

BAR
STANDARDS
BOARD

REGULATING BARRISTERS

Business Plan 2014-15

**The Bar Standards Board regulates
barristers in England and Wales in
the public interest**



Our values

INTEGRITY

- ▶ We operate to the highest ethical standards
- ▶ We are honest, open and inspire trust
- ▶ We consider the social and environmental impact of our actions

EXCELLENCE

- ▶ We are committed to quality
- ▶ We are creative, innovative and lead change
- ▶ We are responsive, accessible and accountable for our actions

FAIRNESS

- ▶ We act responsibly, proportionately, and in the public interest
- ▶ We promote equality of opportunity and equal access to justice for all
- ▶ We value inclusion and diversity

RESPECT

- ▶ We respect and support others
- ▶ We value expertise, learning and knowledge-sharing
- ▶ We foster a collaborative and developmental working environment

VALUE FOR MONEY

- ▶ We are cost-effective and accountable for our use of resources
- ▶ We work efficiently with an entrepreneurial and commercial mind-set
- ▶ We strive for clarity, simplicity and straightforwardness



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What the BSB does

We regulate barristers in England and Wales in the public interest.

We are 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;
- ▶ monitoring the service provided by barristers to assure quality;
- ▶ handling complaints against barristers and taking enforcement or other action where appropriate.

Regulatory Policy

We set standards for barristers and provide a Handbook that within part two sets the rules for practice at the Bar – the Code of Conduct. The Handbook includes detailed guidance addressing particular aspects of professional standards. We also develop policy on professional conduct in areas such as chambers' complaints handling and direct public access to barristers.

Supervision

Our aim is to assure, maintain and enhance standards across the profession through the development of measures for assessing the quality of both individual barristers and the chambers and entities in which they practice. This includes a scheme to monitor chambers' administration and working practices and a barristers' register.

Education and training

We oversee the Academic, Vocational and Pupillage stages of training that must be completed in order to qualify as a barrister. We are responsible for monitoring and accrediting barristers' Continued Professional Development (CPD), which ensures that barristers maintain high standards throughout their careers.

We also look at individual applications from people wishing to qualify and/or to practise as barristers but who may be exempted from some or all of the normal training requirements.

Enforcement

We investigate professional conduct and take action against barristers who have breached our Handbook.

Key facts

15,400+

number of barristers
we regulate

472

opened or received complaint
cases during the course of
Jan-Dec 2013

11

sites provide the Bar
Professional Training Course for
over 1,500 students annually

150+

candidates take the Bar
Transfer Test (for transferring
solicitors and overseas lawyers)

400+

pupils registered
per year

8,200+

CPD courses were
accredited last year

950+

Chambers supervised
(including sole practitioners)

84

members of staff
(80.5 full time equivalents)

£5.3m

our budget for 2014-15

Statement by the Chair and Director

The Bar Standards Board is the independent regulator of barristers in England and Wales. Our mission is to regulate the Bar so as to promote high standards of practice and safeguard clients and the public interest. Last year, we published our third Strategic Plan setting out our aims and ambitions for the period 2013-16. This business plan sets out our activity in detail for 2014-15.

We publish this business plan at a time of considerable change across the profession. The legal services market is being liberalised; new business models and ways of delivering services to clients continue to emerge and evolve. Cuts to public funding however mean many people struggle to access legal representation, and many barristers find the market tough and unforgiving. As an independent regulator whose primary duty is to protect the public and safeguard clients, the Bar Standards Board is likely to find the coming year one of both opportunity and significant challenge.

We stated our vision in our strategic plan: to become a more modern and efficient regulator – operating to externally agreed high standards, fulfilling our mission and upholding and promoting the regulatory objectives and professional principles set out in the Legal Services Act 2007. For the period 2013-16, we have set ourselves five strategic aims, which will help us achieve this vision.

We aim to:

- ▶ implement new specialist regulatory frameworks for advocacy services;
- ▶ promote greater public and professional understanding of what we do and why;
- ▶ set and maintain high standards of entry to and practice within the profession;
- ▶ take a more risk- and evidence-based approach to what we do; and
- ▶ strive for “best practice” as an organisation for those whom we serve and those who work for us.

Behind our committed staff and dedicated executive team, we continue to benefit from the wealth of talent, knowledge and experience of our Board members, the majority of whom are lay people. We are committed to fulfilling our strategic aims and securing success at a time of change and uncertainty. We anticipate during the course of 2014-15 needing to respond to the government’s review of the legal services regulatory framework and expect to do so in a way that reflects the fact that barristers are at the heart of our justice system. This remains rightly respected around the world. In an age of austerity there are real risks to the quality and availability of the advice and representation services that barristers provide – nowhere more so than in the publicly-funded sector, which often protects the most

vulnerable in our society. We will use our unique position as the regulator of barristers to continue to uphold the statutory regulatory objectives such as access to justice and the protection and promotion of the rule of law.

It is our job as the regulator to act in the public interest, promote high standards of practice and to safeguard clients. This includes empowering barristers to change how they deliver services in line with consumer need, enabling them to adapt in a changing market environment. In 2014-15 we anticipate becoming a regulator of entities and a licensing body for alternative business structures under the Legal Services Act 2007. But we will still be preserving the very best of what the Bar has provided to the public for many, many years. We will continue to support entry to the profession by the best and the brightest students and to monitor not only their education before qualification but also the lifelong learning of established practising barristers. Following on from the Legal Education and Training Review (LETR) published by the major legal sector regulators in 2013, an important programme of development of our education and training systems will commence in 2014-15.

In our push to modernise as a regulator and protect the public as best we can, it is clear that we will move forward more quickly with the support and engagement of the profession that, by law, funds us. We are accountable to both those we serve and those we regulate. We will always strive to embody the same high standards and expectations that we require of the profession. Our values – integrity, excellence, fairness, respect, and value for money – are fundamental to this.

This business plan marks the second year of a three year strategy. We would like to invite you to follow our progress via our website (www.barstandardsboard.org.uk) and to engage with us (bsbcontactus@barstandardsboard.org.uk) as we progress towards these aims.

Baroness Deech QC (Hon)

Chair

Dr Vanessa Davies

Director (chief executive)

Our strategic aims and this year's programmes of work

The BSB has developed five strategic aims to encompass all of the work we intend to undertake over the three years from 2013-16. The aims have been formulated to enable us to respond to the context outlined and make progress towards achieving our vision. Each aim supports one or more of the regulatory objectives in the LSA 2007.

We have also integrated into our aims the means by which we intend to improve our performance against the Regulatory Standards Framework laid down by the Legal Services Board (LSB). That framework has four key pillars:

- ▶ outcomes-focused regulation;
- ▶ risk assessment;
- ▶ supervision; and
- ▶ enforcement;

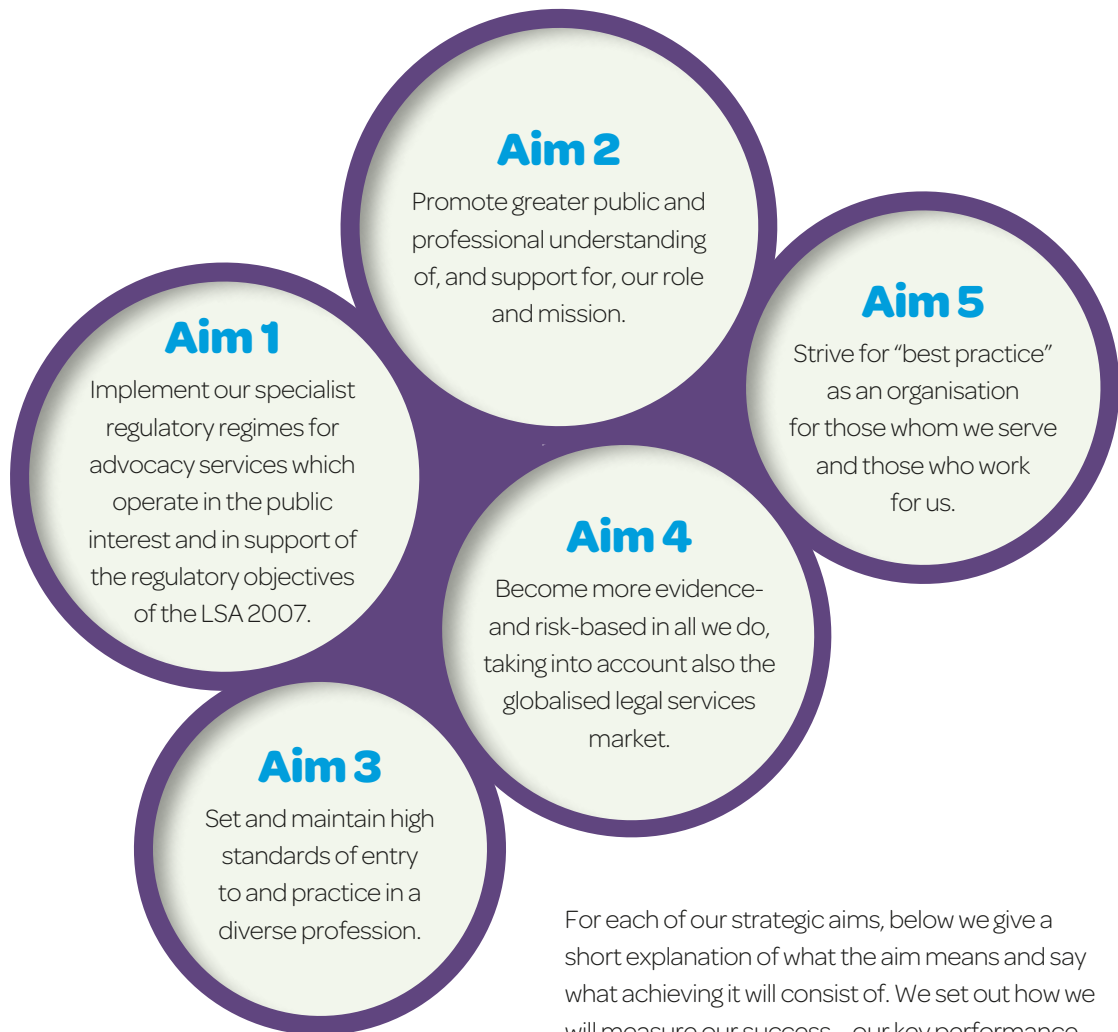
and requires a regulator to demonstrate sufficient capacity and capability to regulate in those key areas.

Achievement of the aims will also mean considering the extent of internal structural change necessary, including redefining staff and Board and committee roles as required.

Throughout the life of the plan we will continue to deliver our core regulatory activity, adjusting it over time to align with our strategic aims, which are summarised in the diagram opposite.

The full version of our strategic plan sets out the strategic aims and what we will be doing in each area of our operation to meet those aims in much greater detail. See it on our website at www.barstandardsboard.org.uk.

Diagram of strategic aims



For each of our strategic aims, below we give a short explanation of what the aim means and say what achieving it will consist of. We set out how we will measure our success – our key performance indicators – across the three years of the Strategic Plan, and also the main activity we will undertake in the business year 2014-15.

Strategic aim 1

Implement our specialist regulatory regimes for advocacy services which operate in the public interest and in support of the regulatory objectives of the LSA 2007.

What this means

We will regulate in the public interest barristers and those who work for them to deliver advocacy services, through a new regulatory framework for individuals and entities. We will remove the restrictions on a barrister's right to conduct litigation. Barristers will be enabled to take instructions directly from members of the public more comprehensively. Barristers will be able to offer a complete "one stop" legal service to members of the public. We will target our regulatory activity towards risks on the basis of evidence and we will be a cost-effective regulator.

Measuring our performance

What success will look like by 2016	How we will measure success
a) We will be a licensing authority under the LSA 2007	Yes / No by May 2016
b) We will be regulating barrister-led / advocacy-focused entities	Number of entities / Alternative Business Structures (ABS) (measure against expectations)
c) In a timely and financially sustainable way (both to regulator and regulated)	Level of cost recovery (measure against an agreed cost model) Turnaround time for applications, against a service standard set

In 2014-15, we will make further progress towards achieving this strategic aim by undertaking the activity set out in the table opposite. We will review the impact of the new Handbook introduced in January 2014 and in particular start to assess whether the high-level outcomes aimed at in the Handbook continue to be appropriate. We will give specific consideration to aspects of the public access regulatory requirements and consider whether other legal professionals should be subject to the "cab rank" rule, in the public interest. We will become a regulator of entities and start to accept applications from them to be authorised. We will start the first cycle of supervision of chambers under our new supervision strategy and we will develop our capacity to take enforcement action against entities where necessary.

We estimate that work towards achieving this aim in 2014-15 will require 11% of our directly controlled resources (£584k).

Key activity (for 2014-15)	Time			
	Q1	Q2	Q3	Q4
Develop and commence a review of the impact of the new Handbook, focusing in particular on barristers undertaking litigation in the initial phase			Design and agree review methodology	Begin implementation of review
Review our approach to public and licensed access		Draw up consultation papers	Begin consultation	Board to approve new rules where required
Consideration of a more general application of the cab rank rule		Liaise with other regulators (subject to policy agreed in Q4 2013-14)	Begin consultation	Board to approve new rules
Commence the authorisation of specialist advocacy-focused entities		BSB invites applications from prospective (non-ABS) entities and commences entity authorisation Licensing Authority (ABS) application submitted to LSB		
Review the new enforcement strategy and set up an effective enforcement regime for BSB licensed entities	Enforcement strategy adapted, if necessary, to cover enforcement processes for licensed entities Begin revised process design for entity enforcement	Complete revised processes Complete creation of supporting documentation	Training plan developed	Provide training on entity regulation for staff, committee members, prosecutors and stakeholders

Strategic aim 2

Promote greater public and professional understanding of and support for our role and mission.

What this means

Our survey information shows that many members of the profession are unclear about our statutory and public interest role. We are also concerned that the public may not consider us to be independent from the profession. The legal services regulatory architecture can be confusing as legal services are provided by various lawyers that are regulated by different bodies, each with a long history. We aim to ensure the profession understands our role and has a positive view of our effectiveness as a regulator, especially when it comes to maintaining the high standards of which the profession is rightly proud. We want the public to trust us to protect their interests, and to know that we will put things right when they go wrong. We want the public to be able to rely on us to ensure only appropriately qualified people enter and stay in the profession. We have a statutory regulatory objective to promote public understanding of citizens' legal rights and duties. All of this requires us to work hard to inform and explain to the profession and the public what we do and why.

Measuring our performance

What success will look like by 2016	How we will measure success
a) An increased percentage of the profession will have a positive view of the role and effectiveness of the BSB	Biennial Survey 2011 as baseline then 2013 and 2015 Survey results showing an improvement
b) We will have established collaborative relationships with the public and consumers through our user network	<p>Network established – Yes / No</p> <p>Improving qualitative feedback from/on the network</p> <p>Increased breadth/number of consultation responses</p> <p>Establish the baseline for analysis of website usage</p> <p>Outcomes from research programmes</p>

In 2014-15, we will make further progress towards achieving this strategic aim by undertaking the activity set out in the table opposite.

We will undertake a programme of work and a publication scheme to ensure we are well placed to comply with the Freedom of Information Act. We will develop a more sophisticated external relations strategy, including a new technology and media strategy to support it. We will enhance the way we analyse and learn from our user feedback surveys on our professional conduct / complaints system. We will review the role and position of complainants in our enforcement process and our approach to them. We will develop and implement the first phases of an Intranet and strive to increase access to and understanding of our policy and activity on professional conduct matters.

We estimate that work towards achieving this aim in 2014-15 will require 7% of our directly controlled resources (£345k).

Key activity (for 2014-15)	Time			
	Q1	Q2	Q3	Q4
Develop a Freedom of Information (Fol) compliance operation				Following anticipated MOJ guidance, develop a plan for how Fol compliance would operate
Refresh External Relations Strategy and develop a new tech/media strategy to support it		Refresh External Relations Strategy	Develop new tech/ media strategy to support external relations	Begin to implement elements of the strategy which do not require extra budget
Development and analysis of user feedback surveys	Commission research into user feedback survey results	Begin development of an online user feedback survey New surveys implemented via U-Engage	Review results of the user feedback survey research	Plan for the implementation of any changes arising from the user feedback survey research
Develop and implement an Intranet	Scope agreed and provider selected	System created Content development starts	Content for first phase development completed	First phase of Intranet completed
Complainant expectation management			Commence project reviewing the role of complainants in the enforcement process	
Knowledge collection and dissemination		Begin contribution of editorial to relevant publications	Interactive comprehensive policy and guidance manual completed Explore ways to develop in-house skills by giving staff the development opportunity to undertake advocacy work	Implement ways in which staff may develop advocacy skills

Strategic aim 3

Set and maintain high standards of entry to and practice in a diverse profession.

What this means

Poor advocacy standards undermine the rule of law and limit access to justice. Inadequately trained barristers might not uphold the professional principles of:

- ▶ independence and integrity;
- ▶ proper standards of work;
- ▶ observing the best interests of the client and the duty to the court; and
- ▶ maintaining client confidentiality.

We will set and maintain high standards of entry to the profession through the minimum requirements we impose relating to education and training of barristers. We will continue to set and monitor high standards for qualified and practising legal professionals. We will carry out clear and consistent enforcement activity based on fair but robust decision making. Our disciplinary processes will continue to be transparent and both the public and the profession will continue to have confidence in them. The BSB is committed to encouraging an independent, strong, diverse and effective legal profession. It is important that the composition of the Bar reflects the community it serves and that the public has confidence in the legal system and the role of barristers.

Measuring our performance

What success will look like by 2016	How we will measure success
a) We will be supervising and enforcing on the basis of a new Code of Conduct/ Handbook	Handbook – Yes / No
b) The regulated community, including education and training providers, will be achieving high levels of compliance, and delivering quality services to the public	<p>Number of internal complaints raised</p> <p>Number of reports of serious misconduct</p> <p>Number of referrals from the Supervision department to the Professional Conduct department (against benchmark)</p> <p>Chambers information (eg money laundering, first tier complaints etc) to establish baseline data</p> <p>QASA: proportions of barristers competent against standards – baseline to be set</p> <p>Outcomes on Bar Professional Training Course across three years; reducing numbers of triggered interventions per provider site.</p>
c) We will have more complete information on the diverse make-up of the regulated community	Increased disclosure across all protected characteristics (achievement against target)

This strategic aim reflects our core “every-day” business most fully. In 2014-15, we will make further progress towards achieving this strategic aim by undertaking the additional activity set out in the table overleaf.

We will finalise our proposed programme of work following the Legal Education and Training review and start to implement it. This includes significant work on all stages of the education and training process but especially at the vocational training and pupillage stages, and in continuing professional development. We will evaluate the operation of the Bar Course Aptitude Test. We will make the processes for applying for waivers from our training rules more efficient by completing the work on delegation of decision making within specific parameters to the executive. We will review the business process for handling applications for authorisation to litigate, one year after their introduction. We will implement fully the Quality Assurance Scheme for Advocates (QASA) (a compulsory accreditation scheme for all advocates conducting criminal advocacy in England and Wales, which will ensure that the performance of all advocates is measured against the same set of standards) and plan its review.

We estimate that work towards achieving this aim in 2014-15 will require 61% of our directly controlled resources (£3,216k).

Key activity (for 2014-15)	Time			
	Q1	Q2	Q3	Q4
Legal Education and Training Review	Finalise agreement of post-LETR plan with the LSB	Commence delivery of plan Consultation with interested parties Initiate review of Law Benchmark Statement, with partners		Finalise competence statement Establish baseline of market information Publish information on BPTC providers Complete consultation on future structure of vocational training
Evaluate the operation of the Bar Course Aptitude Test			E&D evaluation of the Test Sign off annual evaluation report	
Academic Stage Review	Begin review of Academic Stage with Quality Assurance Agency		Complete review of Quality Assurance arrangements for the Academic Stage with the SRA	
Agree new arrangements for the BPTC application process	Sign off new arrangements for BPTC application processes with BPTC providers			
Develop a new regime for CPD	Complete consultation on new Regulatory Arrangements	New regime to be fully equality impact assessed Secure LSB approval for new regulatory arrangements	Finalise interim regulatory arrangements for 2015	Initiate delivery of interim arrangements

Key activity (for 2014-15)	Time			
	Q1	Q2	Q3	Q4
Applications to the Qualifications Committee	Qualifications Committee agrees each Panel's delegation proposals	Implement delegation proposals		
Litigation Authorisation Review				Review litigation authorisation business processes
Complete the implementation of QASA (crime) and operate the scheme for approximately 5,000 barristers	Outcome of the QASA judicial review will have been considered and any amendments to the Scheme effected First phase registration completed and assessment of advocates commenced	Second phase registration started and assessment of advocates commenced	Final phase registration completed and assessment of advocates commenced Review of scheme designed and agreed; data collection commenced	
Review the BSB's treatment of legal advice centres and special bodies			Begin consultation	Board to approve new rules

Strategic aim 4

Become more evidence- and risk-based in all we do, taking into account also the globalised legal services market.

What this means

We are implementing a framework for regulatory standards which depends on identifying risk and using evidence on which to base all regulatory decisions. Our resources are derived from the fees which members of the profession earn from their clients. It is in the interests of consumers, members of the profession, and the general public, that our resources are targeted at the areas of the greatest risk to the public. We will develop a risk identification framework and ensure that regulatory decisions are made on the basis of evidence we have gathered, for example from our research or supervision activity.

Increasing numbers of barristers seek to further expand the range and value of services they deliver internationally and providers of legal education increasingly seek to operate in a global market – some have sought to have their overseas courses accredited by the BSB.

Many non-EU citizens are called to the Bar in England and Wales by an Inn of Court, having completed the Bar Professional Training Course. They then return overseas to practise, often drawing on their England and Wales qualification to competitive advantage.

We will consider in greater detail the impact of a globalised legal services and legal education market and whether we need to adopt specific approaches to the international activity of those we regulate.

Measuring our performance

What success will look like by 2016	How we will measure success
a) We will have established systems, including research programmes, for collecting and managing information and evidence to support regulatory policy and decision making	Document Management System (DMS) – Yes / No Intranet – Yes/No Risk Assessment framework in place – Yes / No Policy framework in place– Yes / No Comprehensive use of the Biennial Survey and Bar Barometer data to inform regulatory framework development
b) We will have attained a “satisfactory” rating against the LSB’s standards framework in this area	Satisfactory – Yes / No

In 2014-15, we will make further progress towards achieving this strategic aim by undertaking the activity set out in the table overleaf.

We will develop a cross-BSB knowledge management and research strategy to underpin our regulatory approach. We will use this to enhance the policy development framework which will have been put in place at the start of 2014-15 and will be used to ensure “joined-up” development of the regulatory regime. We will put in place a staff training programme for our risk assessment framework. We will scope and specify new business performance management software and introduce it across the BSB. We will develop a mechanism to identify the full costs of individual complaints and disciplinary cases with a view to using the information to monitor value for money in enforcement action.

We will undertake the first comprehensive impact assessment of regulatory risks in chambers and institute enhanced supervision of those identified as higher risk. We will complete a monitoring exercise on compliance with our equality and diversity rules by chambers and will introduce a new sampling and spot checking system for CPD compliance. We will conduct a thematic review on immigration practice.

We will start the development of our international strategy by agreeing with the Bar Council a memorandum of understanding setting out the respective roles of the representative and regulatory bodies for the Bar in international matters.

We estimate that work towards achieving this aim in 2014-15 will require 12% of our directly controlled resources (£614k).

Key activity (for 2014-15)	Time			
	Q1	Q2	Q3	Q4
Develop and implement knowledge management strategy		Strategy finalised	Strategy implemented	
Devise an overarching policy framework to be used when developing aspects of the regulatory regime	Initial policy framework in place	Refinement of framework	Refinement of framework	Revised framework issued
Performance Management software	Scope agreed	Tendering process complete	Implementation commences	Implementation completed
Train staff in risk and implement Risk Assessment Framework	Complete training of staff across the organisation	Risk Assessment Framework		
Establish and monitor the individual costs of complaints and disciplinary cases	Develop robust methodology for establishing the costs per case of handling complaints and taking disciplinary action		Begin to use methodology as a factor in monitoring value for money in relation to enforcement action	

Key activity (for 2014-15)	Time			
	Q1	Q2	Q3	Q4
Supervision of chambers, authorised entities and individual barristers	Impact assessment of chambers undertaken Begin sampling of CPD returns under new CPD supervision process Report from E&D chambers monitoring exercise and development of recommendations	Monitoring questionnaire sent to medium and high risk chambers	Thematic review into immigration practice commences	Report on immigration thematic review
Develop an international strategy for advocacy-focused services			Agree Memorandum of Understanding with the Bar Council	

Strategic aim 5

Strive for “best practice” as an organisation for those who work for us and those whom we serve.

What this means

We seek to operate to the highest standards as a regulator with the resources available to us. We will make improvements in our infrastructure and the standard of corporate services we receive. We will simplify our processes and be as “lean” as we reasonably can, and maintain networks with other professional regulators to ensure best practice is achieved.

We seek to make a step change in our culture and internal organisation to better reflect the values of integrity, excellence, fairness, respect and value for money. We will make improvements to our governance in line with these values and the regulatory standards framework. We will invest in our people through a learning and development strategy focused on our new approach to regulation and building the capacity and capability to execute it. Much of this work will be incorporated in a formal change programme running throughout the life of the strategic plan.

Measuring our performance

What success will look like by 2016	How we will measure success
a) We will have established a baseline for regulatory costs and steadied the rate of increase compared to the previous three years	Capacity to undertake Activity Based Costing – Yes / No Benchmark against costs of other regulators (establish a range)
b) We will have improved turn-around times in relation to case handling in complaints and qualifications / waivers	Set baseline / targets and improve over period to 2016
c) The organisation will have a different, improved “feel” for users and staff	Staff survey improving year on year from 2010 baseline Biennial Survey statistics- baseline 2011; surveys in 2013 and 2015 Education providers’ feedback User satisfaction survey (enforcement, QASA, supervision, judges’ training) Pupil survey

In 2014-15, we will make further progress towards achieving this strategic aim by undertaking the activity set out in the table overleaf.

We will continue to supervise closely the service agreement with the Council of the Inns of Court (COIC) for the delivery of the Bar Tribunals and Adjudication Service (BTAS). We will revise our internal service level agreements for corporate services supplied by the Bar Council.

We will develop further our internal communications mechanisms and use them to embed further the success of our regulatory improvement programme. This programme will be formally completed during the year and a programme of follow on action from the “lessons learned” review will be started. We will continue to deliver the training and development strategy for staff which we identified through the regulatory improvement programme in 2013.

We will use the principles and analysis from the completion of our fees and charges review to inform our business planning and budget setting cycle for 2015-16.

We will continue to improve the effectiveness of our governance arrangements, including through a Board development plan. Importantly, we will recruit and induct not only new Board members, but a new Chair of the Board to succeed Baroness Deech QC (Hon) whose second three year term of office ends in December 2014.

We estimate that work towards achieving this aim in 2014-15 will require 10% of our directly controlled resources (£528k).

Key activity (for 2014-15)	Time			
	Q1	Q2	Q3	Q4
Contract Management			First year of COIC Service Agreement evaluated	Improvement to procurement and tendering processes in place
Internal Comms Strategy	Internal Comms strategy developed	Internal Comms strategy implementation commences		
New Chair and Board member recruitment	Board development plan agreed Recruitment of new Chair commenced		New Chair and Board members appointed Induction programmes delivered	
TRIP – the regulatory improvement programme	Regulatory improvement programme complete	Lessons learned reviewed and follow on action identified	Follow on action implementation starts	
Governance	Complete diversity review of Board and committees Consider positive action initiatives	Complete standing orders review		
Fees & Charges Review	All fees and charges reviewed	Budget bid to include revised fees based on agreed principles and up to date analysis		
Standard of proof review	Liaise with LSB regarding the potential timing and approach of review (timetable for further work thereafter to be agreed)			

Risks to delivery

There are a number of uncertainties that have the potential to undermine our successful delivery of the plan.

For example, the Ministry of Justice (MOJ) has carried out a review of legal services regulation and we do not know at the moment what the outcomes of this review will mean for us. The recommendations may mean that we have to review and revise our areas of activity to accommodate the MOJ's recommendations.

QASA remains a challenge for the BSB and we will monitor our financial projections closely and make adjustments as necessary.

It remains unclear what the take-up will be for entity regulation. Our predictions of how many applications will be received may prove incorrect and so our costs and income in this area may be uncertain.

We are reviewing some of the services that we currently outsource. If we revise or refresh our contractual arrangements, this is likely to have an impact upon how we resource and deliver the relevant services as well as the income we receive from them where applicable.

Strategic dashboard

This page shows the “dashboard” performance reporting that we will be using this year. We will give an overall picture of progress against each of our strategic aims, then an update on our key programmes of work and service standards, as well as our corporate resources and risks. This will be reported to our Planning, Resources and Performance Committee as well as to the Board.

Our strategic aims				
Implement “public interest” regulatory regimes	Promote greater public and professional understanding	High standards of entry to and practice in the profession	Be more evidence- and risk-based	Strive for best practice

Our key projects		
The new BSB Handbook	Enforcement strategy	Complainant expectation management
Supervision strategy	Develop a new regime for CPD review	Develop a Freedom of Information (FoI) compliance operation
Entity regulation	Develop and implement knowledge management strategy	Legal Education and Training Review
Complete the implementation of QASA	Internal and external communications strategies	The Regulatory Improvement Programme

Our corporate resources and risks			
Financial resources	Staff resources	IT	Good governance and risk management

Equality statement

The BSB is committed to improving diversity in the profession and internal workforce and ensuring that equality considerations are factored into the delivery of BSB functions. We will be monitoring Bar and BSB staff diversity data.

We have a number of general and specific legal equality duties arising from the Equality Act 2010. We must also comply with regulatory objectives as set out in the Legal Services Act 2007, notably the regulatory objective which requires the encouragement of a diverse legal profession.

We believe that the promotion of equality and diversity is morally the right thing to do and helps to combat social injustice. It is unfair for a person to experience disadvantage on the basis of a protected characteristic, and all our staff and those with whom we engage are entitled to expect that they will be treated fairly.

A profession which is representative of the people it serves is more likely to meet the diverse needs of clients, and be more effective. The BSB will work more effectively if we maintain an inclusive workplace free from discrimination.

We will work to:

- ▶ eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- ▶ advance equality of opportunity between people who share a protected characteristic and those who do not; and
- ▶ foster good relations between people who share a protected characteristic and those who do not. The protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, sex, sexual orientation, religion or belief and marriage and civil partnership.

We carry out equality impact analyses of all projects, policies and initiatives. We provide equality training for staff, committee and Board members. We collect and examine equality data both on the profession and those that use the BSB's services. We engage with equality stakeholders as they are a key source of ideas and provide essential feedback on the BSB's work. This assists us with fostering good relations between groups.

Governance

The Board shapes the BSB's strategy and has ultimate responsibility for what the BSB does and for carrying out all regulatory functions of the Bar Council. See *What the BSB does* on page 4.

The Board ensures that:

- ▶ appropriate risk management and effective internal control systems are in place; and
- ▶ the necessary management information systems exist to assess the BSB's performance and progress in meeting its objectives, including the evaluation of operational effectiveness and efficiency, compliance with laws and regulations and the reliability of management and financial information.

Our Board is made up of a combination of lay people and barristers. It is also assisted by three non-voting Special Advisers.

Chair:

Baroness Deech QC (Hon) (up to December 2014)

Vice-Chair:

Ms Patricia Robertson QC

Barrister Members:

Ms Sarah Clarke
 Ms Justine Davidge
 Mr Simon Lofthouse QC
 Mr Sam Stein QC
 Vacancy

Lay Members:

Ms Rolande Anderson
 Mr Rob Behrens
 Dr Malcolm Cohen JP
 Mr Tim Robinson
 Professor Andrew Sanders
 Mr Richard Thompson
 Dr Anne Wright
 Vacancy

Special Advisers (non-voting):

Ms Sarah Brown
 Mr Matthew Nicklin QC
 Ms Emily Windsor

Our Board runs its work through eight committees:

- ▶ Education and Training Committee
- ▶ Equality and Diversity Committee
- ▶ Governance, Risk & Audit Committee
- ▶ Planning, Resources & Performance Committee
- ▶ Professional Conduct Committee
- ▶ Qualifications Committee
- ▶ Standards Committee
- ▶ Supervision Committee

The Education and Training Committee is responsible for setting the standards of education and training that people must reach before being able to practise as barristers, together with the further training requirements that barristers must comply with throughout their careers.

The Equality and Diversity Committee is responsible for ensuring that the BSB's functions have given due consideration to eliminating discrimination and promoting equality.

The Governance, Risk & Audit Committee is responsible for ensuring the Board's corporate governance standards and internal controls are maintained. The Committee keeps under review and advises the Board on all matters relating to the internal risk management framework and the BSB's internal assurance programme. The Committee also reviews reports from the Independent Observer.

The Planning, Resources & Performance Committee supports the work relating to the development of strategic direction and plans for the BSB. It oversees financial performance against objectives and targets and considers whether proposed funding is adequate and effectively allocated across the business. The Committee also advises on how the BSB monitors, measures and reports performance to best effect, with appropriate transparency and in a timely and consistent manner.

The Professional Conduct Committee is responsible for investigating complaints and taking enforcement action against barristers that have breached the Code of Conduct.

The Qualifications Committee is responsible for looking at individual applications from people wishing to become barristers but who may be exempted from the normal training requirements.

The Standards Committee is responsible for the Code of Conduct which all barristers must comply with and issuing guidance on good practice.

The Supervision Committee is responsible for considering policy on matters relating to supervision of barristers, chambers and entities.

Organisational chart

This shows the number of staff working at the BSB (headcount) and the number of full-time positions that this equates to (full-time equivalents or FTEs).

Each figure includes the member of the management team named above the figures (eg headcount of four includes the Director, Change Manager and 1.6 support staff).

At the 1 April 2013 we had 80 people (or 76.4 FTEs) and from the 1 April 2014 we will have 84 people (or 80.5 FTEs).

This increase is because we will be recruiting two new members of staff to enhance capacity within our Education and Training department to ensure that we can deliver our post-LETR plan, one of whom will be under a fixed term contract of 2-3 years. Also, two members of the Equality and Diversity Team are moving from the Central Services Directorate into the BSB. We expect our headcount to decrease by a total of three before the end of the reporting year as some other fixed term positions come to an end.

Director Dr Vanessa Davies				
4 people 3.6 FTEs				
Head of Education and Training Dr Simon Thornton-Wood	Head of Regulatory Policy ¹ Ewen Macleod	Head of Supervision ² Oliver Hanmer	Head of Professional Conduct Sara Down	Head of Strategy and Communications Amanda Thompson
20 people 19.6 FTEs	9 people 9.0 FTEs	12 people 11.2 FTEs	27 people 25.5 FTEs	12 people 11.6 FTEs

1. Was Professional Practice

2. Was Quality

Our budget

Our budget year runs from 1 April 2014 to 31 March 2015 and the budget that the BSB controls directly for this period is £5,287k.

2014-15 Direct expenditure
£5,287k

2014-15 Direct income from sources other than PCF³
£1,816k

We are pleased to state that we have kept our direct expenditure at the same level as last year despite absorbing some activities and costs that were previously included in the Central Services budget. We are projecting similar levels of direct income (£1,816k) for the 2014-15 financial year compared to previous years.

How is the BSB funded?

Part of our income comes from charges we make for services we provide. We describe that kind of income as "income streams directly controlled by the BSB". Directly controlled income streams include the fees from Bar Professional Training Course (BPTC) providers, the Bar Transfer Test (BTT) and Continuing Professional Development (CPD) accreditation. The remainder of the BSB's funding is from practising certificate fees together with contributions from the Inns of Court. Those income streams are not directly controlled by the BSB.

Income streams directly controlled by the BSB ^{4,5}	£k
Entity Regulation	50
QASA	56
Assessments (including the Bar Course Aptitude (BCAT))	262
Qualifications Regulations (including Qualifications Committee applications and litigation authorisation)	386
Education and Training (including BPTC, BTT and CPD accreditation)	1,061
Total BSB generated income	1,816

3. Practising Certificate Fee - see overleaf.

4. The BSB also receives income from fines and costs recovered, however we make no forecast for these.

5. Figures have been rounded appropriately.

The Practising Certificate Fee (PCF)

The Bar Council approves our budget and collects our funding. It is seeking to collect the same amount from the PCF in 2014-15 as achieved in 2013-14.

Rationale

The Bar Council set out its rationale for the compilation of the overarching budget. The headlines for 2014-15 are:

- ▶ there will be no cash increase in the Practising Certificate Fee (PCF) this year – the sum to be raised from the PCF has been held flat and fee levels for barristers are unchanged;
- ▶ reserves are being built up in line with a prudent reserves policy to help meet known future challenges;
- ▶ staff and systems are being invested in and developed; and
- ▶ operational expenditure is being cut, as well as the cost of our accommodation through more efficient use of space.

The PCF explained

The PCF can only be spent on the activities that are permitted under s51 of the Legal Services Act 2007. Regulation is a permitted purpose and so a significant proportion of the practising certificate fee is spent by the BSB. However some of the Bar Council's activities are also "permitted purposes" so a portion of the PCF is also spent by the Bar Council on activities managed wholly separately from the BSB.

PCF rates ⁶	This year's rate (£) 2014-15 ⁷
Self-Employed	
QC	1,202
Junior, 13 years' Call and over	813
Junior, eight to 12 years' Call	417
Junior, five to seven years' Call	222
Junior, three to four years' Call	80
Junior, one to two years' Call	80
Employed	
QC	877
Junior, 13 years' Call and over	615
Junior, eight to 12 years' Call	340
Junior, five to seven years' Call	183
Junior, three to four years' Call	80
Junior, one to two years' Call	80

6. Excluding the LSB/Office for Legal Complaints levy and the Bar Representation Fee (was Members' Services Fee).

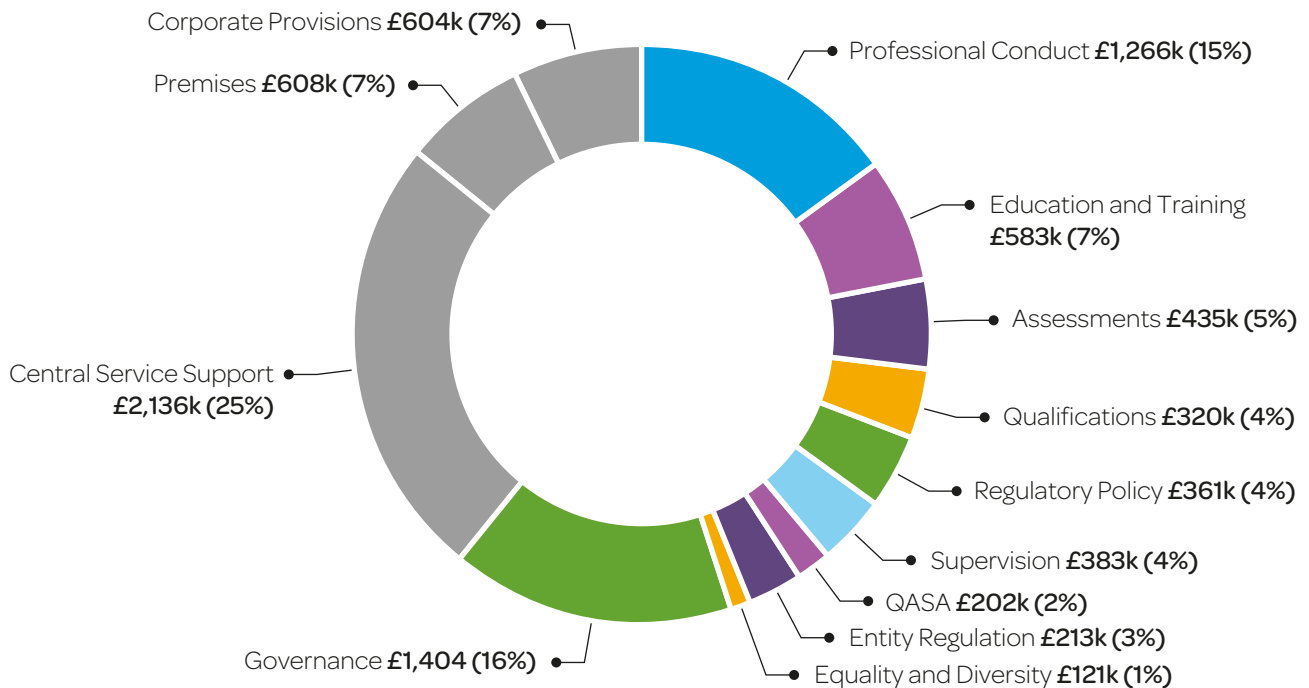
7. Maintained at the same levels as last year

Regulation – the costs explained

The Bar Standards Board has direct control of a budget of £5,287k for 2014-15. Those funds will be spent on each of the areas shown overleaf.

However, this does not reflect the full cost of the BSB. We share the costs of common services with the Bar Council including a share of the premises at 289-293 High Holborn as well as relying upon Central Services to carry out support work (HR, IT and Finance etc). The Central Services' budget is managed separately; part of that budget is apportioned to the BSB.

Also attributable to the BSB expenditure is its proportion of Bar Council costs relating to corporate provisions, which includes pension costs, sinking fund, and reserves.



How will we spend our budget?	
Budgets controlled directly by the BSB⁸	Total budget (£k)
Professional Conduct (Disciplinary)	1,266
Education and Training	583
Assessments	435
Qualifications	320
Regulatory Policy (was Professional Practice)	361
Supervision (was Quality)	383
QASA	202
Entity Regulation	213
Equality and Diversity	121
Governance / Management (Board, Executive, Strategy and Communications, Research)	1,404
Total BSB Budget	5,287
Budgets not directly controlled by the BSB	£k
Central Service Support	2,136
Premises	608
Corporate Provisions	604
Total	3,347
Total cost of regulation	8,635

8. Figures have been rounded appropriately.



We are committed to providing a high standard of service and dealing with everyone in a way that is fair, transparent and proportionate. We welcome your feedback on our services, particularly where the level of service has exceeded or fallen below your expectations. Your comments and suggestions are important to us as they will help us to meet our obligations to you and to improve our performance.

Write to us:

Bar Standards Board
289-293 High Holborn
London WC1V 7HZ

DX: 240 LDE

Phone us: 020 7611 1444

Fax us: 020 7831 9217

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BAR STANDARDS BOARD

REGULATING BARRISTERS

