



Further Particulars: background information, job description,  
person specification and recruitment process

**Bar Standards Board**

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**Appointments Panel**

**March 2016**

## **BAR STANDARDS BOARD**

The Bar Standards Board (BSB) was established in January 2006 as a result of the Bar Council separating its regulatory and representative functions. The BSB is an independent regulator responsible for regulating barristers called to the Bar of England and Wales.

Barristers occupy a key position in the justice system and their work is integral to the rule of law in a democratic society. The profession is an historic one with important traditions, but the market in which barristers work is changing. There is continued pressure in publicly-funded areas of law such as crime and family, as well as significant economic growth in the provision of specialist commercial legal services in the UK and internationally. Regulatory reform has made new business models possible across the legal services market. Significant new developments in legal education and training to meet the requirements of a changing landscape are being planned.

The Bar Standards Board has been responding to these challenges and fostering change and modernisation in the profession in the public interest since its establishment. At this critical time in the Bar's history, we rely more than ever on Board Members to provide the necessary leadership for the BSB to meet these challenges. Board Members are appointed by an Independent Appointments Panel, as provided in the Constitution of the Bar Standards Board.

In discharging its regulatory responsibilities, the BSB must have regard to, and act in a way that is compatible with, the Regulatory Objectives set out in the Legal Services Act 2007, which are to:

- Protect and promote the public interest;
- Support the constitutional principle of the rule of law;
- Improve access to justice;
- Protect and promote the interests of consumers;
- Promote competition in the provision of legal services;
- Encourage an independent, strong, diverse and effective legal profession;
- Increase public understanding of the citizen's legal rights and duties; and
- Promote and maintain adherence to the professional principles.

The BSB regulates the Bar to promote high standards of practice and safeguard clients and the public interest. It does this by setting standards of entry to the profession and by ensuring that professional practice puts consumers first. Its responsibilities cover the following key activities:

- Setting the qualifications and conditions for entry to the profession.
- Setting continuing training requirements.
- Setting standards for those practising at the Bar and enforcing professional rules of conduct.
- Supervising barristers in practice so that risks are managed and quality is assured.
- Handling complaints against barristers and students, and taking disciplinary or other action where appropriate.

The Board comprises 15 members. There are seven barristers and eight lay people. The Board has a lay majority and a lay Chair as of January 2015, as required by the Internal Governance Rules made by the Legal Services Board (the oversight regulator). The Board is committed to regulating in the public interest and to following best practice for modern regulators.

It is crucial for the integrity of the system that people appointed to the Appointments Panel are of sufficient standing, integrity and judgement to inspire public confidence in the selection processes for the Board, given its role.

## **APPOINTMENT OF APPOINTMENTS PANEL**

The Constitution of the Bar Standards Board establishes an Appointments Panel to appoint members of the Bar Standards Board, including the Chair and Vice Chair. The Constitution requires there to be independent members of the Appointments Panel. A number of the other members of the Appointments Panel are specified, either as the person in a particular role or as an appointment made by a specified person. One of the independent members must also act as Chair of the Appointments Panel.

Our current independent members have come to the end of their terms of appointment. We are now seeking to appoint new independent people to the Appointments Panel. Details of the role and responsibilities are set out below. We expect the appointees to start immediately as we need to recruit new Board members later in 2016.

The Constitution requires that we have two independent members, one of whom is to be the Chair and at least one of whom is to be accredited by OCPA. As accreditation no longer exists, we are seeking people who are familiar with the Commissioner for Public Appointments' Code of Practice or have other similar skills and experience in good recruitment practices. While we only require two appointments to the Panel, we wish to appoint a Chair and at least two other members who meet the criteria. This is to enable us to form a panel at any time, given that this is an intermittent activity and diary alignment can be challenging.

Normally the Chair will only be engaged in the business of the Appointments Panel. We do not envisage responsibility for or engagement in any other recruitment processes.

However, we wish to have more than one independent person available because we have a separate need for independent members when recruiting to our committees (a process governed by our Standing Orders). We would like to use the independent members we appoint as a “pool” for appointments within our formal governance structure.

The Board is committed to becoming less London-centric. Working outside of London or the south-east need not be an impediment to becoming an independent member of the Appointments Panel. We regularly conduct discussions via email, teleconference or video conference, enabling people to participate from places other than our offices. Our Panel members all have other demands on their time so we seek to set meeting time well in advance to enable everyone to participate, meaning we can be flexible for those with caring responsibilities. We can also make reasonable adjustments for those with disabilities and would be happy to discuss those needs.

All Panel Members must accept and abide by the Seven Principles of Public Life. Panel Members must act in the best interests of the BSB and in accordance with its statutory responsibilities.

## **APPOINTMENTS PANEL CHAIR ROLE AND RESPONSIBILITIES**

The Chair of the Appointments Panel Chair plays a pivotal role in overseeing the smooth and effective functioning of the Panel. With the Panel made up of high profile

individuals for whom time is at a premium, the ability to act decisively and confidently is important.

The Chair agrees the overall timetable for each recruitment cycle and then coordinates the Panel as the recruitment process progresses.

The Chair assesses reappointment proposals and makes recommendations to the Panel regarding reappointment of existing Board members, including the Chair and Vice Chair. The Chair then coordinates the Panel to make reappointment decisions in a timely fashion, which may be best achieved electronically.

It will be essential to become familiar with the Bar Standards Board Constitution and its requirements.

The Chair liaises closely with the Executive of the Bar Standards Board to ensure the smooth running of the recruitment processes for Board appointments and reappointments.

## **APPOINTMENTS PANEL MEMBER ROLE AND RESPONSIBILITIES**

Panel members are expected to advise on good recruitment practice and ensure that the Panel follows good practice when it appoints or reappoints Board members.

We expect the independent panel members to ensure that the agreed recruitment approach observes good equality and diversity practice. This includes providing guidance and support to individual members of the Appointments Panel to enable them all to adhere to good recruitment practice.

## **QUALIFICATION FOR APPOINTMENT**

It is crucial for the integrity of the system that people appointed to the Appointments Panel are of proven standing, integrity and judgement to inspire public confidence in the selection processes for the Board, given its role.

Only candidates considered to be lay are able to apply to be independent members of the Appointments Panel. The definition of lay is given in the Legal Services Act (and

used in the Legal Services Board’s Internal Governance Rules) and means a person who has never:

- Been called to the Bar or been admitted to the solicitors’ Roll in England and Wales.
- Been an authorised person in relation to an activity which is a reserved legal activity.
- Been a person authorised, by a person designated under section 5(1) of the Compensation Act 2006, to provide services which are regulated claims management services (within the meaning of that Act).
- Been an advocate or solicitor in Scotland.
- Been a member of the Bar of Northern Ireland or a solicitor of Northern Ireland.

We are seeking independent people with knowledge and experience of the Commissioner for Public Appointments Code of Practice or similar skills and experience in good recruitment practices.

Full time tribunal chairs are not eligible for appointment, but lay magistrates and those who sit as lay members of tribunals are welcome to apply. Members of Panels and those with a formal role in the COIC Bar Tribunal and Adjudication Service (BTAS) are not eligible to be members of the Appointments Panel.

### **TIME COMMITMENT**

The Chair of the Appointments Panel will be required to chair all meetings of the Panel at all stages during Board recruitment process, whether held in person or electronically. S/he will be responsible for liaising with the executive team prior to all meetings taking place. We expect the time commitment to be approximately 8-10 days per year, spread out over the year. The exact timings may vary from year to year but would be agreed at the beginning of each calendar year to ensure availability.

The independent member who is available for a particular recruitment round will be involved in all stages of the recruitment process: agreeing the timetable, approving the recruitment information and method, shortlisting, interviewing and considering renewal proposals. Renewals are often completed electronically, as is approval of recruitment information. We expect shortlisting and interviewing to be conducted in person.

As noted earlier, we might also ask independent members to participate in separate recruitment processes undertaken under standing orders for committees. Effectively we're asking independent members to become a "pool" member who may then contribute to any of our recruitment where independent lay involvement is valuable or required. Independent members who contribute in this way would be remunerated at same rate and for similar types of activities.

Independent members are expected to play a full part in the work of the Panel, and to prepare fully for and attend all meetings and interviews in which they are participating.

## **SELECTION CRITERIA**

### **Essential experience, knowledge and skills**

Candidates should have the requisite standing derived from senior level work and demonstrate evidence of the following:

- Experience of building productive relationships with diverse stakeholders and operating with high levels of public scrutiny and accountability. This may have been acquired through participation in recruitment processes for other regulatory bodies.
- An appreciation of the regulatory environment within which the BSB operates, including the distinction between governance and management.

### **Essential competences**

All Panel members must demonstrate the core competences and qualities described below. We expect all new Panel members to participate in the induction training that will be provided.

#### *Strategic Appreciation*

- Sound understanding of good recruitment practice, especially the Commissioner for Public Appointments' Code of Practice.
- Ability to cope effectively when faced with challenges and change; comfortable taking action without always having the total picture; and capacity to retain a balanced view despite conflicting or ambiguous demands.

#### *Leadership*

- Well-developed interpersonal, communication and presentation skills with a collaborative style.

- Stature and skills necessary to contribute to an Appointments Panel alongside other high profile members, when the appointments made will be under considerable scrutiny.

#### *Analysis and Judgement*

- Record of addressing issues with consistency, diplomacy and tenacity.
- Ability to think independently, stating and supporting personal decisions in front of colleagues, whilst also being open to challenge.

#### *Integrity and Respect*

- Commitment to highest possible standards of ethics and personal integrity and to behaving at all times in a fair, balanced and non-discriminatory manner.
- Commitment to promoting equal opportunities for all, treating people fairly whilst responding sensitively to differences.

## **TERMS OF APPOINTMENT**

Members of the Appointments Panel will be appointed for a period of up to three years and may be renewed once.

Payment is made on a day or half day basis at £308 for a day or £154 for a half day. Standard class travel fares or other reasonable travel costs will also be reimbursed upon production of receipts.

## **APPLICATION PROCESS**

Applications should consist of a full curriculum vitae, a covering letter addressing the selection criteria and including details of four referees (two professional and two personal), a completed Equality & Diversity Monitoring Form and a completed Supporting Details Form. Applications should be sent by email to [BSBPanel@barstandardsboard.org.uk](mailto:BSBPanel@barstandardsboard.org.uk) Please use the subject header **IN**

## **CONFIDENCE APPOINTMENTS PANEL APPLICATION.**

Applications are particularly welcome from black, minority ethnic and disabled people. Candidates with a disability or wishing for any good reason to seek a reasonable



adjustment to the recruitment process should contact us at

[BSBPanel@barstandardsboard.org.uk](mailto:BSBPanel@barstandardsboard.org.uk)

These particulars do not form any part of an offer of appointment. Terms and conditions will be documented in due course.

#### **TIMETABLE**

- Closing date for applications: **0900 ON TUESDAY 29 MARCH 2016**
- Short listed candidates will be interviewed by a Selection Group consisting of the Chair of the Bar Standards Board, one barrister Board member, one lay Board member and an independent person. Interviews will take place at a central London venue on either 13, 15 or 18 April 2016. It will not be possible to accommodate an interview outside these dates.

#### **CONTACT DETAILS**

**For administrative enquiries relating to the application process please contact us at [BSBPanel@barstandardsboard.org.uk](mailto:BSBPanel@barstandardsboard.org.uk)**

**If you would like an informal but confidential conversation about the nature of the work and commitment involved, please contact our Director General, Dr Vanessa Davies at [BSBDirector@barstandardsboard.org.uk](mailto:BSBDirector@barstandardsboard.org.uk)**

## APPENDIX I

### Bar Standards Board Membership

#### Chair

Sir Andrew Burns KCMG

#### Vice Chair

Ms Naomi Ellenbogen QC

#### Barrister Members

Mr Aidan Christie QC

Ms Justine Davidge

Ms Judith Farbey QC

Mr Andrew Mitchell QC

Mr Adam Solomon

#### Lay Members

Ms Rolande Anderson

Mr Rob Behrens CBE

Dr Malcolm Cohen JP

Mr Tim Robinson

Professor Andrew Sanders

Ms Nicola Sawford

Dr Anne Wright CBE

#### Special Advisers

Mr Keith Baldwin

Ms Emily Windsor

For online information about the Board please see:

[www.barstandardsboard.org.uk/about-bar-standards-board/how-we-do-it/our-board](http://www.barstandardsboard.org.uk/about-bar-standards-board/how-we-do-it/our-board)

## OTHER USEFUL INFORMATION

Bar Standards Board

[www.barstandardsboard.org.uk](http://www.barstandardsboard.org.uk)

Annual Report 2014-2015

[https://www.barstandardsboard.org.uk/media/1683024/bsb\\_annual\\_report\\_2014-15\\_approved\\_for\\_publication.pdf](https://www.barstandardsboard.org.uk/media/1683024/bsb_annual_report_2014-15_approved_for_publication.pdf)

Strategic Plan 2013-2016

[https://www.barstandardsboard.org.uk/media/1513219/bsb\\_strategic\\_plan\\_final\\_20.6.13.pdf](https://www.barstandardsboard.org.uk/media/1513219/bsb_strategic_plan_final_20.6.13.pdf)

Business Plan 2015-2016

[https://www.barstandardsboard.org.uk/media/1658569/bsb\\_business\\_plan\\_2015-16.pdf](https://www.barstandardsboard.org.uk/media/1658569/bsb_business_plan_2015-16.pdf)

BSB Committees

[www.barstandardsboard.org.uk/about-bar-standards-board/how-we-do-it/our-committees](http://www.barstandardsboard.org.uk/about-bar-standards-board/how-we-do-it/our-committees)

Seven Principles of Public Life

[www.public-standards.gov.uk](http://www.public-standards.gov.uk)

BSB Constitution

[www.barstandardsboard.org.uk/about-bar-standards-board/how-we-do-it/our-board](http://www.barstandardsboard.org.uk/about-bar-standards-board/how-we-do-it/our-board)