

Code of Conduct for Members of the Bar Standards Board (details as amended by the Board on 28 March 2019)

1. Introduction

- 1.1 As a BSB Board Member, your behaviour and actions must be governed by the principles set out in this Code of Conduct. It is your responsibility to ensure that you are familiar with, and comply with, its provisions.

2. Key Principles of Public Life

- 2.1 The key principles upon which this Code of Conduct is based are the Seven Principles of Public Life as set out in the Committee on Standards in Public Life's fourteenth report "Standards Matter".

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.

- 2.2 These principles should inform your actions and decisions as a Board Member.

3. BSB Organisational Values

You should also act in accordance with the BSB's organisational values as stated below. The BSB publicly states its commitment of adherence to these values as we undertake our work and the expectation is that Board members will embody them as well.

Fairness and Respect

- *we strive to achieve equal access and equal treatment, valuing and respecting our differences*

Independence and Integrity

- *we are objective and evidence-based, open, honest and accountable, and we expect everyone to meet these same ethical standards.*

Excellence and Efficiency

- *we are committed to learning and improving, seeking to maximise our effectiveness by making the best possible use of our resources*

4. BSB Governance

4.1 You should note and comply with the governance principles and related policies set out in the following documents:

- the BSB's Constitution
- the BSB's Standing Orders
- the LSB's Internal Governance Rules (IGRs)
- the BSB's Governance Manual

5. General Conduct

Expenses

5.1 You must claim any expense according to the policy on travel and expenses set out in the Bar Council's Finance Manual as approved by the joint Finance Committee.

Gifts and Hospitality

5.2 You must comply with the BSB's policy on gifts and hospitality and make any necessary declarations for inclusion in the relevant register.

5.3 You are responsible for your decisions on the acceptance of gifts or hospitality and for ensuring that any gifts or hospitality accepted can stand up to public scrutiny and do not bring the BSB into disrepute.

Use of resources and confidentiality

5.4 You must not misuse BSB resources for personal gain. Use of such resources must be in line with the BSB's rules for their usage.

5.5 You must not misuse information gained during your service on the Bar Standards Board for your personal gain or interests or for those of others.

5.6 You must not disclose any information which is confidential in nature or which is provided in confidence without authority, unless, exceptionally, it is the public interest to do so and it has not been possible to resolve the matter concerned any other way. This duty incorporates the safe storage or disposal of such information and continues to apply after you have left the Board.

5.7 When your duties as a Board Member require you to process personal data, you should ensure that you comply with the General Data Protection Regulation, including immediate notification to the BSB of any potential data breach.

Use of BSB funds

- 5.8 All BSB staff and Members have a duty to use funds efficiently, economically and effectively, avoiding waste and extravagance.

6. Regulatory Independence

The BSB is an independent regulator and the Legal Services Act requires separation of regulatory and representative functions. In consequence, you must not undertake any professional representation or lobbying work for barristers or for the Bar Council.

7. Declaration of Interests

- 7.1 You must comply with the BSB's policy on declaration of interests. This requires you to declare publicly any private interests which may, or may be perceived to, conflict with your duties as a Board Member both on appointment and during your term of office.
- 7.2 If you wish to take up a new employment or appointment during your term of office where real or perceived conflicts of interest may be an issue, you should first discuss details with the Chair and make any necessary public declaration.
- 7.3 You are not prohibited from engaging in political activity but, as a Board Member of the BSB, you must not act in a way that is determined by party political considerations, or use BSB resources for party political purposes or allow your personal political views to determine any advice you give or actions you take.
- 7.4 It is your responsibility to ensure that your declaration of interests, as published on the BSB's website, is accurate and up-to-date.

8. Declarations

- 8.1 You must declare any criminal convictions and charges to the Chair of the Board. A conviction for an offence involving dishonesty is not compatible with membership of the Board.
- 8.2 You must declare any matter, which if it was to become public knowledge, might risk undermining public confidence in your integrity, objectivity, honesty or independence and therefore your suitability to continue as a Member of the Board.

9. Responsibilities as a Board Member

- 9.1 You should play a full and active role in the work of the BSB. You should fulfil your duties and responsibilities responsibly and act in good faith and in the interests of the regulatory objectives.
- 9.2 You must comply with any statutory requirements of the BSB insofar as these relate to the collective responsibility of the Board.
- 9.3 You should respect the principle of collective decision-making and corporate responsibility. This means that once the Board has made a decision, you should accept it, regardless of your personal view, and not make statements that undermine the Board's collective position.

9.4 You must not use, or attempt to use, your position as a Member of the Board to promote your personal interests or the private interests of any person, chambers, firm, business or other organisation.

10. Responsibilities towards employees

10.1 You should treat any staff working for the Bar Standards Board with courtesy and respect. It is expected that employees will show you the same consideration in return.

10.2 You must not ask or encourage employees to act in any way which would conflict with their own contractual obligations, including any code of conduct in operation, or the BSB's organisational values.

11. Public speaking and external events

11.1 The BSB Chair, Vice Chair and / or Director General are the default spokespersons for the BSB, but other Board Members may occasionally be asked to act in this capacity.

11.2 If you speak at events or write articles focusing on BSB policy you should not express views at variance from agreed BSB lines. You should also advise the BSB's Director General in advance of any external invitations you receive in your capacity as a Board Member.

11.3 You are not restricted from access to the media in any non-BSB capacity, or in pursuit of a professional interest. If you are speaking in the public domain in any non-BSB capacity, you should exercise discretion if asked to comment on the BSB or the legal profession. Regardless of the capacity in which you are speaking, you should not express views at variance from agreed BSB lines.

28 March 2019