who accessed other legal advice. This figure suggests that those who were represented by a barrister at court are more satisfied with the outcome than those who only received legal advice.

Figure 15



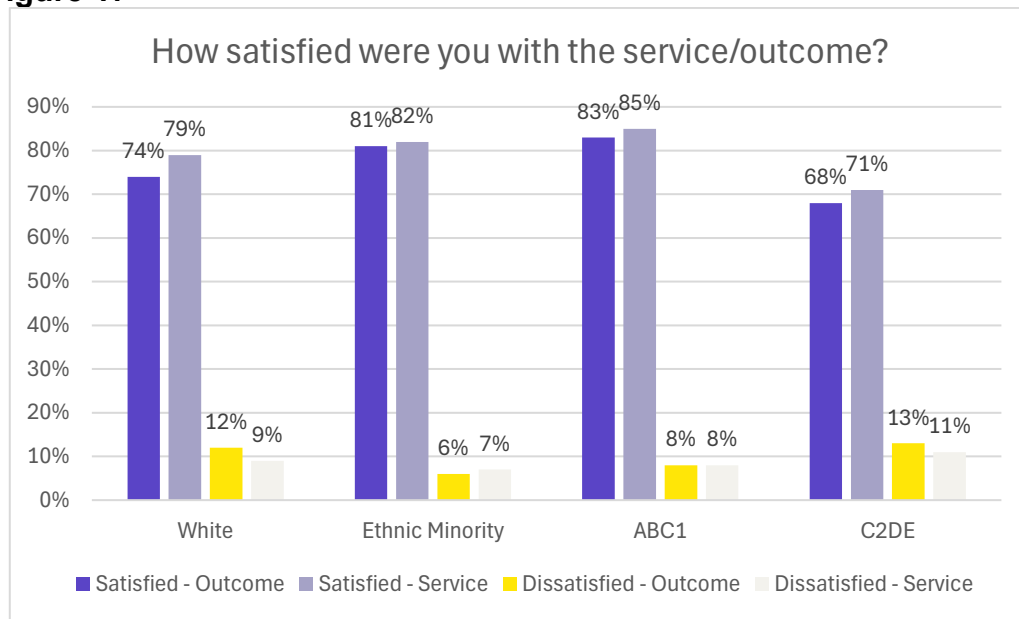


37. Figure 17 compares the satisfaction with the service/outcome among respondents by yearly earnings. It shows that 92% of respondents earning £55,000+/year were satisfied with the service and 86% were satisfied with the outcome. This compares with 68% and 64% for those earning up to £19,999/year. This figure suggests that those with higher yearly earnings are more satisfied with the service/outcome than those with lower yearly earnings.
38. Only 3% of respondents earning £55,000+/year were dissatisfied with the service and 2% were dissatisfied with the outcome. This compares with 18% and 23% for those earning up to £19,999/year. This figure suggests that those with lower yearly earnings are more dissatisfied with the service/outcome than those with higher yearly earnings.

**Figure 16**

39. Figure 18 looks at the most notable differences between groups around satisfaction with the service/outcome. 85% of respondents from ABC1 backgrounds are satisfied with the service, and 83% of them are satisfied with the outcome. For those respondents from an ethnic minority background, the percentages are 82% and 81%, respectively; 79% and 74%, respectively, for those from a white background; and 71% and 68% for those from C2DE backgrounds. This figure suggests that those who are most satisfied with the outcomes/service are those from the ABC1 social grades, followed by those from ethnic minority backgrounds.
40. On the other hand, 11% of respondents from C2DE backgrounds were dissatisfied with the service, and 13% of them were dissatisfied with the outcome. For those respondents from a white background, the percentages are 9% and 12%, respectively; 8% and 8%, respectively, for those from ABC1 backgrounds; and 7% and 6% for those from ethnic minority backgrounds. This figure suggests that those who are most dissatisfied with the outcomes/service are those from lower socioeconomic backgrounds, followed by those from a white background.

Figure 17



## Summary and Conclusions

41. Overall, the vast majority (of respondents had heard of barristers, at a similar level to other high-profile roles within the legal system such as police officers, solicitors and judges (and higher than other legal roles such as paralegal or legal executive). The proportion who stated they knew something about barristers was slightly lower, with 85% of respondents stating they knew something about barristers, compared to 90% who knew something about solicitors or judges. Among respondents as a whole, 85% thought that the Bar was regulated, and 8% thought that it was not regulated.
42. A much lower proportion of respondents had heard of the BSB – half had not heard of the BSB, and only 18% stated they knew something about the organisation. Awareness of whether the BSB was independent of the Bar Council was even lower, with 71% of respondents stating that they did not know. When asked what they expected to be part of the BSB's role (other than setting rules and standards for barristers) around half of respondents thought the BSB was responsible for investigating complaints about barristers and/or setting training requirements, and 40% thought it was responsible for promoting equality and diversity within the profession (all of which are parts of the BSB's role). However, 40% felt it was responsible for representing the profession in negotiations with the government (which is part of the role of the Bar Council as the representative body).
43. Overall, confidence in the profession was high, with the majority of respondents stating they had confidence in each of the four areas covered in the survey (acting in their clients' interests, providing a competent standard of service to their clients, acting with integrity, and treating everyone fairly and without discrimination). However, confidence in the two questions relating service to clients was higher (at 78% for both questions) than the other two areas, with confidence that barristers treated everyone fairly and without discrimination lowest across the four areas (at 70%).

44. Responses to the questions on confidence in the profession were one of the parts of the survey where responses differed considerably by certain characteristics of respondents. Confidence was higher than average among those who had used a barrister personally, among those with higher incomes or from the ABC1 social grades, or who knew someone who worked in the legal sector. In contrast, confidence was lower than average among those from the C2DE social grades, those who did not think the Bar was regulated, and among those from a minority ethnic background. Confidence in the Bar also varied by region, with levels of confidence highest in Wales, and lowest in the North-East.
45. Among those who had used a barrister personally, the majority were satisfied both with the service they received and with the outcome of their legal matter, although satisfaction was slightly higher with service received than it was for outcome (at 78% compared to 76%, and with 46% 'very satisfied' with the service received compared to 37% who were 'very satisfied' with the outcome). As with questions on confidence in the Bar, there were some variations in satisfaction levels across different groups of respondents. Satisfaction was higher among those who had used a barrister to represent them in court compared to those who had used them for other legal advice. Satisfaction was also higher among those with higher incomes or from the ABC1 social grades, and higher among those from a minority ethnic background.



**Performance and Strategic Planning Committee (PSP) Mid-Year Report 01 May 2024 to 31 October 2024****Introduction**

1. The PSP is a standing committee of the Board to which it reports on matters related to organisational performance, resources and strategic planning. The PSP supports the Board and the executive in delivering high performance and in formulating the overall strategy for the Bar Standards Board (BSB) and, to these ends, it scrutinises the BSB's multi-year Strategic Plan and annual Business Plans before the Board's approval is sought. It oversees performance against relevant service levels and considers whether financial and operational resources are properly and effectively allocated and efficiently managed across the organisation. It also provides assurance to the Board on the delivery of organisational reform programmes.
2. The Committee currently has a membership of six – all of whom are members of the Board, with a majority of lay members. The members are Steven Haines (Chair), Gisela Abbam FRSA, Alison Alden OBE, Emir Feisal JP (lay members); Simon Lewis, and Irena Sabic KC (barrister members).
3. The Committee meets regularly throughout the year and has met four times since the last report. The attendance of Committee members during the period under review was:
  - a. Gisela Abbam FRSA – two (of four)
  - b. Alison Alden OBE - four (of four)
  - c. Emir Feisal JP - three (of four)
  - d. Steven Haines – three (of four)
  - e. Simon Lewis – four (of four)
  - f. Irena Sabic KC – three (of four)

**Executive Summary**

4. This report summarises the key aspects of the Committee's work over the past six months. The report also provides the Board and public with assurance that the scrutiny of business and strategic plans (when applicable) prepared by the BSB is robust, appropriate, and financially sound and that organisational performance is scrutinised by a committee of the Board (but without dilution of the Board's primary responsibility for oversight and monitoring of performance).

**Strategic Plan (2025-2030), Business Plan and budget for 2025-26**

5. During the last six months the Committee has undertaken horizon scanning exercises to identify risks to the regulatory objectives and considered the proposed themes for the new Strategic Plan (2025 – 2030) and considered the importance of data intelligence and sharing intelligence with other stakeholders. It has continued to receive updates on progress of planned activities within the published Business Plan for the current year (2024/2025). The Committee received assurance from the executive that the new strategic plan will reflect the direction of travel of our Reform Programme <sup>1</sup> with a strong focus on efficiency.

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<sup>1</sup> The Reform Programme aims to build on our existing strengths as a regulator, complete improvements that are already underway and act on outcomes of important reviews including the Fieldfisher review, the first stage of the authorisations review, our work on risk, data and

6. The Committee scrutinised the proposed budget for 2025/2026 to satisfy itself that the provisional budget is fair and reasonable in the context of the strategic and business plan (and considering the cost to implement the Reform Programme), before recommending it to the Board.
7. The Committee carefully considered increases in costs alongside a planned increase in regulatory income, on a full economic cost recovery basis, to mitigate any impact on income received via the Practising Certificate Fee (PCF) and agreed the recommendation of budget proposals for 2025-26 to the Board.

### **Oversight of performance, finance and budget**

8. The role of the PSP is to undertake closer scrutiny and analysis of performance trends and any systemic causes for those, and to make recommendations to the Board. During the last six months the Committee has reviewed performance throughout Q4 2023-24 and Q1 2024-25 against Key Performance Indicators (KPIs) and had oversight of progress towards the activities set out in the published Business Plans. Moreover, since September 2024, the Committee has referenced the new “balanced scorecard” in its consideration of performance issues. This has proved to be a very useful analytical tool that has improved the Committee’s insight and understanding of these issues.
9. During its review of performance, the Committee noted the impact arising from the high volume of applications received by the Authorisations Team from Transferring Qualified Lawyers (TQLs) on KPIs and discussed the possibility of disaggregating the statistics for these types of applications to provide a more accurate picture of performance. The Committee noted the sustained backlog of work in the authorisations team, primarily due to this continued influx of applications from transferring lawyers. The Committee sought assurance that increased administrative resource to support the team would enable the team to be more responsive and improve levels of service. It also considered the first quarterly performance report which incorporated the new balanced scorecard<sup>2</sup>.
10. The Committee scrutinised quarterly financial accounts and reforecasts. This included oversight of the cash and reserves to ensure that the BSB had sufficient liquidity to meet its obligations. It scrutinised the year-end accounts for the 2023-24 financial year (in advance of the publication of the audited accounts) and had oversight of the five-year forecast alongside the financial reports.

### **Reform Programme**

11. The BSB is undertaking a programme of reform to implement a new Target Operating Model following the Fieldfisher review (of our enforcement processes) and recommendations to improve regulatory capability and operational effectiveness. The BSB is also increasingly embedding a consumer focus in its work. This programme includes a review of our regulatory risk framework and the approach taken to gather and analyse the data and intelligence which inform our assessment of risk. The BSB is also working with the profession to clarify expectations and to improve the effectiveness of chambers in overseeing standards, equality and access.

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intelligence and the need to develop consumer focus in our strategy and delivery. Including the integration of Programme Management, Business Planning and Stakeholder Engagement.

<sup>2</sup> A balanced scorecard is a strategy performance management tool – a well-structured report used to keep track of the execution of activities by staff and to monitor the consequences arising from these actions

12. During the last six months the Committee has received regular updates on the progress of the Reform Programme which is a long-term programme aimed at delivering operational efficiencies. It considered the current business as usual priorities, and interdependencies with the published Business Plan, including an extraordinary single-issue meeting to discuss the progress of current activities included in the delivery of the Reform Programme in more detail.

**Other Business**

13. The Committee scrutinised the draft BSB Annual Report (for the financial year 2023/2024) and made recommendation for the Board's subsequent approval of a version with its agreed amendments.
14. During the last six months the Committee has continued to hold meetings remotely (using Microsoft Teams). It is intended that the Committee will continue holding meetings remotely as routine but may meet in person depending on the business on the agenda.

**Forward View (1 November 2024 to 30 April 2025)**

15. As well as the routine business defined by its terms of reference, the Committee will continue supporting the executive with delivery of the Business Plan for 2024/25 and development of the Business Plan for 2025/2026.
16. As we enter the critical phase of mobilisation and early implementation of the Reform Programme the PSP will receive a progress report at every meeting so that it can provide assurance to the Board. These updates will include deep dives into specific areas of reform as required.
17. The Committee will continue to work on the development and implementation of the BSB's new five-year Strategic Plan (2025-2030).
18. The provisional budget figures will be further refined and scrutinised and challenged by the Committee prior to presenting a final version of the budget to the Board in March 2025.
19. We note that the Chair (Steven Haines) will be standing down as his term on the Board must conclude, along with one other long serving Board lay member (Allison Allden) and one barrister Board member (Simon Lewis). Recruitment is in place for replacement Board members assuring business continuity during the transition and the implementation of the Reform Programme.
20. The next PSP Bi-annual Report will be the end of year report which will be presented to the Board in May 2025.

**Lead responsibility**

**Steven Haines, Chair, Performance and Strategic Planning Committee (PSP)**  
**Samantha Jensen, Corporate Services Manager**





## Governance, Risk and Audit Committee (GRA) - Annual Report 2024

### Introduction

1. The Governance, Risk and Audit Committee (GRA) is a standing committee of the Board with oversight of governance; risk management; risk strategies; key organisational controls; internal business processes; the Assurance Framework; and the work of the Internal Auditors.
2. The Committee meets regularly throughout the year and has convened six times since the last report in November 2023.
3. The Committee currently has a membership of five, comprising three Board members: Stephen Thornton (Chair), Andrew Mitchell KC and Jeff Chapman KC; and two independent members: Kathryn Kerle (who succeeded Liz Butler in July 2024) and Stephen Hickey (who will stand down in December).
4. The attendance of Committee members during the period under review was:
  - a. Stephen Thornton CBE –five (of six meetings);
  - b. Liz Butler – three (of three meetings);
  - c. Jeff Chapman KC – three (of five meetings convened since his appointment);
  - d. Stephen Hickey – six (of six meetings);
  - e. Andrew Mitchell KC – three (of six meetings);
  - f. Kathryn Kerle – three (of three meetings).

### Executive Summary

5. The GRA publishes an annual report on its activities and summarising the key aspects of the Committee's work during the preceding year. Since its last report the Committee has continued to focus on processes to identify, evaluate, and mitigate corporate and regulatory risks. The Committee has challenged the Executive on its evaluation of those risks which pose the greatest threat to the regulatory objectives or to delivery of the BSB's core regulatory functions. This report is intended to provide the Board and public with assurance that the risk, governance, audit, and control processes within the organisation remain robust and appropriate.
6. The GRA Committee oversees the internal audit function, appoints the Board's Internal Auditors and agrees the annual audit plan (including any audit reviews that the Board wishes conducted and any audit reviews of shared services jointly commissioned with the GCB). RSM UK continue to provide internal audit services to us, since being appointed in April 2023, and will continue until the expiration of the contract in March 2026. During the last 12 months RSM has completed four audits, with one due for completion and another scheduled for completion in March 2025 (the fourth quarter of the 2024/2025 Internal Audit Plan).

7. The GRA has reviewed its Terms of Reference and recommended amendments to the Board, to allow the Committee to co-opt additional members if it deems that desirable (providing those are not employees), and to commission external parties to provide additional assurance if required. Two new lay members were appointed to the Committee - Kathryn Kerle who succeeded Liz Butler in July 2024 and Akhter Mateen who will join the committee in January 2025 following Stephen Hickey standing down in December 2024.

## Risk Management

8. The BSB takes a risk-based approach to regulation. At a strategic level, understanding regulatory risks assists the Board to identify emerging risks within the legal services market and helps the BSB to support the profession to respond positively to mitigate those risks, ensure that the public interest is protected, and the needs of consumers are met. At an operational level, the Committee considers identified risks to determine the best deployment of resources and to recognise challenges to the delivery of our core regulatory functions and continuing projects.
9. A core function of the GRA is to provide the Board with assurance on the oversight of risk. This includes the identification, management, and control of both regulatory and corporate risks. It does this through holding the Executive to account for its risk management strategies and in challenging the evidence and rationale for regulatory risks that are identified.
10. The Committee oversees a programme of regulatory risk deep dives. Over the last year, the Committee has focussed on the following regulatory risks:
  - i. Diversity of the profession,
  - ii. Unethical Conduct,
  - iii. Failure to provide a proper standard of service; and
  - iv. The market is uncompetitive or does not work well.
11. This year the Committee also commissioned a deep dive for the Board into corporate risk using a thematic approach and focussed on risks in the category of Public Confidence. This inaugural annual deep dive was well received by the Board, and further annual deep dives into corporate risks will follow.
12. The Committee scrutinised and approved comprehensive updates to the corporate risk register including new, revised, restructured risks and a review of 'medium' to 'high' priority risks. Comprehensive updates for those risks considered a high priority for action have been considered with a focus on the effectiveness of our mitigation and new controls being developed from implemented actions. The Committee has received assurance that those risks with a lower risk rating are monitored by the Executive and any recommended changes are proposed to the Committee at the earliest opportunity.
13. The Committee has continued to closely monitor progress on the development of the Business Continuity Plan and implementation of the Disaster Recovery Plan during the last 12 months, seeking assurance from the Executive on the effectiveness of mitigation and actions taken to safeguard the organisation and respond effectively in the event of an emergency.

## Risk Framework Review

14. In the last twelve months, the GRA Committee has continued to play an important role advising on and scrutinising the work of the BSB's Regulatory Risk Framework Review and Implementation. The GRA has received regular updates on the progress of this project during the last 12 months and will continue to oversee eighteen recommendations which are being implemented over a two-year period (2024 to 2026).

## Assurance and Internal Audit

15. The BSB continues to follow the [four lines of defence model of assurance](#)<sup>1</sup> which ensures a holistic approach to risk management with controls at various levels of a process. The GRA Committee agreed the Internal Audit Plan for 2024/25.
16. RSM UK completed the following audits since the last report:
- (a) Examinations (Final report November 2023),
  - (b) Cyber Security (Final report February 2024),
  - (c) Equality and Enforcement (Final report April 2024),
  - (d) Money Laundering (Final report June 2024); and
  - (e) Governance - Internal Delegation (is currently in progress).
17. The Committee monitors the progress and impact of agreed management actions arising from audits at every meeting. In addition, there is an agreed schedule of independent reviews by RSM UK to ensure that management actions have been completed.

## Business Continuity and Disaster Recovery Plan

18. The threat posed by potential cyber-security attacks remains and the recommendations from the review of our cyber security carried out by Grant Thornton LLP and commissioned as a direct response to the cyber-attack (2021) on the General Council of the Bar (GCB) have been implemented which the Committee has continued to closely monitor.

## GDPR and Statutory Compliance

19. GRA receives periodic reports on data breaches and other compliance issues from our Data Protection Officer. The last report was in July 2024 indicating that there have been no reportable issues in the last 12 months. We include two specific GDPR related risks on our Corporate Risk Register, which ensures that mitigation strategies are in place, ongoing scrutiny of our GDPR compliance and monitoring how GDPR requirements are embedded across the BSB. The GRA has received assurance that although it is accepted that the risk of data breach will always exist due to human error, the Executive has sufficiently mitigated by employing the systems and procedures currently in place.

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<sup>1</sup> ICAEW - <https://www.icaew.com/technical/audit-and-assurance/assurance/what-is-assurance/assurance-glossary/four-lines-of-defence>

20. The GRA received the sixth annual report on statutory compliance (this last report being November 2024). This report covers GDPR, Health & Safety, Equality & Diversity, Human Resources, Anti-Money Laundering, Regulatory Independence and Finance. The Committee were assured that the BSB are compliant with the minimum statutory requirements. The next such report is due in November 2025.

### **Independent Reviewers**

21. The role of the Independent Reviewers is to assist the BSB in ensuring that our regulatory decisions remain of a high quality, that we are effective and fair, and that all the correct processes and procedures have been followed properly. During the past 12 months, the GRA received two reports from the Independent Reviewers and were assured that cases continue to be assessed and investigated in line with relevant regulations and policies.
22. The GRA were satisfied that the Independent Reviewers continue to provide a valuable quality assurance role and recommended that good practice points are relayed to operational teams providing a 360 approach to feedback. The GRA were assured that the quality of decision-making remained high, with decisions determined in accordance with the organisation's processes and procedures.

### **Service Complaints**

23. The GRA reviewed the annual BSB Service Complaints report and received assurance that the Executive had identified trends and reasons for those trends and was implementing actions to address those. This year, most service complaints related to delays within the Authorisations Team, which continues to have a backlog of work, and these complaints were upheld either fully or partially. The GRA requested that a comprehensive trend analysis be included for the next iteration and the Executive will monitor service complaints on a six-monthly basis to have a more frequent opportunity to identify emerging areas of concern.

### **Other Business**

24. The Committee oversees the BSB's compliance with its obligations under the Money Laundering Regulations. It reviewed the annual report which provided the Committee with the required assurance that measures were in place to reduce the risk of money laundering and terrorist funding occurring at the Bar.
25. The GRA received six-monthly updates on litigation against the BSB and statutory appeals to the High Court, to enable it to consider whether such challenges, particularly successful challenge, highlight risks arising from inadequate capacity or poor policy or process.
26. The Committee completed its annual Committee Effectiveness Survey which focussed on membership (independence, objectivity and understanding), skills, the role, scope and effectiveness of the GRA, communication and reporting and leadership. Overall responses were positive, and the Committee considers itself to be generally effective and agreed to implement an action plan for areas which could be improved on.

27. The GRA endorsed the new policy for *development, review and control of corporate policy* and requested that an annual review be undertaken of the corporate policy register and included in its annual cycle of work.
28. The GRA received regular updates and assurance from the Director General on operational matters and stakeholder engagement.

### Forward View

29. As well as the routine business defined by its terms of reference, over the coming year the Committee will continue work refining processes for its oversight of risk and mechanisms for considering the interdependencies between risks to the regulatory objectives and those to the organisation. A cycle of deep dives is planned once again, enabling the GRA to fulfil its function as part of the fourth line of defence in our Assurance Framework, and to give assurance to the Board.
30. The GRA will note the final report on our Business Continuity Plan early in 2025, receiving assurance that the risk of operational failure in the event of an emergency is mitigated with adequate controls in place.
31. We look forward to welcoming our newly appointed independent member Akhter Mateen to take up post as the current incumbent comes to the end of their term.
32. The next GRA Annual Report will be presented to the Board in November 2025.



**Bar Standards Board – Director General’s Update – 28 November 2024****For publication****Equality Rules consultation**

1. Our consultation on the revision of our *Equality Rules* ends on 29 November. During the course of the consultation we have held 21 events for stakeholders and received over 140 responses. We have also separately published research by Ipsos Mori which shows that 40% of the public expect that one of the functions of the Bar Standards Board, as regulator, should be to promote diversity within the profession.
2. We shall now give very careful consideration to the views expressed, particularly to the genuine concerns we know exist about whether a positive duty on barristers is the best way of promoting the shared objective to further equality, diversity and inclusion. Meanwhile, we have set out in a Frequently Asked Questions document<sup>1</sup> some clarifications of the intentions and scope of our consultation proposals.
3. We expect to advise the Board about the revision of the rules in the light of consultation responses in the Spring of 2025.

**Reform & re-organisation**

4. Our ambitious programme of reforms to the Bar Standards Board continues to be on track. The reforms aim to enhance the BSB’s capacity as an intelligence-led, proactive regulator, to improve the efficiency and effectiveness of the delivery of our regulatory functions and to build on the high levels of commitment and engagement among our people. An enabler for these reforms is an internal re-organisation which will take effect from 2 December 2024 to clarify and focus accountabilities. We shall make a public statement about these accountabilities and associated appointments before the end of the month.

**Bullying and harassment**

5. The Bar Standards Board has strongly supported the review of bullying and harassment initiated by the Bar Council and being led by Baroness Harman. The Chair met Baroness Harman on 30 September. Following that meeting, we sent the Review the submission attached at annex A. I met Baroness Harman to discuss our submission on 19 November.

**Mark Neale**

Director General

Annex A: Bar Standards Board submission to the Review of bullying and harassment at the Bar led by Baroness Harman.

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<sup>1</sup> <https://www.barstandardsboard.org.uk/static/dc5c7b75-c41f-4074-8a41ceb71e40f5cb/Equality-Rules-Consultation-FAQs-7-October-2024.pdf>

## BULLYING & HARASSMENT

### Note by the Bar Standards Board

1. This note follows up a number of issues discussed when the Chair of the Bar Standards Board, Kathryn Stone, met Baroness Harman on 30 September.
2. We would preface these notes by making the important point that culture lies at the heart of issues of bullying and harassment. Recruitment to, and progression at, the Bar depend heavily on personal relationships. Such relationships, and the power imbalances inherent in them, are intrinsically at risk of being exploited. They also tend to inhibit the reporting of bullying and harassment when it occurs. It is for that reason that the Bar Standards Board has placed emphasis on the important role of chambers in bringing about culture change and has proposed in our current consultation on our *Equality Rules*<sup>1</sup> that barristers, who mainly operate from chambers, should be under a duty in their professional lives to further equality, diversity and inclusion.

### Pupillage numbers

3. Our website provides annual statistics going back before 2020 on numbers called to the Bar and the numbers of pupils. There are also breakdowns by gender, ethnicity and age. The number of pupils has now risen back above 500 annually after a sharp dip at the height of the COVID epidemic. It is also noteworthy, however, that the number of pupillage places annually is roughly a quarter of the number called to the Bar. Accordingly, the competition for pupillage places is intense (though prospective pupils have five years to obtain a pupillage after completing Bar training and being called to the Bar) and pupils have a strong incentive not to rock the boat during pupillage in order not to compromise the chances of being offered tenancy.

### Support for complainants

4. When the Bar Standards Board does receive reports about bullying or harassment from pupils or from junior barristers, we aim to provide as much support as is consistent with our role as the regulator and, where relevant, as the investigator and prosecutor of misconduct. Full details our approach can be found set out in our 2022 report on *Addressing Bullying and Harassment at the Bar*.<sup>2</sup>

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<sup>1</sup> <https://www.barstandardsboard.org.uk/resources/press-releases/bar-standards-board-consults-on-revised-proposals-to-promote-equality-diversity-and-inclusion-at-the-bar.html>

<sup>2</sup> <https://www.barstandardsboard.org.uk/static/81339cf0-2422-4f74-8535b5e37d988793/7e20e7e9-c55a-4c7d-a3785ecd663d9708/Bullying-and-harassment-report.pdf>



Part 1 – Public

5. When a report is received, it is assessed initially by our Contact and Assessment Team. The Team regularly signposts barristers, who are making self-reports and reporters who may require additional support, to external agencies – *Lawcare* in the case of barristers and *Victim Support* in the case of non-lawyers.
6. At the investigation stage, Case Officers provide support commensurate with their role as impartial investigators, but there is a limit to what they can provide in terms of pastoral and continuing emotional support. Officers can provide more support once the decision to initiate disciplinary action is taken, but again there is a limit to what is appropriate and to what staff can realistically commit consistent with advancing other work. Again, we, therefore, signpost to other organisations.
7. We are very conscious that it would be better if we could provide some form of third party dedicated pastoral support for those involved in the BSB's enforcement system. We have been in talks with *LawCare* about this, in conjunction with the other legal services regulators, and we reached the stage last year where *LawCare* had agreed to start developing a specialist service for the legal regulators that would provide support to alleged victims who are legal professionals throughout the course of our enforcement processes. That service has yet to come on stream.
8. Consistent with our confidentiality obligations, we do provide pupils or barristers who report bullying or harassment with updates on their cases.

**Non-disclosure agreements**

9. As the Regulator, we do not require or enter into non-disclosure agreements. We do have the obligations to maintain confidentiality in the Regulations, but these apply generally to us sharing the information on reports/ investigations and do not bind the person making a report. In some litigation cases, we have included confidentiality clauses in legal settlements, but we always keep these to a minimum and they usually relate to preventing disclosure of the settlement sum.

**Talk to Spot**

10. Talk to Spot is an online automated tool provided by the Bar Council that enables barristers or pupils to record what has happened to them and store documents/evidence in real time. "Spot" is the virtual assistant that the people engage with when using the tool.

Part 1 – Public

11. If, after putting information into Talk to Spot, a barrister or pupil wishes to make a report to the BSB (or any other relevant body such as the police), they can use the information stored in Talk to Spot to assist in putting together the evidence and report. Any information a person puts into the “Spot” tool, remains entirely confidential to them unless they choose to make it available to the Bar Council. Making the information available to the Bar Council does not oblige the person to take any action, but it opens an avenue for the Bar Council to provide support and advice about making a report to the BSB and assist the person to make the report if they so choose.
12. It would not be appropriate for the Bar Standards Board, as the Regulator, to run a facility like *Talk to Spot*, which is designed to provide support and assistance prior to making a decision to engage with the regulator. We do, however, already provide the facility for people to talk confidentially to Contact and Assessment Team staff about making a report and we are open to supplementing this with some form of dedicated confidential line if pupils or barristers wanting to make a report or discuss doing so would find that helpful.
13. We should also find it helpful to receive from the Bar Council anonymised information about the number and nature of reports to Spot to inform our assessment of risk and approach to regulation.

**Enforcement process: time limits**

14. We strongly agree that the Bar Standards Board must be robust in moving cases along where there is no good reason for a delay. Accordingly, we do now set time limits at different stages of the assessment and investigative processes, but these are often trumped by health or other considerations. We intend to review our approach to setting deadlines as part of our current review and re-design of the end-to-end enforcement process. We shall consider setting hard deadlines for responses at certain parts of the process, with flexibility where there are demonstrable good reasons for extensions.
15. The effectiveness of hard stop time limits is likely to vary at the different stages of the enforcement process. We shall need, for example, to be careful about getting bogged down during the investigative stage in formalised systems for applications for extension that become very time-consuming and are unnecessary where there is clearly a good reason to grant extra time.
16. The situation is different at the Tribunal stage. The disciplinary process is already governed by some hard stop deadlines that are enshrined in the regulations. Deadlines are also set by virtue of the Directions ordered by a Judge. However, this does not necessarily result in compliance with the timelines. We should, however, look at other regimes to see if there are lessons to learn and appropriate measures we could include in our processes/regs to promote more effective progression of cases.

### Breaches versus serious misconduct

17. We take the view that the distinction between breaches and serious misconduct is important to proportionate regulation.
18. As a regulator, we don't take action in every instance of an alleged breach. We only take matters forward where the risk presented by the alleged breach is sufficiently high (based on the application of our risk methodology). Reports falling below that threshold are either closed or handled by an informal warning. The obligation we place on barristers to self-report or to report others relates only to examples of serious misconduct. Examples of serious misconduct are set out in the Handbook and include harassment. However, any member of the public, including barristers, can bring to our attention concerns about the conduct of barristers regardless of how serious they are and we will assess them to determine whether we should take any form of regulatory action.
19. Within the enforcement system we formally distinguish between breaches of the BSB Handbook and serious breaches amounting to professional misconduct (NB: there is a body of caselaw about what amounts to professional misconduct including a leading case arising from a BSB case – the courts see a clear distinction between professional misconduct, which must be serious, and other breaches of the professional obligations).
20. In terms of our process, the initial assessment of a report is only concerned with considering potential “breaches” of the Handbook and not professional misconduct, and whether, having applied our risk assessment methodology, a potential breach warrants investigation.
21. The stage at which we formally decide if a breach is serious, amounts to professional misconduct and should be referred to disciplinary action, is after the conclusion of an investigation. At the end of an investigation, the option to impose an administrative sanction is available in relation to “breaches” that are not serious enough to amount to professional misconduct. All post - investigation decisions, where there is evidence of breach, require staff or the Independent Decision-making Body to consider whether it is appropriate to impose an administrative sanction. If it is not appropriate to impose such an administrative sanction because the matter is too serious, the case is then referred to disciplinary action.

### Sanctions

22. The Sanctions guidance was reviewed in 2020 and 2021 and tougher sanctions in relation to sexual misconduct and harassment came into effect, alongside other changes, from January 2022<sup>3</sup>. The Bar Standards Board does consider the sanctions imposed by the Bar Tribunal and Adjudication Service and has the power to appeal if we consider that a sanction is unduly lenient.

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<sup>3</sup> <https://www.barstandardsboard.org.uk/resources/bsb-welcomes-new-btas-sanctions-guidance.html>

23. The relationship between the Bar Standards Board and the Bar Tribunal and Adjudication Services will be considered further as part of our current project to review and to re-design the end-to-end enforcement process.

### Chambers

24. As noted above, chambers have a key role to play in promoting culture change. The Bar Standards Board has just completed a two year review and sequence of consultations on our approach to the regulation of barristers' practice management obligations. The aim has been to clarify regulatory expectations of chambers which are crucial in the oversight of standards, of diversity and of access. This includes, importantly, a role in addressing bullying and harassment and in supporting pupils or barristers who wish to report conduct of this kind. Our conclusions were set out in a document published on 2 October<sup>4</sup>.

### Other issues

25. From a regulatory perspective, a key continuing issue is the need to gather better intelligence about the nature and extent of bullying and harassment and the circumstances in which it arises. We should welcome it if the Review made recommendations about the provision of data relating to workplace culture/bullying and harassment by the profession.
26. The current information on general culture/bullying and harassment trends are largely driven by the reports we receive, our own research, and information published by the Bar Council (such as its Working Lives Survey and data on *Talk to Spot* reports). The latter reports are only produced every 3-4 years.
27. The regular provision of data by the Bar to support indicators about culture/bullying and harassment would enable us to monitor and assess culture levels and act more proactively. It would also enable us to better monitor and understand the impact of any changes recommended by this Review.

Bar Standards Board  
October 2024

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<sup>4</sup> <https://www.barstandardsboard.org.uk/resources/press-releases/consultation-on-the-regulation-of-barristers-in-chambers-the-bsb-s-response.html>

**Chair's Report on Visits and External Meetings from end September 2024****Status:**

1. For noting

**Executive Summary:**

2. In the interests of good governance, openness and transparency, this paper sets out the Chair's visits and meetings since the last Board meeting.

**List of Visits and Meetings:****Meetings**

2 October	Met with representatives of the Association of Consumer Support Organisations (ACSO)
8 October	Attended Additional Board meeting on Strategy
6 November	Attended GRA Committee
13 November	Attended PSP Committee

**1-2-1 Meetings**

29 September	Appraisal meeting with Leslie Thomas KC
30 September	Appraisal meeting with Jeff Chapman KC
30 September	Appraisal meeting with Steve Thornton
30 September	Met with Baroness Harman KC
31 September	Appraisal meeting with Emir Feisal
7 October	Met with Tim Grey (Chair) and Kevin Gould (Vice-Chair) of IDB
5 November	Appraisal meeting with Gisela Abbam
5 November	Appraisal meeting with Irena Sabic KC

**Events**

30 September	Attended the Opening of the Legal Year Dinner
15-19 October	Attended the International Conference of Legal Regulators
6 November	Met with Chambers' Directors re Regulation of Barristers
7 November	Attended and spoke at LPMA Conference
7 November	Recorded <i>GetBriefed</i> Podcast

**BSB Board Recruitment**

30 October	Attended Shortlisting meeting as Panel member
12 November	First day of interviews
20 November	Second day of interviews
21 November	Third day of interviews



## Schedule of Board Meetings Jan 2025 – Mar 2026

### Status

1. For noting and approval.

### Executive Summary

2. The paper sets out proposals for the 2025/26 cycle of Board meetings. All regular Board meetings will be immediately preceded by either a seminar or training event for Members.
3. As yet we do not have any dates for a Board-to-Board meeting with either the OLC or LSB.
4. We propose continuing with the pattern of alternate start times of 2 pm and 5pm.

### Recommendation

5. The Board is asked to **agree** the schedule.

### Detail

6. The proposed dates for Bar Standards Board meetings (Jan 2025 – Mar 2026) are:
  - Thurs 30 January 2025 (2 pm) – already diarised
  - Thurs 27 March 2025 (5 pm) – already diarised.
  - Thurs 22 May 2025 (2 pm)
  - *Thurs 26 June 2025 (9.30 am – 5 pm) (Board Away Day)*
  - Thurs 24 July 2025 (5 pm)
  - Thurs 25 September 2025 (2 pm)
  - Thurs 27 November 2025 (5 pm)
  - Thurs 29 January 2026 (2 pm)
  - Thurs 26 March 2026 (5 pm)

**Rebecca Forbes**  
**Head of Governance and Corporate Services**

**November 2024**