Appendix 11: Appointments Policy

1. Purpose

1.1 This policy is designed to ensure orderly succession for the appointment of members of the Board, its Committees and Decision-Making Bodies and sets out a transparent and fair selection and appointment process, which promotes diversity and protects the independence of the BSB.

2. Board composition and succession

2.1 The BSB is committed to the principle that its Board should broadly reflect the diversity of society. The Nomination Committee, on behalf of the Board, shall regularly review the structure, size, and composition (including the skills, knowledge, experience and diversity) of the Board and make recommendations to the Board with regard to any changes necessary to effectively fulfil its duties.

2.2 Due regard will be given to the desirability of ensuring Members (between them) have experience in or knowledge of an appropriate range of relevant fields and any particular requirements identified by the BSB.

2.3 The Board and Nomination Committee should ensure plans are in place for orderly succession to Board, Director General and other senior executive positions, taking into account the challenges and opportunities facing the BSB, and the skills and expertise needed on the Board in the future.

3. Criteria and eligibility

3.1 Before any Board appointment is made, an evaluation of the current balance of skills, knowledge, experience and diversity should be undertaken by the Nomination Committee, in accordance with its terms of reference.

3.2 The competencies required of Board Members shall be those as agreed by the Nomination Committee. Any equality and diversity policy in force should be complied with.

3.3 A member of the Bar Council or any of its representative committees may not hold office as a Board Member or as a member of any of the BSB's Committees, the IDB, or the CEB.

3.4 A person who has been responsible for a representative function shall not thereby be ineligible for appointment as a Board Member or as a member of any of the BSB's Committees, the IDB, or the CEB, but in considering whether to appoint any such person, a Panel shall take account of their responsibility for a representative function, when that responsibility ended and any implications for the observance of the overarching duty and prohibition on dual roles as set out in the Internal Governance Rules 2019.

3.5 A person cannot be both a Board Member and a member of the IDB. A person cannot be both a Board Member and a member of the CEB.

4. Board appointment process

4.1 The Board shall convene an Appointments Panel (a "Panel"), which shall be responsible for selecting and recommending Board Members to the Board for appointment, as required for each recruitment.

4.2 For the appointment of the Chair, a Panel shall consist of:

a. a member of the judiciary nominated by the Lady Chief Justice or the Lord Chief Justice;

b. two Board Members nominated by the Board, one of whom must be a practising barrister and one of whom must be a lay person; and

c. a lay person who is independent of the Bar Council and the BSB, with knowledge of the Governance Code on Public Appointments, or similar skills and experience in best practice in recruitment to public office. This panel member shall be the Chair of the Panel (the "Panel Chair") and shall be appointed by the Board.

4.3 For the appointment of Board Members other than the Chair, a Panel shall consist of:

a. the Chair, ex officio, who shall be the Panel Chair;

b. two Board Members nominated by the Board; and

c. a lay person who is independent of the Bar Council and the BSB, with knowledge of the Governance Code on Public Appointments, or similar skills and experience in best practice in recruitment to public office. This panel member shall be appointed by the Board.

4.4 A Panel must be convened with equal numbers of lay members and barrister members, or with a majority of lay members. The nominee of the Lady Chief Justice or the Lord Chief Justice will not be considered to be either a lay member or a barrister member for a Panel convened to appoint the Chair.

4.5 A Panel must be convened to be diverse in respect of sex and race.

4.6 The Chair of the BSB may nominate an alternate, who shall be a Board Member, to take their place for any Panel convened which they are unable to attend.

4.7 For the appointment of the Vice Chair, the Board may, on the recommendation of the Nomination Committee, appoint a serving Board Member without convening a Panel.

5. Committee members appointment process

5.1 The BSB appoints and reappoints all Chairs, Vice Chairs and members of its Committees, IDB and CEB on merit.

5.2 Appointments of Board Members to the posts of BSB Committee Chairs and members of BSB Committees are made by the Board on the recommendation of the Nomination Committee.

5.3 Appointments of new members of BSB Committees (who are not Board Members) are made by the Chair or the Vice Chair of the BSB on the recommendation of a selection panel, convened as required for each recruitment.

5.4 The BSB may convene a panel, which will be responsible for selecting and recommending any new Committee member who is not currently a Board Member.

5.5 The composition of the selection panel shall be:

a. an independent person with knowledge of the Governance Code on Public Appointments, or similar skills and experience in best practice in recruitment to public office; and

b. two Board Members (of whom one should be the Chair of the Committee).

6. IDB and CEB appointment process

6.1 Appointments of new members and chairs of the IDB and CEB are made by the Chair or the Vice Chair of the BSB on the recommendation of a selection panel, convened as required for each appointment.

6.2 The composition of the selection panel shall be as prescribed below, depending on the position the panel has been convened for:

(i) Panel composition for recruitment of the IDB Chair:

a. an independent person with knowledge of the Governance Code on Public Appointments, or similar skills and experience in best practice in recruitment to public office;

b. at least one and a maximum of two Board Members; and

c. a member of senior staff of the BSB, as delegated by the Director General.

(ii) Panel composition for recruitment of the IDB Vice Chair or member of the IDB:

a. an independent person with knowledge of the Governance Code on Public Appointments, or similar skills and experience in best practice in recruitment to public office;

b. The IDB Chair or, in the absence of the IDB Chair an IDB Vice Chair; and

c. a member of senior staff of the BSB, as delegated by the Director General.

(iii) Panel composition for recruitment of the CEB Chair:

a. an independent person with knowledge of the Governance Code on Public Appointments, or similar skills and experience in best practice in recruitment to public office;

b. at least one and a maximum of two Board Members. If the Board does not include a Board Member with expertise in higher education and/or assessment, then a person with such expertise shall be appointed in place of one of the Board Members; and

c. a member of senior staff of the BSB, as delegated by the Director General.

(iv) Panel composition for recruitment of the CEB members:

a. the CEB Chair or, in the absence of the CEB Chair one of the Chief Examiners;

b. one of the Chief Examiners (who would usually be in the subject area being recruited to when recruiting assistant chief examiners); and

c. a member of senior staff of the BSB, as delegated by the Director General.

6.2 The Chair of the IDB may nominate an alternate, who shall be a member of the IDB, to take their place for any panel convened which they are unable to attend.

7. Reappointment Criteria

7.1 The criteria to consider for reappointments is as follows:

a. the person has performed to the standard to be expected of the office held, and

b. it is in the interests of the BSB to renew the appointment, (together the “Reappointment Criteria”).

Board Members Term of office

7.2 All appointments made to the Board shall be for a fixed period of up to four years.

7.3 The Board may, on the recommendation of the Nomination Committee, renew the appointment of the Chair or other Board Members for a further fixed period of up to four years without holding a competition, if the person has met the Reappointment Criteria, and that person remains eligible to be a Board Member. The Chair and other Board Members may not take part in any discussion or decision of the Board relating to their own reappointment.

7.4 It is the for the Chair, who will have consulted the Vice Chair and the Director General, to propose reappointment of other Board Members to the Nomination Committee. The Vice Chair shall not be consulted on their own reappointment. It is for the Vice Chair, who will have consulted the Director General, to propose reappointment of the Chair to the Nomination Committee.

7.5 With the exception of the Chair and Vice Chair, casual vacancies may be filled by the Board on the recommendation of the Nomination Committee but any appointment so made will last only for the remainder of the current term of office of the Board Member who they have replaced, or such reasonable time as is necessary for a Panel to be convened and recommend an appointment in accordance with the provisions of this policy, whichever is the shorter.

7.6 A person may not serve more than:

a. eight years as a Board Member only; and

b. twelve years in total as a Board Member and the Chair or twelve years in total as a Board Member and the Vice Chair.

Non-Board Committee members and members of the IDB

7.7 All appointments of Committee members who are not Board Members and members of the IDB shall be for a fixed period of up to four years. Appointments of Committee members who are not Board members and members of the IDB may be renewed for a further fixed period of up to four years without holding a competition, if the Chair of the Committee concerned or the Chair of the IDB is satisfied that the Reappointment Criteria has been met. Appointments of the Chair and Vice Chairs of the IDB may be renewed for a further fixed period of up to four years without holding a competition, if the Chair or the Vice Chair of the BSB is satisfied that the Reappointment Criteria has been met.

7.8 A person may not serve more than eight years as a member of a BSB Committee.

7.9 A person may not serve more than:

a. eight years as an IDB Member only; and

b. nine years in total as an IDB member and the Chair of the IDB, or nine years in total as an IDB member and a Vice Chair of the IDB.

7.10 The Chair or the Vice Chair of the BSB may appoint temporary members of the IDB for the purpose of taking decisions in a specific case. The power to appoint temporary members can only be exercised where there are insufficient IDB members to form an impartial IDP due to the number of members of the IDB who:

a. have a conflict: and/or

b. could be perceived to have a real possibility of bias.

7.11 Any appointments made by the Chair or the Vice Chair under the above paragraph must be in writing and specify the decision(s) which the temporary IDB members are appointed to decide. The appointments will cease once the decision(s) have been taken, and any consequential matters arising have been concluded.

Members of the CEB

7.12 All appointments made by the Chair or the Vice Chair shall be for a fixed period of up to three years. Appointments may be renewed for further fixed periods of up to three years without holding a competition, if the Chair of the CEB is satisfied that the Reappointment Criteria has been met and it will allow the BSB to continue to discharge its regulatory functions.

8. Cessation of membership

8.1 A person shall cease to be a member of the Board, a BSB Committee or other Decision-making Body 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 subsequently 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 Committee or Board resolves that they should cease to be a member;

f. the Board resolves to disestablish or substantively restructure a Committee or Body of which a person is a member so as to be inconsistent with continued office by that person, upon three months' notice; or

g. the Board resolves that they are unfit to remain a member (whether by reason of misconduct or otherwise).

9. Appraisal and quality control process

9.1 All Board Members are subject to an annual review of performance and a review of performance preceding any decision on their reappointment at the end of their term of office. Board Member appraisals are to be carried out by the Chair of the BSB

9.2 All Committee members and members of the IDB and CEB 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. Quality control of Committee members who are not Board Members is to be carried out by the Committee Chair. IDB and CEB member quality control is to be carried out by their respective Chairs and/or Vice Chair for the IDB.

Reviewed:

30 July 2026