



REGULATING BARRISTERS

Bar Standards Board

Appointment of Barrister Board Members

Information pack for candidates

If you would like a version of this document in hard copy, or in an alternative format, please contact the Equality and Access to Justice (E&AJ Team) by telephone on 020 7611 1305 or: equality@barstandardsboard.org.uk

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Letter of Welcome from the Rt Hon Baroness Blackstone, Chair of the BSB

Dear Candidate

Thank you for your interest in applying to become a barrister member of the Bar Standards Board.

Our work is central to the proper administration of justice and the maintenance of the rule of law in England and Wales. We act in the public interest, but we are committed to the comprehensive participation of barristers in all that we do. You will join a group of dedicated lay and barrister colleagues who, as non-executives, provide a wide range of expertise from their diverse backgrounds. We want to ensure that we always have a good understanding of the impact of our policies on both the users and providers of barristers' services. We would also like to see the Employed Bar and those who practise outside the south-east better represented on the Board.

So, if you would like to make a real contribution to good professional regulation, do please consider joining us. We hope what follows gives you all the information you need, but don't hesitate to use one of the contact emails to make further enquiries if you wish.

Baroness Tessa Blackstone

Chair, BSB.

Overview

The Bar Standards Board (BSB) is seeking to appoint up to two barrister Board members. **Only practising barristers are eligible to apply, ie those who are authorised to practise by the Bar Standards Board.**

Key Dates

- Closing Date: 9am on Monday 25 March 2019
- Appointments Panel interview: Tuesday 16 April

Remuneration £9,240 annually

Time Commitment Up to two days per month.
Reasonable travel expenses will be reimbursed.

Board meetings are held six times a year, usually on a Thursday starting at 5pm. There are also two half day "Away days."

Board members may be invited to join one of the Board's two standing committees. Committees meet up to six times each year. Meetings are held from the late afternoon on weekdays.

Location Based in London. Board meetings are held at our offices on High Holborn.

Application Process Applications must only be submitted through the BSB's dedicated email address:
BSBapplications@BarStandardsBoard.org.uk

Key Contacts For more information about the selection process, please contact the BSB's Governance Manager, Rebecca Forbes, on 0207 0926 806 or RForbes@BarStandardsBoard.org.uk

For a confidential discussion with the BSB's Director General about the role, please contact her Executive Assistant, Jeanette Fordyce-Harvey on 0207 611 1422 or JFordyce-Harvey@BarStandardsBoard.org.uk

About the Bar Standards Board

We regulate barristers and specialised legal services businesses in England and Wales in the public interest.

We are responsible for:

- Setting the education and training requirements for becoming a barrister;
- Setting continuing training requirements to ensure that barristers' skills are maintained throughout their careers;
- Setting standards of conduct for barristers;
- Authorising organisations that focus on advocacy, litigation, and specialist legal advice;
- Monitoring the service provided by barristers and the organisations we authorise to assure quality;
- Handling complaints against barristers and the organisations we authorise and taking disciplinary or other action where appropriate.

The work that we do is governed by the Legal Services Act 2007 (the Act) as well as a number of other statutes.

Our objectives are laid down in the Legal Services Act. We share them with the other legal services regulators. They are:

- Protecting and promoting the public interest;
- Supporting the constitutional principle of the rule of law;
- Improving access to justice;
- Protecting and promoting the interests of consumers;
- Promoting competition in the provision of legal services;
- Encouraging an independent, strong, diverse and effective legal profession;
- Increasing public understanding of citizens' legal rights and duties; and
- Promoting and maintaining adherence to the professional principles.

The professional principles are:

- That authorised persons should act with independence and integrity;
- That authorised persons should maintain proper standards of work;
- That authorised persons should act in the best interests of their clients;
- That persons who exercise before any court a right of audience, or conduct litigation in relation to proceedings in any court, by virtue of being authorised persons should comply with their duty to the court to act with independence in the interests of justice; and
- That the affairs of clients should be kept confidential.

Our Strategy for 2016-19

Our 2016-19 strategy sets out the way in which we have regulated over the last few years. Our work over this period has been organised into three programmes:

- Regulating in the public interest
- Supporting those we regulate to face the future
- Ensuring that there is a strong and sustainable regulator for the Bar.

You can read more about our strategy and more detailed information about our activities during the 2018-2019 business year, [here](#). Successful applicants will join the Board after it has agreed its new strategy for the next three year period, until March 2022. You can find our consultation document setting out our proposed strategic aims for the next three years [here](#). By the end of March 2019, we will have published our new strategic plan and a more detailed business plan for the coming year on our website.

Taking a risk-based approach to regulation

Our Strategic Plan is designed to be read in conjunction with our explanation of how we take a risk-based approach to regulation.

Risk-based regulation means that we seek to identify all the potential risks that could prevent the Regulatory Objectives from being met. We then focus our attention as the regulator on the risks that we think pose the biggest threats to the public interest.

We then take action to try and prevent those risks from occurring, or to reduce their impact. You can find our current Risk Outlook [here](#). This is being updated for our new strategic period and you can find our analysis of the key regulatory risks currently facing the Bar in our consultation document [here](#).

Our governance

We have robust governance in place to oversee our work, led by our Board. The Bar Standards Board consists of up to 15 people, with a lay majority including the lay Chair.

For more information on the work of BSB, please go to our main website at: www.barstandardsboard.org.uk

Eligibility for Appointment

It is crucial for the integrity of the system that persons appointed as Board members are of sufficient standing, integrity and judgement to inspire public confidence in the regulatory arrangements and hold the respect of the profession. Candidates must be able to demonstrate that they can commit the time for this role.

Only candidates who are practising barristers are able to apply for the post of barrister Board member of the BSB.

Members of the Bar Council or any of its representative committees may not hold office as a member of the BSB Board. A person who has been responsible for a representative function is not ineligible for appointment, but in considering whether to appoint any such person, the selection panel will take account of their responsibility for a representative function, when that responsibility ended and any implications for the observance of the principle of regulatory independence.

Full time judges and tribunal chairs are not eligible for appointment as Board members. Members of Panels and those with a formal role in the COIC Bar Tribunals and Adjudication Service (BTAS) cannot concurrently hold office as a member of the BSB Board. Those currently appointed to the BSB's Independent Decision-Making Body are also ineligible.

We are looking for one candidate to join the Board immediately and a second successful candidate to take up appointment later in 2019. Induction training and briefing will be provided prior to taking up post.

Diversity and Equality of Opportunity

We aim to recruit talented candidates and value diversity in background, skills and experience. We are committed to providing equality of opportunity for all applicants. Reasonable adjustments will be made at interview and in post for any individual who requires them.

Job Description

Expectations of a Barrister Board Member

Board members must be able to provide high-level strategic thinking, advice and leadership on the development and implementation of policy relating to the work of the BSB. If appointed to a committee, members must take an active part in the committee's work.

Board members are expected to uphold the Seven Principles of Public Life, being:

- Selflessness - Holders of public office should act solely in terms of the public interest.
- Integrity - Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
- Objectivity - Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
- Accountability - Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
- Openness - Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
- Honesty - Holders of public office should be truthful
- Leadership - Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Board members must act in the best interests of the BSB and in accordance with its statutory responsibilities.

Contribution to the business of the BSB:

- Ensure that the necessary business of the Board is carried out efficiently, effectively, and in a manner appropriate for the proper conduct of public business. Make rational and constructive contributions to debate and make knowledge and expertise available to the Board as required;
- Ensure that the Board acts in accordance with its instruments of governance
- Accept collective responsibility for the decisions reached by the Board;
- Ensure that the Board exercises control over the strategic direction of the BSB through an effective planning process and that the performance of the BSB is adequately assessed against defined and approved objectives;
- Establish constructive and supportive non-executive working relationships with the BSB's staff whilst offering critical challenge to achieve desired outcomes
- Give formal approval to key financial documents of the BSB, such as budgets and annual accounts, keeping in mind the long-term sustainability of the BSB.

Upholding the standards of the BSB

- Ensure that the Board conducts itself in accordance with the highest standards of behaviour in public life: Members must meet these standards in their personal conduct;
- Make a full and timely disclosure of personal interests in accordance with the procedures approved by the Board; and
- Ensure that the Board exercises efficient and effective use of the resources of the BSB for the advancement of its objectives, maintaining its long-term financial viability, and safeguarding its assets. Guarantee that proper mechanisms exist to ensure financial control and for the prevention of fraud.

Personal

- Members will have a commitment to the justice system and the values, aims and the objectives of the BSB;
- Members will act fairly and impartially in the interests of the BSB as a whole, using independent judgement and maintaining confidentiality as appropriate;
- Members are expected to attend all meetings of the Board and of committees of which they are a member, or to give timely apologies if absence is unavoidable; and
- Members must participate in procedures established by the Board for the regular appraisal and/or review of the performance of individual members.

Competencies Required of Barrister Board Members

All Bar Standards Board members must demonstrate a certain set of core competences and qualities, as set out below. In addition, an interest in and commitment to protecting the integrity of the justice system is essential. Full induction training will be provided to new Board members.

1. Experience, knowledge and skills

Candidates will be practising barristers. They should demonstrate:

- Experience of building productive relationships with diverse stakeholders and operating with high levels of public scrutiny and accountability;
- Evidence of a strong intellect and understanding of the issues that are relevant to regulating the Bar and its relationship with clients and the justice system;
- An appreciation of the regulatory environment within which the BSB operates; and
- An understanding of what is required to be an effective non-executive board member.

2. Integrity and Respect

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

3. Strategic Appreciation

- Ability to think strategically, synthesise complex information, weigh up options and measure risks in order to develop policy;
- Sound understanding of the current issues facing the Bar and wider justice system; and
- Ability to cope effectively with complexity and new challenges; comfortable taking action without always having the total picture; and capacity to retain a balanced view despite conflicting or ambiguous demands.

4. Team work and external credibility

- Well-developed interpersonal, communication and presentation skills with a collaborative style;
- Ability to contribute to a high performing board with a diverse membership; and
- Able to act as an ambassador for the Bar Standards Board at events, including speaking on its behalf

5. Analysis and Judgement

- The intellect to assimilate complex information, arriving at objective decisions;
- A record of addressing difficult 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; and

- Capacity to assess overall organisational performance and to contribute to improvement.

Terms of Appointment

An appointment to the role of barrister Board member is made for a fixed period of up to four years and may be renewed for a further term of four years, subject to satisfactory performance in the role and it being in the interests of the BSB to do so.

The roles of barrister Board member are remunerated at £9,240 per annum for a time commitment of approximately two days per month. Reasonable expenses will be reimbursed in accordance with our travel and expenses policy.

Conflicts of interest

Any actual or perceived conflicts of interest will be explored by the selection panel at the interview, as will any matters which could diminish public trust and confidence in the regulator.

How to Apply

All applications must be made to: BSBapplications@BarStandardsBoard.org.uk. Please ensure that you:

- Complete the Supporting Details form;
- Provide a supporting statement, addressing the five essential competencies outlined above, of maximum three pages of A4 font size 12;
- Include a copy of your CV with a maximum of two pages of A4 font size 12; and
- Complete the Equal Opportunities monitoring form (not compulsory)

Reasonable Adjustments

Candidates with a disability who require reasonable adjustments should contact Jeanette Fordyce-Harvey on 0207 611 1422. Candidates with a disability who meet the essential criteria for this role will be guaranteed an interview under the “Disability Confident” scheme.

Handling Your Application

We will process your application as quickly as possible and will keep you informed at key stages.

After the closing date for applications:

- we will acknowledge receipt of your application electronically and check it for completeness and eligibility. If you do not receive an acknowledgment within one working day, please contact Jeanette Fordyce-Harvey on 0207 611 1422.
- your application will be assessed against the essential competencies of the post. It is important that you complete your response to the essential competencies in as much detail as possible within the page limit constraints. Your response to each competency and the experience criterion should provide specific and detailed examples that demonstrate how you meet each criterion (including what you

personally contributed to achieve a specific result). Your CV will be used to provide the selection panel with further context.

- the selection process will be evidence-based.

Interview and Selection Process

- The selection panel will comprise:

The Rt Hon the Baroness Blackstone (Chair of the BSB);
Andrew Mitchell QC (barrister Board member of the BSB);
Richard Atkins QC (Chair of the Bar Council) or his nominee; and
Jacqui Francis (independent lay member).

- By 4 April, the panel will have decided which candidates will be invited for interview, taking account of the evidence provided in your application. You will be notified by email about the outcome of your application.
- If invited to interview, you will be contacted to confirm the interview arrangements. The interviews are scheduled to take place on Tuesday 16 April at the BSB's offices in London.
- If invited to interview, the panel will question you about your experience and expertise and ask specific questions to determine to what extent you meet the specified competencies.
- The panel will also be informed of any declarations you have made in your application that require further exploration. Any such declarations will be treated in confidence and do not preclude further consideration of your application or appointment. Due diligence checks will also be conducted, and you may be questioned further by the panel on the information found (this may include Twitter, Facebook, blogs, Individual Insolvency Register, Disqualified Directors Register, Professional Registers and Google News).
- If, in the view of the panel you have demonstrated the competencies required and are the preferred candidate, the panel will offer the appointment.
- If you are successful, you will receive a letter inviting you to serve as a barrister member of the BSB.

Conflicts of Interest

If you are offered and accept appointment, you should note particularly the requirement to declare any conflict of interest that arises in the course of BSB business and to declare any relevant business interests, positions of authority or other connections with organisations relevant to the business of the BSB. Similarly, any matters affecting or concerning you which could diminish public trust and confidence in the regulator must also be disclosed. This is an ongoing requirement throughout the term of the appointment.

Should you have any questions about this, please contact Rebecca Forbes, BSB's Governance Manager, on 0207 0926 806.

Equal Opportunities

The BSB recognises the benefits of having a diverse community of staff and officers and is committed to being an inclusive organisation where everyone is treated with respect, dignity and where there is equal opportunity for all.

The BSB will take all reasonable steps to make appropriate adjustments to meet the needs of candidates (and those appointed) who have disabilities.

Travel Expenses for Applicants

The BSB will reimburse reasonable travel by the most economical cost proportionate to the length of the journey. You must be prepared to justify your choice of travel arrangements.

Dealing with Your Concerns

If you have a complaint about the way your application has been handled and wish to raise your concerns with the BSB, you must do so in writing within 28 days of receiving notification of the outcome of the relevant stage of the process. You should address your concerns to the BSB's Governance Manager, Rebecca Forbes, at rforbes@BarStandardsBoard.org.uk who will deal with them in accordance with the BSB's service complaints policy. This can be found [here](#).

Equality and diversity monitoring information

This information is not used in the selection process. It is not seen by the panel assessing your application. The BSB will use this information only to monitor the diversity of candidates we attract and appoint. Once the recruitment campaign has concluded, and we have collated the data, we will delete all individual forms.