

## **Appendix 7: Independent Decision-making Body Terms of Reference**

### **Role**

1. The Independent Decision-making Body (the “IDB”) is a decision-making body of the Board, from which it derives its authority to provide members for Independent Decision-making Panels (IDPs) which carry out the functions and exercise the powers given to IDPs pursuant to the Enforcement Decision Regulations under Part 5A of the BSB Handbook, and to consider applications for review made under Part 3 C6, Part 3 E11, or Part 4 B4, or reviews of decisions taken under Part 1 A4, of the BSB Handbook

### **Membership**

2. The IDB shall be comprised of a Chair and at least one Vice Chair, and sufficient numbers of lay persons and practising barrister members to enable it to carry out its duties expeditiously. The IDB Chair can be either a lay or practising barrister member.
3. A member of the Board, or the Bar Council or any of its representative committees, may not be a member of the IDB.
4. A member of the IDB may not be appointed as a member of the Advisory Pool of Experts.
5. The IDB Chair may carry out the functions and exercise the powers given to the IDB Chair under Part 5 of the BSB Handbook.
6. Appointments to the IDB shall be made in accordance with the Appointments Policy.
7. All IDB members must complete BSB equality and diversity training within three months of taking up an appointment with the BSB.
8. A person shall cease to be an IDB member if:
  - a. the period for which they were appointed expires (and their appointment is not renewed);
  - b. they resign their membership by notice in writing;
  - c. they were appointed as a lay person and cease to be a lay person;
  - d. they were appointed as a practising barrister and cease to be a practising barrister or become a member of the Bar Council or one of its representative committees;
  - e. they fail to attend meetings with sufficient frequency and regularity to be able to discharge their duties and the Board resolves that they should cease to be a member;  
or
  - f. the Board resolves that they are unfit to remain an IDB member (whether by reason of misconduct or otherwise).

### **Proceedings and composition**

9. The proceedings and composition of IDPs are as prescribed in Schedule 1 to Part 5A of the BSB Handbook (the Enforcement Decision Regulations).

### **Reporting responsibilities**

10. The IDB Chair will report to the Board on its proceedings at least annually on all matters within its duties and responsibilities, but more often if required.