



Meeting of the Bar Standards Board

Thursday 22 May 2025, 2.00 pm (Hybrid meeting - in person and online)

Rooms 1.4 – 1.7, First Floor, BSB Offices / MS Teams

Agenda – Part 1 – Public

This meeting will be recorded for the purposes of minute taking as previously agreed by the Board. Your consent to this is assumed if you decide to attend. The recording will be deleted once the minutes are formally approved at the next meeting

Note: this meeting will be preceded from 11.30 am-1.00 pm by a Board Member seminar. This will be an opportunity to discuss our proposed response to the LSB's consultation on professional ethics and our overall response to their work in this area.

Members attending in person will have a working lunch provided between 1 – 2 pm in the Mezzanine floor. The Reform Programme Project Room is located in the same area and presentations on the work in progress will be given during this time.

				Page
1.	Welcome / announcements (2.00 pm)		Chair	
2.	Apologies		Chair	
3.	Members' interests and hospitality		Chair	
4.	Approval of minutes from the last meeting (27 March 2025)	Annex A	Chair	3-8
5.	a) Matters arising & Action List	Annex B	Chair	9
	b) Forward agenda	Annex C	Chair	11
6.	Ratification of Out of Cycle Board Resolution – Recommendations from the Nomination Committee	BSB 021 (25)	Chair	13-16
7.	Performance in 2024/25 & Quarter 4 Performance Report (2.10 pm)	BSB 022 (25)	Mark Neale	17-45
8.	Performance and Strategic Planning Committee (PSP) Year-End Report November 2024 to end April 2025 (2.25 pm)	BSB 023 (25)	Tracey Markham	47-50
9.	Nomination Committee and IDB Terms of Reference (2.30 pm)	BSB 024 (25)	Rebecca Forbes	51-61
10.	Director General's Report – Public Session (2.40 pm)	BSB 025 (25)	Mark Neale	63-71

11. **Chair's Report on Visits & External Meetings** BSB 026 (25) Chair **73**
12. **Any other business**
13. **Dates of next meetings**
- Thursday 26 June 2025 (BSB Away Day), 09:30 am, Inner Temple
 - Thursday 24 July 2025, 5 pm (ordinary meeting)
14. **Private Session**
(2.45 pm)

John Picken
Governance Officer
15 May 2025

Part 1 - Public
Minutes of the Bar Standards Board meeting
Thursday 27 March 2025 (5.00 pm)

Hybrid Meeting, Rooms 1.4-1.7, BSB Offices & MS Teams

- Present:** Kathryn Stone OBE (Chair)
Gisela Abbam
Jeff Chapman KC
Emir Feisal JP – via Teams
Ruby Hamid – via Teams
Tracey Markham
Andrew Mitchell KC
Ruth Pickering
Irena Sabic KC
Stephen Thornton CBE
Leslie Thomas KC
- By invitation:** Steve Haines (Consultant)
Lucinda Orr (Treasurer, Bar Council)
Andy Russell (Director, Council of the Inns of Court) – via Teams
- Press:** Neil Rose (Legal Futures) – via Teams
- BSB Executive:** Ahmet Arikan (Senior Policy Officer)
Graham Black (Head of Communications)
Simon Cohl (Head of Professional Standards)
Mike Farmer (Head of Programmes and Planning) – via Teams
Rebecca Forbes (Head of Governance)
Teresa Haskins (Director of People and Culture)
Saima Hirji (Director of Regulatory Enforcement) – via Teams
Joy Issacs (Interim Change Manager) – via Teams
Alex Kuczynski (Director of Legal & Information Management)
Ewen Macleod (Director of Strategy, Policy & Insights)
Rupika Madhura (Director of Standards)
Mark Neale (Director General)
Richard Parnham (Regulation Policy Manager)
John Picken (Governance Officer)
Debbie Stimpson (Director of Planning, Programmes & Engagement)
Adelita Thursby-Pelham (Head of Authorisations)
- Resource Group:** Richard Cullen (Director of Finance) – via Teams

Item 1 – Welcome / Announcements

1. Kathryn Stone welcomed those present to the meeting, particularly Simon Cohl (Head of Professional Standards) who was attending the Board for the first time.
2. She also referred to the recent confirmation of her appointment to the role of HM Inspector of Constabulary and Fire and Rescue Authorities (HMICFRS). She thanked colleagues for the warm words of congratulation that she had since received and confirmed that she will stand down as BSB Chair at the end of August 2025.

Item 2 – Apologies

- Kirsty Brimelow KC (Vice Chair, Bar Council);
- Malcolm Cree (Chief Executive, Bar Council);
- Barbara Mills KC (Chair, Bar Council).

Item 3 – Members’ interests and hospitality

4. None.

Item 4 – Approval of Part 1 (public) minutes (Annex A)

5. The Board **approved** the Part 1 (public) minutes of the meeting held on 30 January 2025.

Item 5a – Matters arising & Action List

6. The Board **noted** the action list.

Item 5b – Forward agenda

7. The Board **noted** the forward agenda list.

**Item 6 – Quarter 3 Performance report - balanced scorecard /
Transferring Qualified Lawyers (TQL) Action Plan
BSB 009 (25)**

8. Mark Neale highlighted the following:
 - operational performance continues to improve (13 of the 19 key performance indicators were either reached or just narrowly missed);
 - the balanced scorecard illustrates some of the trade-offs in place ie the number of investigations concluded during the quarter was encouragingly high but the timeliness score fell back because a proportion of those had already extended beyond target time;
 - there is a continuing challenge in terms of the rising number of applications from transferring qualified lawyers (TQLs) and key performance indicators for these remain below target. The resource-based solution put in place in 2023 has proved insufficient on its own, so we need to implement systemic changes to streamline and simplify our decision rules.
9. In response to the latter point, Adelita Thursby-Pelham commented that:
 - the action plan to achieve systemic changes is already underway and delivery targets have been set which reflect those agreed at the November 2024 Board meeting;

- Members will receive a progress report after Quarter 1. Any significant deviation from the action plan will be reported to the Performance and Strategic Planning (PSP) Committee;
 - we have already received support from Steve Haines (consultant) and will appoint a Regulatory Lawyer in due course to assist with training and decision making.
10. For assurance purposes, Steve Haines added that:
- the action plan sets challenging targets ie to reduce the backlog by 40 - 50% over a six-month period to the end of June 2025;
 - further improvements in data management and process systemisation are still required but work to achieve this is continuing.
11. In response to a query raised (paragraph 11), the executive noted that the reference to “external” auditors is incorrectly stated. RSM is, in fact, a firm of *internal* auditors with whom the Governance, Risk & Audit (GRA) Committee has already agreed an audit plan for 2025/26. Part of that will be to review application processes and assure the Board about the robustness and deliverability of the TQL action plan.
12. Mark Neale also highlighted an earlier decision on how the balanced scorecard figures are calculated. For timeliness targets, we originally used “working days” as our basis for counting but later changed that to “calendar days” because this better reflected consumers’ experience. However, this then creates a knock-on effect from the Christmas shutdown period so there will be a subsequent impact on timeliness figures for Q4. We expect to consider returning to calculation based on working days for the future. Tracey Markham and Ruby Hamid asked that the Q4 results be presented in parallel, using both sets of calculations.
13. **AGREED**
- a) to note the report.
 - b) that the Q4 results for the Board are presented using calculations for both working days and calendar days (cf. min 12).

Action IK**Item 7 – Business Plan for 2025/26**

BSB 010 (25)

14. Mark Neale referred to the 2025/26 Business Plan and associated budget which had been recommended for approval by the Performance & Strategic Planning Committee. He commented that:
- the plan aims to:
 - hit operational targets;
 - continue delivery of our Reform Programme;
 - complete existing programmes of work;
 - undertake relevant research work in advance of the new strategy.
 - this is a transitional year between the end of one five-year strategy period and the start of another as from 2026/27.

15. He added that:
 - in line with earlier feedback received, the Business Plan highlights a number of key dates, including those for future public consultations;
 - we have been very grateful for the previous engagement of stakeholders, notably that around our equality rules. *Note: the executive now expects to present a paper to the Board on this issue at its next meeting (22 May 2025).*
16. Stephen Thornton referred to the further increase of £0.771m in the BSB budget (paragraph 6). He acknowledged the unexpected nature of the Chancellor's decision to increase National Insurance Contributions but also asked about the reasons for increased costs in the Resource Group and whether this could have been anticipated earlier.
17. In response, the following comments were made:
 - Resource Group costs are shared between the BSB and the Bar Council. As the size of the BSB has expanded, its share of that cost is proportionately more than it was;
 - resources in information technology have been increased to keep up with additional demand, including our Reform Programme;
 - at the point of our initial budget (agreed in September 2024) these costs were not fully known. However, as new costs became apparent relevant reports were made to both to the Joint Finance Committee and the Performance and Strategic Planning Committee.
18. The Chair noted this but added that only those who attend such Committees would be aware of the changes. She therefore asked that further thought be given to keeping all Members informed about budget revisions.
19. **AGREED**
 - a) to approve the final budget and Business Plan for 2025/26 as set out in Annex 1 of the paper and publish this on the website.
 - b) to consider further how best to keep all Board Members informed about revisions to budgeted expenditure.

Action
MN
JP to
note

Item 8 – Committee Terms of Reference and the Appointments Policy
BSB 011 (25)

20. Rebecca Forbes commented as follows:
 - the relevant Board / Committees have proposed amendments to their respective Terms of Reference as identified in Annexes 1 - 3;
 - the substantive change is to relocate primary responsibility for oversight of regulatory risk to the Performance and Strategic Planning Committee. The Governance, Risk and Audit Committee will retain oversight of risk management processes;
 - the key component of change to the Appointments Policy is to bring IDB terms of office in line with other BSB non-executive appointments ie four years instead of the current three.

21. In respect of appraisal and quality control processes she confirmed that Board Member appraisals occur annually and that “quality control processes” which relate to other non-executives will now require a review of performance within two years of appointment. She agreed to separate out the clause in paragraph 9.1 of the appointment policy to give this the necessary clarification. *Note: the term “quality control” is used to ensure that those non-executives (other than Board Members) who provide services to us under contract continue to be classified as “self-employed” for tax purposes.*
22. Emir Feisal JP referred to the Board appointment process (paragraph 4) and asked about the means to further amend this part of the policy. In response, Rebecca Forbes advised that
- any amendments would first need to be agreed by the Nomination Committee.
 - any subsequent recommendations about policy changes would then need to be approved by the Board;
 - in the meantime, the existing policy at paragraph 4 remains extant.
23. As Chair of the Nomination Committee, Andrew Mitchell KC confirmed that this item could be discussed at its meeting on 3 April 2025 providing there is time to do so. Leslie Thomas KC suggested that advance notice be given on the changes proposed prior to the April meeting date. **EF to note**
24. **AGREED**
- a) to approve:
 - (i) the amendments to the Terms of Reference for the Governance, Risk & Audit Committee (GRA), the Performance and Strategic Planning Committee (PSP) and the Centralised Examinations Board (CEB); **Action RF**
 - (ii) the revisions to the Board Appointments Policy as set out in Annex 4; **Action RF**
 - (iii) generic amendments to the suite of governance documents arising from the recent restructure and reorganisation. **Action RF**
 - b) to amend paragraph 9.1 of the Board Appointments Policy as described above (cf. min 21) **Action RF**

Item 9 – First-tier complaints: implementing the LSB’s new expectations

BSB 012 (25)

25. Ahmet Arikan explained that the Legal Services Board had recently issued a direction on how “first-tier” complaints should be handled by frontline regulators ie client complaints received by barristers, chambers or BSB regulated entities. A summary of those expectations is listed under Annex B and one consequence is that the BSB will now need to collect more data than it currently does. He confirmed that:
- the BSB will consult on implementation proposals for these new requirements. This will cover additional data collection as well as potential changes to the BSB Handbook;
 - we have already held a roundtable discussion on this issue with peer regulators and the Legal Ombudsman.

26. AGREED

to approve consultation proposals on first-tier complaints in line with requirements from the Legal Services Board (to include data collection requirements and potential changes to the BSB Handbook).

Item 10 – Director General’s Report – Public Session

BSB 013 (25)

27. The Board **noted** the report.

Item 11 – Chair’s Report on Visits and External Meetings

BSB 014 (25)

28. The Board **noted** the report.

Item 12 – Any Other Business

29. None.

Item 13 – Date of next meeting

30. • Thursday 22 May 2025, 2.00 pm.

Item 14 – Private Session

31. The Board resolved to consider the following items in private session:

- (1) Approval of Part 2 (private) minutes – 30 January 2025.
- (2) Matters arising and action points – Part 2.
- (3) BSB Corporate Risk update for the Board
- (4) Regulatory Risk Framework Review – Board update
- (5) Ethics Call for Evidence
- (6) Review of fees for authorisation applications
- (7) Director General’s Report – Private Session.
- (8) Any other private business.

32. The meeting finished at 5.35 pm.

BSB – List of Part 1 Actions

22 May 2025

(This includes a summary of all actions from the previous meetings)

Min ref	Action required	Person(s) responsible	Completion Due Date	Progress report	
				Date	Summary of update
13b (27/03/25)	present the Q4 results for the Board using calculations for both working days and calendar days	Imogen Kirby	22 May 2025	12/05/25	Completed – working day performance included for CAT reports in the Q4 balanced scorecard summary
19a (27/03/25)	publish the BSB Business Plan for 2025/26	Mark Neale	28 March 2025	28/03/25	Completed – published on BSB website
24a (i) – (iii) & 24b (27/03/25)	update the Governance Manual in respect of the changes approved at the March Board	Rebecca Forbes	22 May 2025	28/03/25	Completed – published on BSB website
26 (27/03/25)	issue consultation on proposals about first-tier complaints	Ahmet Arikan	30 May 2025	12/05/25	Ongoing – consultation to be launched latest by the end of May 2025.
16d (30/11/23)	consider expediting full cost recovery analysis of authorisation applications	Rebecca Forbes / Mark Neale	25 January 2024 end Sept 2024 end March 2025	17/03/25	To be removed – following the 27 March Board, we have now uprated the outstanding authorisation fees by inflation. We shall undertake a full review of application types with a view to rationalisation once the immediate priority of addressing Transferring Qualified Lawyers applications is adequately addressed.

Forward Agenda

Thursday 26 June 2025 (09.30 am start – Board Meeting & Board Away Day)

- BSB Strategy – final version
- Enforcement Regulations

Thursday 24 July 2025 – 5 pm start

- Director General's Report (public & private session)
- Q1 performance report
- BSB Empowering Consumers Consultation
- Reform and re-organisation
- Annual “deep dive” on the corporate risk register
- Board member reappointment and recruitment (inc appointment of Chair)
- Anti Racist Implementation Group (ARIG) Year 1 Report and Year 2 Action Plan

Thursday 25 September 2025 – 2 pm start

- Director General's Report (public & private session)
- BSB Annual Report 2024/25 including Regulatory Decision-Making Report and IDB Report
- Budget and Business Plan 2025-26
- First tier complaints proposals - final
- Reform and re-organisation
- Corporate Risk Report
- Handbook drafting principles

Monday 6 October 2025 (10.00 am start – Second Board Away Day)

- Annual Board evaluation

Thursday 27 November 2025 – 5 pm start

- Director General's Report (public & private session)
- Dates for Board Meetings (Jan 2026 – Mar 2027)
- Annual report – Bar Training
- PSP Committee Mid Year Report
- GRA Committee Annual Report
- Q2 performance report
- Enforcement Regulations – outcome of consultation
- Reform and re-organisation
- Corporate Risk Report
- Board member appointment

Thursday 29 January 2026 – 2 pm start

- Director General's Report (public & private session)
- Reform and re-organisation

Thursday 26 March 2026 – 5 pm start

- Director General's Report (public & private session)
- Q3 performance report
- Reform and re-organisation
- Corporate Risk Report

Ratification of Out of Cycle Board Resolution – Recommendations from the Nomination Committee

1. The Board received an email on 4 April 2025 with a request that it consider, out of cycle, some recommendations from the Nomination Committee.
2. This concerned appointments to both the PSP and GRA Committees and to the composition of the Appointments Panel for the new BSB Chair. Details of the recommendations are in the attached Annex.
3. Members agreed these by email and there were no dissensions. The Board is therefore asked to formally ratify its decision.

Annex

4. BSB Paper 021 (25) – circulated out of cycle

Lead Responsibility

Rebecca Forbes – Head of Governance

Meeting:	Board	Date:	4 April 2025 - Out of Cycle
Title:	Recommendations from the Nomination Committee		
Author:	Rebecca Forbes		
Post:	Head of Governance		

Paper for:	Decision: <input checked="" type="checkbox"/>	Discussion: <input type="checkbox"/>	Noting: <input type="checkbox"/>	Other: <input type="checkbox"/> (enter text)
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Paper relates to the Regulatory Objective (s) highlighted in bold below	
(a)	protecting and promoting the public interest
(b)	supporting the constitutional principle of the rule of law
(c)	improving access to justice
(d)	protecting and promoting the interests of consumers
(e)	promoting competition in the provision of services
(f)	encouraging an independent, strong, diverse and effective legal profession
(g)	increasing public understanding of citizens' legal rights and duties
(h)	promoting and maintaining adherence to the professional principles
(i)	promoting the prevention and detection of economic crime.
<input checked="" type="checkbox"/>	Paper does not principally relate to Regulatory Objectives

Purpose of Report

1. This paper seeks an out-of-cycle Board resolution following recommendations from the Nomination Committee meeting held on Thursday 3 April 2025.

Recommendations

2. To approve the following:
 - a) that with effect from 1 May 2025, Tracey Markham is appointed as Chair of the Performance & Strategic Planning (PSP) Committee (and, in consequence, Chair of the BSB Remuneration Committee and BSB nominee for the Joint Finance Committee).
 - b) that with effect from 1 May 2025, Ruth Pickering is appointed as a lay Member of the Governance, Risk and Audit (GRA) Committee.
 - c) that with effect from 1 May 2025, membership of the PSP Committee be rescinded in respect of Kathryn Stone and Ruth Pickering.
 - d) that the members of the Appointments Panel for the new Chair of the BSB are as follows:
 - Joe Montgomery (independent Chair of the Appointments Panel)
 - Nominee of the Lady Chief Justice (name to be confirmed)
 - Andrew Mitchell KC (Vice Chair, BSB)
 - Gisela Abbam (lay Board Member)
 - Emir Feisal JP (lay Board Member)

Background

Committee Appointments

3. The Nomination Committee first recommended the appointment of Tracey Markham as Chair of the PSP Committee at its meeting on 22 January 2025. At that time, however, she asked for a lead-in period to familiarise herself with the Committee's remit. For that reason, the Board agreed on 30 January 2025 to appoint Kathryn Stone as a member of the PSP Committee. Kathryn was subsequently invited to chair PSP Committee meetings thereafter and has also attended as an alternate nominee for recent meetings of the Finance Committee. Tracey has since confirmed her willingness to take on the role of PSP Chair and associated duties.
4. At the January meeting, the GRA Committee Chair, Stephen Thornton, also asked that an additional lay Board Member be appointed to the Committee (cf. Part 2, minute 23). The Nomination Committee supported this suggestion and, following an invitation, Ruth Pickering expressed her willingness to join the GRA Committee as a lay member.
5. Assuming the above appointments are approved, the Board can rescind the current appointments of Kathryn and Ruth on the PSP Committee. Membership of the former was only ever intended as a temporary solution, and it is not intended that any member should be appointed to both the GRA and PSP Committees at the same time.

Appointments Panel

6. The recommendations of the Nomination Committee reflect that of the existing policy previously approved by the Board insofar as it relates to the inclusion of an independent chair, a nominee of the LCJ and two Board Members (Andrew Mitchell KC and Gisela Abbam).
7. This policy represents a *minimum* requirement for the constitution of an Appointments Panel. This leaves it open for the Committee to recommend the addition of other Panel Members if it considers there is good cause to do so. In this instance, and given the particularly important nature of this appointment, the Committee agreed it would appropriate to also appoint Emir Feisal JP to the Appointments Panel for this occasion only. This reflects Emir's substantial and complementary experience of making high-level appointments, in this case within the judiciary.
8. For clarity, we are asking the Board to agree that it will accept the nomination of the LCJ without further reversion to the Board once an individual has been nominated.

Equality and Diversity

9. The proposed membership of the Appointments Panel reflects the existing policy of having a diverse composition in respect of sex and race.

Rebecca Forbes
Head of Governance

Meeting:	Board	Date:	22 May 2025
Title:	Performance in 2024/25 & Quarter 4 Performance Report		
Authors:	Director General (paper) Imogen Kirby, Business Insights Manager (Balanced scorecard report)		

Paper for:	Decision:	Discussion: X	Noting X	Other: <input type="checkbox"/> (enter text)
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Paper relates to the Regulatory Objective (s) highlighted in bold below	
(a)	protecting and promoting the public interest
(b)	supporting the constitutional principle of the rule of law
(c)	improving access to justice
(d)	protecting and promoting the interests of consumers
(e)	promoting competition in the provision of services
(f)	encouraging an independent, strong, diverse and effective legal profession
(g)	increasing public understanding of citizens' legal rights and duties
(h)	promoting and maintaining adherence to the professional principles
(i)	promoting the prevention and detection of economic crime.
<input type="checkbox"/> Paper does not principally relate to Regulatory Objectives	

Summary

1. This paper provides a commentary on our operational performance in 2024/25, including in the last quarter of the year and updates on progress in delivering the 2024/25 business plan. A year-on-year comparison of operational performance is at annex A. The quarter 4 balanced scorecard report is at annex B. And the overall performance dashboard, including reporting on progress against the 2024/25 business plan is at annex C.
2. The overall picture is one of steady improvement. Year-on-year performance improved or was sustained in 14 of the 17 key performance indicators, including in 3 of 4 timeliness indicators. The focus on reform has had no adverse impact on operational performance, with the improving trend sustained in quarter 4 when:
 - all quality targets were hit.
 - 12 key performance indicators were either hit or narrowly missed, with improvement in seven of the 12 measures compared to the previous quarter;
 - the Christmas/New Year office closure depressed timeliness performance in assessing reports measured in calendar days, but there was continuing strong performance on a working day measure;
 - there was the strongest output yet in processing applications from transferring lawyers (and in April performance remains strong), but we also received 191 new applications in March (almost 6 times higher than the average) to forestall the 1 April fee increase and increasing the workload for the team.

Recommendations

3. The Board is invited to note and discuss:
 - i. operational performance across the 2024/25 year and in the quarter 4 – annexes A and B;
 - ii. the progress made in delivering the 2024/25 business plan.

Operational performance in 2024/25 and in Q4 (annexes A&B)

4. The balanced scorecard – introduced this financial year – measures the efficiency and effectiveness with which we deploy our principal regulatory interventions of supervision, enforcement and authorisations. It does so in four dimensions: the quality of our decisions, timeliness, productivity and service responsiveness. Of these, the first is the most important. We have consistently hit our targets for maintaining high quality decisions which are audited by our Independent Reviewers.
5. The comparison of year-on-year performance (annex A) – 2024/25 compared to 2023-24 – underlines the improving trend, with stronger outcomes in the great majority of indicators. Only one KPI showed a fall in performance of over 10%: the indicator bearing on reviews of our assessments of reports on barristers. This, however, is accounted for by one case out of six where the Independent Reviewer judged the initial assessment should be reviewed in the light of new evidence unavailable at the time of the initial assessment.
6. By and large the trend to stronger operational performance was maintained in Q4 (annex B), with no adverse impact from the Reform Programme. The extended office closure for the Christmas/New Year holiday always has some impact on timeliness because the calendar age of reports dealt with in January and February tends to be longer by around two weeks. This is reflected in what appears to be a fall in the timeliness KPI for handling reports on barristers – down to 62% dealt within the 8 week target. When measured in working days, the performance rose to 78% dealt with within target - 2 percentage points short of the 80% KPI.
7. Our principal focus remains on tackling both the aged and continuing flow of applications from transferring lawyers to waive aspects of our qualification rules. There was a significant increase in the flow in March – with 191 new applications – seeking to forestall the increase in the fee which took effect from 1 April. We have taken immediate action to stay on top of the flow and to deal with the March influx by using the recruitment currently underway for the team to hire additional resource to address the new workload. This will also be supported by the recruitment of a regulatory support lawyer to conduct a gap analysis of Authorisations' processes and who will assist with training, quality assurance and operational guidance/processes for the team.
8. We are also pressing ahead with the action plan agreed with the Board in November 2024 to tackle the aged cases and, as things stand, expect to hit the first milestone of reducing the backlog by 20-25% in Q1 of this year. A triage of these cases has now mostly been completed with around half now ready for assessment.

Delivery of Business Plan 2024/25 (annex C)

9. The dashboard sets out the progress made on the activities set out in the 2024/25 business plan. We shall be happy to field questions at the meeting. Meanwhile, it may be helpful to explain that:
- a. the establishment of the Reform Programme early in the year following the Board's discussion of the Fieldfisher Report, in effect, overtook a number of the Business Plan activities. For example, Enforcement Review Project and Risk Framework Review have both been absorbed into the Reform Programme.
 - b. we have re-prioritised a number of planned projects or activities in order to make room for the Reform Programme. This is especially true of IT-enabled projects – the pupillage self-service facility and entity access to MyBar are examples - which would otherwise have crowded out access to resources needed for the overhaul of the systems supporting our enforcement work.
 - c. Similarly, the Board agreed last Autumn that it made sense to defer for a year the adoption of a new five-year strategy in order to enable us to focus on the delivery of reform and also to undertake some of the preparatory research into consumer satisfaction and into the operation of the referral market (solicitors and choice) needed to inform the strategy.

We have decided to put on hold our consultation on amending the definition of academic legal training and our proposal that Bar training providers should be the ones to decide whether the requirement is fulfilled. This is in order to prioritise the action plan to process the aged applications from transferring lawyers, and to conduct an end-to-end review of Authorisations' processes and systems over the next 12 months which we consider is important to ensure that standards are maintained in public interest.

Annexes

Annex A – Year-on-year comparison of operational performance

Annex B – 2024-25 Quarter 4 Performance report - balanced scorecard

Annex C – Performance, Business Plan, HR and Finance Summary Dashboard (Q4)

Annual performance against KPIs

KPI	Target %	2024/25 performance	Change on previous year	2023/24 performance	Improvement needed to meet target
Quality					
CAT - Quarterly Audit	95%	98.9%	0.4%	98.5%	
CAT - Requests for Review	95%	83.3%	-16.7%	100.0%	11.7%
Investigations - Quarterly Audit	95%	100.0%	0.0%	100.0%	
Investigations - Requests for Review	95%	100.0%	25.0%	75.0%	
Investigations - Administrative Sanction Appeals	0%			0.0%	
Investigations - DT Decision Appeals	0%	0.0%	0.0%	0.0%	
Authorisations - Quarterly Audit	95%	98.1%	-1.9%	100.0%	
Authorisations - IDB Reviews	95%	93.3%	23.3%	70.0%	1.7%
Supervision - Quarterly Audit	95%	100.0%	0.0%	100.0%	
Timeliness					
CAT - General enquiries-closed	80%	96.7%	2.0%	94.7%	
CAT - Reports & Other-closed	80%	68.4%	12.8%	55.6%	11.6%
Investigations - Investigations decided	80%	56.5%	1.2%	55.3%	23.5%
Authorisations - Applications-decided	80%	55.6%	-7.1%	62.7%	24.4%
Service					
CAT - Calls answered	85%	85.5%	8.1%	77.4%	
Authorisations - Calls answered	85%	68.2%	32.9%	35.4%	16.8%
All teams - Complaints	95%	83.3%	8.3%	75.0%	11.7%
Productivity					
CAT - General enquiries-live	80%	100.0%	0.0%	100.0%	
CAT - Reports & Other-live	80%	78.9%	33.6%	45.3%	1.1%
Investigations - Investigations-live	80%	75.6%	2.2%	73.3%	4.4%
Authorisations - Applications-live	80%	37.0%	6.9%	30.2%	43.0%

- Performance increased compared to previous period

- Performance decreased by 10 percentage points or fewer compared to previous period

- Performance decreased by more than 10 percentage points compared to previous period

No arrow - Performance the same as for the previous period; or there is no applicable data for one of the comparable periods































- KPI met or exceeded


- Performance within 10 percentage points of target


- Performance more than 10 percentage points lower than target


2024-25 Quarter 4 Performance report – Balanced scorecard

Performance against KPIs

KPI	Balanced Scorecard chart number	Target %	Target met	Quarterly performance	Change on previous quarter	Previous quarter's performance
Quality						
CAT - Quarterly Audit	1	95%		100.0%		100.0%
CAT - Requests for Review	2	95%		100.0%		0.0%
Investigations - Quarterly Audit	3	95%		100.0%		100.0%
Investigations - Requests for Review	4	95%		100.0%		100.0%
Investigations - Administrative Sanction Appeals	5	0%				
Investigations - DT Decision Appeals	6	0%				0.0%
Authorisations - Quarterly Audit	7	95%		100.0%		100.0%
Authorisations - IDB Reviews	8	95%		100.0%		100.0%
Supervision - Quarterly Audit	9	95%		100.0%		100.0%
Timeliness						
CAT - General enquiries-closed	10	80%		98.2%		97.0%
CAT - Reports & Other-closed	11	80%		61.8%		80.5%
Investigations - Investigations decided	12	80%		60.0%		37.5%
Authorisations - Applications-decided	13	80%		57.1%		58.2%
Service						
CAT - Calls answered	14	85%		84.8%		84.0%
Authorisations - Calls answered	15	85%		71.8%		73.0%
All teams - Complaints	16	95%		83.3%		88.9%
Productivity						
CAT - General enquiries-live	17	80%		100.0%		50.0%
CAT - Reports & Other-live	18	80%		79.1%		78.1%
Investigations - Investigations-live	21	80%		75.6%		82.5%
Authorisations - Applications-live	23	80%		37.0%		18.1%

 - Performance increased compared to previous period

 - Performance decreased by 10 percentage points or fewer compared to previous period

 - Performance decreased by more than 10 percentage points compared to previous period

No arrow - Performance the same as for the previous period; or there is no applicable data for one of the comparable periods



- KPI met or exceeded



- Performance within 10 percentage points of target



- Performance more than 10 percentage points lower than target

Summary headlines

1. In Quarter 4, nine of the 19 applicable KPI targets were met, with a further three only narrowly missed.
2. There has been an improvement in performance in seven of the twelve measures for which comparisons with the previous quarter are available. These improvements cover all four areas of the balanced scorecard.

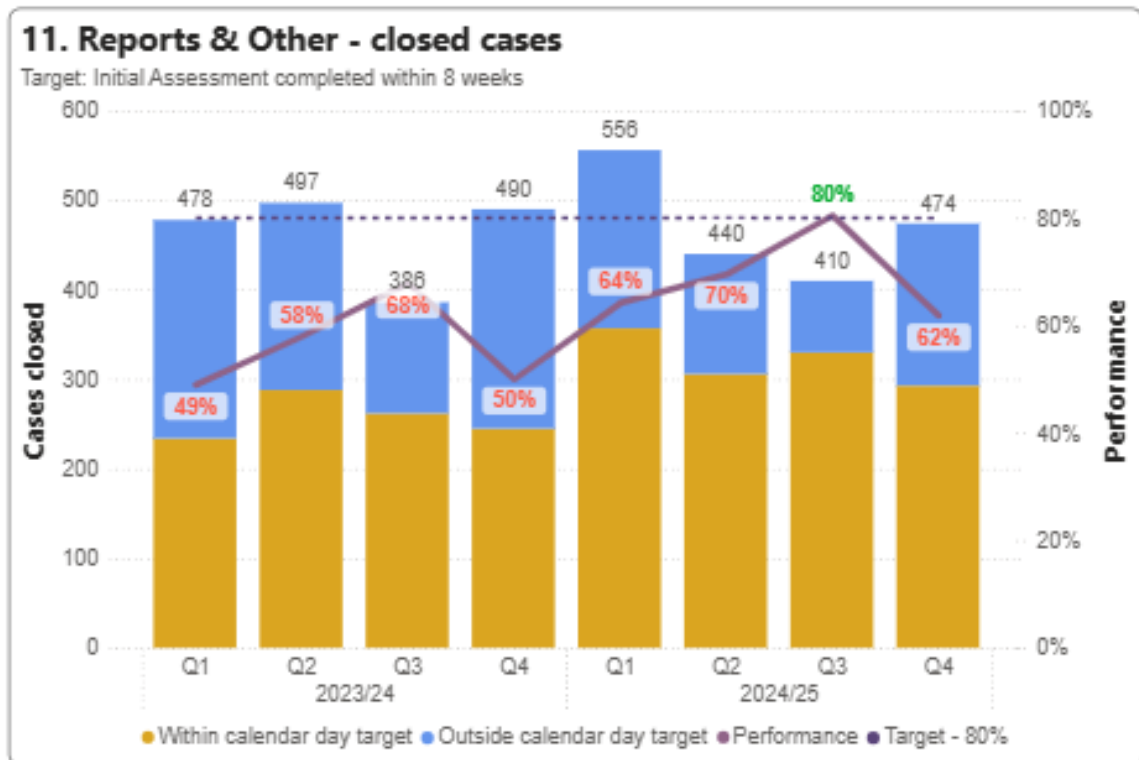
Key points

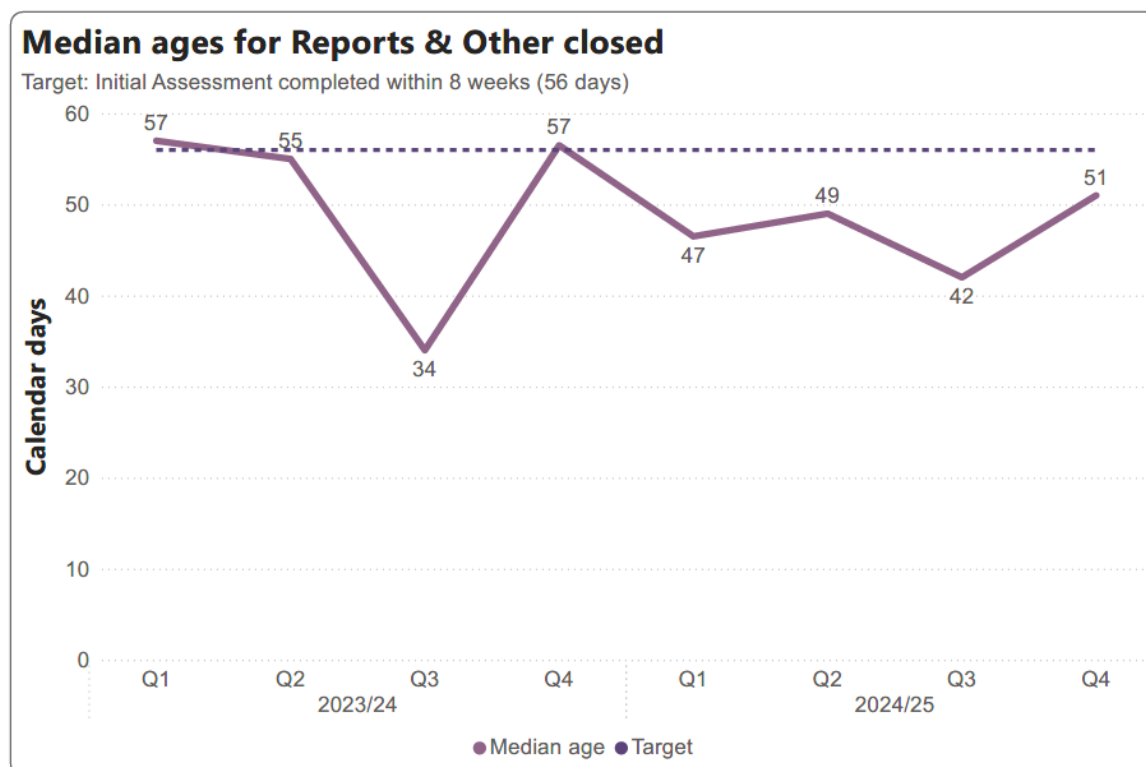
3. All applicable Quality targets for the four Teams have been met. There were no appeals of administrative sanctions or appeals to the High Court during Quarter 4.
4. The Timeliness KPI for General Enquiries continues strongly above the target and the Productivity KPI for the same metric has improved from the previous quarter, with the target now met.
5. Output for Reports has increased in Quarter 4, and the total number of cases closed in 2024/25 (1 880) is the highest since 2021/22. Output for General Enquiries has also increased in Quarter 4, the highest since Quarter 3 2023/24.
6. The timeliness target for handling reports was narrowly missed in terms of working days (78% completed within target), but fell back in terms of calendar days (62%) because of the Christmas/New Year office closure.
7. Output decreased in Investigations, but Timeliness performance improved from Quarter 3.
8. The Investigations & Enforcement Team continues to receive a high number of referrals from the Contact and Assessment Team each quarter and the total number of referrals received in 2024/25 is the highest since 2021/22.
9. The Supervision Team also received a high number of referrals each quarter, and the total for 2024/25 exceeds all previous years.
10. The Authorisations Team received a record number of new Transferring Qualified Lawyer (TQL) applications at the end of the quarter, with the number received in March (191) almost seven times higher than the monthly average (28) for the rest of the year. This was most likely due to imminent increase in the fee we charge to process such applications from 1 April 2025. Most of these applications are from Bangladesh and Pakistan – 155 applications (81% of the total received during the month).

Quality

11. All the Quality KPIs for the four Teams were met and so no charts are presented in this section.

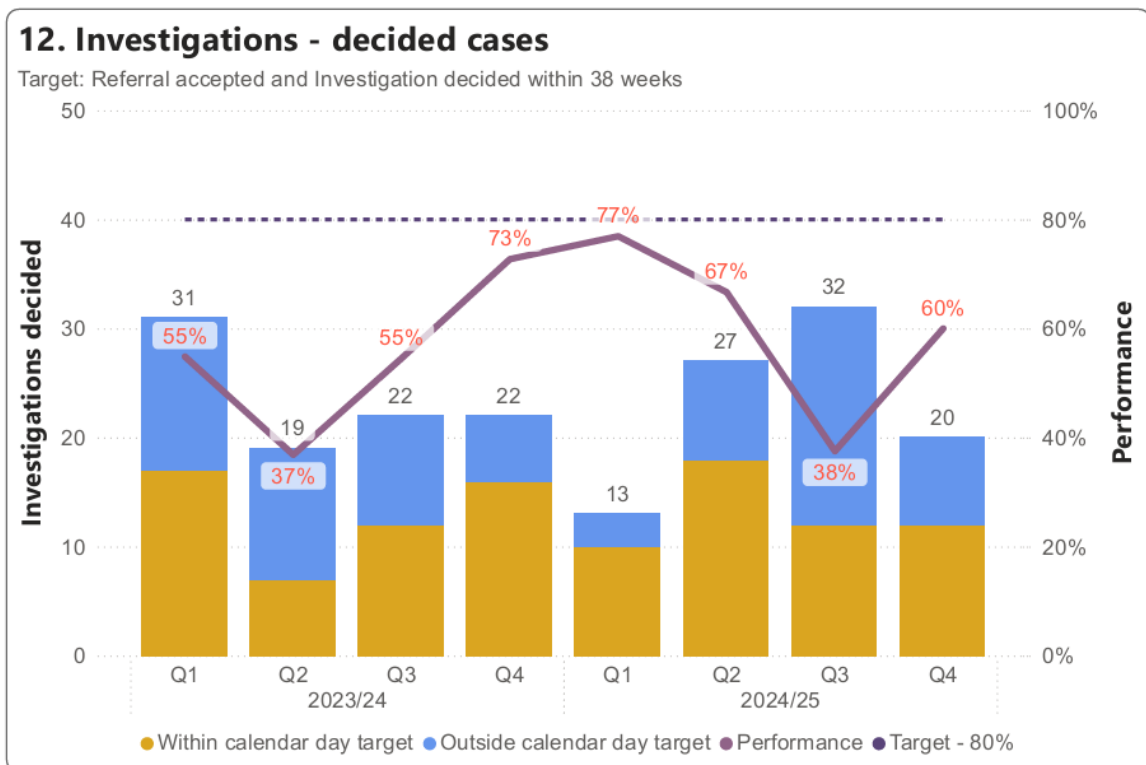
Timeliness and Median ages

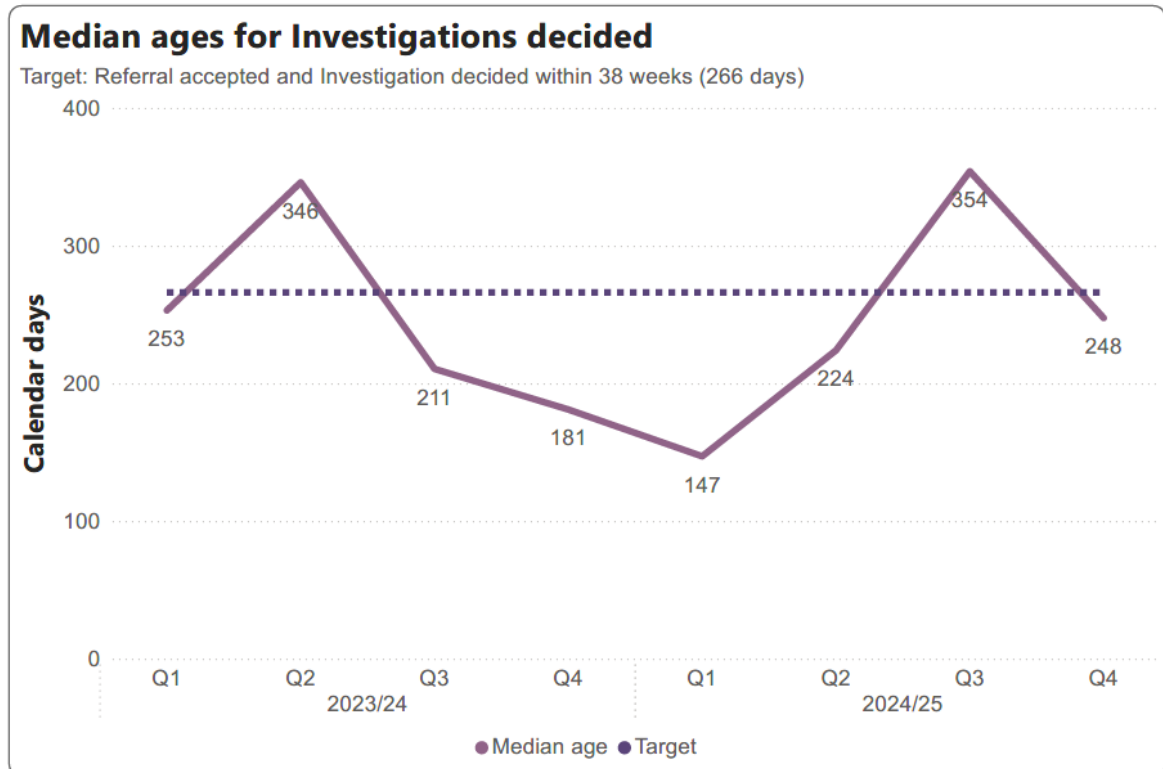




12. The number of Reports closed in Quarter 4 was the highest since Quarter 1, and the Team closed 1880 Reports in the year.
13. The age of cases in calendar days includes weekends, bank holidays, and periods of office closure. The Christmas break therefore impacts the performance in both Quarter 3 and Quarter 4. In Quarter 3, the output is reduced due to the lower number of working days across the reporting period. The calendar age of the live workload then increases by around two weeks over the Christmas break, with the result that cases closed in January and February are more likely to have exceeded the target age of eight weeks.
14. For the same reason, the median time it took for a Report to be assessed increased by almost ten days. Nevertheless, in Quarter 4 the average time to assess a case remained below the target of eight weeks.
15. Following a request made during the 27 March Board meeting, the working day timeliness performance for Reports is shown in the table below, alongside the KPI calendar day performance. The working day age excludes weekends, bank holidays, and periods of office closure.

2024/25	Cases closed	KPI performance – proportion closed within 8 weeks (56 calendar days)	Proportion closed within 8 weeks (40 working days)
Quarter 1	556	64.2%	70.7%
Quarter 2	440	69.5%	73.2%
Quarter 3	410	80.0%	82.2%
Quarter 4	474	61.8%	77.9%
Total	1880	68.4%	75.6%

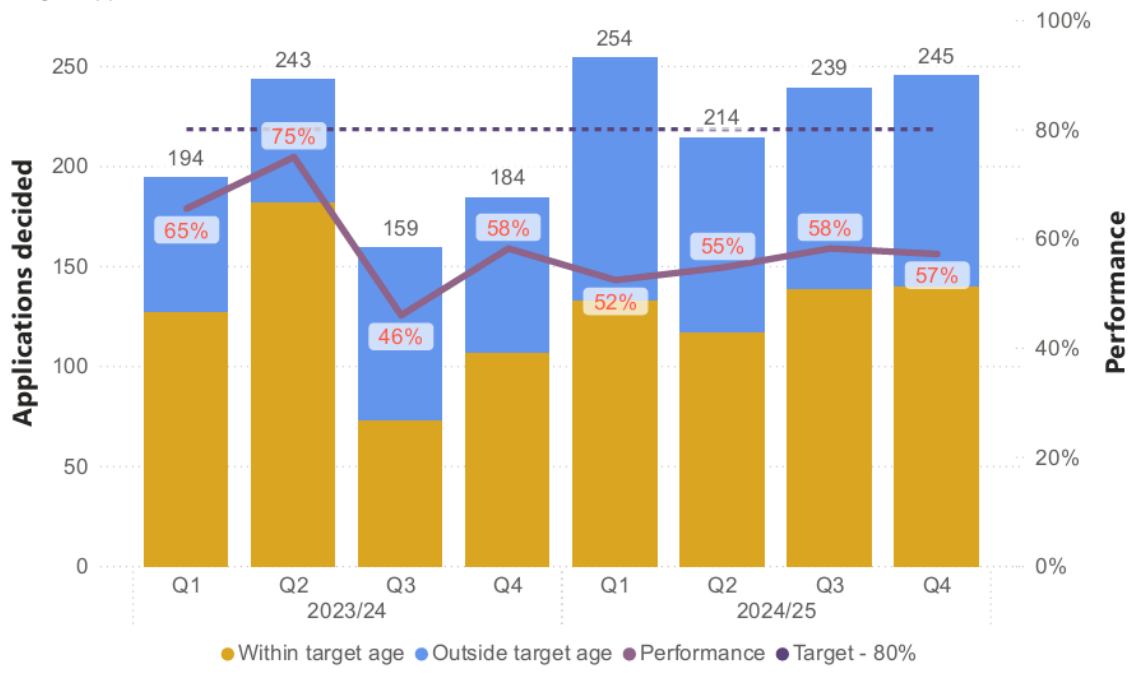




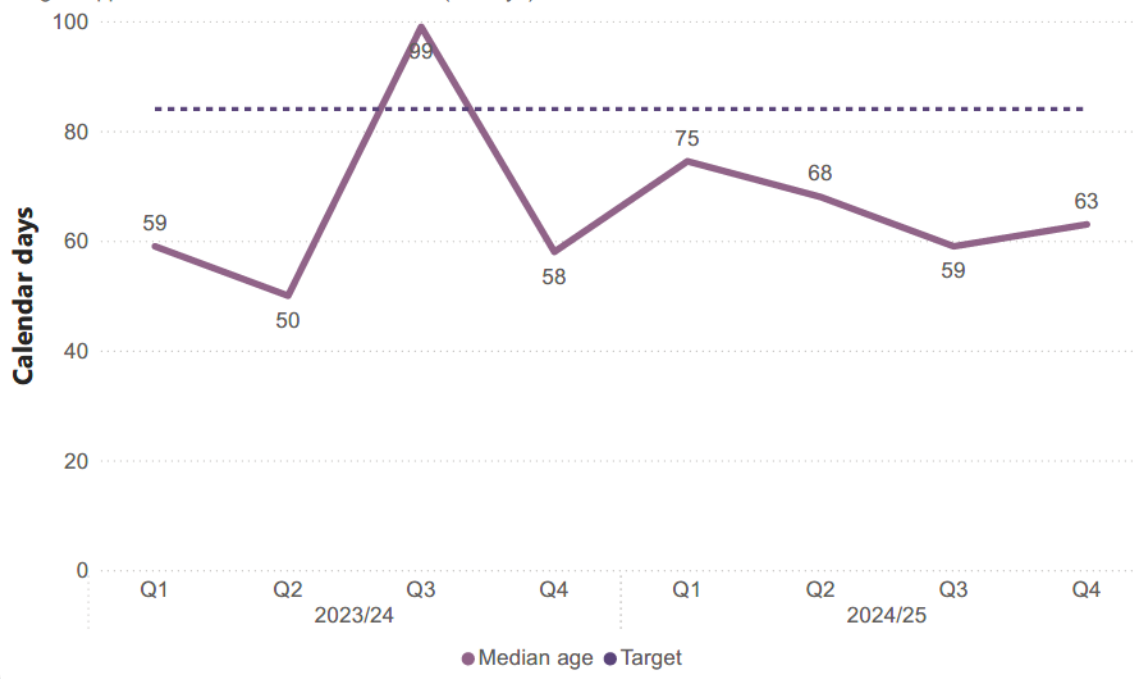
16. The number of investigations decided during Quarter 4 was lower than in the previous two quarters, but performance has improved. Each case was about a distinct barrister – no sets of related investigations were concluded.
17. The average age of decided investigation cases decreased and was within the target of 38 weeks.

13. Applications - decided

Target: Application decided within 12 weeks

**Median ages for Applications decided**

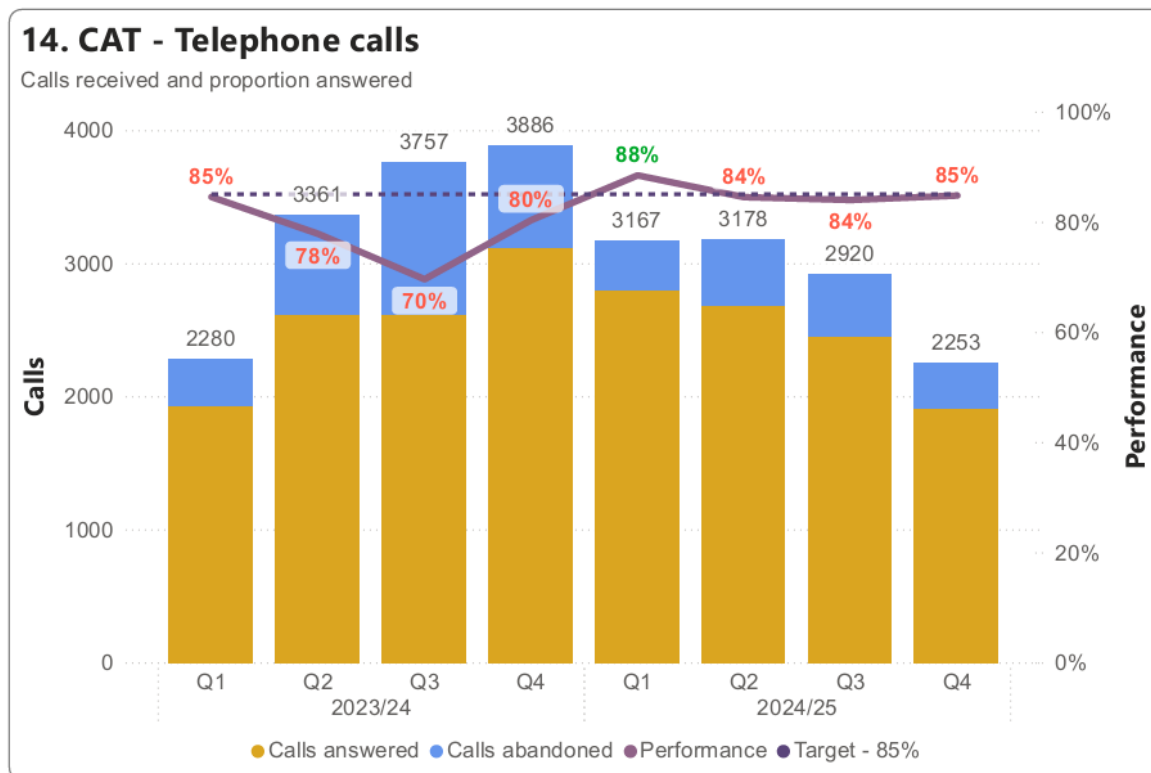
Target: Application decided within 12 weeks (84 days)



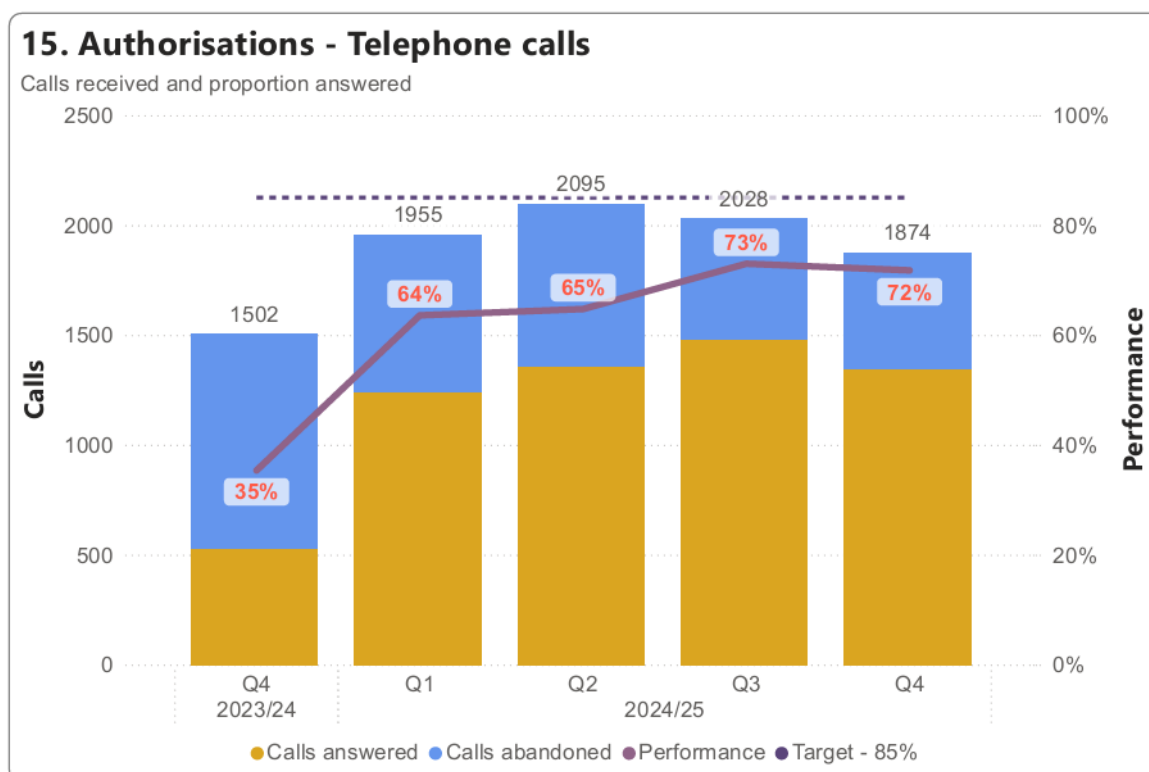
18. Output slightly increased for Authorisations and the number of applications decided was the highest since Quarter 1. The increase was because of a rise in the number of TQL applications decided. Timeliness performance was similar to Quarter 3 and the median age of the applications decided slightly increased, see paragraph 50 for more information.

19. This increased output is a product of the progression of actions that were agreed with the Board in 2024 to progress TQL applications, alongside re-organising the Team as part of BSB wide re-organisation.

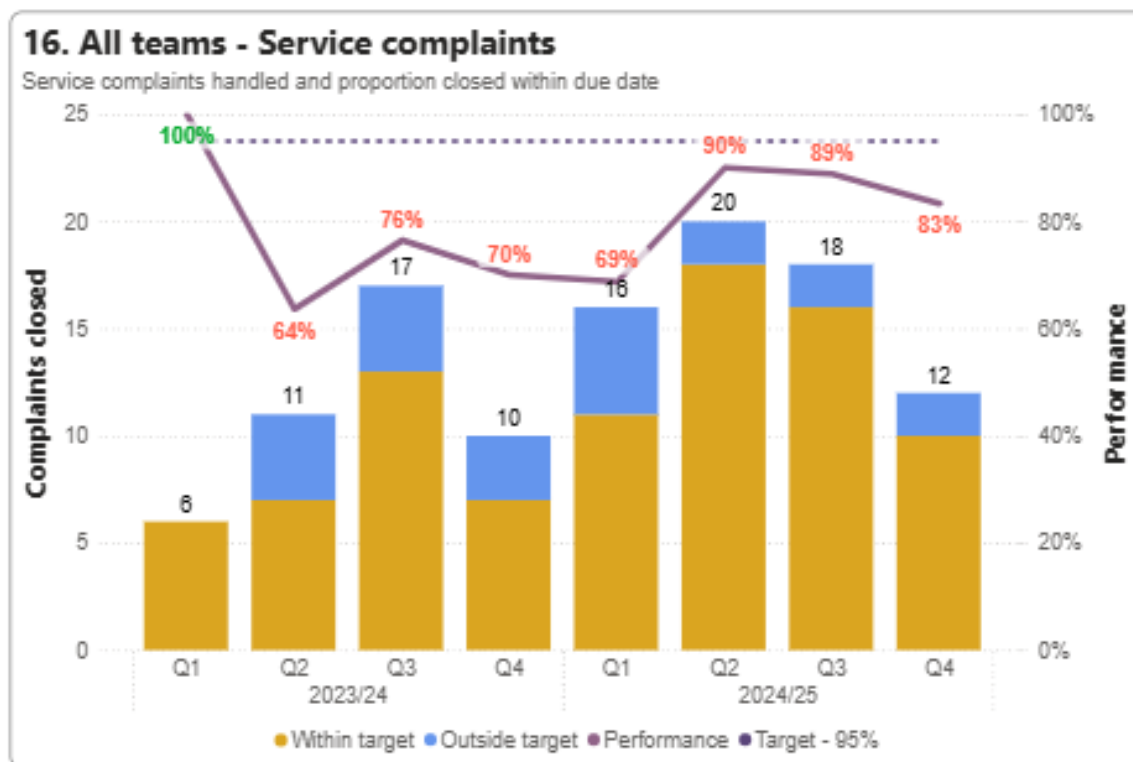
Service



20. For the third quarter in a row, the proportion of telephone calls received which were answered by the Contact and Assessment Team fell just below the target of 85%.
21. The number of calls received has reduced over the last six months, with the Quarter 4 total 23% lower than the number received in Quarter 3, and Quarter 4 shows the lowest number of calls received of the last two years. One reason for this is that there has been a reduction in the number of calls received by the Team which relate to applications, because the Authorisations Team has been more proactive in its external communications, including undertaking a clearance of outstanding email requests and adding more information for applicants to the BSB website.

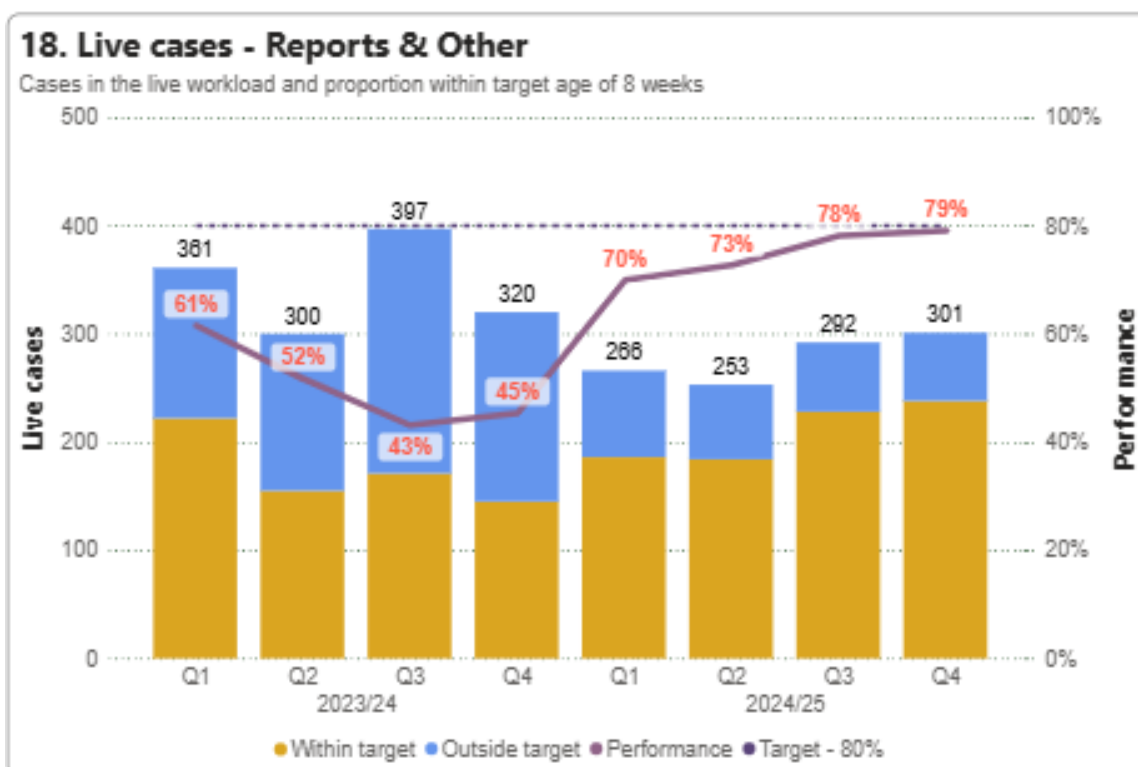


22. The Authorisations Team has maintained the same performance as in Quarter 3, with almost three quarters of calls answered. The automated reporting produced by our telephone management application (RingCentral) monitors calls on a 24/7 basis (24 hours per day, 7 days per week); therefore, the number of calls recorded as unanswered or abandoned may appear to be artificially high as it will include calls received outside of rota and standard business hours (e.g. calls during the evenings and weekends).

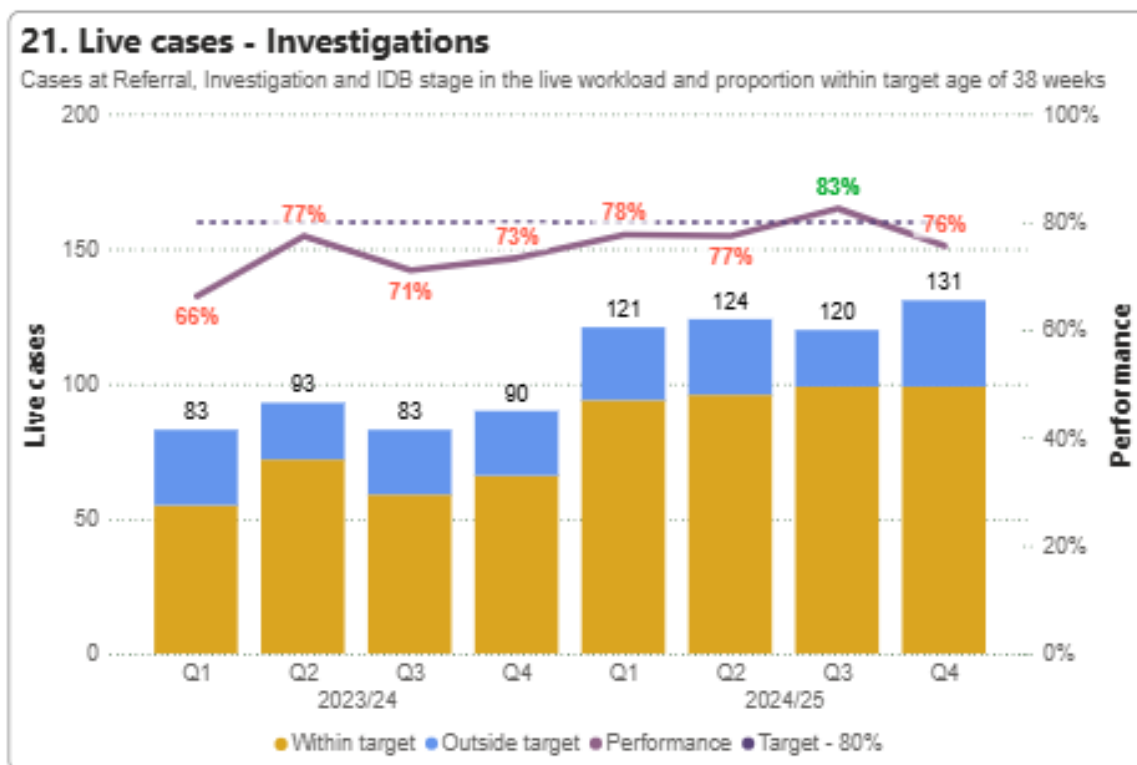


23. The service complaint target to respond to 95% of complaints within the due date was not met. Two responses, one complaint regarding Authorisations and one regarding Contact and Assessment, missed the deadline.

Productivity



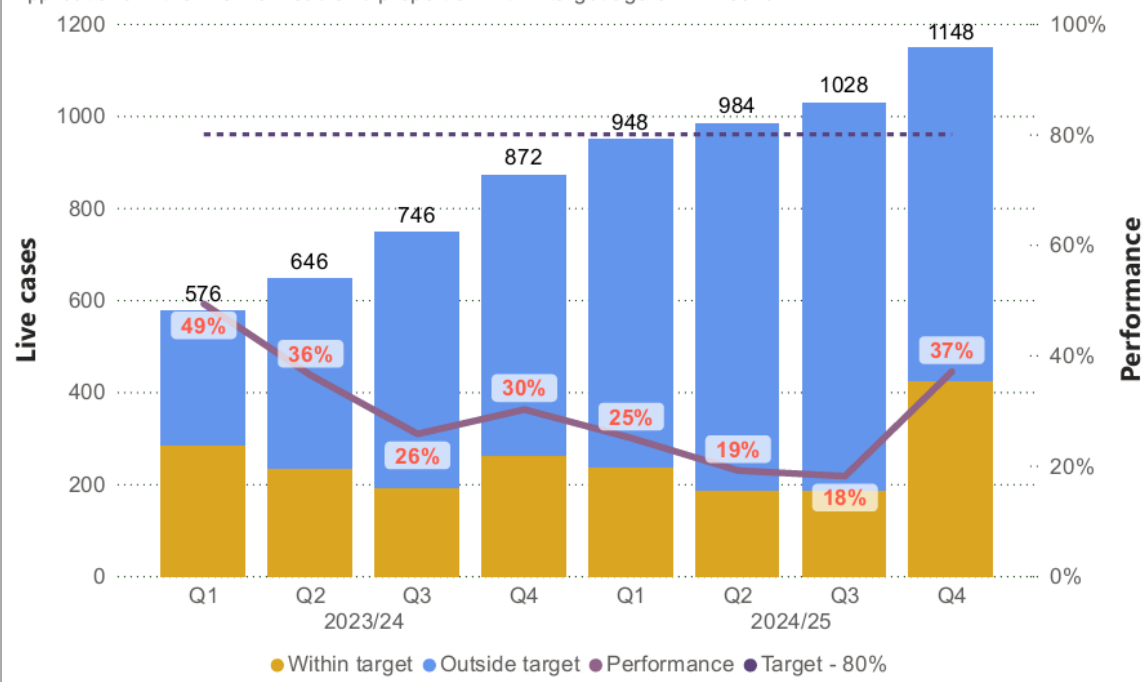
24. At the conclusion of Quarter 4, almost 80% of open Reports were within the target age, narrowly missing the target. This improvement in performance has been consistent over the last five quarters despite the workload containing more older cases at the beginning of the quarter following the Christmas break.



25. The workload increased in Quarter 4 and the Productivity target for Investigations was missed, after meeting it in Quarter 3.

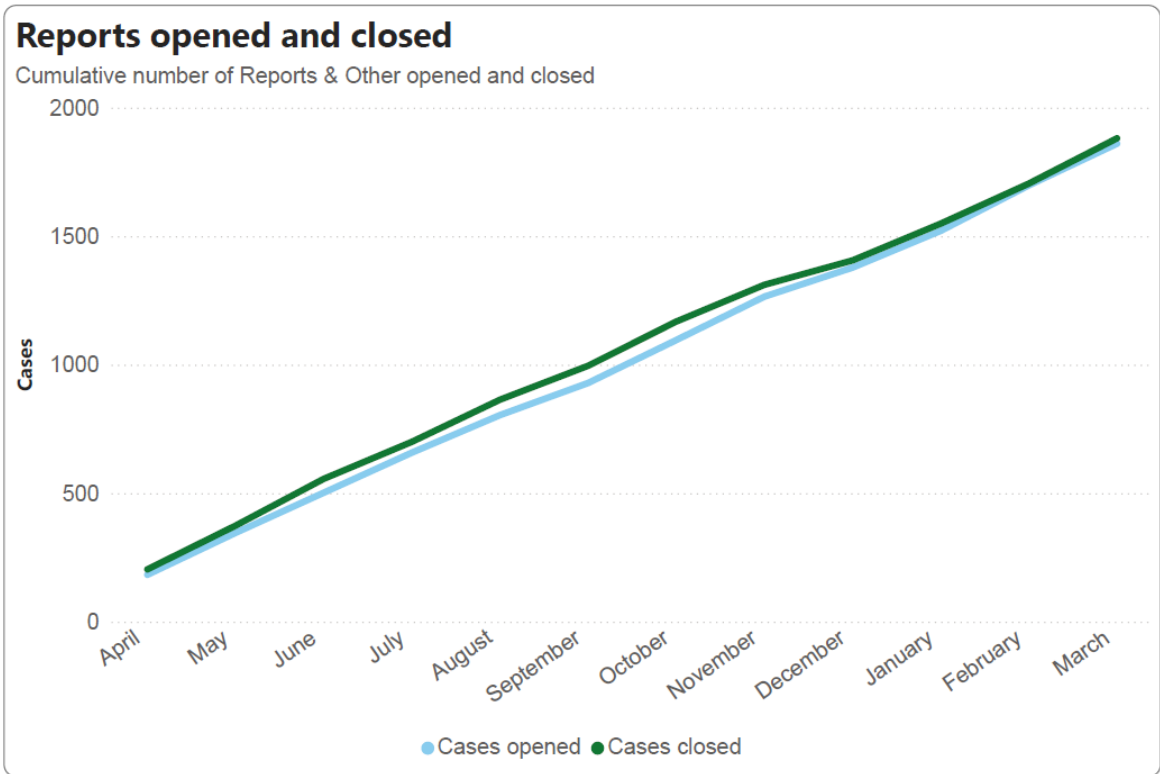
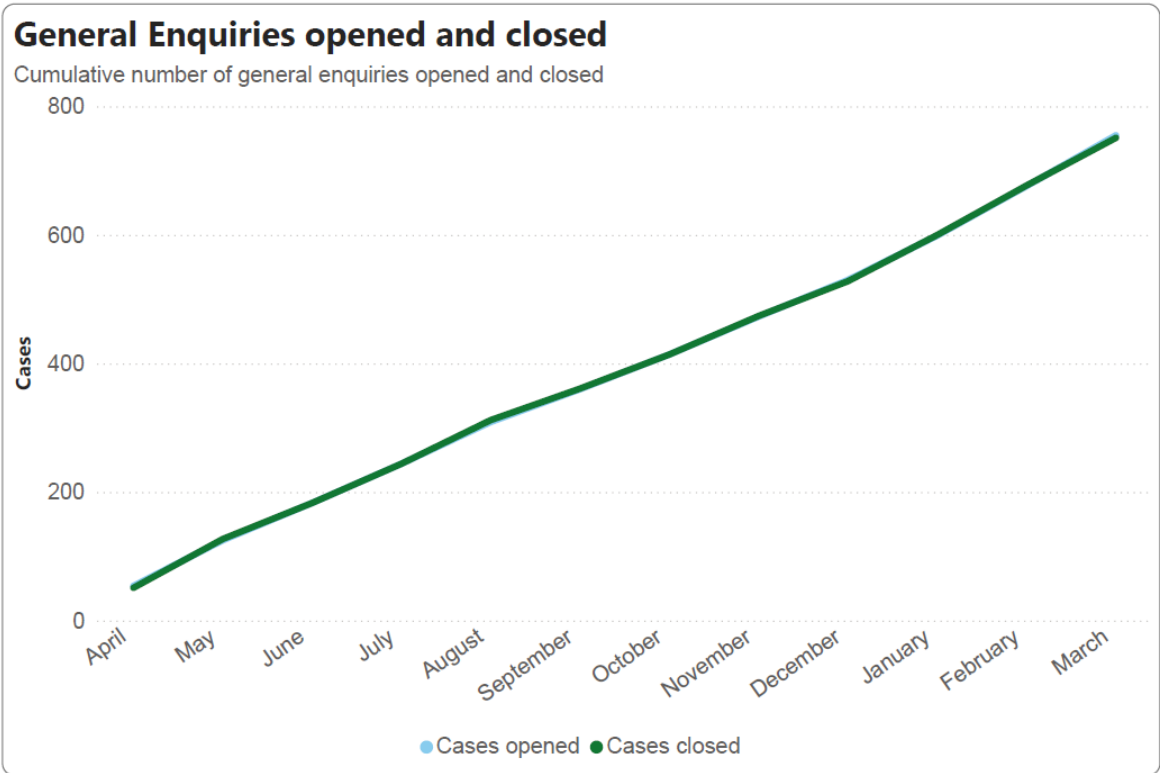
23. Live applications

Applications in the live workload and proportion within target age of 12 weeks

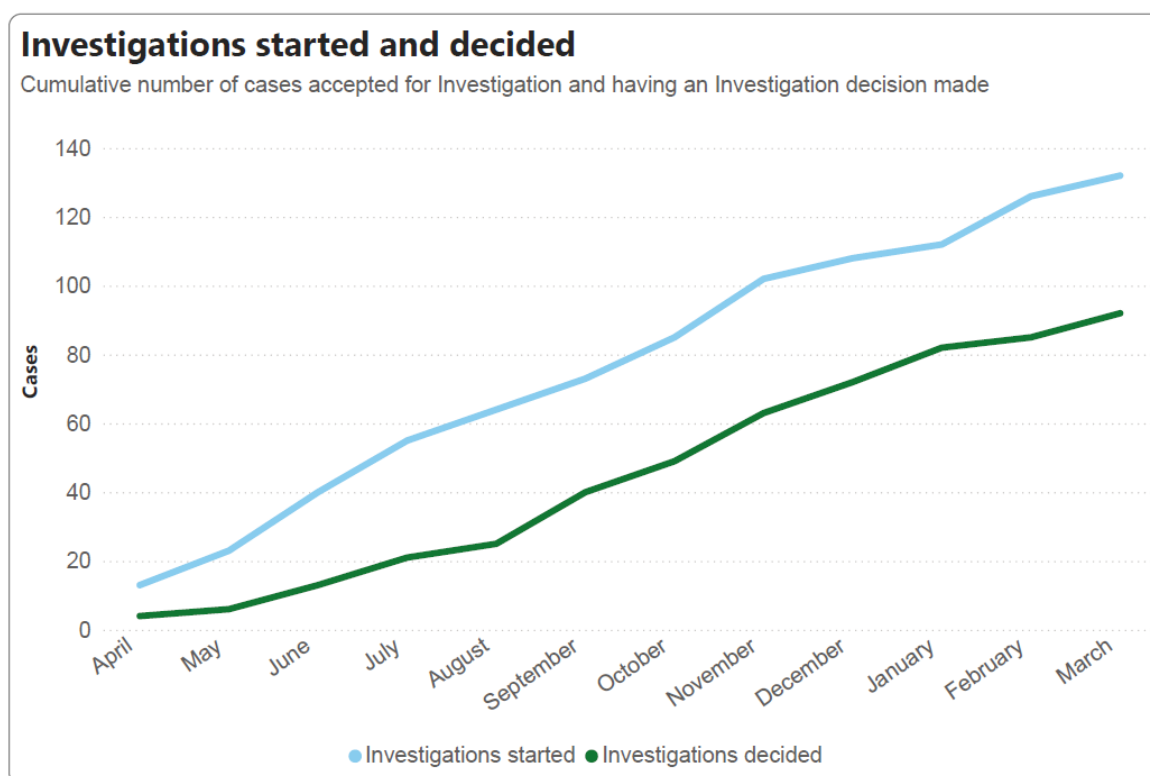


26. The proportion of Authorisations applications within the target age has increased to the highest levels since Quarter 2 2023/24. The improvement is driven by the TQL applications, whilst the non-TQL showed a drop in performance.
27. The rise for TQL applications is due to almost 200 new TQL applications being opened in March ahead of the increase in the application fees which took effect on 1 April 2025.

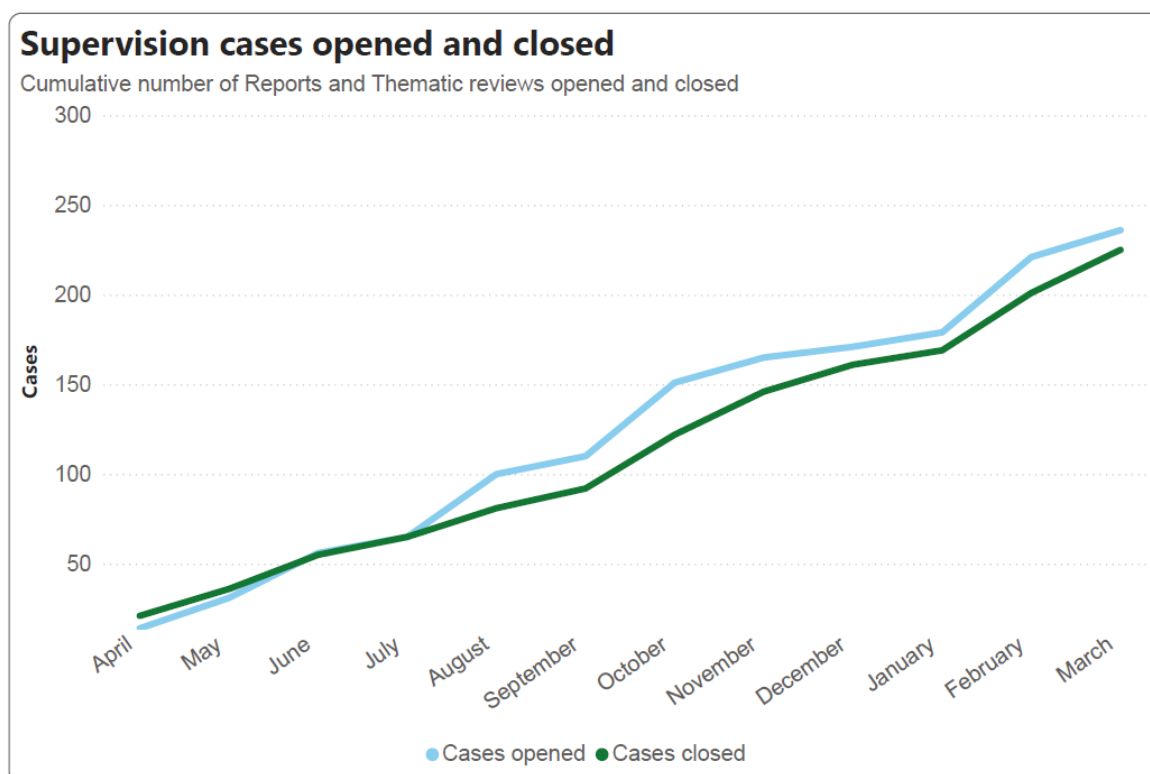
Cumulative opens and closures



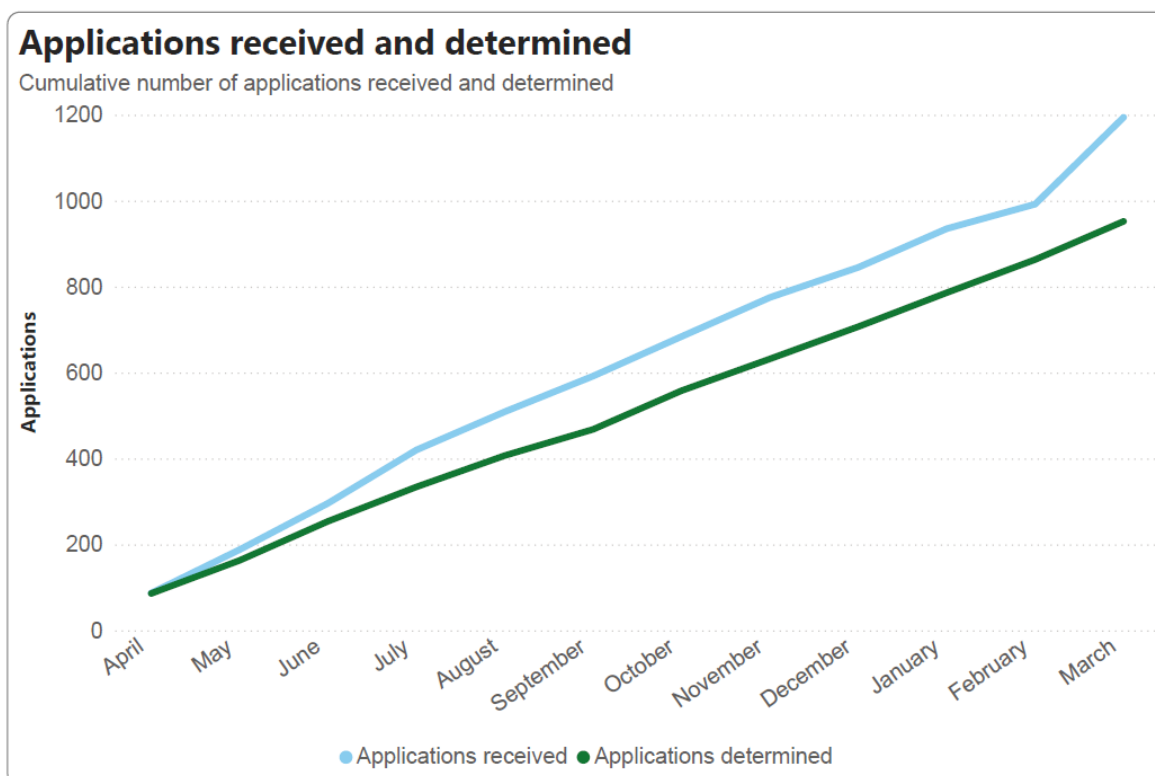
28. The running total number of General Enquiries closed closely tracked the number opened. The Team is able to keep this workload to low single figures and to close the vast majority within the target time of one week.
29. The cumulative number of Reports closed has always been higher than the number opened throughout the year, which shows how the Team has been productive as described in the section immediately after paragraph 15 (1880 closures and 1860 opens).



30. The gap between investigations started and closed increased throughout the year, with a difference of 40 cases by the end of the year.



31. The Supervision chart above shows the steady rate of closures for this Team. Both Reports and Thematic Reviews are captured in this chart, and the rise in cases opened from July onwards that marginally overtook the number of closures was due to both an increase in referrals (123 in total across 2024/25, the highest to date (since referrals commenced in 2020/21) and cases opened by Supervision (113, of which 79 were new Thematic Review cases relating to testing of compliance with the Money Laundering Regulations). Whilst the number of referrals gradually reduced quarter by quarter, the cases opened by Supervision follow the opposite trend, with Quarter 4 showing almost double the number of direct opens (41) than Quarter 1 (21).



32. Authorisations applications received continue to outpace the applications determined, with a widening gap between the two from Quarter 2 which has led to an increase in the overall workload. TQL applications account for 42% of the total applications received during 2024/25 and for 24% of the applications decided. This is similar when compared with 2023/24, when TQL applications accounted for 38% of all applications received and for 25% of applications determined. The new TQL applications being opened in March have significantly widened the gap at the end of Quarter 4.

Team workloads



Key points

33. Caseloads have increased for all Teams except Supervision, and most significantly for Authorisations and Investigations & Enforcement.

CAT

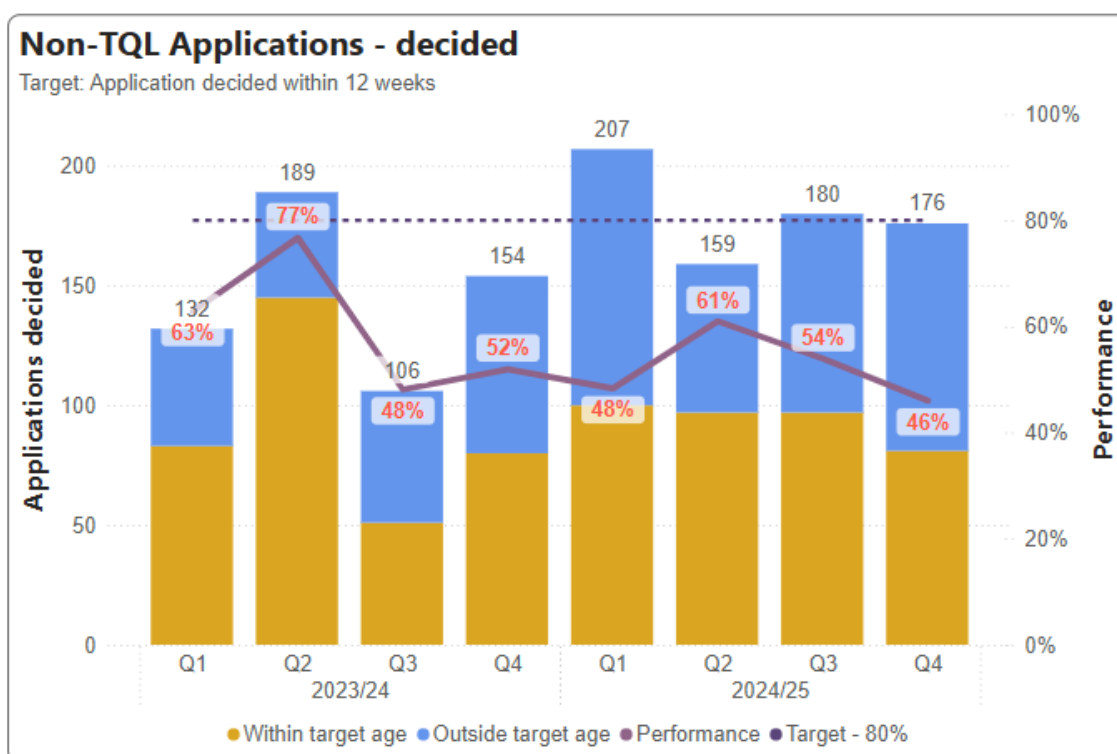
34. The Contact and Assessment workload slightly increased during Quarter 4, as discussed in the Productivity section (see from paragraph 24)
35. In total, the Team referred 56 cases to Supervision and Investigations & Enforcement during Quarter 3, equating to 12% of all the reports closed. This is lower than the referral rate for the previous quarters, mostly due to a reduction in referrals to Supervision.
36. In addition to these referrals, CAT issued informal advice to barristers on 37 cases during the quarter, a decrease on the 45 cases which had this outcome in Quarter 3. Throughout 2024/25 CAT issued informal advice on 216 cases, of which half during Quarter 1.
37. At the end of the quarter, 18% of open reports were on hold. The Team is tracking the reasons for these cases being on hold and their last review dates. Some reports on hold are about the same barristers (often those with ongoing disciplinary proceedings) and a large proportion of the cases on hold relate to police investigations.

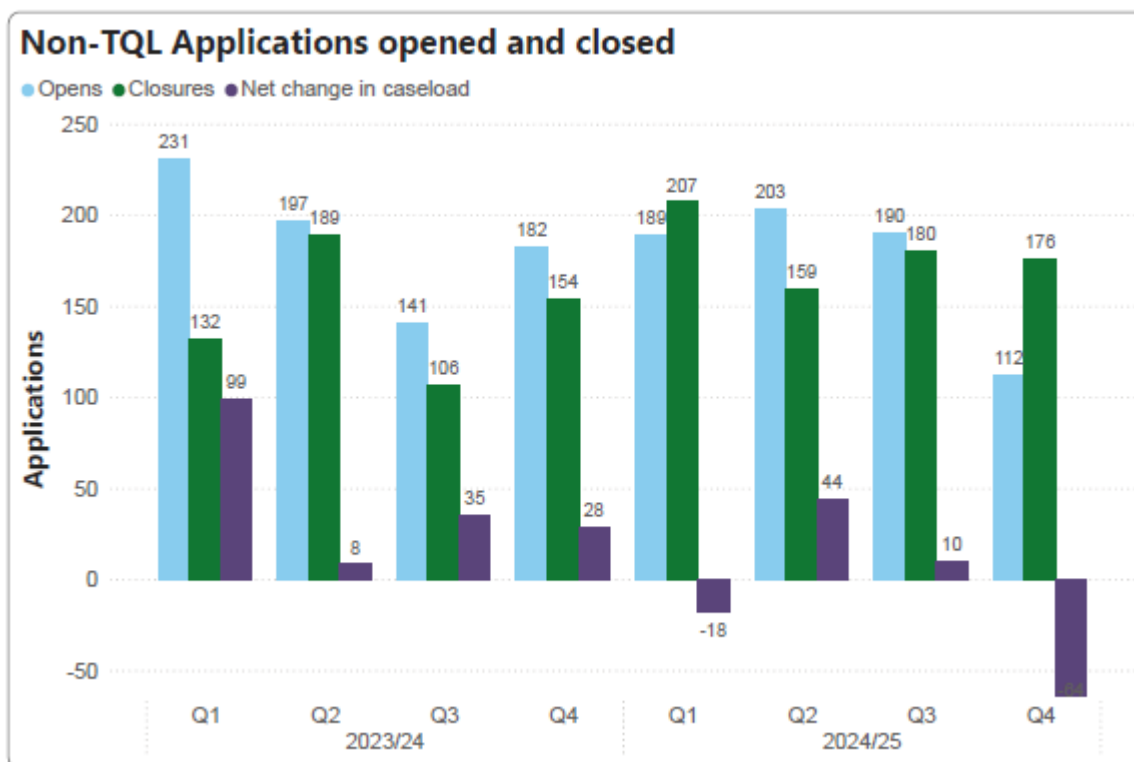
Investigations & Enforcement

38. The overall workload has fluctuated month by month with Quarter 4 showing a larger caseload than previous quarters.
39. The number of cases at Disciplinary Stage has remained steady throughout Quarter 4.
40. Across the quarter, five Disciplinary Hearings took place, after which three cases were closed. For the other two cases, the matter has concluded but we are awaiting the final report from the Bar Tribunal and Adjudication Services before the case can be closed.
41. The number of Disciplinary Tribunal cases closed in Quarter 4 is the lowest in the year, down from 16 in Quarter 1. The total Disciplinary Tribunal cases closed in 2024/25 (29 cases) is also significantly lower than in 2023/24 (38 cases).
42. One Determination by Consent case was closed in Quarter 4 following an IDB decision.
43. The complexity profile of the live Investigation workload has remained almost stable during Quarter 4. The proportion of cases rated as high complexity (scores of 4 or 5) slightly increased to 17% from 15%. This is still well below previous quarters. This is an ongoing effect of many complex investigations being referred to Disciplinary Action in Quarter 3 which has led to about 60% of disciplinary cases having now high complexity.

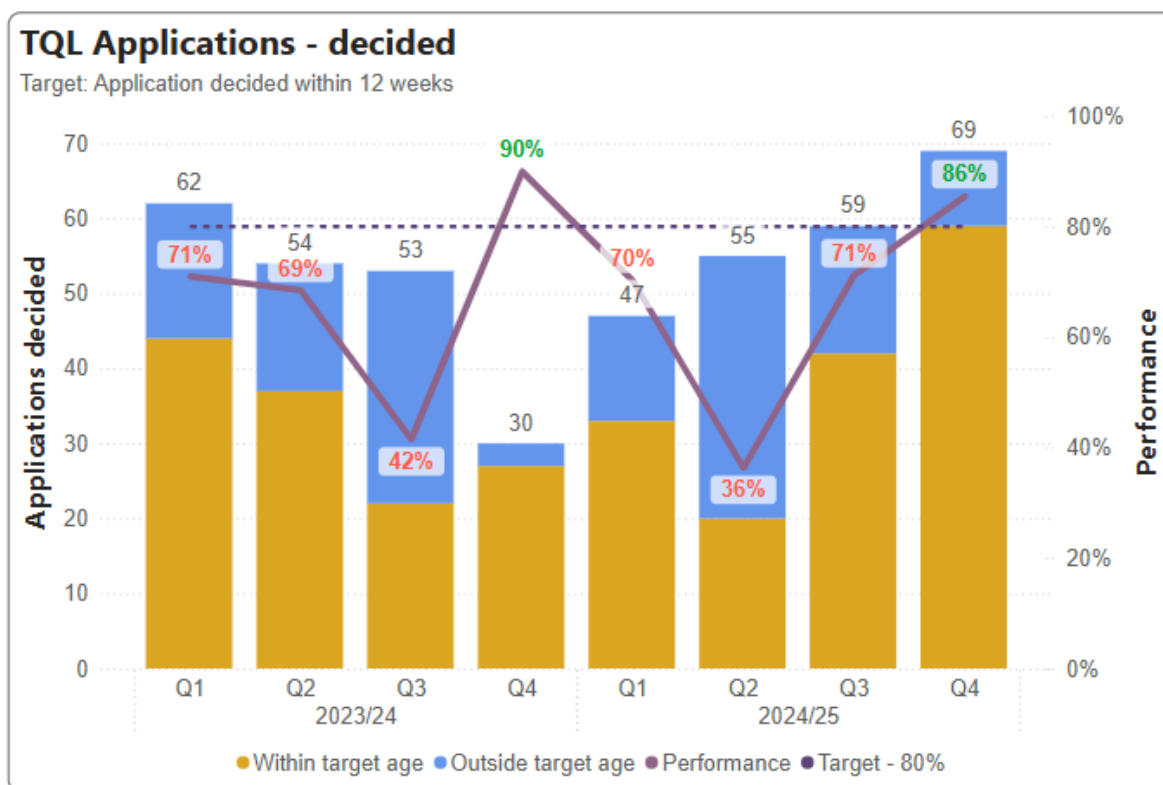
Authorisations

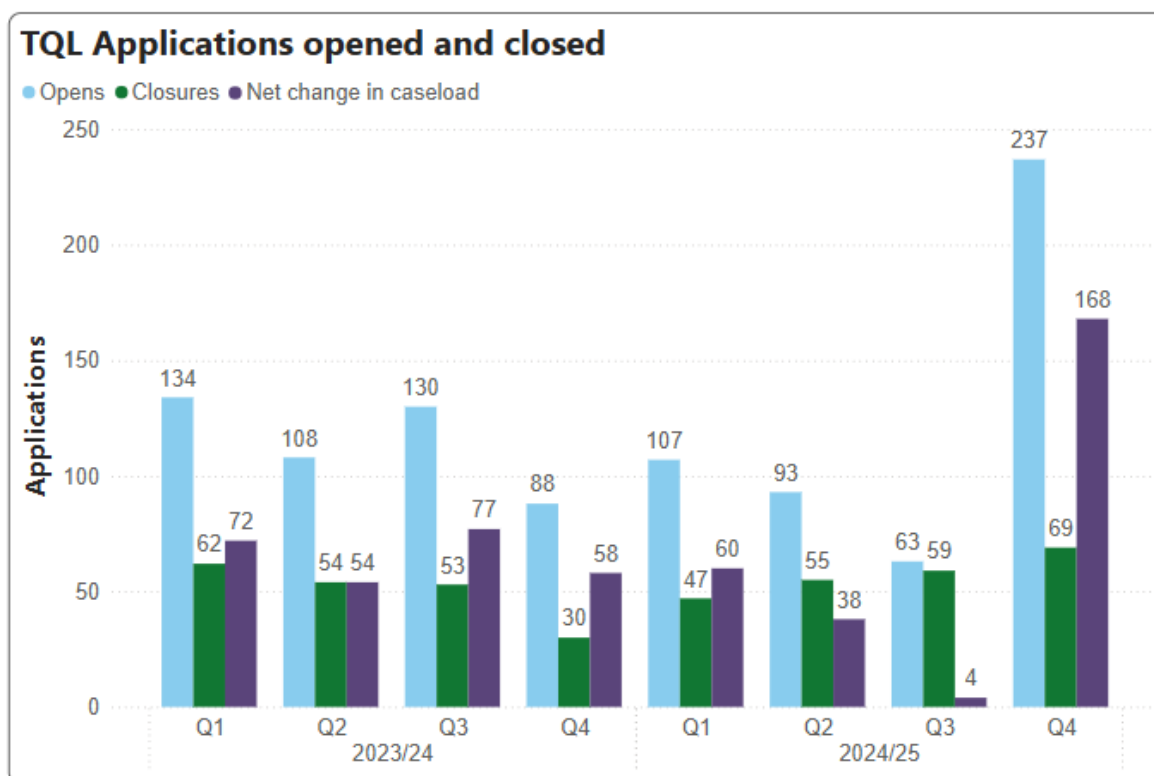
44. The Applications workload continued to increase in Quarter 4, rising by 120 from the end of December, mostly driven by the significant number of TQL applications received in March.
45. Output slightly decreased for non-TQL applications in Quarter 4, though the number of applications received was significantly lower than in previous quarters and lower than the number of decisions, which led to a reduction in the overall workload.





46. Output and Timeliness performance for TQLs both improved, and Quarter 4 saw the highest number of TQL applications processed for the last two years.





47. Pupillage tasks reached the annual low at the beginning of Quarter 4, before picking up again in March. This work has been handled by four assistants this year as opposed to two last year, and this increased capacity meant that the work could be done more quickly this year. 304 pupillages were registered in Quarter 4, of which 235 in March.
48. The Team is continuing to explore potential means of automating the pupillage registration and certification tasks to reduce the emphasis on manual processing.

Supervision

49. The number of Supervision cases opened relating to reports to the BSB in 2024/25 is the third highest since 2020/21 (almost 160 cases), but the Team has kept pace in completing a regulatory response and closing cases following supervision.
50. Across the year, the Team had a significant increase in referrals from the Contact and Assessment Team compared to 2023/24 (123 compared to 94, which is the highest number since the CAT was established).
51. In Quarter 4, one main set of Thematic Reviews was opened, totalling 31 cases. These reviews focused on 89 barristers practising from 31 chambers who had declared that they did work which was within scope of the Money Laundering Regulations. During the 2020/21 Regulatory Return process, the 31 chambers confirmed that none of their barristers did in-scope of work. Given the disconnect in declarations between the barristers and their chambers, this review was undertaken to establish the correct position and improve the accuracy of data on the number of barristers conducting in-scope work.

52. Despite the high number of cases opened, the workload remained quite stable for both Thematic Reviews and Reports over the quarter as more than 60 cases were closed. This is the third highest number closed in the last two years. Supervision closed 224 cases in 2024/25, which is the highest number since these records commenced (2020/21).
53. Three visits took place during the quarter, bringing the total to 10 for the year, compared to 7 last year.

Appendices

Appendix 1: Overview of all metrics and KPI targets.

Appendix 2: Definitions (explaining how targets are calculated).

Appendix 3: Types of case.

Business Plan Summary 2024/2025		
Aim	Activity	Status
1. Efficiency	Enforcement Review Project	
	Authorisations Review Project	
	Developing a Balanced Scorecard	
	Pupillage Self-Service Facility	
	Entity Access to MyBar	
	Regulatory Fees Review	
	Risk Framework Review	
	Five-Year Strategy	
	Assuring Standards Framework (ASF)	
	Bar Training Evaluation	
	Apprenticeships (Bar Training)	
	Curriculum and Assessment Strategy (Bar Training)	
	Anti-Money Laundering	
	BSB Handbook review	
	Role of Chambers Project	
3. Equality	Equality Rules Project	
	Equality Diversity & Inclusion at the Bar	
	Differences in consumer satisfaction (DCT research)	
	Anti-Racist Strategy	
4. Access	Regulatory Information Service	
	Transparency Rules	
	Role of Technology in Legal Services	
	Role of Intermediaries	
	Digitally Excluded Consumers (DCT Research)	
	Solicitors and Choice	
5. Independence	Reform Programme	
	Organisational Learning Strategy	
	Performance Management & Development Plan	
	Public Engagement & Collaboration	

RAG
On Track
Delayed
Delayed >6 months
On Hold/deferred
Closed

- - KPI met or exceeded
- - Performance within 10 percentage points of target
- - Performance more than 10 percentage points lower than target

KPI Summary				
KPI	Target %	Target met	Quarterly performance	Change on previous quarter
Quality				
CAT - Quarterly Audit	95%	●	100.0%	
CAT - Requests for Review	95%	●	100.0%	↑
Investigations - Quarterly Audit	95%	●	100.0%	
Investigations - Requests for Review	95%	●	100.0%	
Investigations - Administrative Sanction Appeals	0%			
Investigations - DT Decision Appeals	0%			
Authorisations - Quarterly Audit	95%	●	100.0%	
Authorisations - IDB Reviews	95%	●	100.0%	
Supervision - Quarterly Audit	95%	●	100.0%	
Timeliness				
CAT - General enquiries-closed	80%	●	98.2%	↑
CAT - Reports & Other-closed	80%	●	61.8%	↓
Investigations - Investigations decided	80%	●	60.0%	↑
Authorisations - Applications-decided	80%	●	57.1%	↓
Service				
CAT - Calls answered	85%	●	84.8%	↑
Authorisations - Calls answered	85%	●	71.8%	↓
All teams - Complaints	95%	●	83.3%	↓
Productivity				
CAT - General enquiries-live	80%	●	100.0%	↑
CAT - Reports & Other-live	80%	●	79.1%	↑
Investigations - Investigations-live	80%	●	75.6%	↓
Authorisations - Applications-live	80%	●	37.0%	↑

- ↑ - Performance increased compared to previous period
- ↓ - Performance decreased by 10 percentage points or fewer compared to previous period
- ↓ - Performance decreased by more than 10 percentage points compared to previous period
- No arrow** - Performance the same as for the previous period; or there is no applicable data for one of the comparable periods

BSB People Team 2024/25 Q4 HR Stats

Directorates at Q4		% Occupied Posts
PP&E	Planning, Programmes & Engagement	85%
DG	Director Generals Office	100%
RE	Regulatory Enforcement	86%
LIM	Legal and Information Management	75%
SP&I	Strategy, Policy & Insights	78%
P	People Team	100%
RS	Regulatory Standards	89%

Financial Summary Q4 Finance stats

Financial Summary at Q4				
Category	Q4 YTD Actual(k)	Q4 YTD Budget(k)	Variance (k)	Index
Income	£19,066	£18,407	£659	104
Expenditure	£19,158	£18,856	(£302)	102
Surplus/(Deficit)	(£92)	(£449)	£357	
Category	FY Forecast (k)	FY Budget (k)	Variance (k)	Index
Income	£19,066	£18,407	£659	104
Expenditure	£19,158	£18,856	(£302)	102
Surplus/(Deficit)	(£92)	(£449)	£357	

Service Complaints Summary at Q4					
Q4 Received	10	YTD Received	71	YTD Upheld (fully or partly)	47

Performance and Strategic Planning Committee (PSP) Year-End Report November 2024 to end April 2025

1. The Board is invited to **note** this year-end report of the Performance and Strategic Planning Committee (PSP). The Committee's Terms of Reference require that it report to the Board at least bi-annually. The last report received by the Board in November 2024 was the mid-year report for business year 2024 - 25.

Introduction

2. The PSP is a standing committee of the Board to which it reports on matters related to organisational performance, resources and strategic planning. The PSP supports the Board and the executive in delivering high performance and in formulating the overall strategy for the Bar Standards Board (BSB) and, to these ends, it scrutinises the BSB's multi-year Strategic Plan and annual Business Plans before the Board's approval is sought. It oversees performance against relevant operational, financial and regulatory risk performance objectives and targets set out in the Business Plan and considers and agrees any necessary corrective actions, including to the allocation of resources. It also provides assurance to the Board on the delivery of organisational reform programmes.
3. The Committee had a membership of seven for the reporting period – all of whom are members of the Board, with a majority of lay members. The members were Gisela Abbam FRSA, Emir Feisal JP, Tracey Markham, Ruth Pickering, and Kathryn Stone OBE (lay members); Ruby Hamid, and Irena Sabic KC (barrister members).
4. From 1 May 2025 (just after the reporting period), Tracey Markham has been appointed as Chair of the Committee, and Ruth Pickering and Kathryn Stone have stood down (leaving the Committee with membership of five, remaining in accordance with its Terms of Reference).
5. During the reporting period, Steven Haines concluded his term as a Board member and as Chair of the PSP, having served the maximum permissible eight years as Chair (firstly as Chair of the Planning, Resources and Performance Committee (PSP) and then the Strategic Planning and Resources Committee (SPR) before the current incarnation of the Committee was agreed from January 2023). Alison Allden and Simon Lewis also concluded their terms on the Committee at the end of 2025 (Alison having served five years and Simon having served two years). At their final meeting, other Committee members and the Director General expressed gratitude for their significant and valued contribution, and the combination of challenge and support that they had provided over those years.
6. The Committee meets regularly throughout the year and has met three times since the last report. During the period under review, all Committee members attended all meetings to which they were invited.

Executive Summary

7. This report summarises the key aspects of the Committee’s work over the past six months. The report also provides the Board and public with assurance that the scrutiny of business and strategic plans (when applicable) prepared by the BSB is robust, appropriate, and financially sound and that organisational performance is scrutinised by a committee of the Board (without dilution of the Board’s primary responsibility for oversight and monitoring of performance). That includes providing assurance to the Board on the delivery of organisational reform programmes.

Strategic Plan (2025-2030), Business Plan and budget for 2025-26

8. The Committee noted that 2025 – 26 has been agreed by the Board to be a “transitional” year that then takes us to the next five-year strategy. It confirmed that the 2025 – 26 business plan will focus on: maintaining improvements to operational performance to hit the targets in the balanced scorecard; completion of projects in the current strategic plan; implementation of the Reform Programme; and preparatory work for the new strategy.
9. The Committee scrutinised a draft of the 2025 – 26 Business Plan and made suggestions to improve structure and clarity of the substantive content, before it was recommended to the Board for approval.

Oversight of performance, finance and budget

10. The role of the PSP is to undertake closer scrutiny and analysis of performance trends and any systemic causes for those, and to make recommendations to the Board. During the last six months the Committee reviewed performance against KPIs for quarters 2 and 3 of the last business year and had oversight of progress towards the activities set out in the published Business Plan for the 2024 – 25 year.
11. The Committee found the balanced scorecard summary to be a useful innovation that more fully encapsulates the BSB’s performance in its regulatory operations (than the previous KPI reports). It made suggestions to enhance clarity of updates on progress towards activities set out in the Business Plan, including on whether RAG ratings are a measure of actions completed (rather than outcomes achieved), and challenged the executive on the consequences of delay where that was reported. The Committee noted that business planning is necessarily an “agile” activity ie plans that were initially formulated may need to change in the light of new events which impact upon them and that may need to be reflected in RAG ratings.
12. The Committee scrutinised the revised budget for 2025 - 2026 to satisfy itself that the final budget was fair and reasonable in the context of the strategic and business plan and considering the cost to implement the Reform Programme, before recommending it to the Board.
13. The Committee scrutinised quarterly financial accounts and forecasts, including the forecast outturn for the year. This included oversight of the cash and reserves to ensure that the BSB had sufficient liquidity to meet its obligations.

Reform Programme

14. The BSB is undertaking a programme of reform to implement a new Target Operating Model in part as a response to the review of our enforcement processes (by Fieldfisher) and recommendations to improve regulatory capability and operational effectiveness. The BSB is also increasingly embedding a consumer focus in its work, and its revised organisational structure will facilitate that.
15. During the last six months the Committee has received updates on the progress of the Reform Programme at every meeting. It noted that the Board itself will wish to hold the executive to account for the delivery of the Programme to the target dates, and also by measuring the gains in efficiency and effectiveness that will accrue as a result of implementation of the Reform Programme. The Committee's challenge to the executive included ensuring that updates provided give sufficient detail and context for assurance purposes.

Other Business

16. The Committee received the regular six-monthly Human Resources report, although that covered the period immediately prior to the implementation of the new organisational structure (and the consequential turnover will be reported in the next six-monthly report). It noted that the pay reforms approved by the Board have played a key role in improving staff recruitment and retention rates.
17. The Committee undertook its annual review of its Terms of Reference and agreed with proposals to transfer oversight of regulatory risk to this Committee (from the Governance, Risk and Audit Committee (GRA)). This was endorsed on the basis that identifying and treating regulatory risk is a core function of the BSB and that relates to the use of established risk management principles to identify actions to take in the public interest and which make best use of our resources. It agreed that regulatory risk management considerations should form part of this Committee's discussions on horizon scanning and on business and strategic planning.
18. During the last six months the Committee has continued to hold meetings remotely (using Microsoft Teams). It is intended that the Committee will continue holding meetings remotely as routine but may meet in person depending on the business on the agenda.

Forward View (May 2025 – November 2025)

19. As well as the routine business defined by its terms of reference, the Committee will continue supporting the executive with delivery of the Business Plan for 2025/26 and continue to work on the development of the BSB's new five-year Strategic Plan (2026 - 2030).
20. As we continue to implement the Reform Programme, the PSP will receive a progress report at every meeting so that it can provide assurance to the Board. These updates will include deep dives into specific areas of reform as required.

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21. The Committee will receive the regular six-monthly Human Resources report, and this will cover the period in which the new organisational structure was implemented.
22. In accordance with the Committee's changed remit (to now also monitor the BSB's performance in identifying and treating regulatory risk), the Committee will undertake regular deep dives into regulatory risk areas.
23. The Committee will scrutinise the Annual Report before it is recommended to the Board for approval and publication.
24. The next PSP bi-annual report will be the mid-year report which will be presented to the Board in November 2025.

Lead responsibility

Rebecca Forbes, Head of Governance

Meeting:	Bar Standards Board	Date:	22 May 2025
Title:	Nomination Committee and IDB Terms of Reference		
Author:	Rebecca Forbes		
Post:	Head of Governance		

Paper for:	Decision: <input checked="" type="checkbox"/>	Discussion: <input type="checkbox"/>	Noting: <input type="checkbox"/>	Other: <input type="checkbox"/> (enter text)
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Paper relates to the Regulatory Objective (s) highlighted in bold below

- (a) **protecting and promoting the public interest**
- (b) supporting the constitutional principle of the rule of law
- (c) improving access to justice
- (d) protecting and promoting the interests of consumers
- (e) promoting competition in the provision of services
- (f) encouraging an independent, strong, diverse and effective legal profession
- (g) increasing public understanding of citizens' legal rights and duties
- (h) promoting and maintaining adherence to the professional principles
- (i) promoting the prevention and detection of economic crime.

☐ Paper does not principally relate to Regulatory Objectives

Purpose of Report

1. This paper presents the Board with proposed revisions to Terms of Reference for the Nomination Committee and the Independent Decision-making Body (IDB). Approval of amendments to these documents is reserved to the Board.
2. The substantive amendments to the IDB Terms of Reference are to implement the recommendations of the Fieldfisher review of our enforcement processes in 2024, or to be more specific and explicit about our existing processes and practice.

Recommendations

3. The Board is invited to **approve** the amendments to the Terms of Reference for the Nomination Committee and the Independent Decision-making Body (IDB).

Background

4. In July 2022, we undertook a substantive review and revision of our governance documents. The new suite of documents included a significantly amended Constitution as the pre-eminent governance document, and the Governance Manual with appendices including the Terms of Reference for the BSB's Committees and other Decision-making Bodies.
5. BSB Committee Terms of Reference all require committees to "at least annually, review these terms of reference to ensure it is operating effectively and to recommend any changes it considers necessary to the Board for approval".

6. The BSB's Nomination Committee has existed since early 2022. Its Terms of Reference were initially drafted using the model Terms of Reference published by the Chartered Governance Institute (CGI - formerly ICSA, the Institute of Company Secretaries and Administrators) which we adapted for our context and structure. For this review, we again reviewed the current model Terms of Reference published by CGI.
7. When Fieldfisher presented its report on the BSB Enforcement review in April 2024, its full list of recommendations included the following:

Effect modest changes in place for the IDB which otherwise works well

- i. The BSB should give the IDB greater authority to shape its work as it sees fit so as best deliver its remit;
- ii. It should be for the IDB to determine its procedures (for example which of the accelerated procedures to drop and which to keep and evolve as has already been done);
- iii. Produce a form of IDB "charter" that identifies how the IDB is expected to contribute to the overall efficiency and success of the enforcement process;
- iv. Ensure that the IDB can call I&E to account in terms of support provided;
- v. The IDB must have a clear voice in future plans for improvements in enforcement processes.

We considered it simplest and most transparent to contain that "charter" within this existing Terms of Reference rather than to create a separate document.

Points for discussion

8. The proposed amendments to the Terms of Reference for the Nomination Committee have been considered by that Committee and are recommended to the Board for approval by that Committee. The proposed amendments to the Terms of Reference for the IDB have been considered by the Chair and Vice Chair of the IDB, and by the relevant staff including Directors and those colleagues who administer the IDB.
9. In paragraph 21 a) of the Nomination Committee Terms of Reference, we propose deleting the first instance of the word "diversity" as this is unnecessary repetition and retaining the word within the parentheses more exactly follows the wording in the CGI model Terms of Reference. The Board agreed to the same amendment to the equivalent paragraph in the Appointments Policy, at its meeting on 27 March 2025.
10. Paragraphs 21 a) – c) and g) then exactly mirror the wording of the CGI model Terms of Reference (with the very minor amendment proposed to paragraph 21. g), insertion of the word "and" into the last bullet point). The addition to the wording of paragraph 21 f) (that the Nomination Committee is also to "oversee the development of a diverse pipeline for succession") is only to more completely mirror the wording in the CGI model Terms of Reference.

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11. The amendments proposed to the IDB Terms of Reference are substantively to give effect to those recommendations of Fieldfisher (see paragraph 7 above). The new paragraph 2 sets out more explicitly the functions of the IDB, and the new paragraph 3 indicates that this document will now function as the “IDB charter”.
12. In paragraph 4 (new numbering), we have been explicit that the Vice Chair(s) can also be either a lay member or a practising barrister member (as is currently stipulated for the Chair) and codified our practice that the Chair and Vice Chair should include both a lay member and a practising barrister member.
13. In paragraph 5 (new numbering), at the request of the IDB, we have adapted the requirement from the Appointments Policy that the BSB is committed to the principle that its Board should broadly reflect the diversity of society to the IDB (and the IDB intends that its membership should also reflect the diversity of the Bar as well as society).
14. We have replaced the paragraph setting out the reasons a person might cease to be an IDB member with a clause stating that appointments, reappointments and cessation of membership is in accordance with the BSB Appointments Policy.
15. In paragraphs 11 and 12 (new numbering), we have included greater and more explicit detail on the process of appraisal (using the same wording as in the Appointments Policy but also being more specific on the process).
16. We have inserted two new paragraphs under the headings “Recommendations and Feedback” and “Understanding Outcomes” which give effect to some of the recommendations of Fieldfisher (that it can call the executive to account in terms of support provided, and that the IDB must have a clear voice in future plans for improvements in enforcement processes).

Annexes

Annex 1 – Revised Terms of Reference for the Nomination Committee

Annex 2 – Revised Terms of Reference for the Independent Decision-making Body

Nomination Committee Terms of Reference

Role

1. The Nominations Committee is established to advise the Board on fair, inclusive and transparent approaches to recruitment to the Board and senior executive roles and to oversee on behalf of the Board some aspects of the recruitment process. Specifically, the Committee will:
 - a) advise the Board on succession planning, including the range of experience on both the Board and the Senior Leadership Team (SLT);
 - b) ensure inclusivity and equality in the BSB's approach to filling senior appointments;
 - c) oversee, where relevant, the appointment of recruitment agencies in support of Board and SLT appointments;
 - d) advise on the composition of selection panels to undertake appointments.

Membership

2. The Committee shall comprise between four and seven Board members, which should include both lay persons and practising barristers. There must be a lay majority.
3. A member of the Bar Council or any of its representative committees may not be a member of the Committee.
4. A member of the Committee may not be appointed as a member of the Advisory Pool of Experts.
5. Appointments of Board Members to the Committee are made by the Board on the recommendation of the Nomination Committee and shall usually be coterminous with membership of the Board.
6. The Board shall appoint the Committee Chair, who is usually the Chair of the Board. The Chair of the Board shall not chair the Committee or take part in any discussion or decision relating to succession planning for the Chair of the Board or to any appointment or reappointment to that office.
7. In the absence of the Committee Chair or where the Committee Chair has declared an interest for a specific item, the remaining members present shall elect one of themselves to chair the meeting or item.
8. A Committee member shall not take part in any discussion relating to their term of office, including reappointment.
9. All Board and Committee members must complete BSB equality and diversity training within three months of taking up an appointment with the BSB.

10. A person shall cease to be a Committee member if:
- the period for which they were appointed expires (and their appointment is not renewed);
 - they resign their membership by notice in writing;
 - they were appointed as a lay person and cease to be a lay person;
 - 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;
 - they fail to attend meetings with sufficient frequency and regularity to be able to discharge their duties and the Committee or Board resolves that they should cease to be a member; or
 - the Board resolves that they are unfit to remain a Committee member (whether by reason of misconduct or otherwise).

Secretary

11. The Head of Governance ~~and Corporate Services~~, or their nominee, shall act as the secretary to the Committee and will ensure that the Committee receives information and papers in a timely manner to enable full and proper consideration to be given to issues.

Attendees

12. Only members of the Committee have the right to attend Committee meetings. However, other individuals such as the Director General, senior management and external advisers may be invited to attend for all or part of any meeting, as and when appropriate.
13. Board Members have the right to receive papers and to attend meetings of the Committee.

Quorum

14. The quorum for meetings of the Committee is three members.

Frequency

15. The Committee shall usually meet twice a year but only as required.

Notice of meetings

16. Meetings of the Committee shall be called by the secretary of the Committee at the request of the Committee Chair or any of its members.
17. Unless otherwise agreed, notice of each meeting confirming the venue, time and date, together with an agenda of items to be discussed, shall be forwarded to each member of the Committee and any other person required to attend at least four working days before the date of the meeting. Supporting papers shall be sent to Committee members and to other attendees, as appropriate, at the same time. With the consent of the Committee Chair, shorter notice may be given.

Minutes of meetings

18. The secretary shall minute the proceedings and decisions of all Committee meetings, including recording the names of those present and in attendance.
19. Draft minutes of Committee meetings shall be circulated to all members of the Committee. Once approved, minutes should be circulated to all other Board Members and the Director General unless, exceptionally, it would be inappropriate to do so.

Written resolutions

20. The Committee may pass a resolution in writing provided that the written resolution has the consent of at least two-thirds of members of the Committee who would have been eligible to vote on the matter at a meeting. Consent may be given in any written form, including electronically, for example by email. The resolution must then be ratified at the next Committee meeting and minuted as such.

Responsibilities

21. Paying due regard to all relevant statutory, regulatory and best practice requirements, the Committee will carry out the duties below for the BSB. To make recommendations to the Board in the following:
 - a) Regularly review the structure, size, ~~diversity~~ and composition (including the skills, knowledge, experience and diversity) of the Board and make recommendations to the Board with regard to any changes;
 - b) Keep under review the leadership needs of the organisation, both executive and non-executive, with a view to ensuring the continued ability of the BSB to independently discharge its regulatory functions in the public interest;
 - c) Review the results of the Board evaluation process that relate to the composition of the Board and succession planning;
 - d) Recommend appointment of members to Appointments Panels for each recruitment as and when required;

To take decisions with the delegated authority of the Board in the following:

- e) Oversee the appointment of any external recruitment agency to support appointments to the Board and ~~SMTSLT~~, and with regard to an agencies approach to achieving inclusivity and equality;
- f) Ensure plans are in place for orderly succession to Board and senior management positions, and oversee the development of a diverse pipeline for succession, taking into account the challenges and opportunities facing the BSB, and the skills and expertise needed on the Board in the future; and
- g) Before an Appointments Panel is convened for selecting and recommending Board Members to the Board, evaluate the balance of skills, knowledge, experience and diversity on the Board, and in the light of this evaluation, endorse a description of the role and capabilities required for a particular

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appointment and the time commitment expected. In identifying suitable candidates, the Committee shall instruct the Appointments Panel to:

- Use open advertising or the services of external advisers to facilitate the search, as applicable;
- Consider candidates from a wide range of backgrounds; and
- Consider candidates on merit and against objective criteria, having due regard to the benefits of diversity on the Board and taking care that appointees have enough time available to devote to the position.

The Committee shall also make recommendations to the Board concerning:

- h) The reappointment of Board Members for a second or further term, where the Member has performed to the standard to be expected of the office held and it is in the interest of the BSB to renew the appointment; and
- i) Appointments of Board Members to the Governance, Risk and Audit Committee, the Nomination Committee, the Performance and Strategic Planning Committee and the Remuneration Committee, in consultation with the Chairs of those Committees

Reporting responsibilities

- 22. The Committee Chair shall report to the Board on its proceedings at least annually on all matters within its duties and responsibilities, but more often if required.
- 23. The Committee shall make whatever recommendations to the Board it deems appropriate on any area within its remit where action or improvement is needed.

Other matters

- 24. The Committee shall:
 - a) ensure the periodic evaluation of the Committee's own performance is carried out;
 - b) have access to sufficient resources in order to carry out its duties;
 - c) oversee any investigation of activities which are within its terms of reference; and
 - d) at least annually, review these terms of reference to ensure it is operating effectively and to recommend any changes it considers necessary to the Board for approval.
- 25. To facilitate the Committee's discharge of its responsibilities in relation to particular items of business, if necessary, procure specialist ad-hoc advice at the expense of the BSB.

Reviewed:

~~23 May 2024~~ 22 May 2025

Independent Decision-making Body (IDB) Terms of Reference

Role of the IDB

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. It also, ~~and to~~ considers 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.
2. The IDB reviews enforcement cases that may require disciplinary action, in order to make a decision that an allegation is referred to a Disciplinary Panel administered by the Bar Tribunals and Adjudication Service (BTAS). The IDB also reviews decisions taken by the Executive in response to applications to waive BSB rules or to issue, amend or revoke a practising certificate, and determines appeals against authorisations decisions.
3. The IDB contributes to the overall efficiency of the BSB’s enforcement and authorisations processes, both from the perspective of how it manages its workload and through the powers delegated to it that enable the IDB to make effective decisions expeditiously. Where appropriate, the IDB will contribute to the continuous improvement of its own operating procedures.

Membership of the IDB

4. 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 and Vice Chair(s) can be either a lay or a practising barrister member. The Chair and at least one of the Vice Chairs will include both a lay and a practising barrister member.
5. The IDB is committed to the principle that its membership should broadly reflect the diversity of the Bar and of society.
6. A member of the Board, or the Bar Council or any of its representative committees, may not be a member of the IDB.
7. A member of the IDB may not be appointed as a member of the Advisory Pool of Experts (APEX).
8. The IDB Chair may carry out the functions and exercise the powers given to the IDB Chair under Part 5 of the BSB Handbook.

IDB Appointments, Re-appointments and Cessation of Membership

9. IDB appointments, reappointments and cessation of membership will be conducted in accordance with the BSB Appointments Policy (Appendix 10 to the Governance Manual).

~~10. Appointments to the IDB shall be made in accordance with the Appointments Policy.~~

~~11.~~ 10. All IDB members must complete BSB equality and diversity training within three months of taking up an appointment with the BSB.

~~12. 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 member; or~~
- ~~f.~~ a. ~~the Board resolves that they are unfit to remain an IDB member (whether by reason of misconduct or otherwise).~~

Appraisal and quality control process

11. The Bar Standards Board has a responsibility to quality assure our decision-making functions, through the process of "Quality Control". IDB members are subject to a minimum of a review of performance within two years of appointment and a review of performance preceding any decision on their reappointment at the end of their term of office.

12. Quality Control is carried out by the Chair and/or Vice Chair(s) for IDB members, and by the Director General or other senior member of staff delegated by them for the Chair and Vice Chair(s), in accordance with the respective prevailing competencies and prescribed policy(ies) and guidance governing this process.

Proceedings and composition

13. 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

14. The IDB Chair and Vice-Chair(s) will report to the Board at least annually on all matters within the IDB's on its proceedings at least annually on all matters within its duties and responsibilities., ~~but more often if required.~~

Recommendations and Feedback

15. The IDB remit includes the ability to give feedback to the Executive to the extent necessary to inform and develop its own work and to continuously improve the performance of the Bar Standards Board's handling of enforcement and authorisations decisions.

Understanding Outcomes

16. The IDB remit includes understanding its own output and ensuring consistency of approach and outcome. As part of that process the IDB can be provided with information on all case disposals following its decision-making process, whether the case is disposed of by the functions of the BSB or of BTAS.

Reviewed:

~~25 March~~22 May 2025

Bar Standards Board – Director General’s Update – 22 May 2025**For publication****Bullying & harassment: submission to Harman Review**

1. The Bar Standards Board made a further submission the Harman Review at the end of April. The submission, which is attached as annex A, underlines that the root cause of bullying and harassment among barristers lies in culture and, in particular, in the close personal relationships which determine progression at the Bar. This underlines the need for robust policies and practices within chambers to encourage the reporting of misconduct and to support those pupils and junior barristers who experience it. The submission describes the work undertaken by our Supervision Team to oversee and support chambers in implementing such policies. It also outlines the meticulous work of our Investigations and Enforcement Team in taking forward enforcement action in recent cases where bullying and harassment has been reported to the Bar Standards Board.

Economic growth: technology at the Bar

2. The Bar Standards Board published on 28 April important research¹ into technology and innovation at the Bar. It forms part of the BSB’s broader work to understand and to promote opportunities to foster the economic growth of the profession and to enhance its service to consumers. The research underlines that, though there are pockets of innovation, lack of scale is a factor inhibiting the take-up of technology by chambers. The Bar Council and the Bar Standards Board have agreed to work together to examine how best to support chambers and employers in overcoming lack of critical mass.
3. The research was formally launched at an event hosted by the Bar Standards Board on 15 May attended by an invited audience from across the profession.

Data dashboard

4. We have now brought together in an interactive dashboard² a wide range of regulatory information and data about the barrister profession. The dashboard was launched on 2 May. It represents one of the first fruits of our work to enhance our collection, collation and use of data and intelligence. The project forms one element of our wider Reform Programme.

Annex A: Bar Standards Board submission to the Harman Review

Mark Neale

Director General

¹ <https://www.barstandardsboard.org.uk/resources/press-releases/the-bar-standards-board-publishes-technology-and-innovation-at-the-bar-research.html>

² <https://www.barstandardsboard.org.uk/resources/press-releases/the-bar-standards-board-launches-dashboard-to-provide-better-access-to-data-about-the-barrister-profession.html>

BULLYING & HARASSMENT

Submission to the Harman Review by the Bar Standards Board

1. The Bar Standards Board welcomes the opportunity to submit further evidence to Baroness Harman's review. These submissions should be read alongside the note submitted to the review in October 2024.
2. As set out in that initial note, the Bar Standards Board takes the views that the root causes of the prevalence of bullying and harassment at the Bar lie in culture and, in particular, in the close personal and deferential relationships which underpin the professional advancement of barristers. The power imbalances inherent in these relationships -between pupils and supervisors and between senior and junior barristers - are intrinsically at risk of exploitation. The closeness of the relationships also tends to inhibit the reporting of misconduct because those who experience bullying or harassment fear that their careers will be de-railed by more powerful patrons who occupy respected positions within chambers and the profession. Chambers themselves are often small and can lack the critical mass to establish and enforce effective policies to combat harassment and to support those who experience misconduct.
3. It is for these reasons that the Bar Standards Board in its consultation on the revision of its *Equality Rules* sought to clarify the accountability of chambers' tenants for chambers' policies and practices by proposing a proactive core duty to advance equality, diversity and inclusion. The Bar Standards Board is now considering responses to that consultation, and whatever that decision, this will remain a priority for the Bar Standards Board.
4. Effective enforcement and supervision by the Bar Standards Board have an important part to play in complementing a more proactive stance by chambers and by employers. Regulatory action can strengthen chambers' policies and deter misconduct by demonstrating that it will not be tolerated and that the penalty for such conduct can be the loss of career. It can also reassure those who experience bullying or harassment that there are effective remedies and, accordingly, that reporting misconduct is right, worthwhile and will not harm their own careers.
5. Accordingly, the Bar Standards Board attaches a high priority to maintaining the reporting obligation, to supporting those who come forward to report that they have experienced bullying or harassment and to taking forward enforcement cases as quickly and as effectively as is compatible with fairness.

Modernisation review

6. The Bar Standards Board's Reform Programme has three principal aims:
 - proactive, consumer-focused regulation anchored by a much deeper, intelligence-based understanding of the market we regulate;
 - modernised delivery which will enable us to deliver our gatekeeping, supervision, authorisation and enforcement functions quickly, efficiently and responsively with no loss of quality; and
 - engaged, agile and committed people.

7. Our programme of work to modernise delivery includes projects aimed at enhancing the efficiency of our end-to-end enforcement process by implementing the recommendations of the Fieldfisher Review which the Bar Standards Board commissioned and by making consequential changes to our Enforcement Regulations and to the supporting IT systems. These projects are fully on track. The re-design of the end-to-end enforcement process will be completed by May. That will pave the way for consultations on revised regulations in the Summer. We expect revised regulations and updated IT systems to be in place by the end of 2026, but some process enhancements not dependent on regulation changes to be effective later this year.
8. One impact of these changes will be to improve the speed of our enforcement work. Please note, however, the quality of our enforcement decision-making, which is independently audited, is already very high and will not be diminished by our process enhancements. And, as our latest published quarterly performance report shows, performance against other dimensions, including speed, is also improving.

LSB's regulatory performance assessment

9. You can find our response to the latest Legal Services Board assessment here: <https://www.barstandardsboard.org.uk/resources/press-releases/the-bar-standards-board-response-to-the-legal-services-board-regulatory-performance-assessment.html>

Recent cases

10. The BSB has successfully conducted a number of cases¹ in this area recently, including against prominent members of the Bar. These cases have included comments and behaviours towards women who have come into contact with, and work alongside, members of the Bar. In one of these cases, the Disciplinary Tribunal made an order of disbarment because of the barrister's repeated behaviour.
11. The cases underline that the regulator can and will take effective action in response to serious misconduct of this kind even if the respondent is high profile.

¹ <https://www.tbtas.org.uk/wp-content/uploads/hearings/137383/BSB-Wheetman-Report-of-findings-and-sanction.pdf>

<https://www.tbtas.org.uk/wp-content/uploads/hearings/137374/KEARNEY-Report-on-Sanction.pdf>

<https://www.tbtas.org.uk/wp-content/uploads/hearings/137399/KING-Approved-Report-of-Finding-and-Sanction-amended.pdf>

<https://www.tbtas.org.uk/wp-content/uploads/hearings/137352/SIDHU-Published-findings-190325.pdf>

12. Though timeliness is also important, public and professional confidence depends above all on the outcome. Achieving these outcomes required our team to demonstrate meticulous attention to detail, to reassure and take statements from the witnesses, who were all vulnerable, to deal fairly and patiently with barristers' various challenges to the process and to work to the timetable set by the Tribunal. Cutting corners in any of these respects would have jeopardised what mattered most: ensuring that we could present the strongest possible case to the Tribunal.

The duty to report

13. The duty on barristers to report serious misconduct is the source of 9% of all the reports received by the Bar Standards Board and of 21% of bullying and harassment cases. Over the last three years we have received 24 reports on sexual harassment and bullying by this route and have taken regulatory action in response.
14. We reviewed the duty to report in our 2022 publication *Addressing bullying and harassment at the Bar*². This noted that, though some barristers viewed the duty to report as too high stakes, particularly for what were perceived to be low level incidents, the balance was in favour of retaining the duty. Our report concluded:

Furthermore, there are those who feel that the duty to report can be an enabler to reporting. This is demonstrated by some interviewee responses in the YouGov research, in addition to feedback from barristers who have made a report to us. In some cases, the duty to report may help by providing those who have experienced bullying or harassment with a regulatory justification for making a report. Without this, the focus will be on individuals to make a personal decision whether to report. Some barristers have informed us that they would not have reported an incident to us had they not been obliged to do so. We have also received feedback that the duty to report helps the profession and the public to see that the BSB takes these issues seriously. Given the mixed evidence gathered in relation to the duty to report, we do not believe it appropriate to remove the duty or create a formal exemption for those subject to harassment within the rules. Equally, we do not believe that those subject to bullying and harassment should have that experience compounded by fear of regulatory action, should they feel unable to report it. This view was supported by many participants at our roundtable discussions.

This remains our view.

² <https://www.barstandardsboard.org.uk/static/81339cf0-2422-4f74-8535b5e37d988793/7e20e7e9-c55a-4c7d-a3785ecd663d9708/Bullying-and-harassment-report.pdf>

Personal versus professional conduct

15. The Bar Standards Board's guidance on the regulation of non-professional conduct can be found here:
<https://www.barstandardsboard.org.uk/static/e803d194-972c-43b4-84bf162568cee383/60838a0a-904d-4a15-92af9e236b2ed1a2/Guidance-on-the-regulation-of-non-professional-conduct-September-2023.pdf>
16. The Guidance sets out the circumstances in which the Bar Standards Board may have a regulatory interest in conduct in non-professional life. We apply this guidance in assessing whether enforcement action is appropriate in response to reports about barristers' non-professional conduct.

Regulating online speech

17. The Bar Standards Board's guidance on barristers' use of social media can be found here: <https://www.barstandardsboard.org.uk/static/61d13750-880c-4423-a4bf80cf96d3f06c/4590471b-3272-4f66-ad8684a76315cdd0/BSB-social-media-guidance-September-2023.pdf>
18. The Guidance sets out the circumstances in which the Bar Standards Board may take regulatory action in response to social media posts by barristers.

Confidentiality and transparency

19. The Bar Standards Board is very conscious that transparency about the conduct of enforcement action in cases of bullying and harassment can reinforce public confidence in regulation, encourage others who have experienced harassment or bullying to come forward and act as a deterrent. Transparency has, however, to be balanced against the entitlement of a barrister to confidentiality while reports are being investigated and before a case is referred to a Tribunal, as the allegation alone may be highly prejudicial and career threatening. Against this background the Bar Standards Board is re-considering as part of its wider review of the enforcement process when it would be appropriate to make public information about enforcement cases, including those of bullying and harassment. We are also reviewing whether directions hearing, preceding a Tribunal hearing, should be held in public.
20. It remains our view that Tribunal hearings themselves should generally be held in public in the interest of transparency and open justice, save where medical or other confidential evidence or testimony is introduced.

The Supervision Team

21. The Bar Standards Board views supervision as an important part of its regulatory armoury in combatting bullying and harassment.

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22. The [Supervision team](#) is responsible for supervising barristers, chambers, BSB entities and Authorised Education and Training Organisations that provide vocational training and pupillage. It covers the whole barrister career from training through to practice. The team works with those we regulate to improve regulatory compliance with the BSB Handbook and with our authorisation frameworks and to manage risks occurring or recurring.
23. Some of the work the team does is proactive, such as conducting thematic reviews (gathering information to support assessment of risk and engaging with the profession where risks have been identified) and some of its work is reactive, such as responding to reports of bullying and harassment.
24. When a report of bullying and harassment has been made, it will usually be referred to both Supervision and Enforcement teams at the same time. For example, the individual barrister may be subject to enforcement action for their misconduct, but there may also be an indication that, at an organisational level (the chambers, entity or training provider), policies and processes may be inadequate or could be strengthened as a result of lessons learned. More widely, it may have been identified that there is a poor culture in that organisation which necessitates actions around, for example, training or development.
25. When a report of bullying and harassment is received by Supervision, this will be prioritised by the team, and will typically involve:
 - speaking to the person subject to misconduct to set out the role of Supervision, gather further information, and providing guidance on next steps that the team will be taking, as well as further signposting to sources of help available;
 - reviewing the control environment, ie the policies and process that are in place, such as the grievance policy, the anti-harassment policy, the Equality and Diversity policy etc, and the guidance available to people on how those policies are applied in practice (sometimes the policies look good on paper, but how they should applied in practice is unclear);
 - setting actions with accompanying deadlines where they identify areas for improvement; and
 - monitoring follow-up until all actions have been completed, and they are satisfied that the organisation can be assessed as low risk.
26. For more complex cases, the Supervision team will arrange a visit, which may be conducted in person or by video conference. This will involve speaking to key people such as the Head of Chambers, the Head of Pupillage, the Equality and Diversity Officer, or Pupil Supervisors. The team may also speak to pupils or clerks, depending on the issues raised, to obtain a full picture. Following on from the visit, a report will be sent out detailing the actions they require the organisation to complete. Examples of actions the team usually set in the area of bullying and harassment include:
 - amending key policies such as anti-harassment policies, complaints or grievance policies, equality policies and action plans;
 - making recommendations around changes to appointments in the organisation eg the Equality and Diversity Officer, or pupil supervisors;

- ensuring support has been introduced such as a mentor, or making sure there is adequate communication to the people concerned; or
 - introducing training or improving the Equality plan.
27. In addition, there may be specific actions relevant to the particular case. For example, actions concerning how pupillages are managed or the arrangements if a pupil is moving to another organisation.
28. The Supervision team may also refer the matter to our Authorisations team where there are concerns about an individual's suitability to be a pupil supervisor.

Case study

29. A report was received by the BSB about the sexual assault of junior barristers on a night out. It was referred to both Enforcement and Supervision teams. Chambers had initially carried out an internal investigation, which had resulted in an internal disciplinary hearing and a fine.
30. The barristers subject to this misconduct spoke to Supervision and were critical of the way that Chambers had handled the report. Issues were identified with the handling of the initial complaint, and in particular the communication from Chambers on the internal investigation and the support that was provided to them. A Supervision visit took place primarily to discuss their process of handling such reports, and to ensure that their policy and processes would deal with reports fairly and robustly going forward, which resulted in the following actions:
1. a review of the anti-harassment policy and accompanying process;
 2. a review of the grievance policy, with recommendations being made on raising awareness of the process;
 3. a review of the support provided to both victims and the perpetrator, with advice being provided;
 4. the introduction of Chambers-wide anti-harassment training;
 5. the Equality and Diversity Officer (EDO) carrying out a review of the internal report and making associated recommendations to the management committee; and
 6. a recommendation on considering further the role and responsibilities of the EDO in Chambers, with the EDO to review and update all E&D policies.
31. Chambers subsequently carried out a lessons learnt exercise, and the actions were completed. It was also referred to the Authorisations team to update our records that the perpetrator was someone unsuitable to be a pupil supervisor in the future.
32. A further harassment case was opened in relation to another unconnected matter sometime later in Chambers, but Chambers this time handled the complaint robustly and effectively using their revised policies and procedures and acting on the recommendations the Supervision team had previously made, and the Supervision file was subsequently closed with no further action needed.

Live or forthcoming consultations of relevance to the scope of the Review

33. As noted above, we expect to consult on revised enforcement regulations in the summer. And we will publish our response to the *Equality Rules* consultation shortly.

Bar Standards Board
April 2025

Chair's Report on Visits and External Meetings from end of March 2025**Status:**

1. For noting

Executive Summary:

2. In the interests of good governance, openness and transparency, this paper sets out the Chair's visits and meetings since the last Board meeting.

List of Visits and Meetings:**Meetings**

26 March	Met with Rachel Langdale KC, Head of Chambers, Bedford Row
31 March	Attended All BSB meeting re LSB Performance Assessment
1 April	Attended Nomination Committee pre-meeting
2 April	Attended All Regulator Chairs' and CEOs meeting with Mark Neale
3 April	Attended meeting regarding pitches from Recruitment Consultants regarding the recruitment of a new Chair
8 April	Met with The Rt Hon Harriet Harman KC MP
9 April	Met with Anna Bradley and Paul Philips of SRA with Mark Neale
14 April	Met with Susan Meeks – Rose Court Chambers
15 April	Attended Chairs' Committee meeting
15 April	Attended Bar Council meeting
17 April	Met with Gatenby Sanderson re Chair recruitment
29 April	Met with Minister Davies-Jones accompanied by Ben Burns
29 April	Met with Barbara Mills KC and BC colleagues re Equality Rules accompanied by Mark Neale and Ewen MacLeod
8 May	Attended PSP
20 May	Attended Board briefing meeting
22 May	Attended Board Seminar followed by Board meeting Part 1 and 2

1-2-1 Meetings

1 April	Met with Emir Feisal JP
13 April	Met with Barbara Mills KC
1 May	Met with Steven Haines