

Schedule 3. Board Statement on the Role of the Board

The Bar Standards Board regulates barristers called to the Bar in England and Wales in the public interest. It is led and governed by a Board made up of 15 people, some of whom are barristers and some of whom are non-barristers. It has a non-barrister majority and a non-barrister Chair. This statement sets out the Board's primary responsibilities.

Leadership

The Board is responsible for leading the organisation. It sets the direction of the organisation, and approves policy and strategy aligned with the direction. It expects the Executive to contribute to the development of direction, strategy and policy but is ultimately responsible for the direction of the organisation. The Board provides support to the executive team at the BSB and leads through the application of its collective wisdom, experience and judgement. The Board represents the BSB with external stakeholders and accepts collective accountability for the organisation's work in regulating barristers in the public interest.

Culture

The Board is responsible for shaping the BSB's organisational culture and values. It will lead by example and ensure that the culture and values are developed and adopted appropriately.

Oversight

The Board monitors the work and performance of the organisation and holds the executive to account for its delegated responsibilities. Where necessary it will constructively challenge the executive. It aims to be sufficiently knowledgeable about the workings of the BSB to be answerable for its actions, yet able to stand back from the day-to-day management of the BSB in order to retain an objective, longer-term view.

Strategy

The Board will ensure that strategy is designed to achieve the aims, objectives and mission it has agreed upon. The Board sets and approves the strategy for the organisation, taking account of the wider regulatory and risk landscape. When approving its strategy, it takes account of short-term pressures but also maintains sight of broader long-term trends.

Good Governance

The Board is responsible for ensuring that sound and effective governance arrangements are in place so that the organisation can operate in accordance with the good governance principles and organisational values agreed by the Board.

Each Board member is expected to contribute personally to the successful implementation of the governance principles and the achievement of the BSB's aims, objectives and mission, and to accept collective responsibility for the Board operating in accordance with this role statement.

Schedule 4. Scheme of Delegations

Scheme of Delegations

The Board is responsible for creating an organisational structure capable of meeting its regulatory obligations and implementing its strategic plan by establishing and maintaining a scheme of delegations. This scheme of delegations therefore describes the authority granted by the Board to its committees and executive to carry out regulatory functions on its behalf.

The scheme comprises:

- A. delegation from the Board to the Director General
- B. sub-delegation of Board powers from the Director General to the executive
- C. delegation from the Board to other bodies, listed in the Standing Orders
- D. delegation from the Board to other bodies, not listed in the Standing Orders
- E. delegation from the Governance, Risk and Audit (GRA) Committee to the Director General
- F. sub-delegation of GRA powers from the Director General to the executive
- G. delegation from the Chief Executive Officer of the General Council of the Bar to the Director General
- H. delegation from the Professional Conduct Committee to the executive

A. The Bar Standards Board delegates the powers below to the Director General, including the power to sub-delegate, to:	B. The Director General sub-delegates the powers granted by the Board as specified in column A, in accordance with decision-making criteria, to:
REGULATORY POLICY	
1. Approve formal / published guidance on the interpretation of rules and regulations.	Any Director
2. Make changes to the rules, including the Handbook, as approved by the Legal Services Board through the exempt application process.	Director of Professional Conduct Director of Regulatory Assurance Director of Strategy and Policy

<p>3. Implement regulatory changes and policies that enact exempt changes.</p>	<p>Director of Professional Conduct Director of Regulatory Assurance Director of Strategy and Policy</p>
<p>4. Implement rules, systems or procedures required to give effect to policies and regulatory arrangements previously agreed by the Board.</p>	<p>Director of Professional Conduct Director of Regulatory Assurance Director of Strategy and Policy</p>
<p>5. Grant waivers from or modifications to requirements of the Handbook where appropriate, other than those requirements which are separately delegated within this Scheme of Delegations.</p>	<p>Director of Professional Conduct Director of Regulatory Assurance Director of Strategy and Policy</p>
<p>6. Issue guidance to the Inns' Conduct Committee or the Council of the Inns of Court to follow in carrying out their functions as set out in Part 4 of the Handbook and any Memorandum of Understanding between the parties (Part 4, Section B rQ6).</p>	<p>Director of Professional Conduct Director of Strategy and Policy Director of Regulatory Assurance</p>
SUPERVISION	
<p>7. Approve a decision to take supervisory action, to take no action or to refer the case to the Professional Conduct Department.</p>	<p>Director of Regulatory Assurance Head of Assurance Head of Supervision Senior Supervision and Authorisation Officer Senior Training Supervision Officer Supervision and Authorisation Officer</p>

BSB ENTITY AUTHORISATION / LICENSING	
8. Authorise or license entity applications (rS85, rS86, and rS99).	Director of Regulatory Assurance Head of Assurance Head of Supervision Authorisations Manager Senior Supervision and Authorisation Officer Senior Training Supervision Officer Supervision and Authorisation Officer
9. Refuse to authorise or license entity applications (rS85, rS86, and rS99, rS101, and rS102).	Director of Regulatory Assurance Head of Assurance Authorisations Manager
10. Revoke or suspend authorisations / licences of BSB entities (rS117, rS130 and rS133).	Director of Regulatory Assurance Head of Assurance
11. Impose conditions, obligations or terms on or modify a BSB entity's authorisation or licence at any point (rS113, rS114 and rS116).	Director of Regulatory Assurance Head of Assurance Head of Supervision Authorisations Manager
12. Extend the decision period for considering entity applications (rS97).	Director of Regulatory Assurance Head of Assurance Head of Supervision Authorisations Manager Senior Supervision and Authorisation Officer Senior Training Supervision Officer Supervision and Authorisation Officer

<p>13. Approve an owner, manager, Head of Legal Practice (HOLP) or Head of Finance and Administration (HOFA), including emergency / temporary HOLPs or HOFAs (rS103, rS108, rS109 and rS132).</p>	<p>Director of Regulatory Assurance Head of Assurance Head of Supervision Authorisations Manager Senior Supervision and Authorisation Officer Senior Training Supervision Officer Supervision and Authorisation Officer</p>
<p>14. Reject an owner, manager, Head of Legal Practice (HOLP) or Head of Finance and Administration (HOFA), including emergency/temporary HOLPs or HOFAs (rS104 - rS110).</p>	<p>Director of Regulatory Assurance Head of Assurance Head of Supervision Authorisations Manager</p>
<p>15. Provide express written consent to the appointment of a person who has been disqualified as an employee of a barrister in chambers (rC89.3).</p>	<p>Director of Regulatory Assurance Head of Assurance Head of Supervision Authorisations Manager</p>
<p>16. Provide express written consent to the appointment of a person as a HOLP, HOFA, manager or employee of an entity who has been disqualified (rC92).</p>	<p>Director of Regulatory Assurance Head of Assurance Head of Supervision Authorisations Manager</p>
INTERVENTION	
<p>17. Authorise the use of intervention action in accordance with the powers set out at Schedule 14 to the Legal Services Act 2007, as modified by The Legal Services Act 2007 (General Council of the Bar) (Modification of Functions) Order 2018.</p>	<p>Director of Professional Conduct Director of Regulatory Assurance Director of Strategy and Policy</p>

PROVISION OF INFORMATION	
18. Authorise the issue of a notice requiring the production of documents and/or provision of information in relation to a licensed body (section 93 Legal Services Act 2007 and rC64.4).	Director of Professional Conduct Senior Professional Support Lawyer Head of Investigations and Hearings Team
19. Authorise the issue of a notice requiring the production of documents and/or provision of information in relation to a BSB authorised individual or BSB authorised body (Article 5 Legal Services Act 2007 (General Council of the Bar) (Modification of Functions) Order 2018 and rC64.4).	Director of Professional Conduct Senior Professional Support Lawyer Head of Investigations and Hearings Team
EDUCATION AND ASSESSMENTS	
20. Implement rules, systems or procedures required to give effect to policies and regulatory arrangements previously agreed by the Board with regard to formal assessment of standards for qualification / authorisation.	Head of Training Supervision and Examinations Examinations Manager
21. Implement rules, systems or procedures required to give effect to policies and regulatory arrangements previously agreed by the Board with regard to training specification requirements and delivery.	Head of Training Supervision and Examinations Head of Assurance Head of Supervision
22. Take decisions in relation to the approval, refusal and rescinding of approval of individuals and organisations to provide training, supervision or assessment where required by the regulations.	Director of Regulatory Assurance Director of Strategy and Policy Head of Training Supervision and Examinations Head of Assurance Head of Supervision Authorisations Manager

AUTHORISATIONS AND WAIVERS	
23. Take decisions in relation to applications for exemption from, or modifications to, any requirement of the Bar Qualification Rules (Part 4, Section B), except the power in rQ6 which is covered by Delegation 6	<p>Director of Regulatory Assurance Head of Assurance Authorisations Manager Senior Supervision and Authorisation Officer Senior Training Supervision Officer Supervision and Authorisation Officer</p>
24. Take decisions in relation to applications for waivers from membership of BMIF (rC77).	<p>Director of Professional Conduct Director of Regulatory Assurance Director of Strategy and Policy</p>
25. Take decisions in relation to applications for transferring lawyers. (rules rQ7 - rQ28) and the registration of European Lawyers as Registered European Lawyers (Rules rQ17 – rQ22 and Section 3 D) I).	<p>Director of Regulatory Assurance Head of Assurance Authorisations Manager Senior Supervision and Authorisation Officer Senior Training Supervision Officer Supervision and Authorisation Officer</p>
26. Take decisions in relation to applications for exemptions from, or modifications to, any requirement for transferring lawyers (Rules Rq7 – rQ28), specifically applications to extend the time for completion of the Bar Transfer Test where exemption has been granted from standard training requirements.	<p>Director of Regulatory Assurance Head of Assurance Authorisations Manager Senior Supervision and Authorisation Officer Senior Training Supervision Officer Supervision and Authorisation Officer Supervision and Authorisation Assistant</p>

<p>27. Take decisions in relation to applications for designation of a European Lawyer as a qualified person (rS22.2.b.i).</p>	<p>Director of Regulatory Assurance Head of Assurance Authorisations Manager Senior Supervision and Authorisation Officer Senior Training Supervision Officer Supervision and Authorisation Officer</p>
<p>28. Take decisions in relation to applications for waivers from or modifications to the requirement to work with a qualified person as defined in rS22 of the BSB Handbook (rS20 and rS21).</p>	<p>Director of Regulatory Assurance Head of Assurance Authorisations Manager Senior Supervision and Authorisation Officer Senior Training Supervision Officer Supervision and Authorisation Officer</p>
<p>29. Designate a person as unsuitable to be a qualified person (rS22).</p>	<p>Director of Regulatory Assurance Head of Assurance Authorisations Manager</p>
<p>30. Take decisions in relation to applications for litigation extensions (rS47, rS58 and rS59).</p>	<p>Director of Regulatory Assurance Head of Assurance Authorisations Manager Senior Supervision and Authorisation Officer Senior Training Supervision Officer Supervision and Authorisation Officer</p>

<p>31. Take decisions in relation to applications for waivers from or modifications to the requirements that the BSB sets to undertake Public Access work (rC120).</p>	<p>Director of Regulatory Assurance Head of Assurance Authorisations Manager Senior Supervision and Authorisation Officer Senior Training Supervision Officer Supervision and Authorisation Officer</p>
<p>32. Take decisions in relation to applications for waivers from or modifications to the Continuing Professional Development Regulations (Part 4C Rules rQ41-rQ49)</p>	<p>Director of Regulatory Assurance Head of Assurance Authorisations Manager Senior Supervision and Authorisation Officer Senior Training Supervision Officer Supervision and Authorisation Officer</p>
<p>32(a) Take decisions in relation to applications for waivers from or modifications to the Continuing Professional Development Regulations specifically waivers from or extensions of time to complete the requirements of the Established Practitioner Programme and New Practitioner Programme (Part 4C rules rQ41-rQ49).</p>	<p>Director of Regulatory Assurance Head of Assurance Authorisations Manager Senior Supervision and Authorisation Officer Senior Training Supervision Officer Supervision and Authorisation Officer Supervision and Authorisation Assistant</p>
<p>33. Exercise all powers under the Licensed Access Recognition Regulations.</p>	<p>Director of Regulatory Assurance Head of Assurance Authorisations Manager</p>

<p>34. Approve applications for licensed access under the Licensed Access Recognition Regulations.</p>	<p>Director of Regulatory Assurance Head of Assurance Authorisations Manager Senior Supervision and Authorisation Officer Senior Training Supervision Officer Supervision and Authorisation Officer</p>
<p>34(a) Approve applications for licensed access under the Licensed Access Recognition Regulations, specifically applications for amendments to or renewal of a licence, registration of an organisation accredited by the Office of the Immigration Services Commissioner (OISC) or renewal of a licence by an organisation already registered (rS24.2).</p>	<p>Director of Regulatory Assurance Head of Assurance Authorisations Manager Senior Supervision and Authorisation Officer Senior Training Supervision Officer Supervision and Authorisation Officer Supervision and Authorisation Assistant</p>
<p>35. Designate Legal Advice Centres as suitable for the attendance or employment of barristers, including by imposing conditions.</p>	<p>Director of Regulatory Assurance Head of Assurance Authorisations Manager Senior Supervision and Authorisation Officer Senior Training Supervision Officer Supervision and Authorisation Officer</p>
<p>36. Authorise, refuse, modify or impose conditions on providers of the academic and vocational (integrated) or vocational components / approved pathways (Part 4, B3)</p>	<p>Director of Regulatory Assurance Head of Training Supervision and Examinations Head of Assurance Head of Supervision</p>

<p>37. Authorise providers of the pupillage / work-based learning component (Part 4, B3)</p>	<p>Director of Regulatory Assurance Head of Assurance Head of Supervision Authorisations Manager Senior Supervision and Authorisation Officer Senior Training Supervision Officer Supervision and Authorisation Officer</p>
<p>38. Withdraw authorisation, refuse, modify or impose conditions on providers of the pupillage / work-based learning component (Part 4, B3)</p>	<p>Director of Regulatory Assurance Head of Assurance Head of Supervision Head of Training Supervision and Examinations</p>
<p>39. Withdraw authorisation from an AETO providing the academic and vocational (integrated) or vocational components / approved pathways (Part 4, B3).</p>	<p>Director of Regulatory Assurance Director of Strategy and Policy Director of Professional Conduct</p>
<p>40. Take decisions in relation to applications for waivers from or modifications to the pupillage funding g requirements (rC113 – rC117).</p>	<p>Director of Regulatory Assurance Head of Assurance Authorisations Manager Senior Supervision and Authorisation Officer Senior Training Supervision Officer Supervision and Authorisation Officer</p>

<p>41. Register a pupillage or refuse to register a pupillage ().</p>	<p>Director of Regulatory Assurance Head of Assurance Authorisations Manager Senior Supervision and Authorisation Officer Senior Training Supervision Officer Supervision and Authorisation Officer</p>
<p>42. Retrospectively register a pupillage ().</p>	<p>Director of Regulatory Assurance Head of Assurance Authorisations Manager Senior Supervision and Authorisation Officer Supervision and Authorisation Officer Supervision and Authorisation Assistant</p>
<p>43. Approve, or refuse to approve, the issue of a temporary qualification certificate (rQ26-28).).</p>	<p>Director of Regulatory Assurance Head of Assurance Authorisations Manager Senior Supervision and Authorisation Officer Supervision and Authorisation Officer</p>
<p>44. Register or refuse to register a barrister as a pupil supervisor. .</p>	<p>Director of Regulatory Assurance Head of Supervision Head of Assurance Authorisations Manager</p>

<p>45. Investigate any matter which appears to affect the suitability of a barrister to continue to act as a pupil supervisor, and to dismiss any complaint, take no action or take informal action ().</p>	<p>Director of Professional Conduct Head of Investigations and Hearings Casework Manager Senior Case Officer Case Officer</p>
<p>46. Waive, or refuse to waive, any fee generally charged by the BSB for any application for waiver from or authorisation under any provision of the BSB Handbook.</p>	<p>Director of Regulatory Assurance Head of Assurance Authorisations Manager Senior Supervision and Authorisation Officer Supervision and Authorisation Officer</p>
<p>47. Take decisions in relation to the equivalence of a degree awarded for the purposes of academic legal training outside the United Kingdom(rQ3.1 also see definition of academic legal training).</p>	<p>Director of Regulatory Assurance Head of Assurance Authorisations Manager Senior Supervision and Authorisation Officer Senior Training Supervision Officer Supervision and Authorisation Officer</p>
<p>48. Take decisions in relation to applications for waivers from or modifications to the regulatory restrictions as to which persons an employed barrister may supply legal services to (rS39).</p>	<p>Director of Strategy and Policy Head of Policy & Research where expressly delegated by the Director of Strategy and Policy</p>

C. The Bar Standards Board delegates the power to the following to:	
49. Determine any request for review made under Part 4 2B, Part 3 C6, Part 3 E11, or Part 4 B10 of the Handbook, or review of decisions taken under Part 1 4A of the Handbook and exercise the powers under rQ109.	Authorisations Review Panels
D. The Bar Standards Board delegates the power to the following to:	
50. Determine whether applications for review of decisions of the Bar Transfer Test Examining Board are referred to the Independent Reviewer.	Director of Regulatory Assurance Head of Training Supervision and Examinations Examinations Manager
51. Determine applications for review of decisions of the Bar Transfer Test Examining Board.	Independent Reviewer (external independent contractor)
52. Determine whether applications for review of cohort-level decisions of central assessments are referred to the Independent Reviewer.	Director of Regulatory Assurance Head of Training Supervision and Examinations Examinations Manager
53. Determine applications for review of cohort-level decisions of central assessments.	Independent Reviewer (external independent contractor)
54. Make arrangements for the conduct of disciplinary hearings and take disciplinary action according to the regulatory arrangements in respect of entities, their managers and employees.	Bar Tribunals and Adjudication Service

E. The Governance, Risk and Audit Committee (GRA) delegates the power to the Director General, including the power to sub-delegate, to:	F. The Director General sub-delegates the powers granted by the Governance, Risk and Audit Committee (GRA) as specified in column E to:
55. Approve terms of reference for, and arrangements for the conduct of, audits commissioned by the Governance, Risk and Audit Committee (including those agreed in the annual audit plan), providing that terms of reference for each audit are circulated to the Committee in advance of the audit.	Director of Regulatory Assurance Head of Governance & Corporate Services
G. The Chief Executive Officer of the General Council of the Bar delegates the power to the following to:	
56. Direct the Records Office in the conduct of its regulatory functions, including issuing, amending, endorsing and revoking practising certificates.	Director General

H. The Professional Conduct Committee, on behalf of the Bar Standards Board (by delegation within Annex 2d of the Standing Orders) delegates the power to the Executive team in accordance with the following table which is updated on a regular basis:

[https://www.barstandardsboard.org.uk/media/1699744/150810_p09_authorisations_under_part_5_table_annex_1_live_updated_september_2015 .pdf](https://www.barstandardsboard.org.uk/media/1699744/150810_p09_authorisations_under_part_5_table_annex_1_live_updated_september_2015.pdf)

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Version Control

Date	Version	Comments
March 2014	Version 1.0	First version
November 2014	Version 1.1	Amended Scheme of Delegations in Appendix 1
December 2015	Version 2.0	Update to annexes including new Scheme of Delegations
January 2016	Version 2.1	Amended Scheme of Delegations
April 2016	Version 2.2	Amended Scheme of Delegations
August 2016	Version 2.3	Amended Scheme of Delegations
October 2016	Version 2.4	Amended Scheme of Delegations to authorise the use of intervention action
January 2017	Version 3.0	Amendments for currency and correctness, updated annexes including amended Scheme of Delegations
March 2017	Version 3.1	Amended Scheme of Delegations
July 2017	Version 3.2	Amended Scheme of Delegations

Date	Version	Comments
January 2018	Version 4.0	Revised Scheme of Delegations
January 2018	Version 5.0	Revised commentary in section 5 (Risk management)
November 2018	Version 5.1	Amended Scheme of Delegations
March 2019	Version 5.2	Amended Scheme of Delegations

If you need this document in an alternative format, please contact the Corporate Services Team.

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