



BAR
STANDARDS
BOARD

REGULATING BARRISTERS

Business Plan 2011-2012

Chair's statement

Last year we set out a Preliminary Strategy for 2010-2012. We thought at that stage that we may need to alter it to deal with circumstances that we hadn't anticipated. I'm pleased to say that our planning and vision has held up well, even though we have faced considerable change and there is plenty more to come.

The period of this business plan (January 2011 to March 2012) will see developments in all areas of our work.

Central to the changes and challenges we face is our work in relation to entity regulation. In 2010 we issued a consultation on this issue. That closed on 23 December 2010 and the results will be analysed in the early part of 2011. When that analysis is complete the BSB will then have a key decision to take: whether it should proceed with considering further the detail of how it would regulate entities. If the BSB does think that it should continue with this work, further consultations will be issued in 2011. Those consultations would be more specific about how the BSB might approach that task and what would be permitted. This is a large piece of work involving considerable resources because we want to get it right. This is a matter so fundamental to the future of the profession that we want to make sure that we are balancing all factors properly and genuinely delivering a result that will be in the public interest and meet the regulatory objectives in the Legal Services Act 2007, as well as provide future flexibility to support the profession itself.

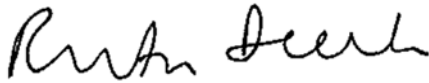
This is not the only area of considerable activity in 2011/12 though. Several major projects come to fruition during this year. We will be finalising the new Code of Conduct, including new Practising Rules, Conduct Rules and Equality and Diversity provisions. The Quality Assurance Scheme for Advocates in relation to criminal advocacy will start operating. We will complete the third stage of the education reviews, relating to Continuing Professional Development for barristers, led by Derek Wood QC. We will also be assisting in the overarching Legal Education Review with the other approved regulators. This will be a major area of work for all of the regulators in the coming year. 2011/12 will also see our first full year of operation with the Legal Ombudsman in place, a key development for all consumers as well as the legal profession.

As we said last year, in devising our strategy through until 2012 we have kept the strengths of the profession that we want to preserve in mind, including its international reputation for providing high quality advocacy. Ensuring that the unique advantages of such advocacy are defined and can be communicated clearly is a major aspect of our work, as shown by our role in the Joint Advocacy Group and our leadership in the development of the Quality Assurance Scheme for Advocates.

We cannot carry out all of our work alone. We work very constructively with the other legal regulators. The Inns of Court have a considerable role in the lives of barristers. We are very grateful for the support that we receive from the Inns in many aspects of our work.

I must also note the significant contribution of members of the profession itself to our work. Barristers provide us with invaluable insight into how things work by contributing to our consultation responses as well as contributing directly to the operation of the BSB itself through giving their time to our Board, Committees, Working Groups, Review Groups or one of the many other groups who undertake work for the BSB. I continue to be impressed by both the calibre and dedication of barristers who give their time Pro Bono to so many aspects of our work.

This year sees us undertaking considerable activity in all aspects of our work. It will be a busy year but by the end of it, I hope that our significant progress will be evident.

A handwritten signature in black ink, appearing to read 'Ruth Deech', written in a cursive style.

The Baroness Deech DBE

Chair, Bar Standards Board

Our purpose

Our purpose is to provide specialist regulation of advocacy and expert legal advice, in the public interest.

Our vision is that by the end of 2012:

- The term “BSB-regulated” will be an assurance of *good, honest, independent advocacy and expert legal advice*
- The public and the profession will recognise and value that assurance
- The same will be said of how we do our job as regulator: *good, honest, independent, expert*

This 15 month plan shows the activities we will be undertaking towards achieving our vision between January 2011 and March 2012. The Bar Council and Bar Standards Board financial year has been changed so that our year now runs from April to March. We have this one longer period to get us on to the correct cycle. All future business plans will be for a financial year running from April to March.

We continue to face considerable challenges in terms of change within the legal market and for barristers operating within that market. The changes brought about by the Legal Services Act 2007 are really starting to take shape and more are on their way.

Historically the Bar Standards Board has often been reactive to change. Part of our strategic plan is to be proactive as much as we possibly can. In particular we will be:

- Helping those we regulate to improve the service they provide to their clients through a modernised principles based Code supplemented by guidance and monitoring (“outcome based monitoring”)
- Providing more choice for consumers by removing any restrictions on how barristers practise which are not in the public interest
- Setting the agenda on education of barristers
- Raising standards through development of new CPD requirements and quality assurance schemes
- Liaising and consulting with other approved regulators and the LSB where we believe standards need to be raised
- Revising our regulatory Codes and guidance to promote higher standards in the profession in relation to equality and diversity

As we stated last year, the Legal Services Act 2007 is a major imperative for change at the Bar Standards Board and much of our work will be undertaken in order to give the Act full effect. By the end of 2012, the Bar Standards Board will have managed the implementation of the Legal Services Act 2007, extended competition, opened up more diverse career paths, and realised benefits for consumers, without detriment to the professional principles laid down in the Act, access to justice or the wider public interest.

In 2010 we consulted on whether the Bar Standards Board should become an entity regulator. The results of that consultation will be considered in early 2011. If, after proper consideration of all the issues, the Board considers that entity regulation should proceed then a further consultation will be issued later in the year on the details of the operation of entity regulation. Using those results to make sure that the

ultimate scheme would be workable and sensible, the BSB would put in place the necessary changes to be an entity regulator for Barrister only Entities and, possibly, also for other entities that are appropriate to our skills.

A review of the Code of Conduct is well underway. Consultation on the fully revised Code will start in January 2011. The intention is to have the new Code in place and published by March 2012 but this is dependent upon the results of the consultation and LSB approvals process. The new Code is different to the current one. It seeks to impose the same core duties on all those who practise under our regulation, with only such differences as are dictated by the different structures within which they deliver their services and their roles within those structures.

Many people and other organisations contribute to our work. The Inns play a vital and positive role in maintaining standards through education, encouraging a collegiate ethos and ensuring high standards of behaviour from all members of the profession. We will continue to work closely with the Inns of Court on matters of joint interest and on formalising these further where necessary.

The Bar Standards Board is also working increasingly closely with other regulators on matters of common interest. For instance, the Bar Standards Board, Solicitors Regulation Authority and ILEX Professional Standards together form the Joint Advocacy Group, which is overseeing the development of the Quality Assurance Scheme for Advocates. We will also be working together on the overarching review of Legal Education and Training.

There are many others who play significant roles in our work: academic institutions, consumer and user groups, course providers, the judiciary and the profession itself. Working effectively with all of these interested parties is an important part of making sure that we do things effectively.

The Legal Services Board plays a special role, both in aspects of the work we are doing with other regulators and of course overseeing all that we do to meet the regulatory objectives of the Legal Services Act 2007. We are in continual contact with the Legal Services Board and welcome the constructive working relationship that we have with it. As the Legal Services Board is interested in all aspects of what we do, this means that all parts of the Bar Standards Board are interacting with and responding to the LSB on a regular basis. A significant proportion of our resources continue to be allocated to this important relationship.

Many of the activities have an outward focus, that is, they are changes that the profession and users of the profession's services will see or feel. We are also doing a lot of work behind the scenes to ensure that our organisation is able to undertake our work and deliver the support that users and the profession properly expect. Effective governance is a key activity of regulators. By the end of 2012 we will have in place regulatory arrangements that are fit for purpose and with the following attributes:

- Independent
- Well governed
- Small in number but high quality
- Adequately resourced
- Using up-to date IT systems

- Equipped with the right external expertise (from outside consultants, a User Group, lay board members and Pro-Bono contributions from barristers)
- Able to measure its own performance and demonstrate value for money
- Using effective communications to interact with all people affected by or interested in our work

The coming year will require a lot of work in some of these areas, particularly IT, where we will be developing a new Core Database to support all of our work and a new website to communicate information to others.

There are some overarching considerations for all aspects of our work. The impact of our activities will always be borne in mind, especially where Equality and Diversity is concerned. All of our decision making must take this important perspective into account, which is now an expanded consideration as the Equality Act 2010 comes into full effect.

Similarly, we must communicate what we are doing and the implications of any changes effectively and efficiently. People need to be able to understand the standards they may expect of barristers and barristers need to understand what is expected of them. There are many others interested in or affected by what we do, such as the Inns, the education providers, other regulators and the LSB. We hope to have a new website in place during 2011-12 to assist with providing accurate and up to date information to everyone who may need it, especially the users of barristers' services and the wider public.

The work we will be doing over the next two years is considerable but there will still be more to do once that is done. Looking slightly further ahead, in five years' time the BSB sees that:

- Barristers will be following diverse career paths and practising from a range of different structures (probably with only some of those regulated by the BSB) and some solicitors may be BSB-regulated (if the BSB decides to regulate LDPs/ABSs) BUT the public will be able to rely on the fact the core qualities will be safeguarded (*good, honest, independent advocacy and expert legal advice*) whenever someone is practising as an advocate or as a legal adviser under the BSB's oversight
- We will have an evidence base to draw on when evaluating risks and making decisions about where and how to target our efforts over the ensuing five years

How will we achieve this?

Last year we distilled our aims into a format from which we can clearly show the work we will be doing. The aims are shown in the matrix on page 10. This matrix summarises our aims through until the end of 2012. These are our strategic aims.

The objectives that we have identified in order to achieve these aims are captured in the following pages (our corporate plan). This is the second business plan we have produced, showing the activities we will be undertaking over the next 15 months towards meeting those objectives. This structure enables us to ensure that all of our activities are aligned with our aims and that our resources are used effectively to achieve what we want to.

Broadly speaking, this is a “balanced scorecard” approach. By meeting the objectives in the regulation and accountability areas we will deliver the objectives in the people section, while demonstrating the values articulated.

Within the BSB, each directorate and team works to plans, derived from the above, which guide their contribution to the Board’s aims and objectives. Individual staff objectives flow from these.

What are our key priorities over the next year?

Our primary focus is always to ensure that the work we need to do as an active and functioning regulator is done well. This core work forms the backbone of our activity and accounts for a significant portion of our budget. Our core work involves:

- Dealing with issues at all stages of education (Academic, BVC/BPTC, Pupillage, CPD)
- Joint Academic Stage Board (JASB) management
- Accreditation and monitoring of the BPTC
- Registration and monitoring of pupillage
- Accreditation and monitoring of Continuing Professional Development course providers
- Waivers from CPD and Qualifications requirements
- Monitoring compliance with CPD requirements by barristers
- Maintaining and developing the Code of Conduct and setting any other standards needed
- Managing complaints and disciplinary action
- Undertaking Chambers Monitoring

- Quality assurance activities across all areas of our work
- Producing effective communications and having a website that genuinely meets people's information needs
- Managing our relationships with others involved in legal regulation

We also need to think about the improvements that need to be made to our existing systems. There are many areas where things are changing or need to change over the next year with the overarching focus continuing to be in the regulation area.

We consider that if we get these things right, it will lead to improvement for the people we ultimately serve – the public and the profession.

In looking at the changes we need to make, our priorities for 2011-12 are:

| Priority | Aim |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Work on our regulatory frameworks <ul style="list-style-type: none"> – Education (BPTC implementation, Pupillage Review completion and implementation and completing the Continuing Professional Development Review) – Code of conduct, including Equality and Diversity provisions and Authorisation to Practise regime – Entity regulation | Aim ① Our standards continuously ensure high quality practice Aim ④ We research, design and implement a regulatory framework that reflects the regulatory objectives Aim ⑯ We support the development of a profession that reflects the diversity of society and provides equal access to justice for all |
| Quality Assurance Scheme for Advocates | Aim ③ Clients receive effective advocacy and legal representation from those we regulate |
| Governance of the BSB | Aim ⑤ Excellent governance and management ensure effective independent regulation |
| Developing an effective Information Strategy to support all areas of work including the development of new IT systems, particularly a new Core Database | Aim ⑧ We have an Information Strategy that ensures we deliver good customer service |

Our aims

Regulation

- 1 Our standards continuously ensure high quality practice
- 2 All those whom we regulate live up to our standards
- 3 Clients receive effective advocacy and legal representation from those we regulate
- 4 We research, design and implement a regulatory framework that reflects the regulatory objectives

People

- 9 The public understands the standards they are entitled to expect from those whom we regulate
- 10 The profession understands the standards they are required to meet
- 11 Public, 'relevant third parties' and those we regulate have confidence in us
- 12 Our people add value

Accountability

- 5 Excellent governance and management ensure effective independent regulation
- 6 We raise our resources responsibly, use them efficiently and effectively and account for our spending decisions
- 7 We set performance standards, monitor progress and report transparently
- 8 We have an Information Strategy that ensures we deliver good customer service

Values

- 13 Fair and just: we act responsibly in the public interest
- 14 Innovative: we lead change for better regulation or partner with others to do so
- 15 Responsive and proactive: we listen, reflect and act; we set the agenda strategically and deliver it
- 16 We support the development of a profession that reflects the diversity of society and provides equal access to justice for all

| Regulation | | | | |
|------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Aims | Objectives for 2012 | Activities in 2011 | Completed | Core or Additional |
| <p>① Our standards continuously ensure high quality practice</p> | <p>A) We define the standards and competencies which barristers must satisfy at key stages of their education and training, qualification and professional development</p> | <p>Bar Professional Training Course implementation</p> <p>a) Analysis of second Aptitude Test pilot and BSB decision regarding implementation of Aptitude Test</p> <p>b) First and second phase of centralised exams</p> <p>c) Implementation of 7.5 IELTS requirement, provided LSB approval given in early 2011</p> <p>d) Pupillage review implementation completed</p> <p>e) Continuing Professional Development (CPD) Review completed</p> <p>f) CPD Review implementation commenced</p> <p>g) Joint Academic Stage Board (JASB) management (oversight of all qualifying law degrees in conjunction with Solicitors' Regulation Authority)</p> <p>h) JASB policy implemented for all qualifying law degrees and CPEs addressing collaboration and compensation</p> <p>i) Determine how JASB Joint Statement relates to overarching education review</p> <p>j) Contribute to LSB initiated major Education Review, dependant on funding</p> <p>k) Monitoring of existing pupillage and education requirements</p> <p>i. JASB and BPTC provider visits (JASB until Aug 2011 only)</p> <p>ii. Pupillage and other triggered visits</p> | <p>Oct 2011</p> <p>Apr 2012</p> <p>Oct 2011</p> <p>Dec 2011</p> <p>Apr 2011</p> <p>tbc 2012 onwards</p> <p>Dec 2011</p> <p>Sep 2011</p> <p>Jun 2011</p> <p>Dec 2012</p> <p>Nov 2010–Apr 2011 and Nov 2011–Apr 2012</p> <p>All year</p> | <p>Additional</p> <p>Additional</p> <p>Additional</p> <p>Additional</p> <p>Additional</p> <p>Additional</p> <p>Core</p> <p>Additional</p> <p>Additional</p> <p>Additional</p> <p>Core</p> <p>Core</p> |

| Regulation | | | | |
|-------------------|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Aims | Objectives for 2012 | Activities in 2011 | Completed | Core or Additional |
| | | l) Code and Bar Training Regulations changes submitted to Legal Services Board | All year | Core |
| | B) Standards are set in a way that ensures continuous development and improvement for barristers | <p>Review of Code of Conduct</p> <p>a) Consultation on draft Code of Conduct, including new practising certificate rules as part of new authorisation to practise regime</p> <p>b) Review responses to consultation on full draft of Code</p> <p>c) BSB approval of rules on authorisation to practise</p> <p>d) Equality and Diversity provisions of Code to BSB for agreement</p> <p>e) Committee and Board approve revised Code and submit to LSB</p> <p>f) Implementation of new authorisation to practise regime</p> <p>g) Publish new Code</p> <p>h) Implementation of new Code</p> | <p>Jan 2011</p> <p>May 2011</p> <p>Jul 2011</p> <p>Jul 2011</p> <p>Oct 2011</p> <p>Feb 2012</p> <p>Mar 2012</p> <p>Jan 2012</p> | <p>Additional</p> <p>Additional</p> <p>Additional</p> <p>Additional</p> <p>Additional</p> <p>Additional</p> <p>Additional</p> <p>Additional</p> |
| | C) Standards are publicised in an easy to understand and explicit manner | <p>a) 'Awareness' programme on new Code completed, including roadshows</p> <p>b) Annual revision of JASB, BPTC and Pupillage handbooks</p> <p>c) Maintain and update the Code of Conduct</p> | <p>Mar 2012</p> <p>Sep 2011</p> <p>All year</p> | <p>Additional</p> <p>Core</p> <p>Core</p> |

| Regulation | | | | |
|-----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------------------------|
| Aims | Objectives for 2012 | Activities in 2010 | Completed | Core or Additional |
| <p>(a) All those whom we regulate live up to our standards</p> | <p>A) We give the public a comprehensive positive assurance that barristers meet the standards required for registration and at key stages throughout their career relative to whether they are in employment or self-employed, and take regulatory action when required</p> | <p>CPD Compliance</p> <p>a) Monitor compliance with CPD requirements by all barristers</p> | All year | Core |
| | | <p>b) Administer existing CPD accreditation process</p> | All year | Core |
| | | <p>c) Review all processes and procedures following CPD Review</p> | Dec 2011 | Additional |
| | | <p>Quality Assurance programme</p> <p>d) Quality Assurance Scheme for Advocates (Crime) development completed</p> | Jul 2011 | Additional |
| | | <p>e) Implementation of Quality Assurance Scheme for Advocates (Crime)</p> | Commences Oct 2011 | Additional |
| | | <p>Chambers Monitoring</p> <p>f) Further development of the Chambers Monitoring scheme in the light of the monitoring undertaken in 2010</p> | Jul 2011 | Core |
| | | <p>g) Annual Chambers Monitoring exercise</p> | Oct 2011 | Additional |
| | | <p>Barristers' register</p> <p>h) Maintenance of the Barristers' Register</p> | All year | Core |
| | | <p>i) Development of the Barristers' Register in the light of authorisation to practise arrangements</p> | Mar 2012 | Core |

| Regulation | | | | |
|-------------------|----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|------------------------------------------------------------------------|
| Aims | Objectives for 2012 | Activities in 2010 | Completed | Core or Additional |
| | | Regulatory action j) Other routine monitoring and quality assurance activity k) Targeted regulatory responses l) Respond to regulatory reviews undertaken by the LSB | All year All year As required by LSB | Core Core Core |
| | B) We ensure fair and rigorous processes protect the public when barristers fail to live up to standards | a) Introduce new complaints handling processes arising from the BSB's change in complaints jurisdiction b) Process and assess all complaints and disciplinary cases in accordance with revised procedures and standards c) Monitor the operation of the MoU and the Operational Protocol agreed with the Legal Ombudsman d) Ensure as many service complaints as possible are concluded before the transitional cut-off date of 31 March 2011 e) Carry out a review of the current use of the criminal standard as the standard of proof for professional misconduct f) Conduct a formal review of the efficacy and outcomes of the revised complaints handling processes and restructured staff teams g) Independent Observer monitors the operation of the complaints system and reports regularly to the Board providing assurance that processes are being followed and identifying areas for improvement | Mar 2011 All year All year Mar 2011 Dec 2011 Apr 2012 All year | Additional Core Core Core Additional Additional Core |

| Regulation | | | | |
|-------------------|--------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------------|
| Aims | Objectives for 2012 | Activities in 2010 | Completed | Core or Additional |
| | C) BSB standards apply evenly and fairly to those whom we regulate working in employment and self employment | a) Implementation of new Code fully completed | Mar 2012 | Additional |
| | D) Equality is embedded into all aspects of BSB standards | b) Monitor complaints and disciplinary action according to "Diversity Indicators" (all year) and produce report every second year | April 2011 | Core |
| | | a) Complete and publish equality impact assessments for existing priority policies | Dec 2011 | Additional |
| | | b) Complete and publish equality impact assessments for all new policies | All year | Core |
| | | c) Respond to LSB data collection requirements | As scheduled by LSB | Additional |
| | E) The same standards are maintained even where specific requirements are relaxed for individuals | a) Applications to relevant BSB committees continue to be determined against criteria that maintain the BSB's standards | All year | Core |

| Regulation | | | | |
|-----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Aims | Objectives for 2012 | Activities in 2011 | Completed | Core or Additional |
| <p>③ Clients receive effective advocacy and legal representation from those we regulate</p> | <p>A) A quality scheme is in place that will allow assessment of a barrister's capability and performance.</p> | <p>a) Continued development and implementation of Quality Assurance Scheme for Advocates</p> <p>b) Agreement on standards for criminal advocacy across all regulators</p> <p>c) Implementation of new standards including arrangements for establishing a Quality Assurance Scheme for Advocates structure</p> <p>d) Run the QASA scheme in conjunction with the Joint Advocacy Group</p> | <p>Mar 2012</p> <p>Jul 2011</p> <p>Jul 2011</p> <p>From Aug 2011</p> | <p>Additional</p> <p>Additional</p> <p>Additional</p> <p>Core</p> |
| <p>④ We research, design and implement a regulatory framework that reflects the regulatory objectives</p> | <p>A) BSB approach to entity regulation specified and under ongoing review</p> | <p>a) Analysis of consultation on entity regulation</p> <p>b) Board approval of approach on entity regulation</p> <p>c) Communication with LSB on approach</p> <p>d) BSB considers how barristers may participate in ABSs regulated by others</p> <p>e) Develop code/licensing rules</p> <p>f) Issue second consultation</p> <p>g) Consultation analysis and finalising approach</p> <p>h) Review previous decisions made by Board (eg dual capacity)</p> | <p>Mar 2011</p> <p>Mar 2011</p> <p>Oct 2011</p> <p>Apr 2011</p> <p>Jul 2011</p> <p>Oct 2011</p> <p>Mar 2012</p> <p>Mar 2012</p> | <p>Additional</p> <p>Additional</p> <p>Additional</p> <p>Additional</p> <p>Additional</p> <p>Additional</p> <p>Additional</p> <p>Additional</p> |

| Regulation | | | | |
|-------------------|-----------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| Aims | Objectives for 2012 | Activities in 2011 | Completed | Core or Additional |
| | B) Agreed approach with other regulators on matters of joint interest | <ul style="list-style-type: none"> a) Liaison with LSB's ABS Implementation Group b) Liaison with Bar Council as Approved Regulator (AR) c) Liaison with SRA and other ARs including regular Approved Regulator Forum meetings and agreement of MoUs where appropriate d) Engaging in debate with LSB and other ARs on interpretation and application of regulatory objectives | <ul style="list-style-type: none"> All year All year All year All year | <ul style="list-style-type: none"> Core Core Core Core |

| Accountability | | | | |
|-----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| Aims | Objectives for 2012 | Activities in 2011 | Completed | Core or Additional |
| <p>⑤ Excellent governance & management ensure effective independent regulation</p> | <p>A) A high performance Board – sound framework supported by strong management team</p> | <p>a) Management of consultation response activity</p> <p>b) Reports on our KPIs presented on a 3-monthly basis to the Board</p> <p>c) Governance Handbook completed and published</p> <p>d) Risk management processes in place to provide Board with assurance that risk actions are being monitored and presented on 3-monthly basis to the Board</p> <p>e) Effective management reporting supported by good IT systems</p> <p>f) Equality and Diversity training carried out for all new Board members, committee members and staff</p> <p>g) New lay members of BSB confirmed to achieve a lay majority on the BSB as at 1 Jan 2012</p> <p>h) Induction of new Board members to enable them to take up positions on 1 Jan 2012</p> | <p>As required by consultation deadline</p> <p>Feb, May, Sep, Nov 2011, Feb 2012</p> <p>Dec 2011</p> <p>Feb, May, Sep, Nov 2011, Feb 2012</p> <p>May, Sep, Nov 2011, Feb 2012</p> <p>Jun 2011</p> <p>Jul 2011</p> <p>Dec 2011</p> | <p>Core</p> <p>Core</p> <p>Core</p> <p>Core</p> <p>Core</p> <p>Core</p> <p>Core</p> <p>Core</p> |
| | <p>B) Clear demarcation and articulation of responsibilities between BSB and Bar Council</p> | <p>a) Report to Board on first year of operation of new constitutional arrangements</p> <p>b) Responding to LSB Regulatory Reviews</p> | <p>Mar 2012</p> <p>As scheduled by LSB</p> | <p>Additional</p> <p>Core</p> |

| Accountability | | | | | |
|--------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|-----------------------------------|------------|
| Aims | Objectives for 2012 | Activities in 2011 | Completed | Core or Additional | |
| <p>⑥ We raise our resources responsibly, use them efficiently and effectively and account for our spending decisions</p> | A) Annual strategic review and rolling 3 year strategic plan | a) Away days for Board to set strategic direction, including review of previous year | Apr and Oct 2011 | Core | |
| | B) Resources based on activity based costing and budgeted annually | b) Strategic and business plan approved by Board | Mar 2012 | Core | |
| | C) Charging levels for BSB activities are set equitably across barristers and within overarching parameters for current and out years, and are set transparently using sound fee setting policy | a) Finance policy applied when budget setting | a) All year | Core | |
| | | b) Business Plan informs our Budget setting and the business plan and budget are fully integrated | Mar 2012 | Core | |
| | | c) BSB contributes to the Practising Certificate Fee (PCF) setting process as needed by Approved Regulator | Dec 2011 | Core | |
| | D) We publish unqualified audited accounts annually | a) Charges review scope defined | a) Charges review scope defined | Jul 2011 | Additional |
| | | b) Charges review completed | b) Charges review completed | Dec 2011 | Additional |
| | E) Spending decisions are in line with BSB strategic aims and the corporate plan | a) BSB contributes to Bar Council's completion of accounts | a) BSB contributes to Bar Council's completion of accounts | April 2011 | Core |
| | | b) Board sets priorities for allocation of resources | a) Board sets priorities for allocation of resources | Away Days in April and Oct 2011 | Core |
| | | | b) Board, Performance and Best Value Committee and management oversight of finances and resources | Feb, May, Sep, Nov 2011, Feb 2012 | Core |

| Accountability | | | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|-------------------------------------------------------------------------|
| Aims | Objectives for 2012 | Activities in 2011 | Completed | Core or Additional |
| | <p>F) Staff recruitment and deployment decisions are in line with BSB strategic aims and the corporate plan as well as reflecting equality and diversity</p> <p>G) "Best value" principles of resource acquisition and implementation are followed including productivity and performance of our human, financial and other resources</p> | <p>a) Implementation of salary review methodology</p> <p>b) BSB HR Strategy & training plan developed</p> <p>a) All acquisitions in line with Finance Manual, Strategic Plan and Business Plan</p> | <p>Dec 2011</p> <p>Mar 2012</p> <p>All year</p> | <p>Additional</p> <p>Additional</p> <p>Core</p> |
| 7 We set performance standards, monitor progress and report transparently | <p>A) KPI framework established</p> <p>B) Regular reporting to Approved Regulator, Board and public</p> | <p>a) KPIs for year finalised</p> <p>b) Reports on our KPIs presented on a 3-monthly basis to the Board</p> <p>a) Publication of Annual report</p> | <p>Apr 2012</p> <p>Feb, May, Sep, Nov 2011, Feb 2012</p> <p>May 2011</p> | <p>Additional</p> <p>Core</p> <p>Core</p> |
| 8 We have an Information Strategy that ensures we deliver good customer service | <p>A) Clear articulation of information use and needs which supports the delivery of the strategic and business plans</p> | <p>a) Work with CIO to develop/review Information Strategy</p> <p>b) Contribution to IT programme</p> <p>c) Contribution to core database development</p> <p>d) Board IT Sub-group oversight of IT programme</p> | <p>Sep 2011</p> <p>All year</p> <p>All year</p> <p>All year</p> | <p>Additional</p> <p>Additional</p> <p>Additional</p> <p>Additional</p> |

| People | | | | |
|-------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|--------------------|
| Aims | Objectives for 2012 | Activities in 2011 | Completed | Core or Additional |
| <p>9 The public understands the standards they are entitled to expect from those whom we regulate</p> | A) Market research shows general public awareness of BSB as the regulatory body for the barristers' profession | a) Business Plan informs Research Strategy and 2011 Research activities completed | Mar 2011 | Core |
| | B) Market research shows awareness of BSB as the regulatory body for the barristers' profession among relevant corporate areas | a) Business Plan informs Research Strategy and 2011 Research activities completed | Mar 2011 | Core |
| | C) The website is our main tool for communicating with the public | a) Launch the redeveloped website | Oct 2011 | Additional |
| | <p>10 The profession understands the standards they are required to meet</p> | A) Research of profession's awareness and understanding of BSB | a) Business Plan informs Research Strategy and 2011 Research activities completed | Mar 2012 |
| B) Research of satisfaction with BSB effectiveness by those whom we regulate | | a) Business Plan informs Research Strategy and 2011 Research activities completed | Mar 2012 | Core |
| | | b) Complaints user satisfaction survey for 2010 reported to Board | Mar 2011 | Core |

| People | | | | |
|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| Aims | Objectives for 2012 | Activities in 2011 | Completed | Core or Additional |
| <p>(11) The public, relevant third parties and those whom we regulate have confidence in us</p> | <p>A) Satisfactory compliance achieved in LSB regulatory reviews</p> | <p>a) Annual IGR self certification completion b) Participation in regulatory reviews</p> | <p>Apr 2011 As required by LSB</p> | <p>Core Core</p> |
| | <p>(12) Our people add value</p> | <p>A) We have a Human Resources Strategy in line with the strategic aims and corporate plan for both Board members and staff B) We have an Information Strategy which supports the delivery of the corporate plan C) Staff satisfied with working at BSB</p> | <p>a) BSB HR Strategy & training plan developed a) Work with CIO to develop/review Information strategy a) Staff satisfaction survey results analysed and resulting actions fed into the BSB HR Strategy</p> | <p>Mar 2012 Sep 2011 Dec 2011</p> <p>Additional Core Additional</p> |

| Values | | | | |
|---------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|-----------------------------------|--------------------|
| Aims | Objectives for 2012 | Activities in 2011 | Completed | Core or Additional |
| <p>13 Fair and just: we act responsibly in the public interest</p> | A) Positive objective assessment of complaints system | a) Reports on our KPIs presented on a 3-monthly basis to the Board | Feb, May, Sep, Nov 2011, Feb 2012 | Core |
| | | b) Independent Observer (IO) oversight | All year | Core |
| | | c) Ongoing user satisfaction survey of complainants and barristers | All year, reports in Mar 2011 | Core |
| | B) "Good decisions" | a) Reports on our KPIs presented on a 3-monthly basis to the Board | Feb, May, Sep, Nov 2011, Feb 2012 | Core |
| | C) Feedback from members of the public and barristers who have been involved in our regulatory processes shows that they have subjectively experienced our processes and our behaviour as being fair | a) Investigate data to feed into the information strategy and put in place any plans to address necessary improvements | All year | Core |
| | | b) Investigating Complaints Handling Satisfaction Data research project completed | April 2011 | Additional |
| | D) We publish the key performance indicators and service standards we aspire to, and those we actually achieve | a) Reports on our KPIs presented on a 3-monthly basis to the Board | Feb, May, Sep, Nov 2011, Feb 2012 | Core |

| Values | | | | |
|------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|-------------------------------------------|
| Aims | Objectives for 2012 | Activities in 2011 | Completed | Core or Additional |
| | E) We have created a culture of openness within the organisation in relation to information | <p>a) Publication in line with publication scheme and to reflect possible application of Freedom of Information Act 2000 to BSB</p> <p>b) Website to be primary method of publication in first instance when redeveloped website is introduced</p> | <p>All year</p> <p>All year</p> | <p>Additional</p> <p>Core</p> |
| (14) Innovative: we lead change for better regulation or partner with others to do so | A) We continuously question and challenge our own policies and processes | <p>a) Business Plan informs Research Strategy and both are fully integrated</p> <p>b) Evaluation programme devised to understand effect of LSA 2007 on profession, BSB and users of barristers' services</p> | <p>Dec 2011</p> <p>Dec 2011</p> | <p>Core</p> <p>Core</p> <p>Additional</p> |
| | A) We have an influential voice in public policy debates about professional regulation | a) Carry out communications activities as provided in Communications Strategy | Mar 2012 | Core |
| (15) Responsive and proactive: we listen, reflect and act; we set the agenda strategically and deliver it | A) Members of the public, clients, barristers and stakeholder organisations are actively involved in all aspects of our work and our decision-making | <p>a) Develop and monitor effectiveness of consultation policy</p> <p>b) Carry out communications activities as provided in Communications Strategy</p> <p>c) Implement Consumer engagement strategy</p> | <p>All year</p> <p>Jan 2011</p> <p>Mar 2011</p> | <p>Additional</p> <p>Core</p> <p>Core</p> |

| Values | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|---------------------------|
| Aims | Objectives for 2012 | Activities in 2011 | Completed | Core or Additional |
| (16) We support the development of a profession that reflects the diversity of society and provides equal access to justice for all. | B) We continually review and refresh our strategy, plans and policies proactively | a) Reviews scheduled for year (as detailed above in plan – CPD, Code review, Chambers Monitoring, quality assurance activity, website, Handbooks etc) | Throughout year, as scheduled | Additional |
| | A) We will support the profession in ensuring that services provided by the profession are accessible to all and sensitive to clients' differing needs | a) Input into the Bar Council activities on equality and diversity provisions of Code of Conduct | From Jan 2012 | Additional |
| | B) We will promote greater diversity in the profession at senior levels and across different areas of practice | a) Full implementation plan for Recruitment Toolkit for the Bar, including training, completed | Sep 2011 | Additional |
| | C) We will ensure that equality and diversity issues are taken into account in our own working practices | a) Equality impact assessments completed and published | All year | Core |

The regulatory objectives

| | Protecting and promoting the public interest | Supporting the Constitutional principal of the rule of law | Improving access to justice | Protecting and promoting the interests of consumers | Promoting competition in the provision of services | Encouraging an independent, strong, diverse and effective legal profession | Public understanding of citizens' legal rights and duties | Promoting and maintaining adherence to the professional principles |
|----------------|-----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|-----------------------------|-----------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------|-----------------------------------------------------------|--------------------------------------------------------------------|
| Regulation | Aim 1 Our standards continuously ensure high quality practice | | | | | | | |
| | Aim 2 All those whom we regulate live up to our standards | | | | | | | |
| | Aim 3 Clients receive effective advocacy and legal representation from those we regulate | | | | | | | |
| | Aim 4 We research, design and implement a regulatory framework that reflects the regulatory objectives | | | | | | | |
| Accountability | Aim 5 Excellent governance & management ensure effective independent regulation | | | | | | | |
| | Aim 6 We raise our resources responsibly, use them efficiently and effectively and account for our spending decisions | | | | | | | |
| | Aim 7 We set performance standards, monitor progress and report transparently | | | | | | | |
| | Aim 8 We have an Information Strategy that ensures we deliver good customer service | | | | | | | |

| The regulatory objectives | | | | | | | | |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|-----------------------------|-----------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------|-----------------------------------------------------------|--------------------------------------------------------------------|
| | Protecting and promoting the public interest | Supporting the Constitutional principal of the rule of law | Improving access to justice | Protecting and promoting the interests of consumers | Promoting competition in the provision of services | Encouraging an independent, strong, diverse and effective legal profession | Public understanding of citizens' legal rights and duties | Promoting and maintaining adherence to the professional principles |
| People | Aim ⁹ The public understands the standards they are entitled to expect from those whom we regulate | | | | | | | |
| | Aim ¹⁰ The profession understands the standards they are required to meet | | | | | | | |
| | Aim ¹¹ Public, 'relevant third parties' and those we regulate have confidence in us | | | | | | | |
| | Aim ¹² Our people add value | | | | | | | |
| Values | Aim ¹³ Fair and just: we act responsibly in the public interest | | | | | | | |
| | Aim ¹⁴ Innovative: we lead change for better regulation or partner with others to do so | | | | | | | |
| | Aim ¹⁵ Responsive and proactive: we listen, reflect and act; we set the agenda strategically and deliver it | | | | | | | |
| | Aim ¹⁶ We support the development of a profession that reflects the diversity of society and provides equal access to justice for all | | | | | | | |

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

DX: 240 LDE
Tel: 020 7611 1444
Fax: 020 7831 9217
contactus@barstandardsboard.org.uk