

BAR  
STANDARDS  
BOARD

REGULATING BARRISTERS

**Meeting of the Bar Standards Board**  
**Thursday 11 September 2014, 4.30 pm**  
**Room 1, First Floor, Bar Standards Board Offices,**  
**289-293 High Holborn, London, WC1V 7HZ**

**Agenda**  
**Part 1 – Public**

			<b>Page</b>
1. <b>Welcome and introductions</b> <b>(4.30 pm)</b>		Chair	
2. <b>Apologies</b>		Chair	
3. <b>Members' interests and hospitality</b>		Chair	
4. <b>Approval of Part 1 (public) minutes:</b> • <b>24 July 2014</b>	Annex A		<b>3-9</b>
5. <b>Matters Arising</b>		Chair	
6. a) <b>Action points and progress</b>	Annex B	Chair	<b>11-16</b>
b) <b>Forward agendas</b>	Annex C	Chair	<b>17</b>
<b><u>Items for discussion</u></b>			
7. <b>BSB Q1 Performance Report</b> <b>(4.40 pm)</b>	BSB 056 (14)	Anne Wright / Amanda Thompson	<b>19-31</b>
8. <b>PRP Committee annual report to the</b> <b>Board</b> <b>(5.00 pm)</b>	BSB 057 (14)	Anne Wright / Amanda Thompson	<b>33-36</b>
9. <b>Schedule of Board Meetings 2015-16</b>	BSB 058 (14)	Amanda Thompson	<b>37</b>
10. <b>Any other business</b> <b>(5.15 pm)</b>			
11. <b>Dates of next meeting</b> Thursday 18 September 2014			
12. <b>Private Session</b>			

**John Picken**  
**Board & Committees Officer**  
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4 September 2014



<p>BAR STANDARDS BOARD</p>
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REGULATING BARRISTERS

**Part 1 - Public****Minutes of the Bar Standards Board meeting**

Thursday 24 July 2014, Room 1.1, First Floor  
289 – 293 High Holborn, London, WC1V 7HZ

- Present:** Ruth Deech QC (Hon) (Chair)  
Rolande Anderson  
Rob Behrens  
Sarah Clarke – items 7 to 14  
Malcolm Cohen  
Justine Davidge  
Simon Lofthouse QC – items 7 to 14  
Tim Robinson  
Andrew Sanders  
Sam Stein QC – items 7 to 14  
Richard Thompson – items 8 to 14  
Anne Wright
- By invitation:** Roger Hammond (Change Manager)  
Emily Windsor (Special Adviser) – items 7 to 14
- BSB Executive in attendance:** Viki Calais (Business Manager)  
Vanessa Davies (Director)  
Eugene Grant (Press Officer)  
Oliver Hanmer (Head of Supervision)  
Sara Jagger (Head of Professional Conduct);  
Andrew Lamberti (incoming Communications Manager)  
Ewen Macleod (Head of Regulatory Policy)  
John Picken (Board & Committees Officer)  
Amanda Thompson (Head of Strategy & Communications)  
Simon Thornton-Wood (Head of Education & Training)
- Bar Council Executive in attendance:** Stephen Crowne (Chief Executive, Bar Council)  
James Wakefield (COIC representative)

**Item 1 – Welcome and introductions****ACTION**

- The Chair welcomed members to the meeting, in particular, Roger Hammond who was attending to present his closure report to The Regulatory Improvement Programme.

**Item 2 – Apologies**

- Patricia Robertson QC (Vice Chair);
  - Sarah Brown (Special Adviser);
  - Matthew Nicklin QC (Special Adviser);
  - Stephen Collier (Treasurer, Bar Council);
  - Nick Lavender QC (Chairman, Bar Council);
  - Mark Hatcher (Special Adviser to the Chairman of the Bar Council);
  - Joanne Dixon (Qualifications Manager).

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

3. None.

**Item 4 – Approval of Part 1 (public) minutes – 26 June 2014** (Annex A)

4. The Board approved Part 1 of the minutes of the meeting held on Thursday 26 June 2014.

**Item 5 – Matters arising**

None.

**Item 6 – Action Points & Forward Agendas**Action points and progress (Annex B)

5. The Board noted the action list as set out in Annex B.

Forward agendas (Annex C)

6. The Board noted the forward agenda list. The item on CPD, originally planned for 18 September, will now be scheduled for 23 October 2014.

**JP to  
note**

**Item 7 – Closure Report on The Regulatory Improvement Programme (TRIP)**

BSB 049 (14)

7. Roger Hammond highlighted the following:
- the BSB is now on track to achieve a “satisfactory” rating against the LSB’s Regulatory Standards Framework (RSF) by March 2016. The report includes the action plans necessary to achieve this goal;
  - a risk based approach to regulatory decision making is in operation;
  - value for money was introduced as a workstream as part of the change programme and has been implemented through a process mapping exercise against which costs can be estimated and benchmarked;
  - the SPACE project prompted operational efficiencies by co-locating those teams whose work overlaps, thus enabling improved communication;
  - the implementation of the Legal Education Training Review (LETR) was taken out of the TRIP programme. This is now being managed separately as a stand-alone project;
  - the TRIP Board should re-convene later in the year to review the governance arrangements.
8. Board Members commented as follows:
- the report is very useful and the challenge now is one of implementation;
  - the action plans are solid with identifiable measures of success. They also act as key control documents to achieve the RSF target;
  - staff engaged with the change programme in a positive and productive manner. The organisation has learned a lot from this exercise and is in a good position to sustain the improvements that the programme has brought about;
  - we need to ensure that BSB committees are fully aware of the impact of the programme as well as the effect of the action plans and future cost analysis through benchmarking;
  - the RSF identifies a higher rating – “good”. It would be helpful to have a clearer idea of the demarcation between that rating and “satisfactory”;
  - one of the actions under the “capacity and capability” workstream refers to “evidence based understanding of the market that the BSB regulates”. This needs to be addressed in the context of a changing regulatory environment. There are a number of external factors over which we have no control but which can nevertheless impact on the delivery of BSB business plans;

- the regulatory improvement programme has resulted in a major step forward for the BSB by improving quality and generating better value for money. We need to make the profession aware of these achievements.
9. In response, Vanessa Davies commented as follows:
- the senior management team has played a central part in providing leadership for the various strands of the change programme;
  - the opportunity offered by the SPACE project was coincidental but has proved very useful;
  - the BSB's Equality and Diversity staff are now part of the Regulatory Policy Department which has helped to ensure e&d is fully incorporated into policy development processes;
  - the learning and development programme will offer training opportunities to committee members as well as staff and Board members.
  - the definition of "good" in terms of the RSF is that "all indicators are embedded appropriately in the organisation and inform day to day working practices". The definition of "satisfactory" is "significant progress is being made to embed indicators and use them in day to day working practices". Based on the application of similar frameworks in other markets, a move to "good" status, whilst achievable, might well result in increased regulatory costs.
10. In respect of this latter point, the general view was that costs should not be incurred unnecessarily and that the key target of reaching a "satisfactory" standard was sufficient.
11. The Board thanked Roger Hammond warmly for his work in managing the programme and giving it the momentum necessary to achieve a successful conclusion.
12. **AGREED**
- a) to receive the closure report on The Regulatory Improvement Programme.
  - b) to approve the action plans associated with the report.
  - c) to request that the PRP Committee provides oversight for the delivery of the action plans and that the GRA Committee undertakes an assurance role for them. **AT / JP to note**
  - d) to request that feedback to the Board on the progression of the action plans be made through the Director's report. **VLD to note**
  - e) that the Programme Board be reconvened in October 2014 to review the governance arrangements. **JP/ VLD to note**

### **Item 8 – Policy Development Framework**

BSB 050 (14)

13. Amanda Thompson referred to the draft policy development framework document at Annex 1 of the report. She commented as follows:
- the aim of the framework is to ensure policy development happens in a systematic but flexible manner and fully reflects the Board's risk and evidence based approach to regulation;
  - there is an element of scalability to the framework insofar as it is suitable for major projects but can be pared back if needed for smaller concerns;
  - a key feature of its implementation is the early identification of the correct decision maker. This could be the Board, a committee or a member of the Executive depending on the circumstances;
  - the draft has already been considered by members of the Executive as well the Equality and Diversity Committee and suggested amendments have

been incorporated.

14. Members commented as follows:
- an essential precursor to the framework is to decide whether a “policy” is needed at all. If so, the reasons for this should be made clear to the Board;
  - policies need to be implemented and actively maintained through training and general awareness. The framework as proposed is a useful tool but the wider issue of keeping policies relevant and alive needs to be appreciated as well;
  - committees should also have sight of the policy framework and be advised as to its use. The outcome of the process should make clear what success the policy will bring;
  - responsibility for policy approval lies with the Board alone and new policies cannot be put into operation until they have been formally agreed. The framework needs to make this clear;
  - the diagram at Annex 2 of the report would be improved with the inclusion of some examples and some guidance notes to support it;
  - the framework needs to identify when the need and extent of resources required is to be assessed;
  - it should include some element of “red teaming” ie where the underlying assumptions are objectively challenged in a fair and constructive way to stress test the thinking behind them;

15. Vanessa Davies also reported a comment from Sarah Brown who suggested that the stage 1 gateway include external as well as internal stakeholders as sources of evidence.

16. **AGREED**

- a) to ask that the policy development framework be amended to take account of the above points.
- b) subject to (a) above, to approve the policy development framework for use and to engage with its implementation.

**AT**

**AT to note**

**Item 9 – Review of standard contractual terms and the cab rank rule**

BSB 051 (14)

17. Ewen Macleod presented an update on a review of whether or not standard contractual terms should remain part of the BSB’s regulatory arrangements, in particular the obligation under the cab rank rule for barristers to accept work from solicitors if it is offered on those (or the barrister’s own) terms.
18. The salient points were:
- the review was prompted following the LSB’s investigation of Bar Council involvement in a rule change application about standard contractual terms in July 2012;
  - the Bar Council gave an undertaking to complete and publish a review by the end of July 2014 and, should a further rule change application be necessary, to submit this to the LSB by July 2015;
  - the July 2014 publication deadline is no longer feasible. A key problem is insufficient evidence. The new Code has not been in operation long enough to generate any direct feedback on the operation of the cab rank rule and there have been no specific concerns raised from consumers;
  - notwithstanding the above, there should still be time to consult and decide on any necessary rule changes by July 2015;
  - the report sets out two alternative approaches which might form the basis of a consultation on the cab rank rule as it applies to standard contractual

terms ie option A – require a barrister to accept “reasonable” terms under the cab rank rule and option B – require a barrister to publish his / her own “reasonable” terms (which may be standard terms produced by the Bar Council, Specialist Bar Association or others);

- the way forward could be through publication in September of a targeted call for evidence with a view to reaching a final decision in March 2015.

19. Vanessa Davies reported comments from Sarah Brown ie

- we need to proactively research the extent to which standard contractual terms are used and what replaces them as alternatives. In addition we also need to understand the extent to which the cab rank rule exemption is being employed;
- the report refers to “bullying” tactics by some solicitors and this might be worse were option A to be adopted;
- if option B means only applying the cab rank rule to terms specified by a barrister, then this may prompt objections. Moreover it is not the role of a regulator to determine what business practices are, or are not, “reasonable”, unless they are directly relevant to a complaint;
- any further review of the Handbook rules in relation to this issue should primarily be concerned about whether such changes would better meet regulatory objectives.

20. Members commented as follows:

- robust and thorough research work about contracts is desirable but this also takes time to complete and the practicality of achieving this in time for the March 2015 decision deadline might be questionable;
- there has been some difficulty in obtaining this sort of information in the past and it is not clear why the consultation proposed would be any more successful;
- neither option A nor option B provides an obvious answer and further evidence is necessary. However, the call for evidence must be balanced in its approach so that feedback is properly representative;
- the call for evidence needs to be properly structured and focus specifically on the operation of the cab rank rule;
- we need to develop a dialogue with the SRA, as the position of solicitors is obviously significant;
- we need to advise the LSB that we intend to delay publication of our review because the evidence base is currently too small, given the short amount that has elapsed, especially taking account of the period necessary for chambers to adjust to the new Code.

21. In response the following comments were made

- some evidence already exists about the different types of contracts that solicitors are currently offering barristers. However we are not clear as to the extent to which they are using the standard contractual terms;
- the legal market has changed significantly recently and in a short period of time and this may prompt a change in attitude in responding to the consultation.

22. **AGREED**
- a) to postpone, in the short term, any decision to remove the standard contractual terms and the list of defaulting solicitors from current regulatory arrangements but to re-visit this pending receipt of further evidence. **EM to note**
- b) that a call for evidence be made in respect of the above issues and in particular how and when the cab rank rule is used. **EM**
- c) to note that any application for a rule change following this call for evidence must be made to the LSB by July 2015.

**Item 10 – Chair’s Report on Visits and Meetings: June 14 – July 14**

BSB 052 (14)

23. **AGREED**
- The Chair confirmed the following amendments to her report.
- she did not attend the Bench Table meeting at Inner Temple (17 July 14)
  - she did not attend the Proms as a guest of the BBC (18 July 14);
24. In response to a question about the International Legal Ethics Conference (10-11 July 14), Sarah Clarke, a speaker at the conference, confirmed that the audience was mostly legal academics and those who had responsibility for teaching ethics.

25. **AGREED**
- to note the report.

**Item 11 – Director’s Report**

BSB 053 (14)

26. Contrary to the statement in paragraph 1 her report, Vanessa Davies advised that she did not open the BPTC Conference. The report identified a need for extra resources for the Communications Team. In response to a question she confirmed that this was for a six-month fixed term contract post and would be within budget. The purpose is to provide additional support for the introduction of entity regulation.
27. **AGREED**
- to note the report.

**Item 13 – Any Other Business**

28. BSB Annual Report 2013-14
- The Board formally received the Annual Report 2013-14 following approval of its content at the previous meeting.

**Item 14 – Dates of next meetings**

29. Thursday 11 September 2014 (budget).  
Thursday 18 September 2014 (main meeting).

**Item 15 – Private Session**

30. The following motion, proposed by the Chair and duly seconded, was agreed:
- That the BSB will go into private session to consider the next items of business:
- (1) Data quality;
  - (2) Job titles and senior executive posts in the Bar Council;
  - (3) Approval of Part 2 (private) minutes – 26 June 2014 (Annex A);
  - (4) Matters arising;
  - (5) Action points and progress – Part 2 (Annex B);
  - (6) The governance of publishing regulatory guidance;
  - (7) QASA update;



- (8) Chair recruitment update and induction plans;
- (9) Update from LSB on entity regulation application;
- (10) Any other private business.

Stephen Crowne was invited to attend for items 1 and 2 above. The first item followed discussion on data quality and IT governance at previous meetings. The second item related to staff and the Board asked him to present the paper in his capacity as Chief Executive.

- 31. The meeting finished at 5.40 pm.



**BSB – List of Part 1 Actions  
11 September 2014**

*(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
16a / b (24 Jul 14)	amend the policy development framework taking account of the comments from the July Board meeting and introduce its use across the BSB	Amanda Thompson	before 18 Sept 2014	02/09/14	<b>Completed</b> Amends made. Plans underway for introduction by end of 2014.
22b (24 Jul 14)	prepare and issue a call for evidence be made in respect of how and when the cab rank rule is used as part of a further review of standard contractual terms	Ewen Macleod	before end Sept 2014	02/09/14	Outcome of previous Board discussion shared with the LSB: further update on next steps to be shared with LSB by 18 September.
13a (26 Jun 14)	undertake communications activities to increase awareness of the new rule (coming into force in July 2014) requiring all member of chambers' selection panels to be trained in fair recruitment	Amanda Thompson / Sarah Loutfi	immediate and ongoing	14/08/14  03/07/14	<b>Completed.</b> Activities as set out in awareness raising comms plan have now been completed.  Most activity as set out in awareness raising comms plan have now been completed. Remaining activity set to be completed to timetable (end July 2014)
13e (26 Jun 14)	feed the findings of the supervision exercise report on E&D rules compliance into the wider review of the BSB Handbook.	Sarah Loutfi / Ewen Macleod	immediate	14/08/14  03/07/14	<b>Completed</b> - EDM report shared with Policy Team to inform review  Ongoing – EDM report shared with Policy Team to inform review
13f (26 Jun 14)	develop an action plan to ensure improved levels of compliance with E&D rules and monitor improvements	Chris Nichols / Sarah Loutfi	by end Aug 14	14/08/14  03/07/14	Action plan developed and in progress – all activity on progress to be completed to timescale  Action plan in progress

## BSB – List of Part 1 Actions

11 September 2014

*(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
13g (26 Jun 14)	provide input into Bar Council events with the Equality Officer Network, focusing on support for officers implementing work allocation and flexible working requirements	Sarah Loutfi / Rolande Anderson	immediate and ongoing	14/08/14	BC events to take place in the Autumn although timetable may change due to staff changes in BC E&D team – BSB E&D has been invited to take part when these events take place.
				03/07/14	BC events to take place in the Autumn – BSB E&D has been invited to take part.
20a & b (22 May 14)	prepares an action plan and public response statement for Jeffrey Report with oversight provided by Board Members	Vanessa Davies / Oliver Hanmer / Sam Stein QC / Justine Davidge / Richard Thompson	originally 24 Jul 14 – re-scheduled 18 Sept 14	14 /07/14	Completion of proposals delayed by unavailability of key players and now scheduled for September.
				17/06/14	Staff team set up to review the Jeffrey Report and to develop proposals and an action plan. Staff session held on 18 June to discuss the Report. Board members nominated to assist on developing the action plan will be invited to comment on a draft by the end of June with final proposals presented to the Board at its July meeting
12c (21 Nov 13)	undertake a further review to the Standing Orders	Amanda Thompson / Chloe Dickinson	On hold	13/5/14	New timeline needed to reflect decision to undertake fundamental review taken by the Board at the Awayday.
				11/02/14	Consideration to some principles to be given at April Awayday
				14/01/14	Work has commenced

## BSB – List of Part 1 Actions

11 September 2014

*(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
16 (24 Oct 13)	continue with implementation of the regulatory risk framework as agreed by the Board	Ewen Macleod	before Apr 14	02/09/14	Regulatory Risk Manager starts 8 September.
				15/7/14	Report received from InfluenceInc – SMT agreeing action plan. Regulatory Risk Manager expected to be in post 8 September.
				18/6/14	InfluenceInc Risk consultants reporting on maturity assessment in June 2014. Interviews completed for Regulatory Risk Manager.
				13/5/14	Work underway but implementation slower than expected due to delay in recruitment of Regulatory Risk Manager. Workshops have taken place regarding risks related to entity regulation.
				11/03/14	Delays in recruitment mean first review will now be brought to June meeting. By the Board meeting training will have taken place for staff – first specialist session delivered on 13 March.
				11/02/14	First review to be brought to Board in March
				14/01/14	Discussed at Awayday in December; to be reviewed by SMT week of 20 Jan 2014 and by Board in February

## BSB – List of Part 1 Actions

11 September 2014

*(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
				13/11/13	In progress. Updates in Director's report, performance report and corporate risk register. Key action for Board to note is need to schedule training dates for Board members in December.
16b (18 Jul 13)	gather feedback on accessibility of information on the BSB website about complaints	Amanda Thompson	before end Mar 14	02/09/14	Proposals from specialist group now received and being evaluated. Once services we will purchase have been agreed between PCD and Strategy and Communications, work will proceed.
				15/07/14	PCD members have met with one of the stakeholder group members (which specialises in ensuring people have the knowledge, confidence and skills needed to deal with law-related issues) to discuss how we make complaints information available. A work plan is now being developed.
				17/06/14	Progress on stakeholder work has been very limited given volume of other communications activity. Arrival of new Communications Manager will free up resources to focus on this again.
				13/05/14	Stakeholder session focused on understanding complaints system, reflecting stakeholder group's needs. Further activities being planned to complete this action.

**BSB – List of Part 1 Actions  
11 September 2014**

*(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
				11/03/14	Feedback will be sought at stakeholder session on 28 March.
				14/01/14	On track
				13/11/13	Stakeholder workshop held on 13 November dealing with QASA. Next session will be as below. Early indications are that engagement will be productive.
				17/07/13	Stakeholder workshop/seminar being planned to deal with communicating the work of PCD. Anticipate will be held before end of March 2014 but depends on stakeholder availability. Date will be confirmed when available.
20a (16 Jun 11)	arrange for amended Memorandum of Understanding to be signed for BSB User Group and ensure disclosure of interests by members of the Group	Amanda Thompson	before 13 Jul 11	02/09/14	Ongoing. Work programme for consultant being agreed between Director of Strategy and Communications, new Communications Manager and consultant.
				15/07/14	Consultant engaged to work on stakeholder engagement through until year end.
				17/06/14	No further progress made on this due to volume of other work. Arrival of new Communications Manager will enable resources (consultant) to invest more time into stakeholder engagement

## BSB – List of Part 1 Actions

11 September 2014

*(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
				13/05/14	Not finalised at meeting due to need to focus on topics needed by stakeholders. Due to staff changes, this is now unlikely to be finalised until July, following further relationship building.
				14/01/14	Expected to be finalised at March 28 stakeholder group meeting
				13/11/13	To be progressed with stakeholder group following analysis of feedback received from first session held on 13 November.
				8 Oct 13	as below
				9 May 13	To be progressed as part of overall stakeholder engagement strategy
				13 Mar 13	To be progressed now new staff in post
				12 Jul 12	Ongoing



## Forward Agendas

### Thursday 18 September 2014

- Entity regulation (insurance, interventions) (part 1)
- PCD/PCC Annual Report
- Interim assessment against Regulatory Standards Framework (Part 2)
- Jeffrey review action plan and public response document
- GRA Committee report to the Board (including Annual report from the Independent Observer)
- Change to Terms of Reference – E&T Committee and updated scheme of delegations
- Announcement of Board appointments

### Thursday 23 October 2014

- LETR programme management and communications (Part 2)
- Forward strategic overview – governance review emerging findings
- Returning Instructions consultation – final response
- BSB research strategy – wider proposals
- Report on Pilot Supervision Visits and Impact Audit Survey
- Office of Immigration Services Commission – barristers supervising immigration advisers
- Response from entity fees consultation

### Thursday 27 November 2014

- BSB Q2 Performance Report (includes Business Plan update, KPIs, Management Accounts, Corporate Risk Register)
- LETR – draft consultation on BPTC (part 2)
- Diversity data report (*may move to January 2015*)
- ABS application to the LSB – policy issues

### Thursday 11 December 2014 (Board Away Day)

- Governance review (including committee review and Appointments Panel review)

### Thursday 29 January 2015

- Interim PCC report

### Thursday 26 February 2015

- BSB Business Plan for 2015-16
- BSB Q3 Performance Report (includes Business Plan update, KPIs, Management Accounts, Corporate Risk Register)
- Inns Conduct Committee Rules

### Thursday 26 March 2015

- LETR Plan (including CPR Consultation)



**Performance Report for Q1 (April 2014 – June 2014)****Status:**

1. For discussion and decision.
2. Public – a public account of how the BSB is performing against the published 2014-15 Business Plan.

**Executive Summary:**

3. This paper provides an update to the Board on the BSB's progress and performance in Q1 against the aims and activities set out in its 2014-15 Business Plan. Overall we are on track against the majority of these activities.
4. The main areas of concern highlighted to the Board are:
  - a) **Regulatory Risk Framework** – There have been difficulties recruiting for a Regulatory Risk Manager whose primary responsibility is for the further development and management of the regulatory risk framework, which has set progress back by several months. The new Regulatory Risk Manager will have started on 8 September 2014. Due to the prolonged vacancy, external consultants have instead completed a review of the maturity of the BSB's risk processes, and have drawn up an action plan for how to take this activity forward and to help ensure that the BSB meets the Regulatory Standards Framework requirements. The plan includes further training for Board members and staff. This item is being brought to the Board's attention as a result of the delay to an activity critical to the achievement of the Strategic Aims. Board members will need to engage and champion this area of work in the coming months.
  - b) **CPD regime development** - This project has been re-costed, re-designed, and the final implementation has been re-phased. The CPD Project board agreed that changes to supervision and enforcement plans will allow for a more comprehensive pilot, and to also ensure the project is fully integrated with the overall LETR change programme. As a result the new approach will pilot in 2015 and 2016, with full implementation of the new regime from January 2017. The interim CPD accreditation arrangements are on track to be delivered from January 2015. These will now be in place for two years rather than one year. Board members will note these adjustments have been considered as part of the budget bid for 2015-16 (see BSB 059 (14) on the private agenda).
  - c) **PCD Performance Indicators** - In Q1 we have not achieved our performance targets for complaints concluded or referral to disciplinary action which have followed an investigation. No action from the Board is proposed at this point, although this will be flagged again if the levels of performance continue into Q2.
  - d) **Turnover** – In Q1 no improvement has been evident in our turnover statistics, and further investigations have been carried out. This is a key risk that has been detailed in the Corporate Risk Register report (see BSB 060 (14) on the private agenda).

- e) Our forecasts for year-end are show below, and show that financial performance is on track:
- i. **Income:** £1,802k against projection of £1,816k (-1%);
  - ii. **Expenditure:** £5,320k against a budget of £5,313k (0%).

### Recommendations

5. Members of the Board are invited to:
- a) **Scrutinise** the detail of the report;
  - b) **Discuss** the key areas highlighted and/or provide a view on the re-prioritisation of performance management software;
  - c) **Make recommendations** to the Executive as necessary.

### Background

6. The 2013-16 Strategic Plan<sup>1</sup> seeks to enable us to become a more modern and efficient regulator operating at a high level of effectiveness against the regulatory standards framework laid down by the LSB.
7. The five strategic aims outlined are to:
- a) Implement specialist regulatory regimes for advocacy services which operate in the public interest and in support of the regulatory objectives of the LSA2007;
  - b) Promote greater public and professional understanding of and support for our role and mission;
  - c) Set and maintain high standards of entry to and practice in a diverse profession;
  - d) Become more evidence- and risk-based in all we do, taking into account also the globalised legal services market;
  - e) Strive for 'best practice' as an organisation for those who work for us and those whom we serve.
8. The Business Plan for 2014-15 outlines our 34 key activities for the year, which is the second year of our Strategic Plan. It also sets out our budget and staffing requirements.

### Areas for further consideration

9. Activity is reported by exception. This means that only items which are not running to its budget, timetable or have other resourcing issues are highlighted below. In addition to the areas highlighted in the executive summary, these include:
- a) QASA
    - (i) The outcome of the QASA Judicial Review (JR) appeal will not be known until October 2014. As our timelines have shifted, we are not spending the QASA operational budget (this offsets not receiving any income from the Scheme). The staff members allocated to QASA have been redeployed to assist with the LETR Change Programme plan, entity authorisation and other supervision activity.

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<sup>1</sup> Published in April 2013 ([https://www.barstandardsboard.org.uk/media/1465505/bsb\\_business\\_plan\\_2013-14.pdf](https://www.barstandardsboard.org.uk/media/1465505/bsb_business_plan_2013-14.pdf))

b) Entity Authorisation

- (i) The final entity application was submitted to the LSB in June 2014, with a decision expected on 22 September 2014. The piloting of authorisation processes and testing of IT systems will commence in October 2014.
- (ii) Following the delays which occurred in the submission of the entity application to the LSB, there has been a consequent delay in the submission of the Licensing Authority application.
- (iii) Additional temporary staff resources will be required to operationalise the authorisation process and also to carry out a communications strategy although this can be accommodated within the existing financial envelope.

c) Standard of proof review

- (i) The LSB has asked frontline regulators to undertake this task. Following initial discussions with the Solicitors Regulation Authority (SRA) and the Solicitors Disciplinary Tribunal (SDT), this activity is on hold at present and is likely to remain on hold for another few months at the very least. In order to undertake the review, it is important to work closely with our stakeholders and other regulators, and there seems to be a number of barriers impeding progress, for example change can only be effected either through new primary legislation or a test case at the Supreme Court. The former option is unlikely but a potential test case may be heard next year. The PRP Committee expressed a wish to see more decisive action being taken in relation to this business objective, and a paper will be presented to the Board over the next couple of months.

d) Intranet

- (i) This project is being led by the Project Management Office, with the BSB contribution being coordinated by the Communications team.
- (ii) The scope has now been agreed, and a provider will be selected imminently. Although this is slightly behind where we expected to be at this point, we are still on track with the overall project plan to complete the first phase of the intranet by March 2015.

e) Performance management software

- (i) The Senior Leadership Team has agreed that this activity be re-prioritised and will not be delivered this year. The software will support the organisation with the collation of management information that enables decision makers to view external trends, and internal projects, spend and risks in a holistic way. This area will be considered as part of a wider re-evaluation of some of the software and systems on which we rely (including payroll, accountancy and HR). As a result we will continue to use our (less sophisticated) existing processes and systems. The PRP Committee felt that the Board should voice a view on the implementation of this system as it feeds into the wider information management regime.

f) Costs of complaints and disciplinary cases

- (i) The Operational Support Team Manager (PCD) is liaising with the Business Manager to establish a mechanism for costs per case of handling complaints. They are looking at time recording, which has now been delayed until after the summer break so that the information generated will be more consistent and reliable across the staff base involved.
- (ii) We now expect to begin using the methodology as a factor in monitoring value for money in relation to enforcement action by March 2015.

g) Governance

- (i) The Board's decision to undertake a more fundamental governance review means that this Standing Orders review timeline has been changed, and this activity will not now occur until 2015-16.
- (ii) The diversity review of Board and committees was completed as part of the TRIP programme. A new equality objective in this area was approved by the Board in May 2014 which includes a commitment to a number of positive initiatives such as publishing the 'Two Ticks' logo on all committee vacancy adverts and introducing an equal opportunities strapline to all Board and committee vacancy adverts.

h) Youth Courts

- (i) At its May 2014 meeting, the Board agreed to expedite research work into the Youth Courts – this is an action that was incomplete from the 2013-14 Business Plan as achieving the engagement of other bodies had proven challenging.
- (ii) The BSB will now commission research into Youth Justice in August 2014 in collaboration with ILEX Professional Standards. This research will seek to establish the extent of any regulatory intervention that may be required in order to assure the competence and standards of advocates appearing in Youth Courts.

i) Handbook and litigation review

We have had fewer barristers applying for the right to conduct litigation than had initially been anticipated. As a result, we are now forecasting we will miss our income projections for this activity by £57k.

**Professional Conduct Department (PCD) Performance Indicators**

10. In Q1 of 2014-15, two of the operational indicators had significantly missed targets: "percentage of external complaints concluded or referred to disciplinary action within eight months following investigation" and "percentage of internal complaints concluded or referred to disciplinary action within five months following investigation".
11. The PRP Committee looked at the performance figures and explanations in depth. PRP members requested that the executive monitors the figures closely and provides further details in the Q2 report. It is not clear whether dip has been caused by staff issues or by the types of extensive enquiries being carried out. Long running complaints will be a particular

focus of the Independent Observer over the coming months which may be able to give more detail on why targets were missed. Board members can expect to see a further update in the Q2 performance report due in November 2014.

**Operational Measures**

12. Turnover for the quarter is 5% although this time last year it was 3%. There have been 29 leavers over the last 12-month period against a headcount of 79, hence for the rolling year the BSB's turnover continues above 36%. Again looking at the rolling year, sickness absence has slightly decreased from 8.5 to 7.8 days per FTE and this is likely to be due to the end of a single long-term sickness absence. Retention (staff with more than one year's service) for the last 15 months has not risen above 80%. This has been highlighted as a Corporate Risk and more details are provided in paper BSB 060 (14), which shows that a number of mitigating actions have been identified.

**Equality Impact Analyses**

13. The Strategic Plan and Business Plan have already been through an equality impact assessment. The Performance Indicators related to HR also monitor our performance against various measures.

**Risk implications**

14. Risks that may have an impact on the BSB achieving its objectives have been considered as part of compiling the business plan updates.

**Consultation / Impacts on other teams, departments or projects**

15. Due to the cross-cutting nature of the areas addressed in this report, wide consultation has been held with members of the SMT and OMT. For areas such as performance indicators which are relevant to the Resources Group, consultation has also occurred with the relevant departments.

**Regulatory objectives**

16. The BSB's Strategic Plan and Business Plan were designed to ensure we meet the regulatory objectives.

**Publicity**

17. This report is in the public agenda of the board meeting and will be published on our website.

**Annexes**

18. Annex 1 – Dashboard.  
Annex 2 – Guidance notes on the dashboard.  
Annex 3 – Management Accounts summary.  
Annex 4 – PCD Performance Indicators table

**Lead responsibility**

Anne Wright, Vanessa Davies, Viki Calais, Andrew Cohen





Business Plan Activities (2014-15)				Service Standards (Core activity)								
	Time	Budget	Staff	Professional Conduct Indicators	Q1	Target	For ref. YE 2013-14					
<b>Aim 1: Implement specialist regulatory regimes</b>				KPI - % of complaints concluded or referred to disciplinary action within service standards	79%	80%	77%					
Handbook and litigation review								(para 9i)				
Public and licensed access review												
Cab rank rule consideration				OPI - % of complaints concluded or referred to investigation within 8 weeks	82%	80%	74%					
Entity authorisation				OPI - % external complaints concluded or referred to disciplinary action within 8 months following investigation	57%	80%	84%					
Enforcement regime for entity regulation				OPI - % of internal complaints concluded or referred to disciplinary action within 5 months following investigation	63%	80%	83%					
<b>Aim 2: Public &amp; professional understanding of our role and mission</b>				<b>Qualifications Indicators</b>								
Freedom of Information compliance				The PRP Committee has approved two new KPIs for Qualifications applications. These will be reported in subsequent reports. These are:								
External Relations strategy				Percentage of applications determined within six weeks of receipt of the completed application (Target: 75% for 2014/15)								
User feedback surveys				Percentage of applications determined within twelve weeks of receipt of the completed application (target 98% for 2014/15)								
Intranet implementation				<b>Resources</b>								
Complainant expectation project				Year to date	Act	Bud	Var	Year-end	Fcast	Bud	Var	
Knowledge collection and dissemination				Income	£151k	£186k	-\$35k	£1,802k	£1,816k	-\$14k		
<b>Aim 3: High standards of entry to and practice in a diverse profession</b>				Expenditure	£1,114k	£1,275k	+\$161k	£5,320k	£5,313k	-\$7k		
LETR				<b>Staffing</b>				<b>HR</b>				
BCAT evaluation				Q1 2013-14		HR		Q1 2013-14				
Academic Stage review				Sickness (days/FTE)	1.06	8.5		Recruitment times (approval to start date (weeks))		9	13	
BPTC (applications process)				Sickness (long term)	0.41	N/A						
CPD regime development				Turnover (%)	5%	36%						
Qual. Committee delegation proposals				Retention (%)	71%	71%						
Litigation business process review				<b>IT Response times</b>				<b>Corporate Risk Register</b>				
QASA				Q1		22 May 14		01 Sep 14				
Legal advice centres / special bodies				Response to high priority calls	100%							
Youth Courts				Response to medium priority calls	99%							
<b>Aim 4: Evidence- and risk-based in all we do</b>				Impact		Impact						
Knowledge management strategy												
Policy development framework												
Performance management software	X	X	X									
Risk Assessment Framework												
Complaint costings												
Chambers supervision												
International Strategy												
<b>Aim 5: Best practice as an organisation</b>												
Contract management												
Internal Comms Strategy												
New Chair & Board member recruitment												
TRIP												
Governance												
Fees and charges review												
Standard of proof review												



### Guidance notes on the Dashboard

1. The purpose of the dashboard is to give the Board a one-page visual overview of how we are progressing against our strategic aims, business plan activities, our budget and our other performance indicators. It is intended to be viewed alongside the Quarterly Performance Reports which provide further detail and explanations for the information the dashboard displays.
2. The dashboard displays different information and is a separate entity from the Corporate Risk Register. Activities can be rated as high risk in the Corporate Risk Register but green on the dashboard. This is because whilst there may be significant risks relating to an activity e.g. the judicial review of QASA or widespread non-compliance with the scheme, we are on track to meet our targets in terms of the implementation of the Scheme.

### Business Plan Activities

3. This section shows the 35 activities listed in the 2014-15 Business Plan<sup>1</sup>. Each activity has three different traffic lights associated with them, reflecting how we are performing in terms of time, budget and staff.
4. The Business Plan also lists quarterly milestones for each activity, e.g. for the “knowledge management strategy”, we set out that we will finalised the Strategy by the end of Q2 and implement it by the end of Q3.
5. If we have not or do not expect to complete a task by more than three months after its due date the indicator will appear as red. It will appear as amber if some elements of the task are currently behind schedule by less than three months, or there are plans in place to ensure that it will be completed on-time. It will show as green if the task is completed or on-track.
6. For ‘budget’, a red indicator signals that there is a significant overspend against this activity. (-10%) Amber shows that this item is on budget but there are significant risks of overspend in this area. Green shows that the activity is broadly on-budget.
7. For ‘staff’, a red indicator signals that the activity is suffering from staffing issues that are having a significant and negative impact on the timeline for this activity, e.g. long term sickness or losses of multiple members of staff in a short space of time. Amber indicates that some staffing issues have temporarily affected parts of the timeline which may have presented operational issues, however these could be made up throughout the year. Green indicates that there are no staffing issues of consequence to this activity.
8. Activities where the ‘time’ indicator has changed since the last quarterly report to the Board will shows as highlighted, e.g. an activity which has changed from green to amber will be highlighted in amber. A reference to the relevant paragraph in the Performance Report will also be displayed explaining the reasons for the change.

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<sup>1</sup>[https://www.barstandardsboard.org.uk/media/1586437/bsb\\_business\\_plan\\_2014-15.pdf](https://www.barstandardsboard.org.uk/media/1586437/bsb_business_plan_2014-15.pdf)

**Part 1 – Public**

9. If all of the indicators for an activity display an 'x', this means that the activity has been indefinitely delayed or is no longer necessary e.g. The Business Plan states that we will review the regulatory arrangements for probate and will writing, however, the Lord Chancellor refused the LSB recommendation to introduce a new reserved legal activity and as a result this piece of work will not now be completed.

**Services Standards (Core Activity)**

10. This area shows our key and operational performance indicators for the Professional Conduct Department (PCD). The data is provided by the PCD's Reports & Data Analysis Officer and the indicators show as green if we are meeting or exceeding our targets and as red if we are failing to achieve them. The targets are reviewed annually by the PRP Committee.

**Resources**

11. The 'budget' section displays the variance between our year-end forecast and our budget for both expenditure and income. For expenditure, if we are forecasting an overspend the indicator will show as red, and green if we are forecasting an underspend. Similarly, if our income forecast is lower than our budgeted income the indicator will display as red, and if not it will display as green.
12. Sickness, turnover and retention data is provided by the HR Department. The figures shown are for the year-to-date. If we are not on-track to meet our targets the indicators will show as red, if we are on-track they will display as green.

**Internal Processes**

13. Data for our internal processes is provided by the HR and IT Departments. Similar to the internal processes, the figures shown are for the year-to-date. If we are not on-track to meet our targets the indicators will show as red, if we are on-track they will display as green.

**Corporate Risk Register**

14. The heat-map (summary) of the BSB's Corporate Risk Register is displayed on the dashboard for reference. For further information and a more complete picture on the Corporate Risk Register please refer to the Corporate Risk Register reports which appear quarterly in Part 2 of the Board Papers.

**BSB SUMMARY****BUDGET VARIANCES**

	JUN	JUN	JUN	JUN	2014/15	2014/15	2014/15 Fcast vs 2014/15	
	Q1	Q1	Q1	Q1	YE	YE	Budget	
	ACTUAL £	BUDGET £	VAR £	VAR %	FCAST £	BUDGET £	VAR £	VAR %
<b>Income</b>								
Professional Conduct	12,123	0	12,123		12,123	0	12,123	-7%
Assessments	40,941	56,000	-15,059	-27%	244,941	262,400	-17,459	14%
Education and Training	30,150	31,000	-850	-3%	1,208,050	1,061,000	147,050	-19%
Qualifications	67,728	96,580	-28,852	-30%	311,588	385,790	-74,202	-50%
Entity Regulation	0	0	0		25,010	50,000	-24,990	-100%
QASA	0	2,300	-2,300	-100%	0	56,400	-56,400	0%
	<b>150,942</b>	<b>185,880</b>	<b>-34,938</b>	<b>-19%</b>	<b>1,801,712</b>	<b>1,815,590</b>	<b>-13,878</b>	<b>-1%</b>
<b>Expenditure</b>								
Executive	173,918	191,832	17,914	9%	669,096	637,666	-31,430	-5%
Staff Costs	171,264	181,092	9,828	5%	632,172	592,666	-39,506	-7%
Other Costs	2,654	10,740	8,086	75%	36,924	45,000	8,076	18%
Strategy and Comms	129,238	148,069	18,831	13%	840,968	791,665	-49,303	-6%
Staff Costs	126,725	131,470	4,745	4%	617,484	537,229	-80,255	-15%
Other Costs	2,513	16,599	14,086	85%	223,484	254,436	30,952	12%
Professional Conduct	325,223	330,732	5,509	2%	1,321,619	1,265,555	-56,064	-4%
Staff Costs	303,405	272,742	-30,663	-11%	1,113,357	1,095,870	-17,487	-2%
Other Costs	21,819	57,990	36,171	62%	208,262	169,685	-38,577	-23%
Assessments	77,811	91,018	13,207	15%	439,535	435,366	-4,169	-1%
Staff Costs	66,915	64,258	-2,657	-4%	304,919	304,386	-533	0%
Other Costs	10,896	26,760	15,864	59%	134,616	130,980	-3,636	-3%
Education and Training	104,241	101,939	-2,302	-2%	600,821	582,700	-18,121	-3%
Staff Costs	79,329	72,739	-6,590	-9%	359,148	348,100	-11,048	-3%
Other Costs	24,912	29,200	4,288	15%	241,673	234,600	-7,073	-3%
Qualifications	74,963	79,028	4,065	5%	314,973	320,488	5,515	2%
Staff Costs	68,156	70,074	1,918	3%	281,091	281,072	-19	0%
Other Costs	6,807	8,954	2,147	24%	33,882	39,416	5,534	14%
Regulatory Policy	39,105	78,250	39,145	50%	298,527	361,284	62,757	17%
Staff Costs	38,327	74,277	35,950	48%	290,649	346,372	55,723	16%
Other Costs	778	3,973	3,195	80%	7,878	14,912	7,034	47%
Entity Regulation	56,653	47,787	-8,866	-19%	231,772	212,659	-19,113	-9%
Staff Costs	21,562	19,822	-1,740	-9%	75,948	88,159	12,211	14%
Other Costs	35,091	27,965	-7,126	-25%	155,824	124,500	-31,324	-25%
Supervision	81,295	89,813	8,518	9%	380,913	382,597	1,684	0%
Staff Costs	80,606	74,556	-6,050	-8%	311,440	299,055	-12,385	-4%
Other Costs	688	15,257	14,569	95%	69,473	83,542	14,069	17%
QASA	21,517	85,234	63,717	75%	105,442	201,633	96,191	48%
Staff Costs	21,517	24,234	2,717	11%	104,042	103,733	-309	0%
Other Costs	0	61,000	61,000	100%	1,400	97,900	96,500	99%
Equality and Diversity	30,087	31,644	1,557	5%	116,083	121,486	5,403	4%
Staff Costs	26,278	26,435	157	1%	101,188	104,882	3,694	4%
Other Costs	3,809	5,209	1,400	27%	14,895	16,604	1,709	10%
	<b>1,114,052</b>	<b>1,275,346</b>	<b>161,294</b>	<b>13%</b>	<b>5,319,751</b>	<b>5,313,099</b>	<b>-6,652</b>	<b>0%</b>
Total Staff Costs	1,004,084	1,011,699	7,615	1%	4,191,439	4,101,524	-89,915	-2%
Total Other Costs	109,968	263,647	153,679	58%	1,128,312	1,211,575	83,263	7%



**PCD Performance Indicators**

(See paragraphs 10 and 11 of the cover paper)

PCD Measure		2014-15		2013-14		2013-14			
		Q1	Target	YE	Target	Q1	Q2	Q3	Q4
Overarching KPI	% of complaints concluded or referred to disciplinary action within service standards	79%	80%	77%	75%	82%	80%	68%	78%
OPI (Assessment)	% of complaints concluded or referred to investigation within 8 weeks	82%	80%	74%	80%	80%	69%	67%	81%
OPI (Investigation)	% of external complaints concluded or referred to disciplinary action within 8 months following investigation	57%	80%	84%	70%	82%	93%	79%	84%
OPI (Investigation)	% of internal complaints concluded or referred to disciplinary action within 5 months following investigation	63%	80%	83%	80%	88%	94%	65%	68%





## Report of the Planning, Resources and Performance Committee (PRP)

### Status

1. For noting.
2. Public – summary of the work of the Planning, Resources & Performance Committee.

### Executive Summary

3. The PRP Committee is required to update the Board on its activities.

### Recommendations

4. The Board is asked to **note** the contents of the update report.

### Background

5. The Committee's Terms of Reference, which underwent a small amendment in November 2013, include:
  - Assisting the Board in developing its strategy and supporting business plan;
  - Overseeing financial and operational performance, including developing the Annual Report;
  - Scrutinising the annual budget bid, and agreeing certain levels of virement;
  - Considering the most effective and reliable presentation of financial information;
  - Ensuring effective use of service level agreements;
  - Supporting business planning, including ensuring the robustness of project planning; and overseeing the monitoring of the Regulatory Standards Framework;
  - Agreeing how performance is monitored, measured and reported, including quarterly reports to the Board.
6. These are likely to be reviewed again as part of the Board's Governance Review.

### Update

7. During the last 12 months, the PRP Committee has met four times (7 November 2013, 6 February 2014, 8 May 2014 and 7 August 2014). Next year the Committee plans to meet seven times: the four ordinary quarterly meeting will continue, and in addition there will be three single-issue meetings diarised specifically for the Annual Report (June), Budget Bid (July), and Business Plan (February).

### *Membership*

8. Paula Diggle and Matthew Nicklin QC retired as Chair and Vice Chair of the PRP Committee in December 2013. The membership of the Committee is now:

Anne Wright	Chair (commenced in January 2014)
Tim Robinson	temporary Vice Chair (commenced in January 2014 following an advisory role with the PRP Committee)
Peter Wrench	Lay member
Keith Baldwin	Lay member
Dr Richard Ough	Barrister member

***Budget Bid and Business Plan***

9. In February 2014, the PRP Committee considered the draft 2014-15 Business Plan. Committee members commented on the format, content and key messages which were then refined by the executive before the Plan was presented to the Board. The Committee paid particular attention to the ‘SMARTness’ of the Business Plan measures and also the Strategic Key Performance Indicators. At this same meeting the Committee endorsed the revised budget (the original bid had been approved by the Board in September 2013), which saw the expenditure envelope increase by £317k and income projections increase by £60k.
10. At its meeting on 7 August 2014, the PRP Committee scrutinised the BSB’s 2015-16 budget bid and future year forecasts. The Committee scrutinised the detailed plans and provided a steer to the executive on how to present the information to the Board. Particular attention was paid to staff costs and the Committee comments have fed into paper BSB 059 (14).

<b>Key Messages from the committee</b>	
Feb 14	The business plan [2014-15] is in development and will be re-drafted to take account of the public and profession’s perspective [actioned];
May 14	the need to consider performance in the broader context of the three-year strategic plan [actioned];
May 14	the importance of ensuring timelines for project delivery are realistic and take account of likely delays [ongoing];
May 14	the need to build effective working relations with stakeholders, on whom timelines can be dependent [ongoing].

***Performance Reports***

11. At each of its meetings, the Committee reviewed progress against the 2013-14 and 2014-15 Business Plan activities and received updates from the TRIP programme manager on the progress of the TRIP programme. As a result of the performance monitoring the Committee flagged a number of items to the Board; for example CPD enforcement, HR statistics (particularly turnover) have been highlighted as a concern, as has a number of activities that had been significantly delayed. All of these discussions fed through into the Board papers which are in the public domain.
12. The Committee oversaw the development of new service standards and performance indicators for the Qualifications department, which were signed-off and implemented in August 2014. The two new indicators related to the time taken to determine applications that are dealt with by the Qualifications Committee; there are two other measures that have also been set up to monitor the quality of the decisions.
13. Going forward PRP members will also in addition be receiving a quarterly TRIP ‘follow-on’ action plan update, which will report on those activities that were agreed by the Board in order for the BSB to achieve a satisfactory rating against the LSB’s Regulatory Standards Framework.

<b>Key Messages from the committee</b>	
May 14	the concern that some barristers may be avoiding CPD requirements without sanction;
Aug 14	BSB’s performance [as presented in paper BSB 056 (14)].

**Resources**

14. As mentioned above the PRP Committee has been closely monitoring the BSB's corporate staff indicators. At their last meeting, members requested that further in depth analysis was carried out to look into the recent turnover figures (also see paper BSB 060 (14)). The Committee also requested that further investigation was undertaken to assess the future costs of staff resourcing, and that this paid particular attention to market data.

**Key Messages from the committee**

May 14	The discussion over high staff turnover figures [ <i>flagged to the Board</i> ];
Aug 14	The need for improved qualitative data concerning staff turnover and impact on the organisation [ <i>ongoing</i> ];
Aug 14	The need for HR to prioritise its work on the pay progression project [ <i>ongoing</i> ].

**Annual Report**

15. Over Spring 2014, members oversaw and helped to craft the BSB's 2013-14 Annual Report. In May the Committee gave directions on format and content and as well as the desire to see case studies and the message that the BSB is changing to become a more modern and efficient regulator. The Annual Report has now been published on the BSB's website.

**Fees and Charges Review**

16. The Committee has overseen the review of fees and charges. Elements of this were delayed last year due to staff changes and absence due to ill-health. However all direct income streams have now been reviewed, and the 2015-16 budget bid shows revenue lines increasing as we move activities towards operating on the basis of full-cost recovery. The executive will be revisiting the Board's policy statement to see if it needs refreshing in light of this work, as well as reviewing further possibilities for new lines of income.

**Key Messages from the committee**

Feb 14	Progress on fees and charges is being made but further work is required to address the complexities surrounding pricing [ <i>ongoing</i> ].
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**PRP Committee Terms of Reference**

17. The Board will recall the Standing Orders revision at the end of 2013, which was undertaken to ensure the implementation of the new BSB Handbook. As part of this review, the PRP Committee took the opportunity to propose some minor amendments to its Terms of Reference. These changes were suggested in order to more accurately reflect the relationship between the Board and the PRP Committee in terms of its advisory and oversight role. Members have also commenced discussions on the governance review.

**Key Messages from the committee**

Feb 14	There is a need to clarify the Board's expectations of the PRP Committee and the level of engagement required of its members [ <i>ongoing</i> ].
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***Service level agreements***

18. The Contract Management Officer has reworked the service level agreement between the BSB and the Bar Council into more contractual terms to reflect the existing partnership and working relationship with the Resources Group. Each Department's service provision is detailed in schedules and will be subject to ongoing monitoring checks. The PRP will continue to receive quarterly update reports.

<b>Key Messages from the committee</b>
--

Aug 14 The operation of the new Service Level Agreement <i>[is underway]</i> .
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***Relationship with the GRA Committee***

19. The work of the two committees is closely interlinked and both committees keep abreast of issues arising. To help achieve this, the committees share each other's minutes and the PRP Committee also receives a copy of the Corporate Risk Register.

**Publicity**

20. This report will feature in the public part of the BSB Board meeting.

**Lead responsibility**

Anne Wright, Chair of the PRP Committee  
Viki Calais, Business Manager

### Schedule of Board Meetings 2015-16

**Status:**

1. For noting and approval.
2. Public – a list of proposed meeting dates for Jan 2015-Mar 2016.

**Executive Summary:**

3. The proposed schedule of meetings for 2015/16 is given below. This keeps the pattern from 2014/15 of nine Board meetings and two Board Away Days. The incoming Chair has also been made aware of these proposed dates.

**Recommendations:**

4. Board members are invited to agree the dates set out in the report.

**Comment / detail:**

5. The proposed dates for meetings of the Bar Standards Board for Jan 2015 – Mar 2016 are as follows:
  - Thursday 29 January 2015 (already diarised)
  - Thursday 26 February 2015 (already diarised)
  - Thursday 26 March 2015 (already diarised)
  - Thursday 23 April 2015 (Board Away Day)
  - Thursday 21 May 2015
  - Thursday 25 June 2015
  - Thursday 23 July 2015
  - Thursday 10 September 2015 (budget)
  - Thursday 24 September 2015
  - Thursday 22 October 2015
  - Thursday 26 November 2015
  - Thursday 17 December 2015 (Board Away Day)
  - Thursday 28 January 2016
  - Thursday 25 February 2016
  - Thursday 17 March 2016

**Amanda Thompson**  
**Head of Strategy & Communications**  
**September 2014**