

# Diversity of Bar Standards Board (BSB) Staff and Board Members

## Background

1. Publishing an aggregated summary of the diversity data of our staff on an annual basis, alongside a written summary of the diversity of our Board, forms part of our [Equality and Diversity Strategy for 2020 to 2022](#).
2. This is consistent with and intended to demonstrate our commitment to:
  - a. Our legal obligations under the Equality Act 2010;
  - b. Our regulatory objective to encourage an independent, strong, diverse, and effective legal profession, under the Legal Services Act 2007;
  - c. Ensure meaningful compliance with our equality duties in every aspect of our work, demonstrate best equalities and anti-discrimination practice, and embed equality and fairness into the day-to-day running of our organisation;
  - d. Use diversity data to inform strategies to recruit a diverse Board and workforce.

## The data

3. The data in this report were captured on 1 December 2021, which is the same capture date for the data as that used for the Diversity at the Bar Report 2021.
4. The data we collect from our staff and Board members cover all the characteristics that are protected by the Equality Act 2010 (except for pregnancy and maternity, and marriage and civil partnership) in addition to information about caring responsibilities and social mobility. These are the same data that we collect about the barrister profession.

## Sensitive personal data

5. The Data Protection Act 2018 categorises data about ethnicity, sexual orientation, religion or belief, and disability as “sensitive personal data”. This report only gives raw data or percentages for these characteristics if doing so would not risk identifying individuals.
6. In the case of staff data, we have grouped some of the response categories for these characteristics, where appropriate. In the case of Board data, we have specified which response categories are the most populated for these characteristics, where appropriate.
7. This enables us to give information about the diversity of our organisation in respect of a characteristic which counts as sensitive personal data, without risking the identification of individuals in a particular response category.

## Staff data

8. We collect diversity data from staff by issuing an anonymous and voluntary diversity survey at least every three years, and by encouraging staff to update their details whenever their circumstances change. As of 1 December 2021, there were 88 members of staff at the BSB<sup>1</sup>, which is an increase from the 83 members of staff reported in December 2020.
9. Data about the diversity of our staff have been aggregated to avoid the identification of individuals who have declared a particular characteristic. This is in line with the requirements we set for the publication of diversity data by the barrister profession, at rC110 of our Handbook.
10. In demonstration of our commitment to be a diverse and inclusive employer, we have included a commentary about the diversity of our staff in relation to particular characteristics. Where reference is made to national comparators, including “working age” or “economically active” comparators, we note that it may not always be realistic to expect a small organisation like ours to match those national data precisely. Our office is based in London, and many of our people are based in and around the area. Comparisons with the working population of London are not made due to suitable comparators only being available for a few monitoring categories. It is worth noting however, that the demographic profile of the working population of London is likely to be quite different to that of the UK as a whole.
11. The section of this report on the BSB workforce includes some disaggregation by job level, broadly grouping staff into job levels 1-4 and 5-7: Job levels 1-4 represent more senior staff (managers and senior managers) whereas levels 5-7 represent more junior staff. In addition, our HR Department, which we share with the Bar Council, produces an annual internal report about diversity at different levels of seniority in our organisation: The publication of these reports at the level of disaggregation undertaken would risk identifying individuals. Our analysis of this information influences our approach to issues of recruitment, progression, and retention at the BSB, as part of our commitment to diversity and inclusion at all levels.

## Board data

12. We collect and analyse diversity data from members of our Board at least annually, to help us to identify strategies for recruiting a diverse Board. At the time of collecting data for this report, our Board had 10 members, which is down from the 12 members of the Board present as of 1 December 2020.
13. We have given a written summary about the diversity of our Board instead of a detailed statistical report and have not included a commentary about whether our Board is representative of wider society, because numbers are very small.

---

<sup>1</sup> This does not include members of our Resources Group, which we share with the Bar Council.

# Diversity of Board Members as of 1 December 2021

As of 1 December 2021, there were 10 members of our Board.

**Gender.** All members of our Board specified their gender. As of 1 December 2021, five members were female, and five members were male. No board members indicated that they were a different gender to the sex that they were registered as at birth.

**Ethnicity:** All members of our Board specified their ethnicity. As of 1 December 2021, 8 members were from a White background. The remaining members were from another ethnic group. We have not reported raw data for the remaining response categories for this characteristic because doing so would risk identifying individuals' ethnicity, which is sensitive personal data.

**Disability:** Nine members of our Board responded to this question. The most frequently given response was "no disability". We have not reported the raw data for this characteristic because doing so would risk identifying individuals' disability status, which is sensitive personal data.

**Age:** All members of our Board specified their age group. As of 1 December 2021, two members were in the "45-54" age range. Three members were in each of the "55 to 64" and the "65 and over" age ranges, and the remaining two members were aged 35-44.

**Religion:** Nine members of our Board responded to this question. Of those members, the most populous category was "No religion", with "Christianity (all denominations)" being the second most represented group. We have not reported the raw data for this question because doing so would risk identifying individuals' religion status, which is sensitive personal data.

**Sexual orientation:** Nine members of our Board responded to this question, with all respondents giving their sexual orientation as heterosexual.

**First generation to attend university:** Of the Board members that gave a response, three stated that they were of the first generation in their immediate family to attend university and five stated that they were either not of the first generation in their immediate family to attend university or that they did not attend university.

**Type of School attended** All Board members gave a response to this question. Seven Board members had mainly attended a UK state school and three attended a UK fee-paying school, between the ages of 11 and 18.

**Primary care of a child/children aged under 18:** All Board members gave a response to this question. Six Board members stated that they were not a primary carer for one or more children aged under 18 and four Board members stated that they were.

**Provision of care for a non-dependent:** All Board members gave a response to this question. Seven Board members said that they do not provide care for a non-dependent person. The remaining three members specified that they provide care for another person for between 1 to 19 hours per week.

# Diversity of BSB Staff as of 1 December 2021

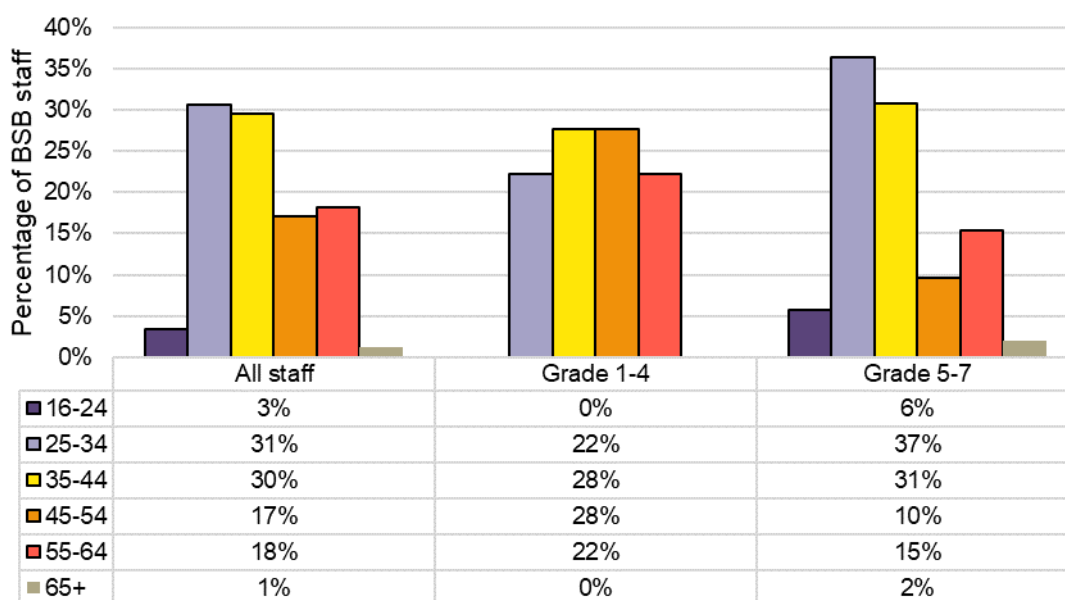
As of 1 December 2021, the BSB had 88 members in its workforce.<sup>2</sup> 36 had a role at job levels 1-4, and 52 had a role at job levels 5-7. Level 1 is the most senior.

## Age

As of 1 December 2021:

- Three per cent of our workforce was aged 16 to 24. This compares to a figure of six per cent on 1 December 2020.
- 31 per cent of our workforce was aged 25 to 34. This compares to a figure of 29 per cent on 1 December 2020.
- 30 per cent of our workforce was aged 35 to 44, which is the same as that seen on 1 December 2020.
- 17 per cent of our workforce was aged 45 to 54, which is a decrease of two percentage points from December 2020.
- The proportion of our workforce aged 55 to 64 increased by two percentage points year on year and stood at 18 per cent.
- A greater proportion of staff in job levels 1-4 were in older age ranges in comparison to those in job levels 5-7.

Age profile of BSB staff as of 1 December 2021

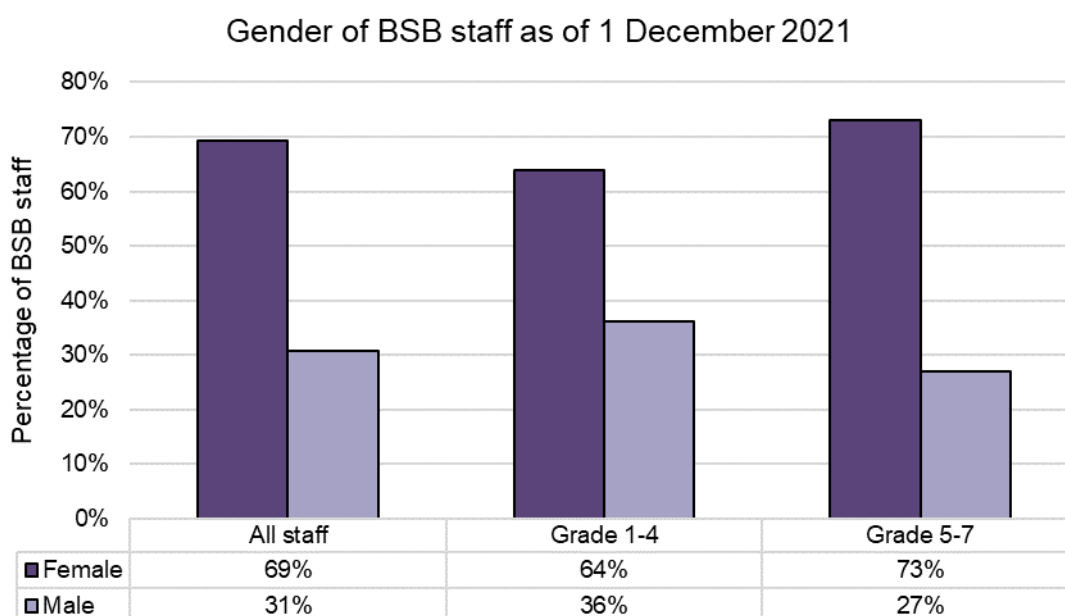


<sup>2</sup> For the purposes of this report, “workforce” means BSB staff. It does not include Board members or members of the Resources Group, which we share with the Bar Council as part of the General Council of the Bar.

## Gender<sup>3</sup>

The gender profile of our workforce has changed by a small amount since 1 December 2020. As of 1 December 2021, the proportion of our workforce who are female has increased by around four percentage points to 69 per cent: This compares to an estimate of 50.2 per cent of the UK working age (16-64) population being female as of Q3 2021.<sup>4</sup> There has been a corresponding decrease of four percentage points in the proportion of our workforce who are male.

There are proportionately more men in job levels 1-4 than there are in job levels 5-7 (36 per cent compared to 27 per cent).



<sup>3</sup> We also ask, “Is your gender identity the same as the sex which you were assigned at birth?” but have not included data for this question as response rates are too low to draw meaningful conclusions.

<sup>4</sup> Calculated from the ‘Labour Force Survey: Population aged 16-64: Female: Thousands: SA’, and ‘Labour Force Survey: Population aged 16-64: UK: Male: Thousands: SA’ datasets published by the Office for National Statistics on ons.gov.uk

## Ethnicity

The proportion of our workforce who are from a minority ethnic background is significantly higher than the proportion of people in the working age population of England and Wales who are from a minority ethnic background. The same holds true for Asian/Asian British, Mixed/Multiple and Black/Black British ethnic backgrounds. There has been a large increase in the proportion of staff not providing a response to this category this year, and so year on year comparisons are made using only those who have provided information.

Of those that provided information on ethnicity; as of 1 December 2021:

- 65 per cent of our workforce was White, compared to 85.1 per cent of the UK working age population.<sup>5</sup> The proportion of our workforce who are White is the same figure as that seen in December 2020, and also compares to a figure of 71 per cent in the BSB E&D Strategy for 2017-2019 (published in early 2017).<sup>6</sup>
- 35 per cent of our workforce was from a minority ethnic background. This compares to an estimate of 14.7 per cent of the working age population in England and Wales as of July to September 2021. This is the same proportion of our workforce from a minority ethnic background in December 2020.
- 19 per cent of our workforce was Asian/Asian British, compared to 6.4 per cent in the UK working age population, and the same figure in December 2020.
- 10 per cent of our workforce was from Mixed/Multiple ethnic backgrounds, three percentage points higher than in December 2020, and compares to a figure of 1.7 per cent in the UK working age population.
- Four per cent of our workforce was Black/Black British, which is two percentage points lower than that seen in December 2020, and compares to a figure of 3.6 per cent in the UK working age population.
- A far greater proportion of those in job levels 1-4 are of White British ethnic backgrounds in comparison to the relative proportion in job levels 5-7 (64 per cent compared to 40 per cent).
- 22 per cent of BSB staff did not provide a response to this question, and one per cent indicated they preferred not to say.

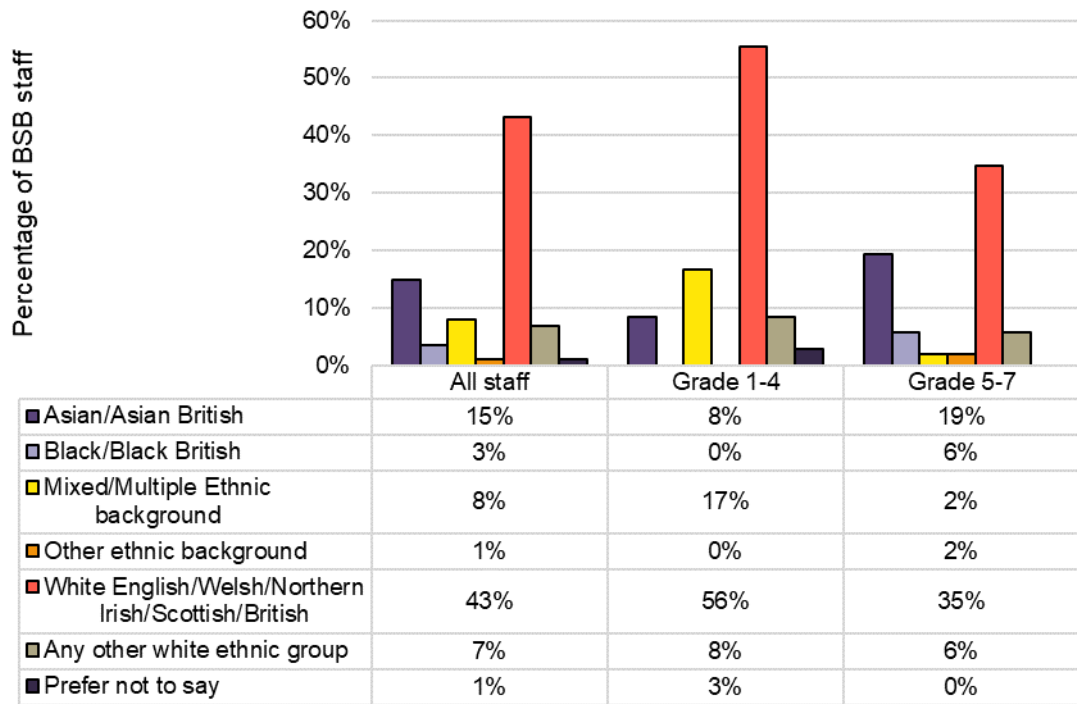
We have disaggregated “White English/Welsh/Northern Irish/Scottish” from “Any other white ethnic group” in the chart below because it is of interest that 9 per cent of our staff (who provided their ethnicity) selected “Any other white ethnic group”.

---

<sup>5</sup> Calculated from adding together figures one economically active and inactive 16-64 population by ethnicity from the Labour Force Survey: A09: Labour Market Status by ethnic group - as of July-September 2021.

<sup>6</sup> Bar Standards Board (2017) Equality and Diversity Strategy 2017-19. This was published in February 2017 and uses data from this time. Figures on BSB staff diversity can be found in Annex 3. These figures were included as a comparator in the 2019 and 2020 BSB Board and Staff Diversity Reports and have been included here for consistency.

### Ethnicity of BSB staff as of 1 December 2021

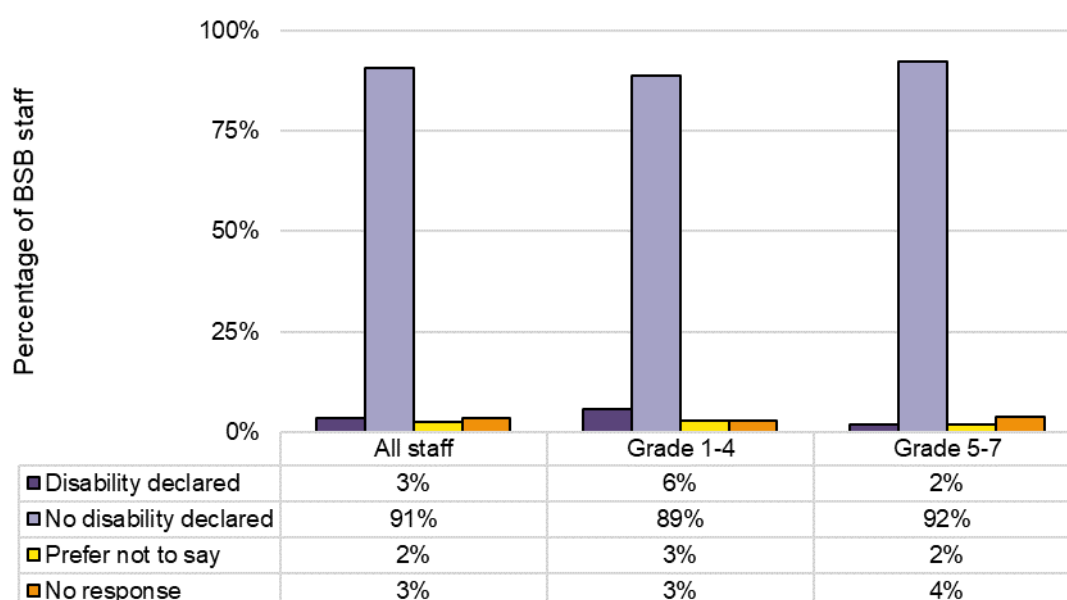


## Disability

As of 1 December 2021, three per cent of our workforce declared a disability. This is a decrease of three percentage points from 2020 and is less than the four per cent of our staff who were reported as having a disability in our E&D Strategy for 2017 to 2019. In comparison, it is estimated that around 16.4 per cent of the employed working age population (those aged 16 to 64) had a declared disability as of July-September 2021.<sup>7</sup>

We will continue to work to identify and address any barriers to inclusion for disabled applicants and employees. As part of the General Council of the Bar, we are a Disability Confident employer. Our E&D Strategy for 2020-22 includes a number of commitments to promote equality for disabled applicants and employees, as well as a focus on disability issues at the Bar.

Disability status of BSB staff as of 1 December 2021



<sup>7</sup> Calculated for Jul-Sep 2021 from Office for National Statistics datasets: A08: Labour market status of disabled people using Equality Act Levels (People).

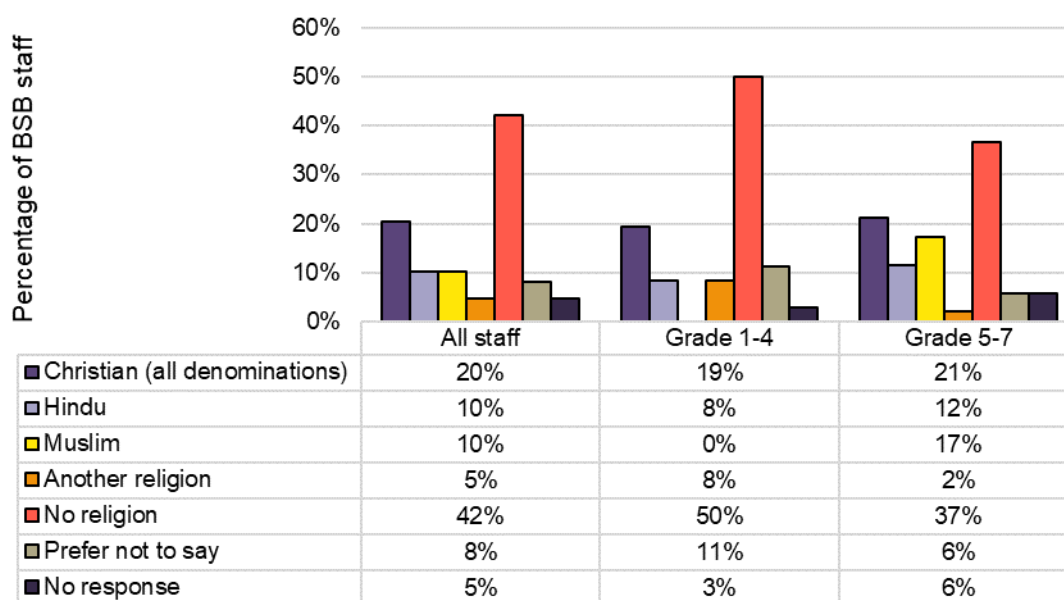


# Religion

Our workforce is diverse in relation to religion, which may be linked to our ethnic diversity. As of 1 December 2021:

- 42 per cent of our workforce had no religion. There was no change from December 2020 for this.
- 45 per cent of our staff declared a religion, which is down by two percentage points compared to December 2020.
- Of those that declared a religion:
  - 20 per cent of our workforce selected Christian (all denominations), which is a year-on-year decrease of seven percentage points.
  - 10 per cent of our workforce selected Muslim, which is a year-on-year increase of four percentage points.
  - 10 per cent of our workforce selected Hindu, which is a year-on-year decrease of one percentage point.
  - Three per cent of our workforce selected they were of another religion. This group includes staff who selected “Jewish”, “Sikh”, “Buddhist” or “Any other religion” as their religion. We have combined these categories to avoid the risk of identifying individuals.
- We hold no information for 13 per cent of our workforce (5% of this proportion preferred not to say), which is an increase of two percentage points compared to December 2020.

Religion of BSB staff as of 1 December 2021

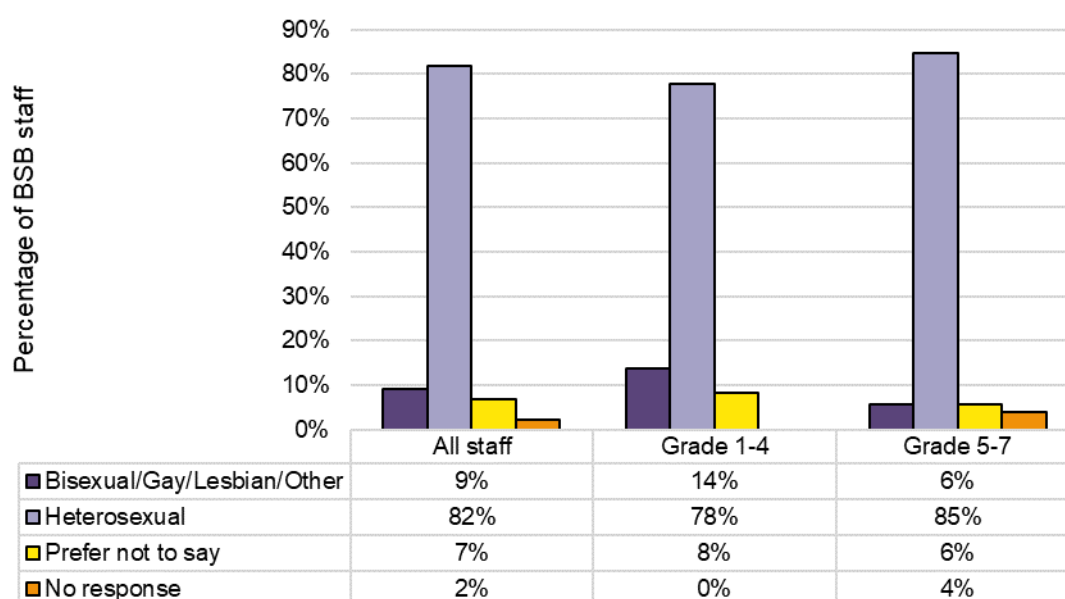


## Sexual orientation

Our workforce has become more diverse in relation to sexual orientation since we published information about its diversity in our E&D Strategy for 2017-2019. We have compared our data to data from “Sexual Orientation, UK: 2019”, which was published by the Office for National Statistics in May 2021. To avoid the identification of individuals, we have grouped “Bisexual”, “Gay or Lesbian”, and those who use another term for their sexuality (not including those identifying as heterosexual) as “Bisexual/Gay or Lesbian/Another sexuality”. As of 1 December 2021:

- 82 per cent of our workforce selected “Heterosexual” as their sexuality, which is a decrease of five percentage points from the data we reported in our E&D Strategy for 2017- 2019. In “Sexual Orientation, UK: 2019”, 93.7 per cent of the UK population aged 16 years and over are reported as heterosexual.
- 9 per cent of our workforce selected “Bisexual/Gay or Lesbian/Another sexuality”, which is an increase of six percentage points from the data we reported in our E&D Strategy for 2017 to 2019, and a decrease of two percentage points year on year. This compares to 3.4 per cent of the UK population aged 16 years and over who are reported as being Bisexual/Gay or Lesbian/Another sexuality.<sup>8</sup>
- We have no information for nine per cent of our workforce, meaning disclosure for sexual orientation has decreased by around one per centage point compared to December 2020.

Sexual orientation of BSB staff as of 1 December 2021



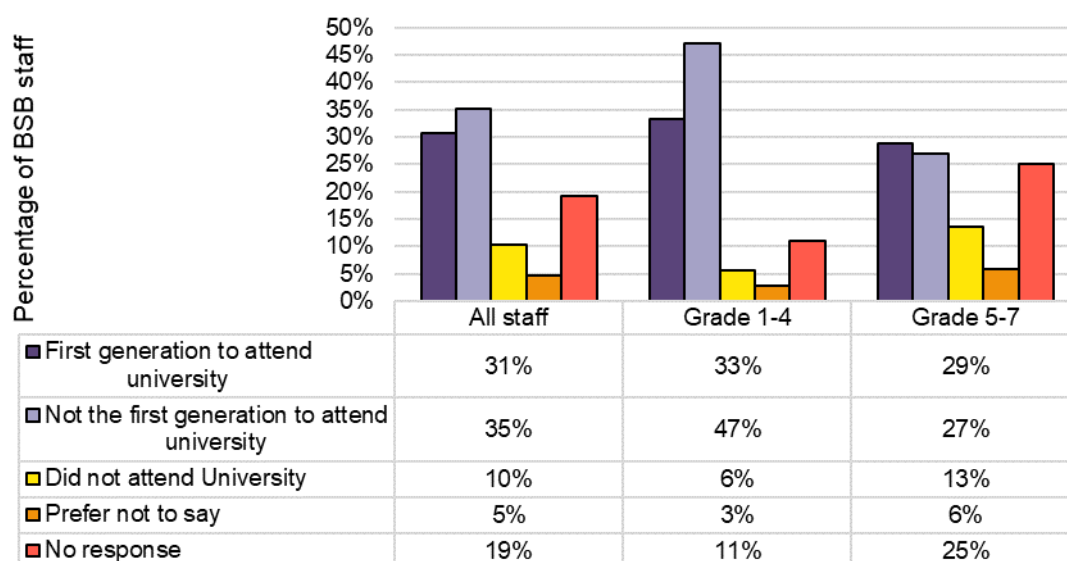
<sup>8</sup> Calculated from Table 1 in UK Office for National Statistics Bulletin: Sexual orientation, UK: 2019.

## First generation to attend university

The proportion of those providing information on this monitoring category has decreased quite substantially this year, from 93 per cent to 76 per cent. The below includes only those who have provided information (including comparisons made). As of 1 December 2021:

- 40 per cent of our staff were part of the first generation of their family to attend university. This is a decrease of around four percentage points from December 2020.
- 46 per cent of our staff were not part of the first generation of their family to attend university, which is an increase of around three percentage points from December 2020.
- 13 per cent of our staff did not attend university, which is unchanged from December 2020.
- We have no information for 24 per cent of our staff, which is an increase of 17 percentage points compared to December 2020.
- A greater proportion of those in job levels 1-4 were not of the first generation to go to university in comparison to the comparative figure for those in job levels 5-7.

Percentage of BSB staff that were part of first generation in their family to attend university, as of 1 December 2021

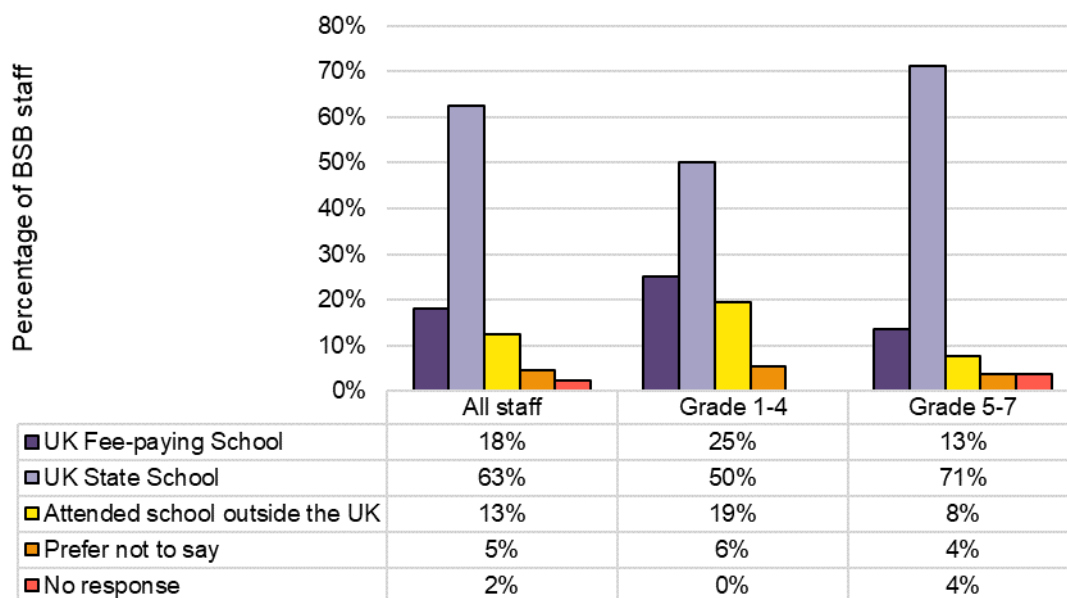


## Type of school attended

The proportion of our workforce which attended an independent or fee-paying school in the UK is still greater than the equivalent proportion in the general population. As of 1 December 2021:

- 18 per cent of our workforce attended an independent or fee-paying school in the UK, which is the same figure as that reported in our E&D Strategy for 2017 to 2019 (although there were a greater proportion of non-responses in the latter). The proportion has also increased by six percentage points compared to December 2020. In comparison, approximately seven percent of school children in England at any age<sup>9</sup> and 9.9 per cent of UK domiciled young full-time first-degree entrants in the UK in 2019/20<sup>10</sup> attended an independent/fee-paying school.
- 63 per cent of our workforce attended state school in the UK, which is a decrease of three percentage points from December 2020.
- 13 per cent of our workforce attended school outside the UK, which is decrease of one percentage point from December 2020.
- We have no information for seven per cent of our workforce, which is the same as that seen in December 2020.
- A far higher proportion of those in job levels 1-4 had attended a UK independent/fee-paying school than the comparative figure for those in job levels 5-7.

Type of school attended for BSB staff as of 1 December 2021



<sup>9</sup> Independent Schools Council: Research. <https://www.isc.co.uk/research/> (accessed 10 December 2021). We acknowledge that this comparison is not a direct one; we are lacking data on type of school mainly attended between the ages of 11-18 for England and Wales only.

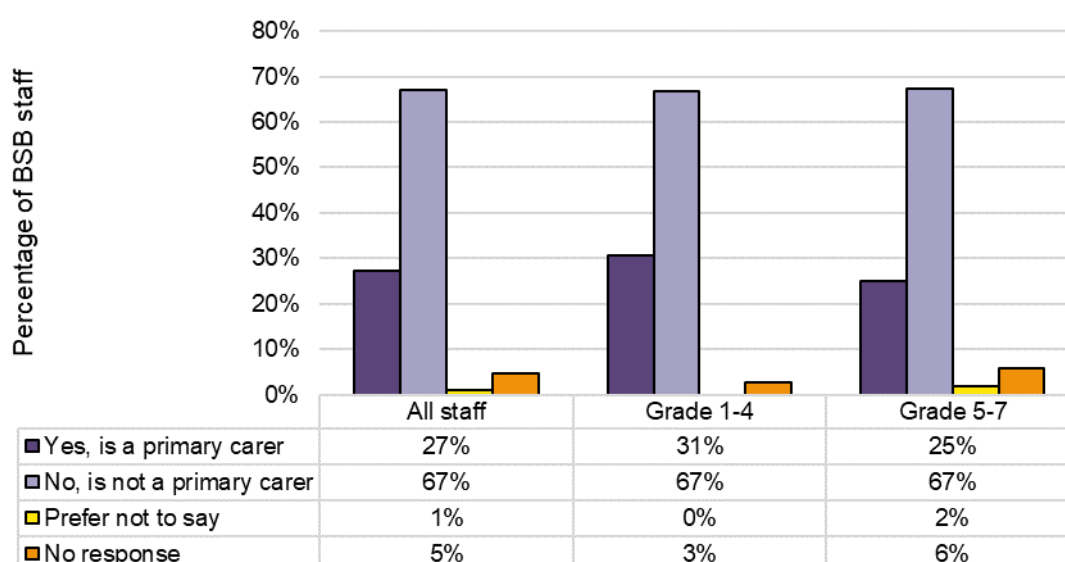
<sup>10</sup> Higher Education Statistics Authority: Widening participation summary: UK Performance Indicators. <https://www.hesa.ac.uk/data-and-analysis/performance-indicators/widening-participation-summary> (accessed 8 December 2021)

## Primary carer of a child or children aged under 18

Around 37 per cent of economically active males and 40 per cent of economically active females are a primary carer for one or more children.<sup>11</sup> This includes all individuals aged from 16-64 and the proportion of those in the UK with primary care of a child is likely to be far higher for those aged 35-54. 47 per cent of our workforce is aged 35-54.

- 27 per cent of our workforce are a primary carer of a child or children aged under 18. This is an increase of four points compared to December 2020. This increase may be linked to our culture of increased flexible working.
- 67 per cent of our workforce are not a primary carer of a child or children under 18, which is five percentage points lower than in December 2020.
- We hold no information for six per cent of our workforce, which is a decrease of four percentage points from December 2020.

BSB staff with primary caring responsibilities for one or more children aged under 18 as of 1 December 2021



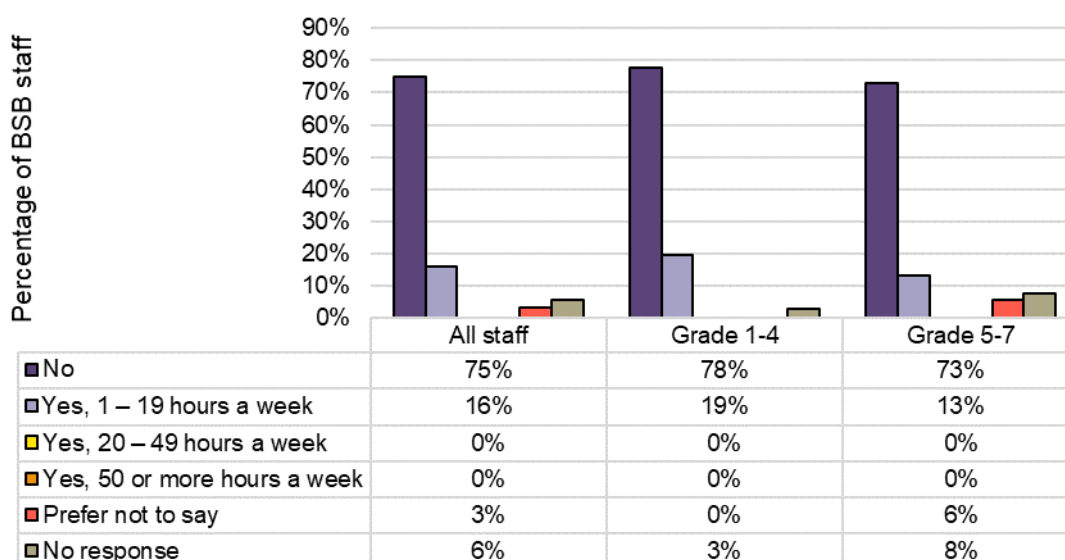
<sup>11</sup> Calculated from Table 1a in Families and the labour market, UK: main dataset using the Labour Force Survey and Annual Population Survey: main reference tables, 2020.

## Provide care for other family members, neighbours, or others

As of December 2021:

- 16 per cent of our workforce provide care to family members, neighbours, or others (all of which provide care for between 1-19 hours a week for another). This is a slight decrease of three percentage points from December 2020, but is still higher than the estimated figure for the UK working population. According to data provided by the Carers UK<sup>12</sup>, 14.3 per cent of those in work in the UK provide care for another, not including primary care of children.
- 75 per cent of our workforce does not provide care to family members, neighbours, or others This is unchanged from December 2020.
- We hold no information for nine per cent of our workforce. This is an increase of three percentage points from December 2020.
- It appears that a higher proportion of those in job levels 1-4 provide care for another than the comparative figure for those in job levels 5-7. This may be related to the age profile of those in job levels 1-4.

Percentage of BSB staff who support family members, neighbours or others as of 1 December 2021



<sup>12</sup> See Carers UK (2019). Juggling work and care