

# **Diversity of the Bar Standards Board (BSB) Workforce and Board Members, as of 1 December 2022**

## **Background**

1. Publishing an aggregated summary of the diversity data of our workforce on an annual basis, alongside a written summary of the diversity of our Board, forms part of our [Equality Strategy for 2022-25](#).
2. This is consistent with and intended to demonstrate our commitment to:
  - a. Our legal obligations under the Equality Act 2010;
  - b. Our regulatory objective to encourage an independent, strong, diverse, and effective legal profession, under the Legal Services Act 2007;
  - c. Ensure meaningful compliance with our equality duties in every aspect of our work, demonstrate best equalities and anti-discrimination practice, and embed equality and fairness into the day-to-day running of our organisation;
  - d. Use diversity data to inform strategies to recruit a diverse Board and workforce.

## **The data**

3. The data in this report were captured on 1 December 2022, which is the same capture date for the data used for the Diversity at the Bar Report 2022.
4. The data we collect from our workforce and Board members cover all the characteristics that are protected by the Equality Act 2010 (except for pregnancy and maternity, and marriage and civil partnership) in addition to information about caring responsibilities and social mobility. These are the same data that we collect about the barrister profession.

### **Sensitive personal data**

5. The Data Protection Act 2018 categorises data about ethnicity, sexual orientation, religion or belief, and disability as “sensitive personal data”. This report only gives raw data or percentages for these characteristics if doing so would not risk identifying individuals.
6. In the case of workforce data, we have grouped some of the response categories for these characteristics, where appropriate. In the case of Board data, we have specified which response categories are the most populated for these characteristics, where appropriate.

7. This enables us to give information about the diversity of our organisation in respect of a characteristic which counts as sensitive personal data, without risking the identification of individuals in a particular response category.

### **Workforce data**

8. We collect diversity data from our workforce by issuing an anonymous and voluntary diversity survey at least every three years, and by encouraging our workforce to update their details whenever their circumstances change. As of 1 December 2022, the BSB's workforce consisted of 99 people<sup>1</sup>, which is an increase from the 88 reported in December 2021, and 83 reported on 1 December 2020.
9. Data about the diversity of our workforce have been aggregated to avoid the identification of individuals who have declared a particular characteristic. This is in line with the requirements we set for the publication of diversity data by the barrister profession, at rC110 of our Handbook.
10. In demonstration of our commitment to be a diverse and inclusive employer, we have included a commentary about the diversity of our workforce in relation to particular characteristics. Where reference is made to national comparators, including "working age" or "economically active" comparators, we note that it may not always be realistic to expect a small organisation like ours to match those national data precisely. Our office is based in London, and many of our people are based in and around the area. Comparisons with the working population of London are not made due to suitable comparators only being available for a few monitoring categories. It is worth noting however, that the demographic profile of the working population of London is likely to be quite different to that of the UK as a whole.
11. The section of this report on the BSB workforce includes some disaggregation by job level, broadly grouping our workforce into job levels 1-4 and 5-7: Job levels 1-4 represent those with more senior roles (managers and senior managers), whereas levels 5-7 represent those with more junior roles. In addition, our People Team produce six monthly reports to our Performance and Strategic Planning Committee about diversity at different levels of seniority in our organisation: The publication of these reports at the level of disaggregation undertaken would risk identifying individuals. Our analysis of this information influences our approach to issues of recruitment, progression, and retention at the BSB, as part of our commitment to diversity and inclusion at all levels.

### **Board data**

12. We collect and analyse diversity data from members of our Board at least annually, to help us to identify strategies for recruiting a diverse Board. At the time of collecting data for this report, our Board had 10 members, which is unchanged from 1 December 2021.
13. We have given a written summary about the diversity of our Board instead of a detailed statistical report and have not included a commentary about whether our Board is representative of wider society, because numbers are very small.

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<sup>1</sup> This does not include members of the General Council of the Bar's Resources Group, who offer support services to both the BSB and the Bar Council.

# Diversity of Board Members as of 1 December 2022

As of 1 December 2022, there were 10 members of our Board.

**Age:** All members of our Board specified their age group. As of 1 December 2022, two members were in the “45-54” age range, five members were in the “55-64” range, and the remaining Board members were in other age ranges.

**Disability:** Eight members of our Board responded to this question. The most frequently given response was “no disability”. We have not reported the raw data for this characteristic because doing so would risk identifying individuals’ disability status, which is sensitive personal data.

**Ethnicity:** All members of our Board specified their ethnicity. As of 1 December 2022, six members were from a White background. The remaining members were from another ethnic group. We have not reported raw data for the remaining response categories for this characteristic because doing so would risk identifying individuals’ ethnicity, which is sensitive personal data.

**Gender.** All members of our Board specified their gender. As of 1 December 2022, four members were female, and six members were male. No board members indicated that they were a different gender to the sex that they were registered as at birth.

**Religion:** Nine members of our Board responded to this question. Of those members, the most populous category was “Christianity”, with “No religion” being the second most represented group. We have not reported the raw data for this question because doing so would risk identifying individuals’ religion status, which is sensitive personal data.

**Sexual orientation:** All members of our Board responded to this question, with the most commonly given response for sexual orientation being ‘heterosexual’.

**First generation to attend university:** Of the nine Board members that gave a response, three stated that they were of the first generation in their immediate family to attend university and six stated that they were either not of the first generation in their immediate family to attend university or that they did not attend university.

**Type of School attended** Only three Board members provided a response to this question, and so results are not reported for this as a result.

**Primary care of a child/children aged under 18:** All Board members gave a response to this question. Six Board members stated that they were not a primary carer for one or more children aged under 18 and four Board members stated that they were.

**Provision of care for a non-dependent:** Nine Board members gave a response to this question. Five Board members said that they do not provide care for a non-dependent person. The remaining four members specified that they provide care for another person for between 1 to 19 hours per week.

# Diversity of BSB Workforce as of 1 December 2022

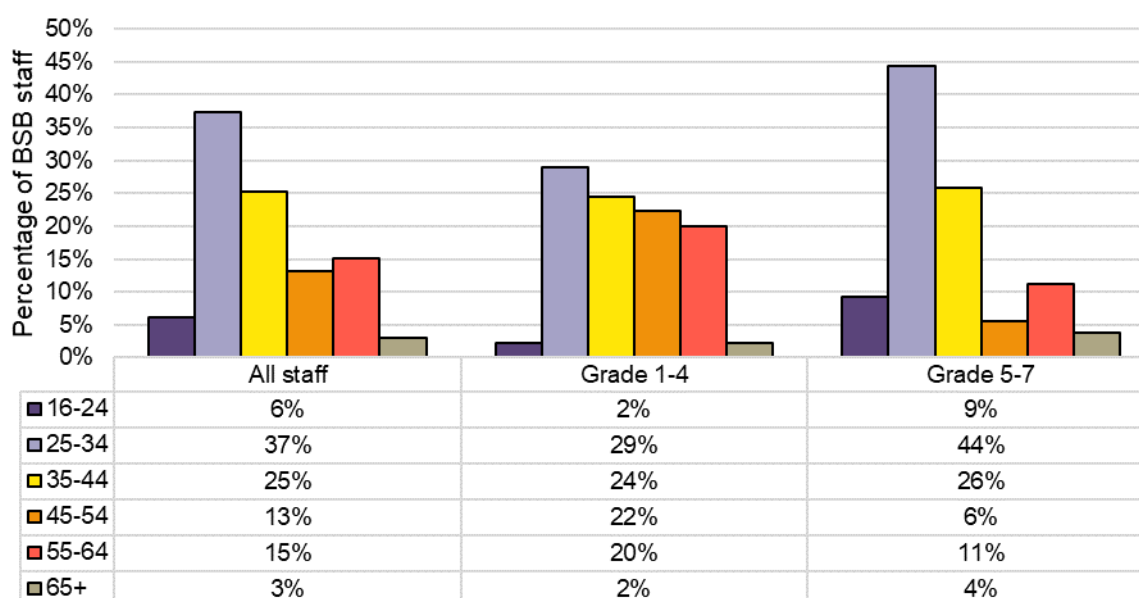
As of 1 December 2022, the BSB had 99 people in its workforce.<sup>2</sup> 45 had a role at job levels 1-4, and 54 had a role at job levels 5-7. Level 1 is the most senior.

## Age

As of 1 December 2022:

- Six per cent of our workforce was aged 16 to 24. This compares to a figure of three per cent on 1 December 2021.
- 37 per cent of our workforce was aged 25 to 34. This compares to a figure of 31 per cent on 1 December 2021.
- 25 per cent of our workforce was aged 35 to 44, which is five percentage points less than that seen on 1 December 2021.
- 13 per cent of our workforce was aged 45 to 54, which is a decrease of four percentage points from December 2021.
- The proportion of our workforce aged 55 to 64 decreased by three percentage points year on year and stood at 15 per cent.
- A greater proportion of our workforce in job levels 1-4 were in older age ranges in comparison to those in job levels 5-7.

Age profile of BSB staff as of 1 December 2022

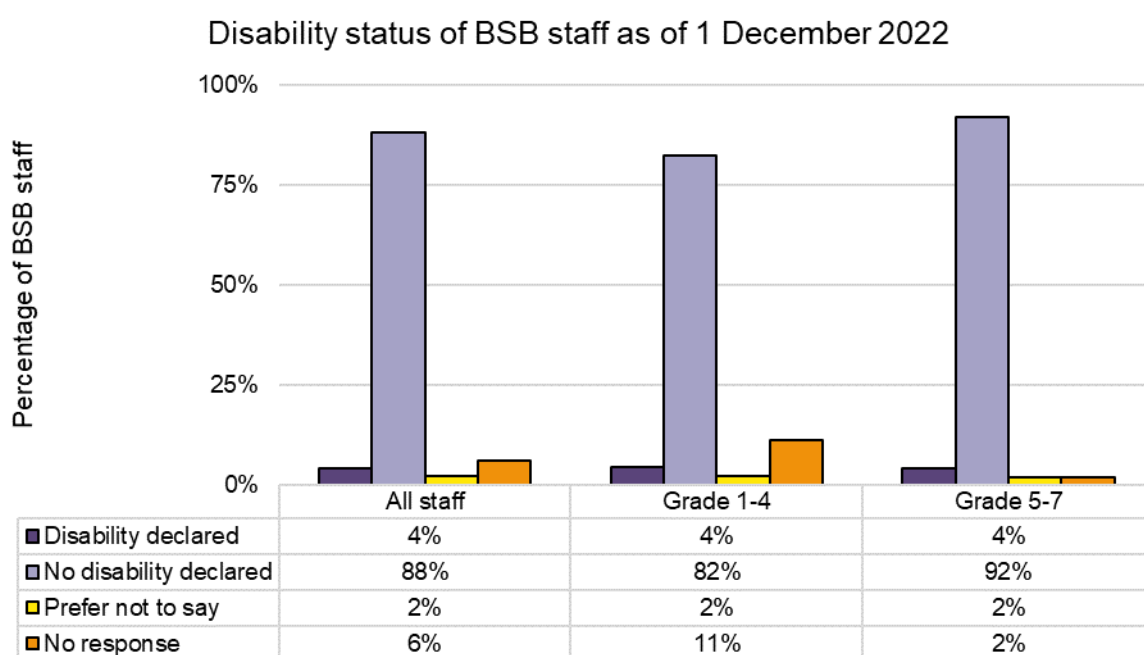


<sup>2</sup> For the purposes of this report, “workforce” means BSB employees. It does not include Board members or members of the Resources Group, which we share with the Bar Council as part of the General Council of the Bar.

## Disability

As of 1 December 2022, four per cent of our workforce declared a disability. This is an increase of one percentage point from 2021 and is the same as the four per cent of our workforce who were reported as having a disability in our E&D Strategy for 2017 to 2019. In comparison, it is estimated that around 15.8 per cent of the employed working age population (those aged 16 to 64) had a declared disability as of July-September 2022.<sup>3</sup>

We will continue to work to identify and address any barriers to inclusion for disabled applicants and employees. As part of the General Council of the Bar, we are a Disability Confident employer. Our [Equality Strategy for 2022-25](#) includes a number of commitments to promote equality for disabled applicants and employees, as well as a focus on disability issues at the Bar.



<sup>3</sup> Calculated for Jul-Sep 2022 from Office for National Statistics datasets: A08: Labour market status of disabled people using Equality Act Levels (People).

## Ethnicity

The proportion of our workforce who are from a minority ethnic background is significantly higher than the proportion of people in the working age population of England and Wales who are from a minority ethnic background. The same holds true for Asian/Asian British, Mixed/Multiple and Black/Black British ethnic backgrounds. There has been a large increase in the proportion of our workforce providing a response to this category this year, and so year on year comparisons are made using only those who have provided information.

*Of those that provided information on ethnicity, as of 1 December 2022:*

- 61 per cent of our workforce was White, compared to 83.5 per cent of the UK working age population.<sup>4</sup> The proportion of our workforce who are White is four percentage points lower than that seen in December 2021, and also compares to a figure of 71 per cent in the BSB E&D Strategy for 2017-2019 (published in early 2017).<sup>5</sup> Of the 61 per cent of our workforce from a White ethnic background, 50 per cent were from a White British background, and 11 per cent were from another White ethnic background.
- 39 per cent of our workforce was from a minority ethnic background. This is four percentage points higher than that seen in December 2021 and compares to an estimate of 16.4 per cent of the working age population in England and Wales as of July to September 2022.
- 21 per cent of our workforce was Asian/Asian British. This is two percentage points higher than December 2021 and compares to seven per cent in the UK working age population as of July to September 2022.
- Seven per cent of our workforce was from Mixed/Multiple ethnic backgrounds, three percentage points lower than in December 2021, and compares to a figure of 1.9 per cent in the UK working age population.
- Ten per cent of our workforce was Black/Black British, which is six percentage points higher than that seen in December 2021, and compares to a figure of 3.8 per cent in the UK working age population.
- A far greater proportion of those in job levels 1-4 are of White British ethnic backgrounds in comparison to the relative proportion in job levels 5-7 (63 per cent compared to 39 per cent).
- Nine per cent of the BSB workforce did not provide a response to this question, compared to 23 per cent as of December 2021.

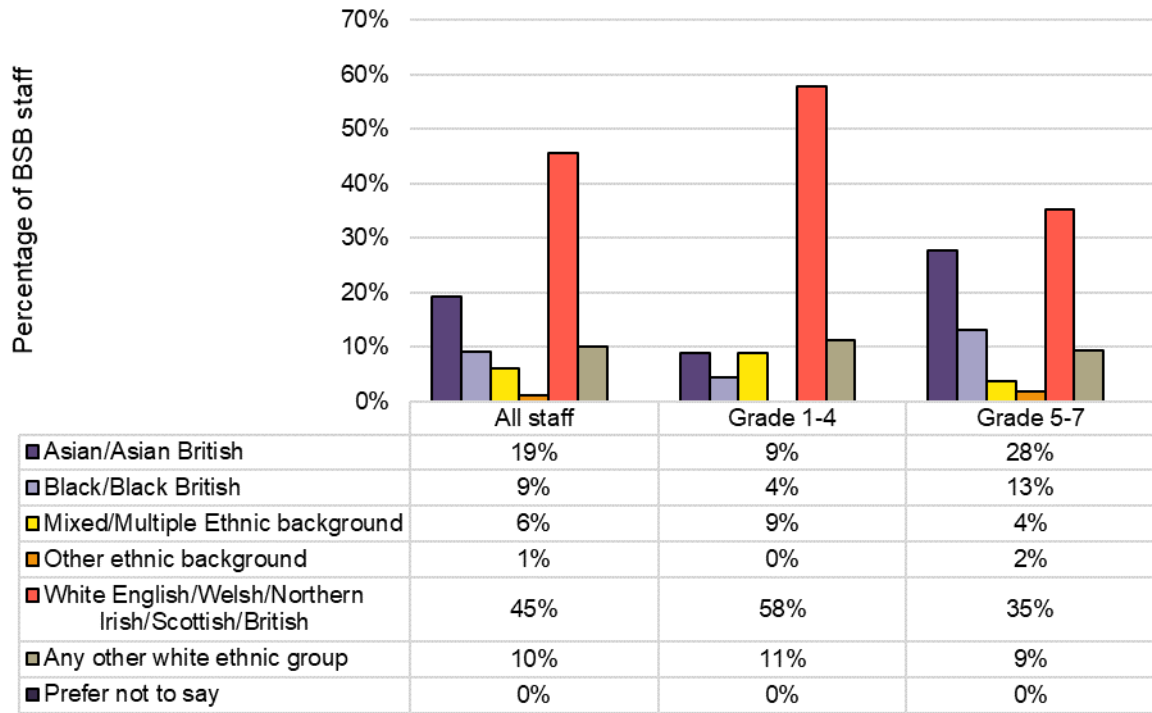
We have disaggregated “White English/Welsh/Northern Irish/Scottish” from “Any other white ethnic group” in the chart below because it is of interest that 11 per cent of our workforce (who provided their ethnicity) selected “Any other white ethnic group”.

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<sup>4</sup> Calculated from adding together figures one economically active and inactive 16-64 population by ethnicity from the Labour Force Survey: A09: Labour Market Status by ethnic group - as of July-September 2022.

<sup>5</sup> Bar Standards Board (2017) Equality and Diversity Strategy 2017-19. This was published in February 2017 and uses data from this time. Figures on BSB diversity can be found in Annex 3. These figures were included as a comparator in the 2019 and 2020 BSB Board and Staff Diversity Reports and have been included here for consistency.

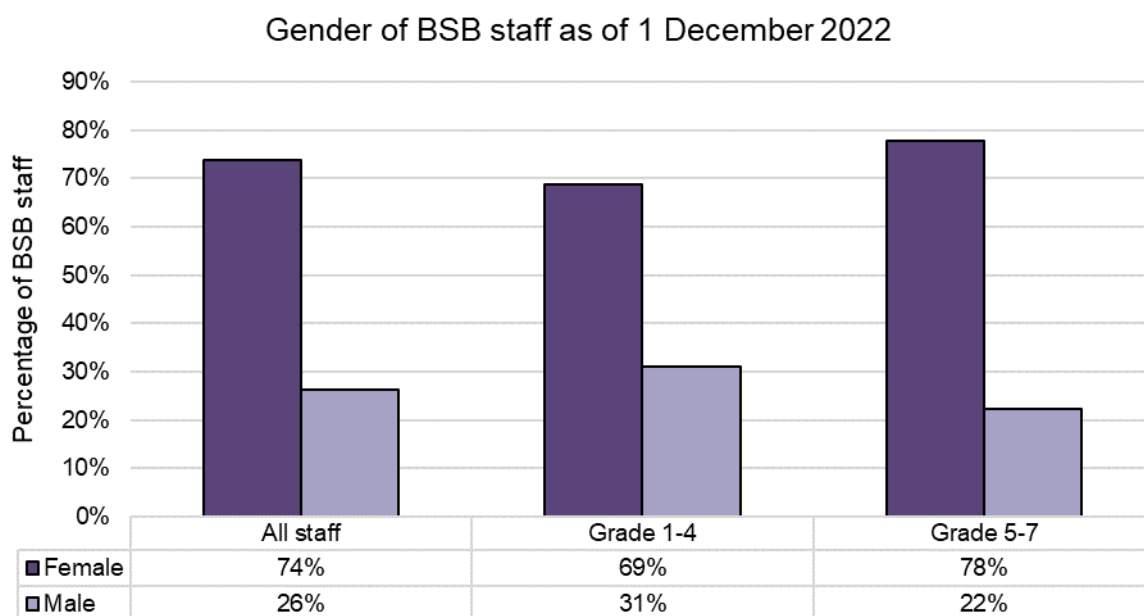
### Ethnicity of BSB staff as of 1 December 2022



## Gender<sup>6</sup>

The gender profile of our workforce has changed by a small amount since 1 December 2021. As of 1 December 2022, the proportion of our workforce who are female has increased by around five percentage points to 74 per cent: This compares to an estimate of 50.2 per cent of the UK working age (16-64) population being female as of Q3 2022.<sup>7</sup> There has been a corresponding decrease of five percentage points in the proportion of our workforce who are male.

There are proportionately more men in job levels 1-4 than there are in job levels 5-7 (31 per cent compared to 22 per cent).



<sup>6</sup> We also ask, “Is your gender identity the same as the sex which you were assigned at birth?” but have not included data for this question as response rates are too low to draw meaningful conclusions.

<sup>7</sup> Calculated from the ‘Labour Force Survey: Population aged 16-64: Female: Thousands: SA’, and ‘Labour Force Survey: Population aged 16-64: UK: Male: Thousands: SA’ datasets published by the Office for National Statistics on ons.gov.uk

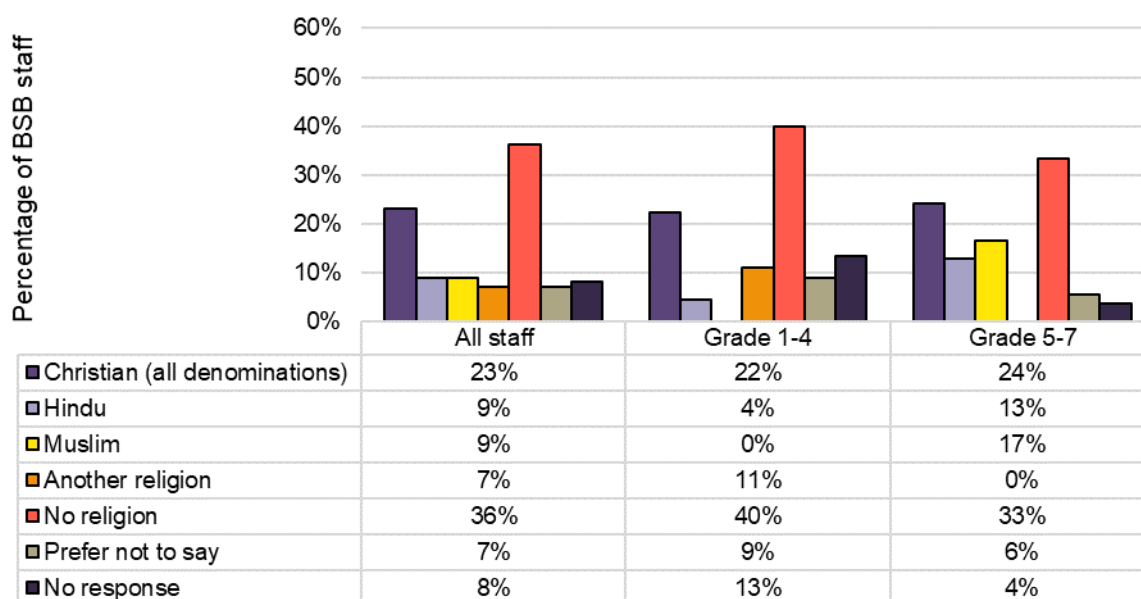


## Religion

Our workforce is diverse in relation to religion, which may be linked to our ethnic diversity. As of 1 December 2022:

- 36 per cent of our workforce had no religion.
- 48 per cent of our workforce declared a religion, which is three percentage points higher than in December 2021.
- Of those that declared a religion:
  - 23 per cent of our workforce selected Christian (all denominations).
  - Nine per cent of our workforce selected Muslim.
  - Nine per cent of our workforce selected Hindu.
  - Seven per cent of our workforce selected they were of another religion. This group includes those who selected “Jewish”, “Sikh”, “Buddhist” or “Any other religion” as their religion. We have combined these categories to avoid the risk of identifying individuals.
- We hold no information for 15 per cent of our workforce (7% of this proportion preferred not to say), which is an increase of two percentage points compared to December 2021.

Religion of BSB staff as of 1 December 2022

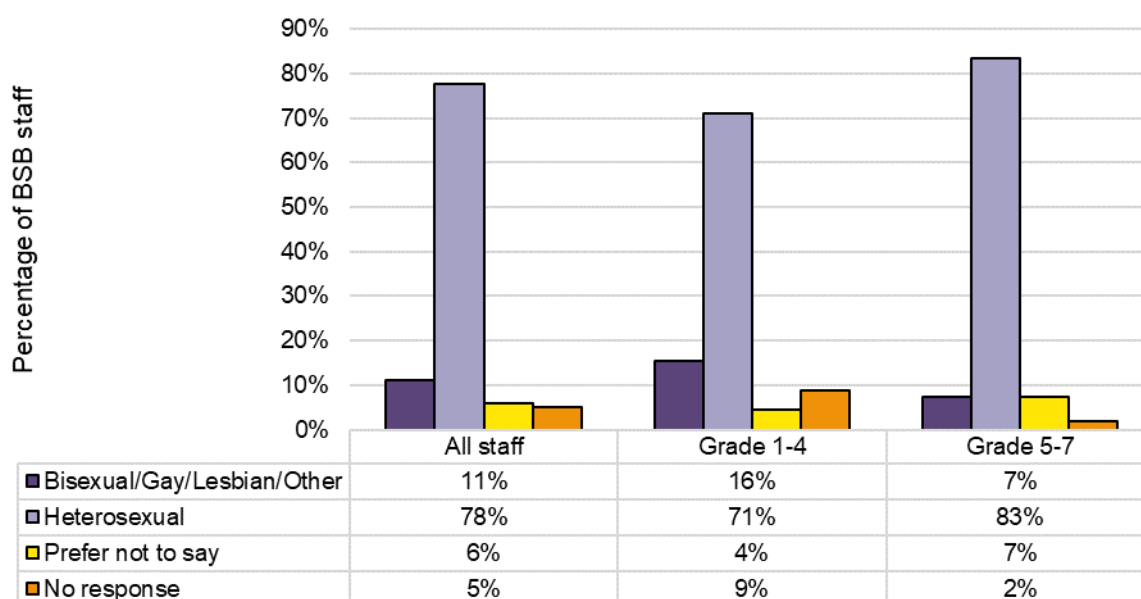


## Sexual orientation

Our workforce has become more diverse in relation to sexual orientation since we published information about its diversity in our E&D Strategy for 2017-2019. We have compared our data to data from “Sexual Orientation, UK: 2020”, which was published by the Office for National Statistics in May 2022. To avoid the identification of individuals, we have grouped “Bisexual”, “Gay or Lesbian”, and those who use another term for their sexuality (not including those identifying as heterosexual) as “Bisexual / Gay or Lesbian / Another sexuality”. As of 1 December 2022:

- 78 per cent of our workforce selected “Heterosexual” as their sexuality, which is a decrease of nine percentage points from the data we reported in our E&D Strategy for 2017- 2019. In “Sexual Orientation, UK: 2020”, 93.6 per cent of the UK population aged 16 years and over are reported as heterosexual.
- 11 per cent of our workforce selected “Bisexual/ Gay or Lesbian/ Another sexuality”, which is an increase of eight percentage points from the data we reported in our E&D Strategy for 2017 to 2019, and an increase of two percentage points year on year. This compares to 3.8 per cent of the UK population aged 16 years and over who are reported as being Bisexual/ Gay or Lesbian/ Another sexuality.<sup>8</sup>
- We have no information for 11 per cent of our workforce, meaning disclosure for sexual orientation has decreased by around two percentage points compared to December 2021.

Sexual orientation of BSB staff as of 1 December 2022



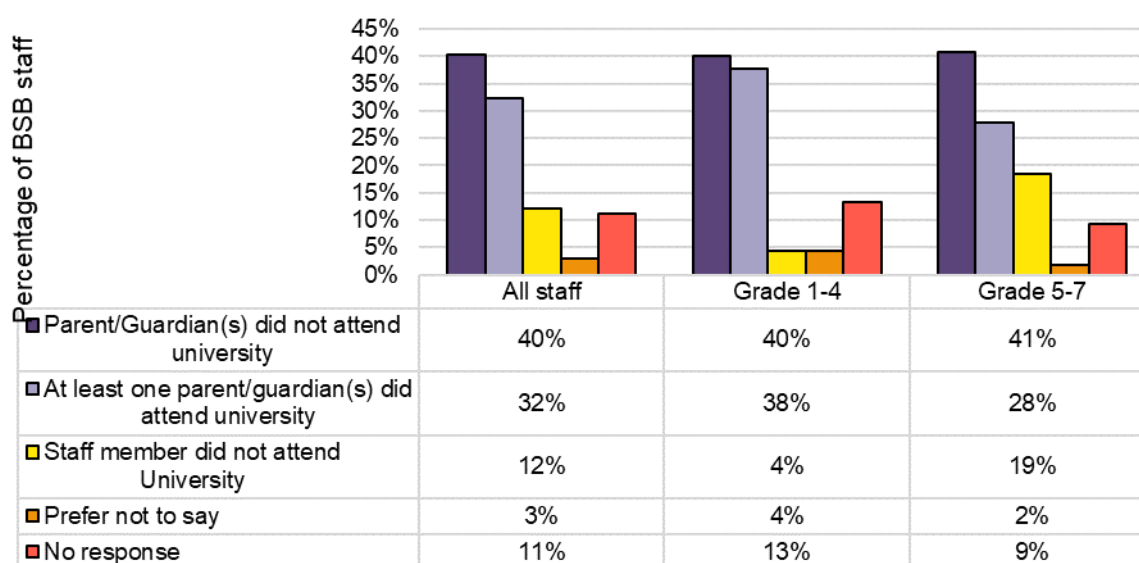
<sup>8</sup> Calculated from Table 1 in UK Office for National Statistics Bulletin: Sexual orientation, UK: 2020.

## First generation to attend university

The proportion of those providing information on this monitoring category has increased from 76 per cent to 85 per cent. The below includes only those who have provided information (including comparisons made). As of 1 December 2022:

- 48 per cent of our workforce were part of the first generation of their family to attend university. This is an increase of around eight percentage points from December 2021.
- 38 per cent of our workforce were not part of the first generation of their family to attend university, which a decrease of around eight percentage points from December 2021.
- 14 per cent of our workforce did not attend university.
- We have no information for 15 per cent of our workforce, which represents a reduction in non-responses of 9 percentage points compared to December 2021.
- A greater proportion of those in job levels 1-4 were not of the first generation to go to university in comparison to the comparative figure for those in job levels 5-7.

Percentage of BSB staff that were part of first generation in their family to attend university, as of 1 December 2022

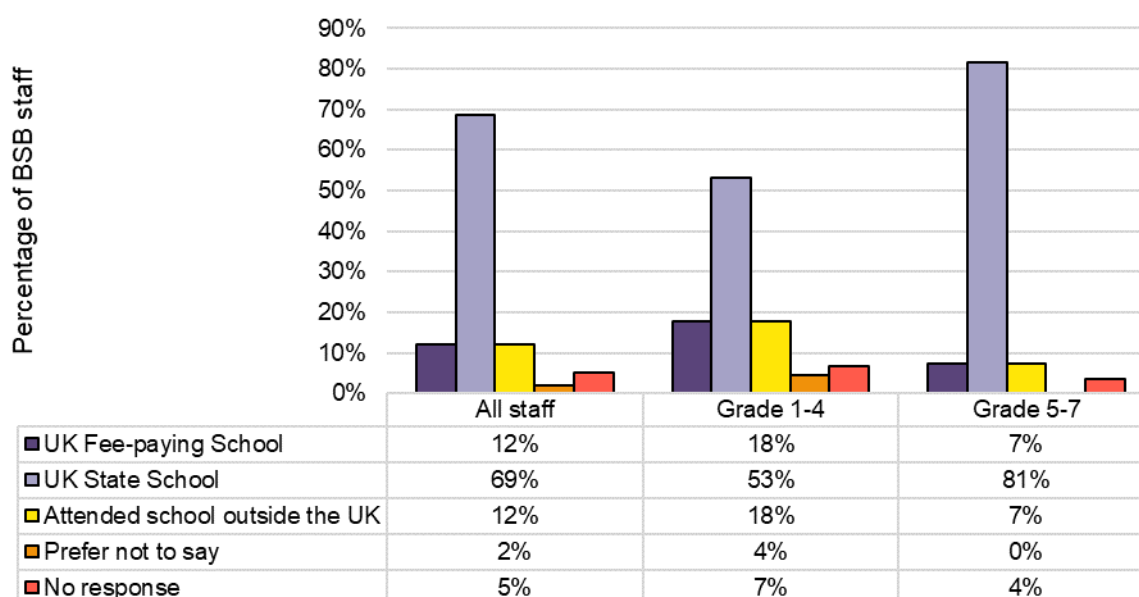


## Type of school attended

The proportion of our workforce who attended an independent or fee-paying school in the UK is still greater than the equivalent proportion in the general population. As of 1 December 2022:

- 12 per cent of our workforce attended an independent or fee-paying school in the UK, which is a six percentage point decrease from that reported in December 2021 (the same figure as December 2021, 18 per cent, was also reported in our E&D Strategy for 2017-2019). In comparison, approximately six percent of school children in England at any age<sup>9</sup> and 9.8 per cent of UK domiciled young full-time first-degree entrants in the UK in 2020/21<sup>10</sup> attended an independent/fee-paying school.
- 69 per cent of our workforce attended state school in the UK, which is an increase of six percentage points from December 2021.
- 12 per cent of our workforce attended school outside the UK.
- We have no information for seven per cent of our workforce, which is the same as that seen in December 2021.
- A far higher proportion of those in job levels 1-4 had attended a UK independent/fee-paying school than the comparative figure for those in job levels 5-7.

Type of school attended for BSB staff as of 1 December 2022



<sup>9</sup> Independent Schools Council: Research. <https://www.isc.co.uk/research/> (accessed 13 December 2022). We acknowledge that this comparison is not a direct one; we are lacking data on type of school mainly attended between the ages of 11-18 for England and Wales only.

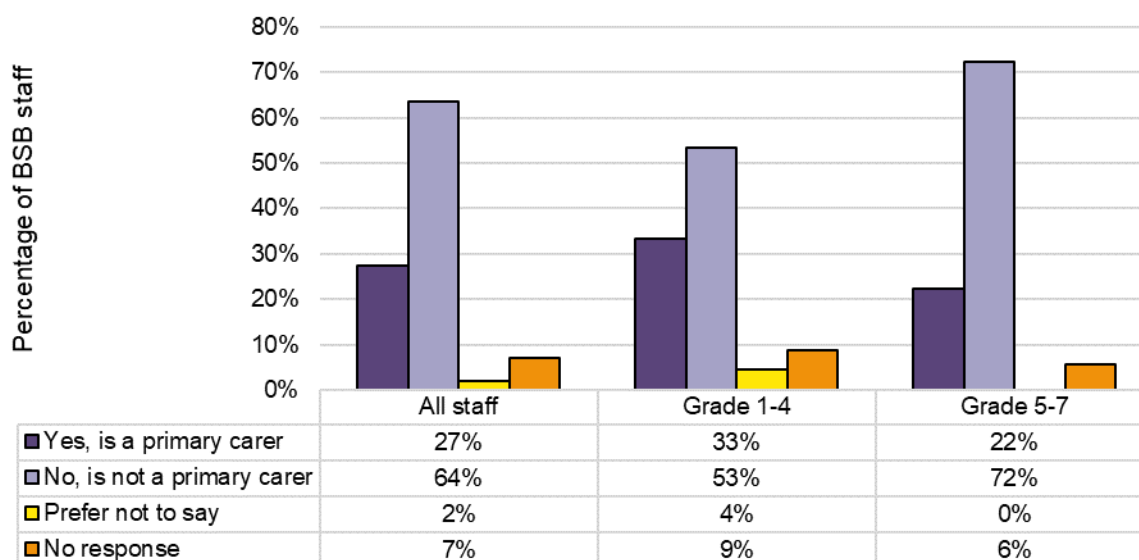
<sup>10</sup> Higher Education Statistics Authority: Widening participation summary: UK Performance Indicators. <https://www.hesa.ac.uk/data-and-analysis/performance-indicators/widening-participation-summary> (accessed 13 December 2022)

## Primary carer of a child or children aged under 18

Around 36 per cent of economically active males and 40 per cent of economically active females in the UK are a primary carer for one or more children.<sup>11</sup> This includes all individuals aged from 16-64 and the proportion of those in the UK with primary care of a child is likely to be far higher for those aged 35-54. 38 per cent of our workforce is aged 35-54.

- 27 per cent of our workforce are a primary carer of a child or children aged under 18. This is unchanged from December 2021.
- 64 per cent of our workforce are not a primary carer of a child or children under 18, which is three percentage points lower than in December 2021.
- We hold no information on this monitoring category for nine per cent of our workforce.

BSB staff with primary caring responsibilities for one or more children aged under 18 as of 1 December 2022



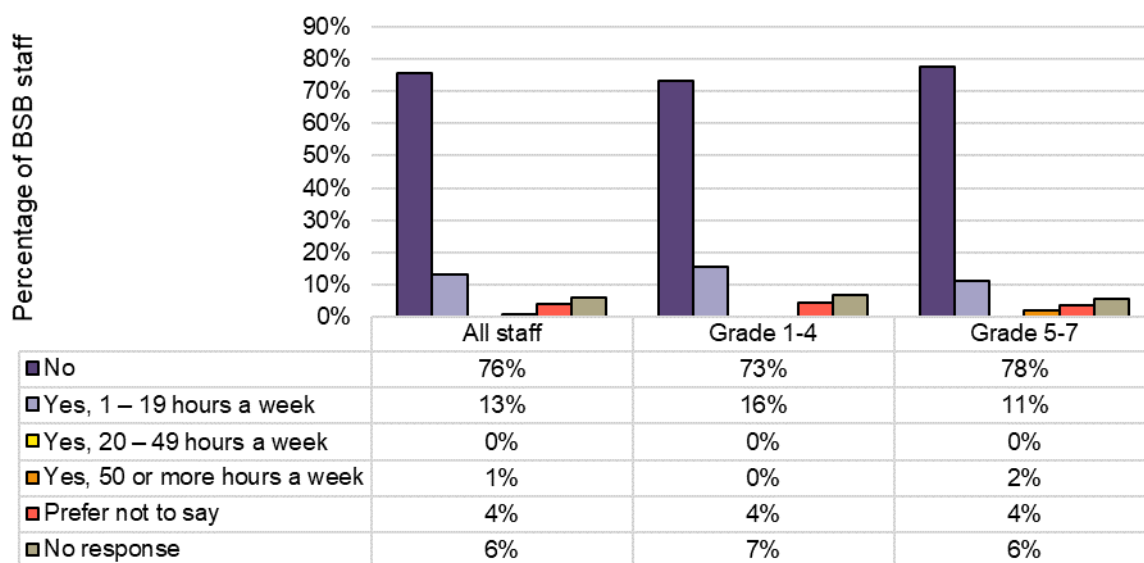
<sup>11</sup> Calculated from Table 1a in Families and the labour market, UK: main dataset using the Labour Force Survey and Annual Population Survey: main reference tables, 2022.

## Provide care for other family members, neighbours, or others

As of December 2022:

- 14 per cent of our workforce provide care to family members, neighbours, or others (all of which provide care for between 1-19 hours a week for another). This is a slight decrease of two percentage points from December 2021, but is similar to the estimated figure for the UK working population. According to data provided by Carers UK<sup>12</sup>, 14.3 per cent of those in work in the UK provide care for another, not including primary care of children.
- 76 per cent of our workforce does not provide care to family members, neighbours, or others This is one percentage point higher than December 2021.
- We hold no information for 10 per cent of our workforce. This is an increase of one percentage point from December 2021.
- It appears that a slightly higher proportion of those in job levels 1-4 provide care for another than the comparative figure for those in job levels 5-7. This may be related to the age profile of those in job levels 1-4.

Percentage of BSB staff who support family members, neighbours or others as of 1 December 2022



<sup>12</sup> See Carers UK (2019). Juggling work and care