

### Scheme of Delegations (wef 19 November 2021)

The Board is responsible for creating an organisational structure capable of meeting its regulatory obligations and implementing its strategic plan by establishing and maintaining a scheme of delegations. This scheme of delegations therefore describes the authority granted by the Board to its committees and executive to carry out regulatory functions on its behalf.

The scheme comprises:

- A. delegation from the Board to the Director General
- B. sub-delegation of Board powers from the Director General to the executive
- C. delegation from the Board to other bodies, listed in the Standing Orders
- D. delegation from the Board to other bodies, not listed in the Standing Orders
- E. delegation from the Governance, Risk and Audit (GRA) Committee to the Director General
- F. sub-delegation of GRA powers from the Director General to the executive
- G. delegation from the Commissioner to the executive

<b>A. The Bar Standards Board delegates the powers below to the Director General, including the power to sub-delegate, to:</b>	<b>B. The Director General sub-delegates the powers granted by the Board as specified in column A, in accordance with decision-making criteria, to:</b>
<b>REGULATORY POLICY</b>	
1. Approve formal / published guidance on the interpretation of rules and regulations.	Any Director
2. Make changes to the rules, including the Handbook, as approved by the Legal Services Board through the exempt application process.	Director of Legal and Enforcement Director of Regulatory Operations Director of Strategy and Policy
3. Implement regulatory changes and policies that enact exempt changes.	Director of Legal and Enforcement Director of Regulatory Operations Director of Strategy and Policy

4. Implement rules, systems or procedures required to give effect to policies and regulatory arrangements previously agreed by the Board.	Director of Legal and Enforcement Director of Regulatory Operations Director of Strategy and Policy
5. Grant waivers from or modifications to requirements of the Handbook where appropriate, other than those requirements which are separately delegated within this Scheme of Delegations.	Director of Legal and Enforcement Director of Regulatory Operations Director of Strategy and Policy
6. Issue guidance to the Inns' Conduct Committee or the Council of the Inns of Court to follow in carrying out their functions as set out in Part 4 of the Handbook and any Memorandum of Understanding between the parties (Part 4, Section B rQ6).	Director of Legal and Enforcement Director of Regulatory Operations Director of Strategy and Policy
<b>SUPERVISION</b>	
7. Approve a decision to take supervisory action, to take no action or to refer the case to the Investigations and Enforcement Team and the Contact and Assessment Team.	Director of Regulatory Operations Head of Supervision Supervision Manager Senior Regulatory Officer (Supervision) Regulatory Officer (Supervision)
<b>BSB ENTITY AUTHORISATION / LICENSING</b>	
8. Authorise or license entity applications (rS85, rS86, and rS99).	Director of Regulatory Operations Head of Authorisation Authorisations Manager Senior Regulatory Officer (Authorisations) Regulatory Officer (Authorisations)

<p>9. Refuse to authorise or license entity applications (rS85, rS86, and rS99, rS101, and rS102).</p>	<p>Director of Regulatory Operations Head of Authorisation Authorisations Manager</p>
<p>10. Revoke or suspend authorisations / licences of BSB entities (rS117, rS130 and rS133).</p>	<p>Director of Regulatory Operations Head of Authorisation</p>
<p>11. Impose conditions, obligations or terms on or modify a BSB entity's authorisation or licence at any point (rS113, rS114 and rS116).</p>	<p>Director of Regulatory Operations Head of Authorisation Authorisations Manager</p>
<p>12. Extend the decision period for considering entity applications (rS97).</p>	<p>Director of Regulatory Operations Head of Authorisation Authorisations Manager Senior Regulatory Officer (Authorisations) Regulatory Officer (Authorisations)</p>
<p>13. Approve an owner, manager, Head of Legal Practice (HOLP) or Head of Finance and Administration (HOFA), including emergency / temporary HOLPs or HOFAs (rS103, rS108, rS109 and rS132).</p>	<p>Director of Regulatory Operations Head of Authorisation Authorisations Manager Senior Regulatory Officer (Authorisations) Regulatory Officer (Authorisations)</p>
<p>14. Reject an owner, manager, Head of Legal Practice (HOLP) or Head of Finance and Administration (HOFA), including emergency/temporary HOLPs or HOFAs (rS104 - rS110).</p>	<p>Director of Regulatory Operations Head of Authorisation Authorisations Manager</p>

15. Provide express written consent to the appointment of a person who has been disqualified as an employee of a barrister in chambers (rC89.3).	Director of Regulatory Operations Head of Authorisation Authorisations Manager
16. Provide express written consent to the appointment of a person as a HOLP, HOFA, manager or employee of an entity who has been disqualified (rC92).	Director of Regulatory Operations Head of Authorisation Authorisations Manager
<b>INTERVENTION</b>	
17. Authorise the use of intervention action in accordance with the powers set out at Schedule 14 to the Legal Services Act 2007, as modified by The Legal Services Act 2007 (General Council of the Bar) (Modification of Functions) Order 2018.	Director of Legal and Enforcement Director of Regulatory Operations Director of Strategy and Policy
<b>PROVISION OF INFORMATION</b>	
18. Authorise the issue of a notice requiring the production of documents and/or provision of information in relation to a licensed body (section 93 Legal Services Act 2007 and rC64.4).	Director of Legal and Enforcement Director of Regulatory Operations Head of Investigations and Enforcement Head of Legal Support Head of Supervision Head of Authorisation
19. Authorise the issue of a notice requiring the production of documents and/or provision of information in relation to a BSB authorised individual or BSB authorised body (Article 5 Legal Services Act 2007 (General Council of the Bar) (Modification of Functions) Order 2018 and rC64.4).	Director of Legal and Enforcement Director of Regulatory Operations Head of Investigations and Enforcement Head of Legal Support Head of Supervision Head of Authorisation

<b>EDUCATION AND ASSESSMENTS</b>	
20. Implement rules, systems or procedures required to give effect to policies and regulatory arrangements previously agreed by the Board with regard to formal assessment of standards for qualification / authorisation.	<p>Director of Regulatory Operations  Director of Strategy &amp; Policy  Head of Authorisation  Assessment Lead  Examinations Manager</p>
21. Implement rules, systems or procedures required to give effect to policies and regulatory arrangements previously agreed by the Board with regard to training specification requirements and delivery.	<p>Director of Regulatory Operations  Director of Strategy &amp; Policy  Head of Authorisation  Assessment Lead  Head of Supervision</p>
22. Take decisions in relation to the approval, refusal and rescinding of approval of individuals and organisations to provide training, supervision or assessment where required by the regulations.	<p>Director of Regulatory Operations  Director of Strategy and Policy  Head of Authorisation  Assessment Lead  Authorisations Manager</p>
<b>AUTHORISATIONS AND WAIVERS</b>	
23. Take decisions in relation to applications for exemption from, or modifications to, any requirement of the Bar Qualification Rules (Part 4, Section B), except the power in rQ6 which is covered by Delegation 6.	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager  Senior Regulatory Officer (Authorisations)  Regulatory Officer (Authorisations)</p>

<p>24. Take decisions in relation to applications for waivers from membership of BMIF (rC77).</p>	<p>Director of Legal and Enforcement  Director of Regulatory Operations  Director of Strategy and Policy</p>
<p>25. Take decisions in relation to applications for transferring lawyers (Rules rQ7 – rQ28) and the registration of European Lawyers as Registered European Lawyers (Rules rQ17 – rQ22 and Section 3 D).</p>	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager  Senior Regulatory Officer (Authorisations)  Regulatory Officer (Authorisations)</p>
<p>25(a). Take decisions in relation to applications for exemptions from, or modifications to, any requirement for transferring lawyers (Rules rQ7 – rQ28), specifically applications to extend the time for completion of the Bar Transfer Test where exemption has been granted from standard training requirements.</p>	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager  Senior Regulatory Officer (Authorisation)  Regulatory Officer (Authorisation)  Authorisation and Supervision Assistant</p>
<p>26. Take decisions in relation to applications for designation of a European Lawyer as a qualified person (rS22.2.b.i).</p>	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager  Senior Regulatory Officer (Authorisations)  Regulatory Officer (Authorisations)</p>

<p>27. Take decisions in relation to applications for waivers from or modifications to the requirement to work with a qualified person as defined in rS22 of the BSB Handbook (rS20 and rS21).</p>	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager  Senior Regulatory Officer (Authorisations)  Regulatory Officer (Authorisations)</p>
<p>28. Designate a person as unsuitable to be a qualified person (rS22).</p>	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager</p>
<p>29. Take decisions in relation to applications for litigation extensions (rS47, rS58 and rS59).</p>	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager  Senior Regulatory Officer (Authorisations)  Regulatory Officer (Authorisations)</p>
<p>30. Take decisions in relation to applications for waivers from or modifications to the requirements that the BSB sets to undertake Public Access work (rC120).</p>	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager  Senior Regulatory Officer (Authorisations)  Regulatory Officer (Authorisations)</p>
<p>31. Take decisions in relation to applications for waivers from or modifications to the Continuing Professional Development Regulations (Part 4C Rules rQ132-rQ134).</p>	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager  Senior Regulatory Officer (Authorisations)  Regulatory Officer (Authorisations)</p>

<p>31(a) Take decisions in relation to applications for waivers from or modifications to the Continuing Professional Development Regulations, specifically waivers from or extensions of time to complete the requirements of the New Practitioner Programme (Part 4C rules rQ132).</p>	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager  Senior Regulatory Officer (Authorisations)  Regulatory Officer (Authorisations)  Authorisation and Supervision Assistant</p>
<p>32. Exercise all powers under the Licensed Access Recognition Regulations.</p>	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager</p>
<p>33. Approve applications for licensed access under the Licensed Access Recognition Regulations.</p>	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager  Senior Regulatory Officer (Authorisations)  Regulatory Officer (Authorisations)</p>
<p>33(a) Approve applications for licensed access under the Licensed Access Recognition Regulations, specifically applications for amendments to or renewal of a licence, registration of an organisation accredited by the Office of the Immigration Services Commissioner (OISC) or renewal of a licence by an organisation already registered (rS24.2).</p>	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager  Senior Regulatory Officer (Authorisations)  Regulatory Officer (Authorisations)  Supervision and Authorisation Assistant</p>



<p>34. Designate Legal Advice Centres as suitable for the attendance or employment of barristers, including by imposing conditions.</p>	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager  Senior Regulatory Officer (Authorisations)  Regulatory Officer (Authorisations)</p>
<p>35. Authorise, refuse, modify or impose conditions on providers of the academic and vocational (integrated) or vocational components / approved pathways (Part 4, B3).</p>	<p>Director of Regulatory Operations</p>
<p>36. Authorise providers of the pupillage / work-based learning component (Part 4, B3).</p>	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager</p>
<p>37. Withdraw authorisation, refuse, modify or impose conditions on providers of the pupillage / work-based learning component (Part 4, B3).</p>	<p>Director of Regulatory Operations</p>
<p>38. Withdraw authorisation from an AETO providing the academic and vocational (integrated) or vocational components / approved pathways (Part 4, B3).</p>	<p>Director of Regulatory Operations  Director of Strategy and Policy  Director of Legal and Enforcement</p>
<p>39. Take decisions in relation to applications for waivers from or modifications to the pupillage funding requirements (rC113 – rC117).</p>	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager  Senior Regulatory Officer (Authorisations)  Regulatory Officer (Authorisations)</p>

<p>40. Register a pupillage or refuse to register a pupillage.</p>	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager  Senior Regulatory Officer (Authorisations)  Regulatory Officer (Authorisations)</p>
<p>41. Retrospectively register a pupillage.</p>	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager  Senior Regulatory Officer (Authorisations)  Regulatory Officer (Authorisations)  Supervision and Authorisation Assistant</p>
<p>42. Approve, or refuse to approve, the issue of a temporary qualification certificate (rQ26 to rQ28).</p>	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager  Senior Regulatory Officer (Authorisations)  Regulatory Officer (Authorisations)</p>
<p>43. Register or refuse to register a barrister as a pupil supervisor.</p>	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager</p>
<p>44. Investigate any matter which appears to affect the suitability of a barrister to continue to act as a pupil supervisor, and to dismiss any report, take no action or take informal action.</p>	<p>Director of Legal and Enforcement  Head of Investigations and Enforcement  Casework Manager  Senior Case Officer  Case Officer</p>

<p>45. Waive, or refuse to waive, any fee generally charged by the BSB for any application for waiver from or authorisation under any provision of the BSB Handbook.</p>	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager  Senior Regulatory Officer (Authorisations)  Regulatory Officer (Authorisations)</p>
<p>46. Take decisions in relation to the equivalence of a degree awarded for the purposes of academic legal training outside the United Kingdom (rQ3.1 also see definition of academic legal training).</p>	<p>Director of Regulatory Operations  Head of Authorisation  Authorisations Manager  Senior Regulatory Officer (Authorisations)  Regulatory Officer (Authorisations)</p>
<p>47. Take decisions in relation to applications for waivers from or modifications to the regulatory restrictions as to which persons an employed barrister may supply legal services to (rS39).</p>	<p>Director of Strategy and Policy  Head of Policy and Research  Policy Manager where expressly delegated by the Director of Strategy and Policy</p>
<p><b>RECORDS</b></p>	
<p>48. Register barristers as Public Access practitioners (rC120.1).</p>	<p>Director of Regulatory Operations  Records Manager  Records Officer  Assistant Records Officer  Records Assistant</p>

<p>49. Issue full practising certificates (rS46.1).</p>	<p>Director of Regulatory Operations  Records Manager  Records Officer  Assistant Records Officer  Records Assistant</p>
<p>50. Issue limited practising certificates (rS46.3).</p>	<p>Director of Regulatory Operations  Records Manager  Records Officer  Assistant Records Officer  Records Assistant</p>
<p>51. Issue registered European lawyers' practising certificates (rS46.4).</p>	<p>Director of Regulatory Operations  Records Manager  Records Officer  Assistant Records Officer  Records Assistant</p>
<p>52. Amend practising certificates in response to requests (rS71).</p>	<p>Director of Regulatory Operations  Records Manager  Records Officer  Assistant Records Officer  Records Assistant</p>

<p>53. Amend practising certificates other than in response to requests (rS71).</p>	<p>Director of Regulatory Operations Records Manager Records Officer</p>
<p>54. Endorse practising certificates to reflect any qualification restrictions or conditions imposed (rS72).</p>	<p>Director of Regulatory Operations Records Manager Records Officer Assistant Records Officer Records Assistant</p>
<p>55. Revoke practising certificates where barristers become authorised to practise by other approved regulators (rS73.1.a).</p>	<p>Director of Regulatory Operations Records Manager Records Officer</p>
<p>56. Revoke practising certificates in response to requests, or where barristers are disbarred or suspended from practice (rS73.1.b – .c).</p>	<p>Director of Regulatory Operations Records Manager Records Officer Assistant Records Officer Records Assistant</p>
<p>57. Revoke practising certificates in the circumstances set out in Rule S59, or where barristers have failed to comply with undertakings to pay the appropriate practising certificate fees (rS73.2).</p>	<p>Director of Regulatory Operations Records Manager Records Officer</p>
<p>58. Issue temporary practising certificates (rS76).</p>	<p>Director of Regulatory Operations Records Manager Records Officer</p>

59. Issue certificates of good standing (rE64.5).	Director of Regulatory Operations Records Manager Records Officer Assistant Records Officer Records Assistant
<b>C. The Bar Standards Board delegates the power to the following to:</b>	
60. Determine any request for review made under Part 4 B2, Part 4 B3, Part 4 B4, Part 3 C6, or Part 3 E11 of the Handbook, or review of decisions taken under Part 1 A4 of the Handbook, and exercise the powers under rQ38.	Independent Decision-Making Panels
<b>D. The Bar Standards Board delegates the power to the following to:</b>	
61. Determine whether applications for review of decisions of the Bar Transfer Test Examining Board are referred to the Independent Reviewer.	Director of Regulatory Operations Head of Authorisation Examinations Manager
62. Determine applications for review of decisions of the Bar Transfer Test Examining Board.	Independent Reviewer (external independent education contractor)
63. Determine whether applications for review of cohort-level decisions of central assessments are referred to the Independent Reviewer.	Director of Regulatory Operations Head of Authorisation Assessment Lead Examinations Manager
64. Determine applications for review of cohort-level decisions of central assessments.	Independent Reviewer (external independent education contractor)

<p>65. Make arrangements for the conduct of disciplinary hearings and impose disciplinary sanctions according to the regulatory arrangements in respect of entities, their managers and employees.</p>	<p>Bar Tribunals and Adjudication Service</p>
<p><b>E. The Governance, Risk and Audit Committee (GRA) delegates the power to the Director General, including the power to sub-delegate, to:</b></p>	<p><b>F. The Director General sub-delegates the powers granted by the Governance, Risk and Audit Committee (GRA) as specified in column E to:</b></p>
<p>66. Approve terms of reference for, and arrangements for the conduct of, audits commissioned by the Governance, Risk and Audit Committee (including those agreed in the annual audit plan), providing that terms of reference for each audit are circulated to the Committee in advance of the audit.</p>	<p>Director of Regulatory Operations Head of Governance and Corporate Services</p>
<p><b>G. The Commissioner of the Bar Standards Board delegates the power to the following to:</b></p>	
<p>67. Gather information relating to applicable persons from any source for the purposes of assessing whether there has been a potential breach of the Handbook (rE2.1).</p>	<p>Director of Regulatory Operations Director of Legal and Enforcement Head of Investigations and Enforcement Head of Contact and Assessment Casework Managers Senior Assessment Officers Assessment Officers Senior Case Officers Case Officers</p>

<p>68. Exercise the power under rE12 to determine that a report or part of a report may be treated as an allegation (rE2.2).</p>	<p>Director of Legal and Enforcement  Head of Investigations and Enforcement  Casework Managers  Senior Case Officers  Case Officers</p>
<p>69. On receipt of a report received from a person entitled to complain to the Legal Ombudsman about the subject of the report, refer that report to the Legal Ombudsman or signpost the provider of the report to the Legal Ombudsman (rE4).</p>	<p>Director of Regulatory Operations  Head of Contact and Assessment  Senior Assessment Officers  Assessment Officers</p>
<p>70. Determine that a report relates to an applicable person's actions in a part-time or temporary judicial or quasi-judicial capacity and refer the report to the person or body responsible for the appointment of the applicable person to the judicial or quasi-judicial office concerned or another person or body responsible for considering such reports ("the appropriate body"), and where it appears that the appropriate body should consider the report request notification of the outcome of the appropriate body's consideration as soon as it has been dealt with, subject to rE6 to rE8 of the Handbook (rE5).</p>	<p>Director of Regulatory Operations  Head of Contact and Assessment  Senior Assessment Officers  Assessment Officers</p>
<p>71. Where the appropriate body referred to in Delegation 70 refuses to deal with the report or it appears there is no appropriate body, decide whether or not to consider the report in accordance with the provisions of Section 5.A of the Handbook (rE6).</p>	<p>Director of Regulatory Operations  Head of Contact and Assessment  Senior Assessment Officers</p>



<p>72. When the appropriate body referred to in Delegation 70 has dealt with the report, or the appropriate body has not dealt with it within a reasonable time or fully or satisfactorily, determine whether to consider the report in accordance with the provisions of Section 5.A of the Handbook and whether to consider any finding made and any action taken by the appropriate body (rE7).</p>	<p>Director of Regulatory Operations Head of Contact and Assessment</p>
<p>73. Determine that a report relates to the conduct of an applicable person who, since the events giving rise to the report took place, has been appointed to and continues to hold full-time judicial office and has ceased to practise, and not consider the report further and direct the person from whom the report is received to the Lord Chancellor or the Office of Judicial Complaints or to such other person or appropriate body with responsibility for addressing complaints about judges (rE9).</p>	<p>Director of Regulatory Operations Head of Contact and Assessment Senior Assessment Officers Assessment Officers</p>
<p>74. Determine that a report in respect of an applicable person might more appropriately be dealt with by another body (e.g. an Inn, Circuit, employer, a complaint handling body or any other professional or regulatory body), and refer the report to such other body (rE10).</p>	<p>Director of Regulatory Operations Head of Contact and Assessment Senior Assessment Officers Assessment Officers</p>
<p>75. Determine that a report has not been dealt with by another body referred to in Delegation 74 within a reasonable time or fully or satisfactorily, and choose to exercise the powers set out in rE2.1 and rE2.2 of the Handbook (rE11).</p>	<p>Director of Regulatory Operations Head of Contact and Assessment</p>

<p>76. Determine, having regard to rE13 of the Handbook, that a report: discloses a potential breach of the Handbook by an applicable person; and/or potentially satisfies the disqualification condition, and then treat the report as an allegation (rE12).</p>	<p>Director of Legal and Enforcement  Head of Investigations and Enforcement  Casework Managers  Senior Case Officers  Case Officers</p>
<p>77. Carry out the investigation of allegations as appropriate (rE14.1).</p>	<p>Director of Legal and Enforcement  Head of Investigations and Enforcement  Casework Managers  Senior Case Officers  Case Officers</p>
<p>78. Withdraw any allegation and treat it as if a decision under rE12 of the Handbook had not been made (rE14.2).</p>	<p>Director of Legal and Enforcement  Head of Investigations and Enforcement  Casework Managers</p>
<p>79. Decide to defer further consideration of an original allegation until a new allegation has been investigated (rE17).</p>	<p>Director of Legal and Enforcement  Head of Investigations and Enforcement  Casework Managers</p>
<p>80. Determine that the conduct alleged did not constitute a breach of the Handbook, or that there was insufficient evidence of a breach of the Handbook (on the civil standard of proof) (rE19.1).</p>	<p>Director of Legal and Enforcement  Head of Investigations and Enforcement  Casework Managers  Senior Case Officers  Case Officers</p>

<p>81. Determine that the conduct alleged did constitute a breach of the Handbook (on the civil standard of proof) but that, in all the circumstances, no enforcement action should be taken in respect of the breach (rE19.2).</p>	<p>Director of Legal and Enforcement  Head of Investigations and Enforcement  Casework Managers  Senior Case Officers  Case Officers</p>
<p>82. Determine that the conduct alleged did constitute a breach of the Handbook (on the civil standard of proof) and that the breach should be dealt with by the imposition of an administrative sanction (rE19.3).</p>	<p>Director of Legal and Enforcement  Head of Investigations and Enforcement  Casework Managers</p>
<p>83. Where the subject matter of an allegation against an applicable person involves:</p> <ul style="list-style-type: none"> <li>a) a conviction for an offence of dishonesty or deception; or</li> <li>b) a conviction for an offence under Section 4, Section 5 or Section 5A Road Traffic Act 1988 (Driving or being in charge of a motor vehicle with alcohol concentration/ concentration of a controlled drug above prescribed limit); or</li> <li>c) a breach of Part 3 or 4 of the Handbook; or</li> <li>d) any failure to pay an administrative fine within the relevant time; or</li> <li>e) a failure to comply with any requirements of a sanction imposed following Disciplinary Action</li> </ul>	<p>Director of Legal and Enforcement  Head of Investigations and Enforcement  Casework Managers  Senior Case Officers  Case Officers</p>

<p>decide that the conduct alleged may constitute a breach of the Handbook and, if the breach were to be proved, that an administrative sanction under rE19.3 would not be appropriate in all the circumstances (rE19.4a-e).</p>	
<p>84. Determine that following a decision under Delegation 83 the alleged conduct should form the subject matter of a referral to Disciplinary Action (rE19.4).</p>	<p>Director of Legal and Enforcement Head of Investigations and Enforcement Casework Managers</p>
<p>85. Decide to refer an allegation to an Independent Decision-Making Panel for a decision (rE19.5).</p>	<p>Director of Legal and Enforcement Head of Investigations and Enforcement Casework Managers Senior Case Officers Case Officers</p>
<p>86. Refer an allegation for supervisory action by the BSB (rE20).</p>	<p>Director of Legal and Enforcement Head of Investigations and Enforcement Casework Managers</p>
<p>87. Issue an applicable person with advice (rE21).</p>	<p>Director of Legal and Enforcement Head of Investigations and Enforcement</p>
<p>88. Determine that the requirements of rE33 of the Handbook are met and decide that an allegation which was otherwise going to be referred to the Disciplinary Tribunal may, with the consent of the applicable person against whom the allegation is made, be finally determined by an Independent Decision-Making Panel. This is referred to as the “determination by consent procedure”. (rE34).</p>	<p>Director of Legal and Enforcement Head of Investigations and Enforcement Casework Manager</p>

<p>89. Following a decision to refer an allegation to the determination by consent procedure in accordance with rE35, decide to terminate the determination by consent procedure at any time if the requirements of rE35 are considered to be no longer satisfied, or for any other good reason. (rE39).</p>	<p>Director of Legal and Enforcement Head of Investigations and Enforcement</p>
<p>90. While directing that an allegation shall form the subject matter of a disciplinary charge and/or disqualification application before a Disciplinary Tribunal, decide whether a three-person panel or a five-person panel is to be constituted. (rE46).</p>	<p>Director of Legal and Enforcement Head of Investigations and Enforcement Casework Manager</p>
<p>91. Direct that a five-person panel is to be constituted if:</p> <ul style="list-style-type: none"> <li>.1 having regard to any indicative sanctions guidance published by BTAS/COIC/Bar Standards Board, in all the circumstances, a sanction of disbarment or suspension from practice for more than twelve months may be appropriate; or</li> <li>.2 having regard to any indicative sanctions guidance published by BTAS/COIC/Bar Standards Board, in all the circumstances, a sanction of indefinite disqualification or disqualification for a defined term of more than twelve months may be appropriate; or</li> <li>.3 having regard to any indicative sanctions guidance published by BTAS/COIC/Bar Standards Board, in all the circumstances, a sanction of a BSB entity having its authorisation or licence revoked or suspended for a period of more than twelve months may be appropriate; or</li> <li>.4 the allegation involves a conviction for dishonesty or deception</li> </ul>	<p>Director of Legal and Enforcement Head of Investigations and Enforcement Casework Manager</p>

<p>and otherwise direct that a three-person panel is to be constituted. (rE48).</p>	
<p>92. Decide to refer to the same Disciplinary Tribunal any charges and/or disqualification applications which they consider may conveniently be dealt with together. (rE50.1).</p>	<p>Director of Legal and Enforcement Head of Investigations and Enforcement Casework Manager</p>
<p>93. Decide to refer any additional charges or disqualification applications relating to the same applicable person to the Disciplinary Tribunal which is dealing with the original disciplinary charge or disqualification application (as the case may be), even if the additional charge or application, by itself, may be regarded as insufficiently serious to merit disposal by a Disciplinary Tribunal of that level. (rE50.2).</p>	<p>Director of Legal and Enforcement Head of Investigations and Enforcement Casework Manager</p>
<p>94. Where an allegation forms the subject matter of a charge or application before a Disciplinary Tribunal and the Commissioner is responsible for bringing the charge or application on behalf of the Bar Standards Board and prosecuting that charge before such Disciplinary Tribunal, arrange for the appointment of a representative to settle the charge and to present the case before the Disciplinary Tribunal. (rE51.1).</p>	<p>Director of Legal and Enforcement Head of Investigations and Enforcement Casework Manager Senior Case Officer Case Officer</p>
<p>95. Reconsider an allegation which has been disposed of by the Commissioner where new evidence becomes available which leads the Commissioner to conclude that it should do so, or for some other good reason. (rE61).</p>	<p>Director of Legal and Enforcement Head of Investigations and Enforcement Casework Manager</p>

<p>96. Following a reconsideration under delegation 95, decide to take any further or different action the Commissioner thinks fit, as if any earlier decision had not been made. (rE62).</p>	<p>Director of Legal and Enforcement Head of Investigations and Enforcement Casework Manager</p>
<p>97. Decide to make disclosure where it is in the public interest to disclose some or all of the details of the report or allegation. (rE64.7).</p>	<p>Director of Regulatory Operations Director of Legal and Enforcement Head of Supervision Head of Authorisation Head of Investigations and Enforcement Head of Contact and Assessment</p>
<p>98. On receipt of a report or any other information, decide to refer a respondent to an interim panel if:</p> <p>.1 subject to rE269:</p> <ul style="list-style-type: none"> <li>a. the respondent has been convicted of, or charged with, a criminal offence in any jurisdiction other than a minor criminal offence; or</li> <li>b. the respondent has been convicted by another Approved Regulator, for which they have been sentenced to a period of suspension or termination of the right to practise; or</li> <li>c. the respondent has been the subject of intervention by the Bar Standards Board; or</li> <li>d. the referral is necessary to protect the interests of clients (or former or potential clients); and</li> </ul>	<p>Director of Legal and Enforcement Director of Regulatory Operations Both of the following: Head of Investigations and Enforcement Head of Contact and Assessment</p>

<p>.2 having regard to the regulatory objectives pursuing an interim suspension or an interim disqualification order is appropriate in all the circumstances. (rE268).</p>	
<p>99. Make representations to the President of the Council of the Inns of Court regarding dates proposed for an interim suspension Panel and representations made by the respondent about the same (rE274.3).</p>	<p>Director of Legal and Enforcement  Head of Investigations and Enforcement  Casework Manger  Senior Case Officer  Case Officer  Administration Manager</p>
<p>100. If a respondent sends a letter in accordance with rE274.4 of the BSB Handbook which is satisfactory, accept the undertaking contained in the letter in lieu of the interim panel imposing any period of interim suspension or interim disqualification pending the disposal by a Disciplinary Tribunal of any charges of professional misconduct or applications for a disqualification order (as the case may be). (rE275).</p>	<p>Director of Legal and Enforcement  Head of Investigations and Enforcement  Casework Manager</p>
<p>101. Make representations to the President of the Council of the Inns of Court in relation to a letter received under rE279 of the BSB Handbook. (rE280).</p>	<p>Director of Legal and Enforcement  Head of Investigations and Enforcement  Casework Manager  Senior Case Officer  Case Officer</p>



<p>102. Carry out any investigation, appropriate to the consideration of whether an Individual may be unfit to practise, prior to consideration of any referral under rE306 of the BSB Handbook. (rE304).</p>	<p>Director of Legal and Enforcement  Director of Regulatory Operations  Head of Investigations and Enforcement  Head of Contact and Assessment  Casework Managers  Senior Case Officers  Case Officers  Senior Assessment Officers  Assessment Officers</p>
<p>103. Where the Commissioner receives information under rE303 of the BSB Handbook, write to the individual concerned as soon as reasonably practicable, subject to rE307 of the BSB Handbook:</p> <ul style="list-style-type: none"> <li>.1 notifying them that information has been received which appears to raise a question of whether they are unfit to practise; and,</li> <li>.2 providing them with copies of any information received under rE303 of the BSB Handbook or obtained under rE304 of the BSB Handbook. (rE305).</li> </ul>	<p>Director of Legal and Enforcement  Director of Regulatory Operations  Head of Investigations and Enforcement  Head of Contact and Assessment  Casework Managers  Senior Case Officers  Case Officers  Senior Assessment Officers  Assessment Officers</p>

<p>104. Following receipt of information under rE303 of the BSB Handbook or during a referral under the Enforcement Decision Regulations, decide that an Individual may be unfit to practise and refer the matter to a Fitness to Practise Panel for determination. (rE306).</p>	<p>Director of Legal and Enforcement  Director of Regulatory Operations  Head of Investigations and Enforcement  Head of Contact and Assessment  Senior Assessment Officers  Casework Managers</p>
<p>105. Request that a Medical Examiner nominated under rE310.1 or rE320.2.a of the BSB Handbook attend a hearing to present their findings. (rE311.3).</p>	<p>Director of Legal and Enforcement  Head of Investigations and Enforcement  Casework Managers  Senior Case Officers  Case Officers</p>
<p>106. Where a Fitness to Practise Panel directs an interim restriction under rE313 of the BSB Handbook or accepts an undertaking under rE315 of the BSB Handbook, request that an interim restriction or undertaking be reviewed at a further hearing of the Fitness to Practise Panel. (rE316.1).</p>	<p>Director of Legal and Enforcement  Head of Investigations and Enforcement  Casework Managers</p>
<p>107. Decide that a case is ready for a hearing before a Fitness to Practise Panel, where no report has been prepared by a Medical Examiner. (rE318).</p>	<p>Director of Legal and Enforcement  Head of Investigations and Enforcement  Casework Managers  Senior Case Officers  Case Officers</p>

108. At any time during which an Individual is subject to a period of restriction or conditions, directed or undertaken pursuant to Part 5 Section D of the BSB Handbook, decide, of their own motion, or at the request of the Individual, to refer the matter to be reviewed before a Fitness to Practise Panel, where they consider there has been a significant change in the Individual's circumstances or that there is some other good reason for a review to be undertaken. (rE324).

Director of Legal and Enforcement  
Head of Investigations and Enforcement  
Casework Managers