

BAR
STANDARDS
BOARD

REGULATING BARRISTERS

Meeting of the Bar Standards Board
Thursday 26 February 2015, 4.30 pm
Room 1, First Floor, Bar Standards Board Offices,
289-293 High Holborn, London, WC1V 7HZ

Agenda
Part 1 – Public

		Page
1. Welcome and introductions (4.30 pm)	Chair	
2. Apologies	Chair	
3. Members' interests and hospitality	Chair	
4. Approval of Part 1 (public) minutes:		
• 29 January 2015 (*)	Annex A	3-7
5. Matters Arising (*)		
6. a) Action points and progress	Annex B	9-12
b) Forward agendas	Annex C	13-14
<u>Items for discussion</u>		
7. Performance Report for Q3 (October 2014 – December 2014) (4.35 pm)	BSB 014 (15) Anne Wright	15-31
8. Changes to BSB Constitution (4.50 pm)	BSB 015 (15) Amanda Thompson	33-44
9. Report of the Qualifications Committee (5.10 pm)	BSB 016 (15) Rob Behrens	45-53
10. Chair's Report on Visits and Meetings – Feb 15: (*)	BSB 017 (15) Chair	55-56
11. Director General's Report (5.20 pm)	BSB 018 (15) Vanessa Davies	57-68
12. Any other business (5.25 pm)		
13. Date of next meeting		
• Thursday 26 March 2015		
14. Private Session		

John Picken, Governance Officer
JPicken@barstandardsboard.org.uk
19 February 2015

**Note – Starred items will not normally be discussed unless a Member gives prior notice that this should occur. If you wish to raise any points on these items, please contact [John Picken](mailto:John.Picken@barstandardsboard.org.uk) before the meeting.*

BSB 260215

BAR STANDARDS BOARD

REGULATING BARRISTERS

Part 1 - Public**Minutes of the Bar Standards Board meeting**

Thursday 29 January 2015, Room 1.1, First Floor
 289 – 293 High Holborn, London, WC1V 7HZ

- Present:** Sir Andrew Burns KCMG (Chair)
 Patricia Robertson QC (Vice Chair)
 Rolande Anderson
 Rob Behrens – items 6-15
 Malcolm Cohen
 Justine Davidge – items 7-15
 Simon Lofthouse QC
 Andrew Mitchell QC
 Tim Robinson
 Andrew Sanders
 Adam Solomon
 Sam Stein QC
 Richard Thompson
- By invitation:** Keith Baldwin (Special Adviser)
 Matthew Nicklin QC (Special Adviser)
 Nicola Sawford (Board Member designate)
 James Wakefield (COIC)
- Bar Council
 in attendance:** Alistair McDonald (Bar Council Chairman) – items 1-8
 Lorinda Long (Bar Council Treasurer)
 Stephen Crowne (Chief Executive, Bar Council)
 Mark Hatcher (Special Adviser to the Chairman of the Bar Council)
- BSB
 Executive in
 attendance:** Viki Calais (Business Manager)
 Sarah Charlesworth (Senior Policy Officer, E&D)
 Vanessa Davies (Director General)
 Joanne Dixon (Qualifications Manager)
 Oliver Hanmer (Director of Supervision)
 Sara Jagger (Director of Professional Conduct)
 Andrew Lamberti (Communications Manager)
 Ewen Macleod (Director of Regulatory Policy)
 John Picken (Governance Officer)
 Pippa Prangle (Regulatory Risk Manager)
 Amanda Thompson (Director of Strategy & Communications)
 Simon Thornton-Wood (Director of Education & Training)
 Stephanie Williams (Legal and Policy Assistant)

Item 1 – Welcome and introductions

1. The Chair thanked the members of the Bar Standards Board for their warm welcome and paid tribute to his predecessor, Baroness Ruth Deech. He looked forward to leading the BSB through the next phase of our journey to becoming a modern and efficient regulator, protecting the public interest while retaining the trust and confidence of the profession itself.
2. He then welcomed members and guests, in particular Keith Baldwin who was attending his first meeting in the role of Special Adviser and Nicola Sawford who was attending as a guest prior to starting in her formal role as Board Member from 1 September 2015.
3. The Chair referred to the list of newly appointed QCs published in early January 2015. In this regard, he was pleased to note the success of the following individuals:
 - Nicholas Stonor (a current member of the Professional Conduct Committee), and
 - Nathan Pillow (a former Chief Examiner, Central Examinations Board).

4. **Item 2 – Apologies**

- Anne Wright;
- Sarah Brown (Special Adviser);
- Chantal-Aimée Doerries QC (Vice Chairman, Bar Council);
- Andrew Cohen (Business Support Officer).

Item 3 – Members’ interests and hospitality

5. None.

Item 4 – Approval of Part 1 (public) minutes (27 November 2014)
(Annex A)

6. The Board approved Part 1 of the minutes of the meetings held on Thursday 27 November 2014.
7. In addressing this item, the Vice Chair referred to the concept of “starred” agenda items ie those which are included in papers for the public record but which would not normally need to be discussed. The Board agreed that standard items for minutes and matters arising could be starred in this way. Members can either comment in advance, or give prior notification if they wish to raise issues at the meeting itself about other starred items.

8. **Item 5 – Matters Arising**

None.

Items 6a & b – Action points and Forward AgendaAction points and progress (Annex B)

9. The Board noted progress on the action list.

Forward Agenda (Annex C)

10. The Board noted the forward agenda list. Vanessa Davies referred to the Board Away Day (23 April 2015). She proposed that this commences earlier than usual (at 11 am) as more time is needed for the agenda items.

11. **AGREED**

to consult Board Members on their availability for the April Away Day at an earlier start time.

JP

Item 7 – Aggregated Diversity Data on the Barrister Profession

BSB 001 (15)

12. Rolande Anderson commented as follows:
- the Annex sets out the diversity data which the BSB publishes annually to meet both its statutory obligations and the requirements of the LSB;
 - disclosure rates remain problematic, particularly for religion, disability, sexual orientation, caring responsibilities and socio-economic background;
 - a letter was sent to the profession in October 2014 to explain the purpose of collecting this information and why it is an important part of making the profession a fairer place to work;
 - disclosure rates among pupils at the Bar have improved. This is linked to incorporating data requests with other procedures eg pupillage registration. In addition, the Barrister Connect website now incorporates reminders to encourage e&d data input;
 - the Bar Council is researching women’s experiences at the Bar (report due to be published in March 2015). The E&D Committee will use the outcome of this to shape its own focus groups for a research project on the impact of the equality rules and the retention and progression of women barristers.
13. The Board commented as follows:
- it is difficult to draw any meaningful conclusions when the disclosure rates are so low. There may be a danger of misinterpreting trends if the returns that are received are not typical;
 - smaller scale “cohort” analyses may be worth considering;
 - we need to understand why there is a fall in disclosure rates for some strands;
 - we could follow up our letter with a reminder in the next Regulatory Update email to the profession;
 - the report recommends exploring the techniques used by other organisations. This should be pursued. If barristers are suspicious of why we need this data, their perceptions may change if we can show how our data requests compares to those of other professional regulatory bodies.
14. In response Rolande Anderson stated that:
- we should publish what data we have on all strands. This will at least highlight the issue. The caveats and limitations that will need to apply to any statistical analysis are understood;
 - separate data analysis of smaller groups are planned eg year of call, BPTC entrants etc;
 - there is an historical perspective in terms of data collation. The Bar has collected data on gender, age and ethnicity for many years but only recently for the other diversity strands;
 - we collect diversity data as directed by the LSB and are bound by the questions it wishes us to include. Comparative studies with other regulatory bodies would, however, identify good practice techniques so this would be worth undertaking.
15. **AGREED**
- | | | |
|----|--|-------------------|
| a) | to approve the aggregated diversity data report for publication on the BSB website by the end of January 2015. | SC / FM |
| b) | to note the continuing efforts to promote better disclosure of diversity data from the profession. | |
| c) | include a reminder in the next Regulatory Update email to the profession about the value of providing e&d data. | SC / FM |
| d) | to endorse the proposal to research best practice techniques in other organisations regarding the collation of diversity data. | SC to note |

Item 8 – Education and Training Committee Annual Report to the Board

BSB 002 (15)

16. Simon Thornton-Wood highlighted the following:
- the Future Bar Training project is underway. This operates over and above the day-to-day work of the E&T Department and represents a major investment to review and modernise the BSB’s regulatory role in education;
 - Kaplan Law School closed as a BPTC provider last year;
 - the overall number of BPTC students fell;
 - the number of Bar Transfer Test candidates rose sharply in 2014 but is expected to fall back this year.
17. **AGREED**
to note the report.

Item 9 – Professional Conduct Committee / Professional Conduct Department Enforcement Interim Report 2014/15

BSB 003 (15)

18. Simon Lofthouse QC commented as follows:
- the report covers the period 1 April – 30 September 2014;
 - the number of external complaints has remained stable but those raised internally have increased. This is primarily due to multiple complaints about one set of chambers;
 - performance targets for the year are on track, though the Assessments Team is facing staff shortages which may eventually impact on KPIs;
 - the Department now addresses its workload from a risk based perspective;
 - the Quality Review Sub-Committee (QRSC) is actively monitoring the decisions made by staff under delegated powers from the Professional Conduct Committee. It made recommendations in one case detailed in paragraph 3.33 of the report.
19. In response to a question about tribunals, the following comments were made:
- one or more charges were proved in 89% of cases for the period in question. This figure has been 100% in the past but, equally, that might reflect an overly cautious approach on the part of the regulator;
 - there are occasions when new information arrives late but demonstrates a good defence. This can lead to withdrawals of action prior to the hearing.
20. Other questions about the report were raised as follows:
- there has been an appreciable rise in the number of complaints concerning “failure to act appropriately toward pupil”;
 - it would be helpful to know if the effect of the risk based approach ie whether the allocation of “high risk” to a case changes its priority status;
 - there is a difference in the provisions of the old and new Code of Conduct and it would be useful to know how this will be managed for statistical purposes in future reports.
21. In response, Sara Jagger stated that:
- the rise in pupillage-related complaints concerned a single chambers;
 - cases are risk assessed as they arrive and very high risk cases can result in immediate action. The process leading to tribunal incorporates several risk review stages involving both staff and Member input;
 - for the most part, it is possible to make broad and reasonable comparisons between the old Code and the Handbook which should allow for effective future reporting.

22. **AGREED**
to note the content of the report and its conclusions (para 4.1-4.4).
- Item 10 – Revised BSB / Bar Council Protocol**
BSB 004 (15)
23. The Board noted revisions to the BSB / Bar Council Protocol.
- Item 11 – Chair’s Report on Visits and Meetings**
BSB 005 (15)
24. The Board noted the Chair’s report on visits and meetings.
- Item 12 – Director General’s Report**
BSB 006 (15)
25. The following points were highlighted:
- there is a proposal to consult the profession on rule changes concerning the powers of the Professional Conduct Committee (para 46);
 - the number of expressions of interest for entity regulation registration has now risen to around sixty;
 - the E&D online training package has already been sent to new Members of the Board for their completion. In discussing this point the Board agreed that all its members should receive this as a refresher course.
26. **AGREED**
- a) to note the report.
 - b) to forward the online E&D Training course to all Board Members.
- Item 13 – Any Other Business**
27. Leveson Report
The Ministry of Justice has published its report on “Review of Efficiency in Criminal Proceedings” chaired by the Rt Hon Sir Brian Leveson. The Executive is currently studying its content for any implications this may have for the BSB. Board Members will be sent paper copies of the report on request.
- Item 14 – Dates of next meetings**
28. • Thursday 26 February 2015.
- Item 15 – Private Session**
29. The following motion, proposed by the Chair and duly seconded, was agreed:
That the BSB will go into private session to consider the next items of business:
- (1) Approval of Part 2 (private) minutes – 27 November 2014;
 - (2) Matters Arising;
 - (3) Action points and progress – Part 2;
 - (4) QASA – timetable for implementation;
 - (5) Future Bar Training: emerging policy themes;
 - (6) Future regulation of the Academic Stage for the Bar;
 - (7) Regulatory Risk 2015
 - (8) Compensation arrangements: Licensing Authority application;
 - (9) Any other private business:
 - (a) Entity Regulation: Bar Mutual Indemnity Fund;
 - (b) Standard Contractual Terms & the Cab Rank Rule;
 - (c) Article in Legal Futures.
30. The meeting finished at 5.20 pm.

JP

**BSB – List of Part 1 Actions
26 February 2015**

(This includes a summary of all actions from the previous meetings)

Min ref	Action required	Person(s) responsible	Date of action required	Progress report	
				Date	Summary of update
14a (29 Jan 15)	publish the aggregated diversity data report for publication on the BSB website	Sarah Charlesworth / Fiona McKinson	immediate	06/02/15	Completed - data published on this webpage: https://www.barstandardsboard.org.uk/about-bar-standards-board/equality-and-diversity/equality-act-2010-publication-of-information/
14c (29 Jan 15)	include a reminder in the next Regulatory Update email to the profession about the value of providing e&d data	Sarah Charlesworth / Fiona McKinson	by end Feb 15	06/02/15	Completed – reference to this included in the Regulatory Update issued 9 February 2015.
25b (29 Jan 15)	forward the online E&D Training course to all Board Members	John Picken	before 26 Feb 15	17/02/15	Completed : circulated on 19 Feb
14b (27 Nov 14)	ensure future budget summaries are fully annotated	Andrew Cohen	Feb 2015	09/02/2015	Completed Q3 Report includes fuller commentary
32b (23 Oct 14)	develop a set of indicators about the management of policy consultation documents such that the Board is properly informed, and at an appropriate stage, based on the subject and content under scrutiny	Vanessa Davies	before 27 Jan 15	17/02/15 20/01/15	Indicators will be proposed at March Board meeting Draft indicators prepared by AT and on SMT agenda for 2 February
5 a-b (23 Oct 14)	consult on change: insurance for entities once the entity regulation process is in operation	Ewen Macleod	before Mar 15	17/02/15 20/01/15	Work was reviewed by Handbook Working Group on 13 February and remains on track Work is on track
15b (18 Sept 14)	include information on end-to-end times for case resolution for future PCD performance reports to the Board	Sara Jagger / Paul Martyn	by Sept 15	09/02/15	Completed : end to end times included in recent Enforcement Interim Report and will be included in all subsequent reports.

**BSB – List of Part 1 Actions
26 February 2015**

(This includes a summary of all actions from the previous meetings)

Min ref	Action required	Person(s) responsible	Date of action required	Progress report	
				Date	Summary of update
20a & b (22 May 14)	prepare an action plan and public response statement for Jeffrey Report with oversight provided by Board Members	Vanessa Davies / Oliver Hanmer / Sam Stein QC / Justine Davidge / Richard Thompson	originally 24 Jul 14 – re- scheduled 18 Sept 14	17/02/15	Completed – work now wrapped into actions agreed at 26 January Board meeting; see update at February Board meeting
				20/01/15	Included in QASA Board paper January 2015 (part 2)
				20/11/14	Meeting of those responsible to be convened before Xmas
				14/10/14	Held over again due to inter-relationship with QASA and impact of stay. Now anticipated November.
				14 /07/14	Completion of proposals delayed by unavailability of key players and now scheduled for September.
				17/06/14	Staff team set up to review the Jeffrey Report and to develop proposals and an action plan. Staff session held on 18 June to discuss the Report. Board members nominated to assist on developing the action plan will be invited to comment on a draft by the end of June with final proposals presented to the Board at its July meeting

**BSB – List of Part 1 Actions
26 February 2015**

(This includes a summary of all actions from the previous meetings)

Min ref	Action required	Person(s) responsible	Date of action required	Progress report	
				Date	Summary of update
12c (21 Nov 13)	undertake a further review to the Standing Orders	Amanda Thompson / Chloe Dickinson	On hold	13/05/14	New timeline needed to reflect decision to undertake fundamental review taken by the Board at the Awayday.
				11/02/14	Consideration to some principles to be given at April Awayday
				14/01/14	Work has commenced
16b (18 Jul 13)	gather feedback on accessibility of information on the BSB website about complaints	Amanda Thompson	before end Mar 14	17/02/15	Comms and PCD teams met on 23 January to progress work further; a technical issue on website structure is being resolved; new copy received and being reviewed
				09/10/14	Proposals from specialist group now received and being evaluated. Once services we will purchase have been agreed between PCD and Strategy and Communications, work will proceed.
				15/07/14	PCD members have met with one of the stakeholder group members (which specialises in ensuring people have the knowledge, confidence and skills needed to deal with law-related issues) to discuss how we make complaints information available. A work plan is now being developed.

BSB – List of Part 1 Actions

26 February 2015

(This includes a summary of all actions from the previous meetings)

Min ref	Action required	Person(s) responsible	Date of action required	Progress report	
				Date	Summary of update
				17/06/14	Progress on stakeholder work has been very limited given volume of other communications activity. Arrival of new Communications Manager will free up resources to focus on this again.
				13/05/14	Stakeholder session focused on understanding complaints system, reflecting stakeholder group's needs. Further activities being planned to complete this action.
				11/03/14	Feedback will be sought at stakeholder session on 28 March.
				14/01/14	On track
				13/11/13	Stakeholder workshop held on 13 November dealing with QASA. Next session will be as below. Early indications are that engagement will be productive.
				17/07/13	Stakeholder workshop/seminar being planned to deal with communicating the work of PCD. Anticipate will be held before end of March 2014 but depends on stakeholder availability. Date will be confirmed when available.

Forward Agendas**Thursday 26 March 2015**

- Final version of BSB Strategy update, Business Plan 2015-16 & Budget 2015-16
- BSB Member email accounts
- E&T Professional Statement
- Guidelines for press releases / communications
- Guidelines on consultations
- Regulatory Risk (Part 2)
- Fees and Charges
- HR update and Board appraisal system

Thursday 23 April 2015 (Board Away Day)

- Strategic Planning Review
- Strategic Plan 2016 – 19
- Governance review

Thursday 21 May 2015

- BSB Year-End Performance Report (includes Business Plan update, KPIs, Management Accounts, Corporate Risk Register, SLAs)
- Equality Objectives 2015-2016
- Standard Contractual terms and CRR
- Inns Conduct Committee Rules

Thursday 25 June 2015

- Strategic Plan 2016-19
- Insurance for single person entities: possible rule change

Thursday 23 July 2015

- Professional Statement (Future Bar Training workstream #1) – proposal for sign-off
- BSB Draft Annual Report for 2014-15
- PCD/PCC- Year End Report – 2014-15
- Disciplinary Tribunal Regulations – approval of revisions
- Report on Equality Rules
- E&D Committee Annual Report
- Strategic Plan 2016-19 - consultation

Thursday 10 September 2015**(budget meeting, including for 2016-19 Strategic Plan)**

- PRP Committee Annual Report

Thursday 24 September 2015

- BSB Q1 Performance Report (includes Business Plan update, KPIs, Management Accounts, Corporate Risk Register, SLAs)
- GRA Committee Annual Report. Note: this paper will also include the annual report from the Independent Observer
- Provision of non-reserved legal services by employed barristers (non-authorised bodies)
- Review of provision of immigration advice and services

Thursday 22 October 2015

- Supervision Committee Annual Report
- Standards Committee Annual Report

Thursday 26 November 2015

- BSB Q2 Performance Report (includes Business Plan update, KPIs, Management Accounts, Corporate Risk Register, SLAs)

Thursday 17 December 2015 (Board Away Day)

Thursday 28 January 2016

- Diversity data report
- Public and licensed access rules

Thursday 25 February 2016

- BSB Business Plan for 2016-17 and new Strategic Plan 2016-19
- BSB Q3 Performance Report (includes Business Plan update, KPIs, Management Accounts, Corporate Risk Register, SLAs)

Thursday 17 March 2016

- Strategic plan 2016-19 - final

Longer term items (dates to note)

- *April 2016 – Approval of Future Bar Training LSB submission (changes to Qualification Rules, Academic Stage regulatory policy, Vocational Stage regulatory policy, Pupillage Stage regulatory policy)*
- *July 2016 – Approval of CPD regime changes (Part 2)*
- *October 2016 – Approval of CPD quality mark scheme proposal (Part 2)*

Performance Report for Q3 (October 2014 – December 2014)**Status:**

1. For discussion and decision.
2. Public – a public account of how the BSB is performing against the published 2014-15 Business Plan.

Executive Summary:

3. This paper provides an update to the Board on the BSB's progress and performance in Q3 against the aims and activities set out in its 2014-15 Business Plan.
4. The main areas highlighted in this report are:
 - a) We are forecasting that we will not meet our directly attributable **income projections** by year-end. A variety of factors have contributed towards this, ie reduced numbers of BCAT candidates, reduced number of Qualifications Committee applications, and the delays to both Entity Regulation and QASA. For year-end, we are now forecasting:
 - i. **Income:** £1,493k against projection of £1,816k (-18%);
 - ii. **Expenditure:** £5,204k against a budget of £5,313k (2%);
 - b) The **Qualifications Committee Key Performance Indicators** appear on the Dashboard for the first time in Q3, and are all on track;
 - c) There has been an improvement in our **HR Performance Indicators**, although concern over the level of staff turnover remains;
 - d) The **Service Level Agreement indicators** are also reported for the first time. These are broadly on target, with the exception of the Records team and this is due to be reviewed after the conclusion of the Authorisation to Practise cycle.
5. Members of the Board are invited to:
 - a) **Scrutinise** the detail of the report;
 - b) **Discuss** the key areas highlighted;
 - c) **Make recommendations** to the Executive as necessary.

Background

6. The 2013-16 Strategic Plan¹ seeks to enable us to become a more modern and efficient regulator operating at a high level of effectiveness. It incorporates our efforts to improve our performance against the regulatory standards framework laid down by the LSB.
7. The five strategic aims outlined are to:
 - a) Implement specialist regulatory regimes for advocacy services which operate in the public interest and in support of the regulatory objectives of the LSA2007;
 - b) Promote greater public and professional understanding of and support for our role and mission;
 - c) Set and maintain high standards of entry to and practice in a diverse profession;

¹ Published in April 2013 (https://www.barstandardsboard.org.uk/media/1465505/bsb_business_plan_2013-14.pdf)

Part 1 - Public

- d) Become more evidence- and risk-based in all we do, taking into account also the globalised legal services market;
 - e) Strive for “best practice” as an organisation for those who work for us and those whom we serve.
8. The Business Plan for 2014-15 outlines our key activities for the year, and is the second year of our Strategic Plan. It also sets out our budget and staffing requirements.

Completed activities

9. The Future Bar Training (FBT) programme was formally launched externally on 31 October 2014. As part of this, the Director of Education and Training gave a presentation at the Westminster Legal Policy forum.
10. A new Chair of the BSB began in post in January 2015.
11. The BSB opened for Entity Regulation applications on 5 January 2015. As at the end of January we had received 54 “expressions of interest” and 7 completed applications.

Areas for further consideration

12. Activity is reported to Board by exception. This means that only items which are not running to their original budget or timetable or have other resourcing issues are highlighted below. These include:
- a) Licensing Authority application
 - (i) Following the delays which occurred in the submission of the entity application to the LSB, there has been a consequent delay in the submission of the Licensing Authority application. A draft application was submitted to the LSB in December 2014 and a further draft drawing on their feedback received at end of January is now almost complete.
 - (ii) There are a number of key points still under discussion with the LSB relating to the compensation arrangements in our application, whether further variance of the proposed s69 order is required and uncertainty regarding insurance provisions. The Board was updated on these issues at its January 2015 meeting.
 - (iii) Work continues and the estimated final submission date is now the last week in March. The team must however give greater priority to its work on standard contractual terms if any conflict of resourcing arises.
 - b) QASA
 - (i) In its judgment handed down on 7 October 2014, the Court of Appeal rejected the challenge to the Scheme. The Supreme Court has given leave to appeal on one ground, namely “whether the Court of Appeal erred in law by failing to appreciate the effect of Regulation 14 of the Provision of Service Regulations 2009”. A hearing will be held on 16 March 2015. Until the judicial review process has concluded, timelines remain unclear.

c) Regulatory Risk Framework

- (i) Training on Regulatory Risk was rolled-out across the organisation from October 2014. In particular, a series of intensive sessions were held with the Regulatory Knowledge Group². As well as disseminating knowledge, these sessions were used to develop and refine the BSB Regulatory Risk Index. Department-specific sessions and knowledge sharing sessions open to all staff have also taken place.
- (ii) A paper was presented to the Board at its January 2015 meeting outlining a proposed timetable for consideration of Regulatory Risk at Board level, which included time earmarked at the April away day to ensure the topic is understood in greater depth.
- (iii) During the next six months, key objectives are to publish externally the BSB Risk Framework, Index and Risk Outlook, and to further progress integration of the risk-based approach within day-to-day operations. This should ensure that we are appropriately positioned in terms of the Strategic Plan and the requirements under the Regulatory Standards Framework by March 2016.

d) Commence new Handbook review

- (i) One workshop has been conducted between the Regulatory Policy Department and the Research Team to start scoping the review. Further work is being undertaken to align any review with the new approach to regulatory risk. More work will be required to agree a methodology so that an evaluation framework can be built. A possible outcome of this scoping work is a recommendation to defer the review until 2016/17 in order to have a sufficient evidence base with which to work. It was formally acknowledged by the TRIP Programme Board at closure last year that this piece of work was given a premature deadline.

e) CPD

- (i) As was reported in the Q1 Performance Report, this project has been re-costed, re-designed, and the final implementation has been re-phased. The new approach is being piloted throughout 2015 and 2016, and a consultation will be carried out in mid-2015; full implementation of the new regime is expected in January 2017.
- (ii) In December 2014, executive responsibility for this activity passed from the Director of Education and Training to the Director of Supervision. The project plan and governance arrangements have been refreshed as a consequence.

f) Complainant expectation management

- (i) A project reviewing the role of complainants in the enforcement process is in its initial stages. The project team met with the LSB consumer panel for advice in October 2014, and began carrying out comparative research with other regulators and creating an action plan. Progress slowed in Q3 due to reprioritisation, however work has now recommenced.

² A cross section of staff who are the leaders and technical specialists from each area of the organisation.

- g) Knowledge management strategy
- (i) The SMT was presented with a number of pieces of work about the Strategy between October and December 2015, and in January 2015 the delivery plan was endorsed. The Regulatory Knowledge and Information Manager, who was leading on this work, has since left the organisation and his workload is being picked up by the Director of Strategy and Communications. This is now being assessed with the Regulatory Risk Manager to ensure our approach is coherent, to establish what can be progressed in the interim, and what may need to wait until an appointment is made.
- h) International Strategy
- (i) In our 2014-15 Business Plan, we said that we would agree a Memorandum of Understanding with the Bar Council (BC), which would seek to formalise where responsibilities currently lie, thus providing the parameters for further discussions on the outline of an international strategy for the BSB. This is now likely to be completed by the end of March 2015, rather than as originally planned by the end of December 2014 due to higher priorities in the Regulatory Policy team.

Professional Conduct Department (PCD) Performance Indicators

13. For the full PCD Performance Indicators table, please see Annex 4, which also includes some figures on over-running cases. Mostly the performance levels in the Professional Conduct Department are within a close range of the targets.
14. The most notable “dip” relates to OPI 2 which monitors the percentage of complaints concluded or referred to investigation within eight weeks; for quarter three this is sitting at 70%, which is 10% below desired service levels. The first reason for this is a staff vacancy, which has now been filled. The second reason relates to staff allocating their time to dealing with all types of cases including over-running cases, e.g those that have been open for longer than eight weeks. Until these have been cleared, it is likely that performance will only improve moderately. The long-running cases table in Annex 4 provides some insight into what future performance measures might look like, for example at the end of quarter three the assessment team was dealing with 40 cases that had already been open for eight weeks; if, as expected, a large proportion of these cases will close in quarter four these will feed into the Q4 KPIs as not having met the service levels.

HR Indicators

15. There were 8 leavers during Q3, bring this YTD total to 18; there were 11 leavers during the same period of last year. Four of these members of staff were in temporary positions and their fixed-term contracts had come to an end. The PRP Committee assessed some of the reasons why other staff members had left and further information will be provided to the Committee at its next ordinary meeting. The average number of days lost to sickness in Q3 increased to 2.5 mainly due to short-term absences.

Resources Group - Performance against the Service Level Agreement (SLA)

16. The PRP Committee has been overseeing the review of the SLA with the BC's Resources Group. The SLA sets out a number of aims, objectives and deliverables, which the BSB's Contract Management Officer (CMO) has been monitoring and then presented a report to PRP members. The CMO made an assessment on whether the performance measures had been "met" or "not met".
17. The key outstanding issues are highlighted below on a team by team basis.
 - a) Project Management Office
 - (i) For Q3, 51 of the 54 measures were met (94%) and there are no outstanding concerns. The PRP Committee reviewed the BC's organisation-wide Project Dashboard at its February 2015 meeting, and will monitor this going forwards.
 - b) Records Office
 - (i) For Q3, 40 of the 47 measures were met (85%). The performance levels rated as red refer to areas where there had been issues around role and responsibilities, and these will be reviewed by the BC's Senior Leadership Team.
 - c) IT
 - (i) For Q3, 70 of the 75 measures were met (93%). There is a red rating; and is due to ongoing issues with the system through which we send bulk emails.
 - d) HR

For Q3, 56 of the 63 measures were met (94%). The Resource Plan, Recruitment plan and job evaluations were yet to be produced at the time of assessment but have now been produced. More generally, while it is probably still too early to say that all of the issues which have existed previously have been resolved, the indications are that the restructuring and staff changes within the HR team have worked well and the position is much more promising.
 - e) Facilities Management
 - (i) For Q3, 136 of the 138 measures were met (99%) and there are no outstanding issues or concerns.
 - f) Finance
 - (i) For Q3, 82 of the 83 measures were met (99%) and there are no outstanding issues or concerns.

2014-15 Budget

18. Below are the headline figures for Q3, further detail can be found in Annex 3:

- a) In the nine-month period ending 31 December 2014 (Q1, Q2 and Q3 of 2014-15), the BSB received £1,162k in income against our budgeted projection of £673k (+73%). (This level of variation is the result of a one month difference in the phasing of £700k of income). By year-end, we predict directly attributable income to reach £1,493k against our budgeted projection of £1,816k (-18%).
- b) For expenditure, we have spent £3,651k against our budget of £4,058k (+10%). By year-end, we forecast that our expenditure will reach £5,204k against our total budget of £5,313k (+2%).

19. Detailed information on each departmental budget, which sets out the departmental forecasts and commentary on each line of the budget, can be provided upon request. The key pressures and challenges have been summarised from these documents and are set out below:

a) BCAT

- (i) The number of BCAT applications is down 20% on 2013-14. As the test was open for a truncated period in 2013-14, we projected that we would in fact receive an increased number of applicants. Additionally, with full data from the 2013-14 academic year we do not expect that we will achieve our original budgeted projections. As a result, by year-end we now expect to receive £155k (-£105k).

b) Qualifications Committee Applications

- (i) For 2014-15, the number of applications for transfers, fees and waivers is reduced. As a result our year-end forecast is now £169k (-£78k) for these activities.
- (ii) Additionally, as reported in previous performance reports we have received significantly fewer applications for the right to conduct litigation. By year-end we now expect to receive £23k for this activity (-£58k).
- (iii) The Board will receive a paper at its March 2015 meeting, which will ask members to consider a revised fee structure for applications to the Qualifications Committee.
- (iv) In addition, some governance adjustments were actioned relating to the Qualification Regulations team in order to allow the executive to make decisions instead of the Committee and panels. It was envisaged that there may be some costs associate with these changes, however these have not been needed and there will be a £11k underspend in the "other costs" budget line.

c) Entity Regulation

- (i) We began receiving entity applications from January 2015, and we expect to formally begin taking decisions on authorisations from April 2015. This has meant that we now expect to receive £15k in application fees by the end of March 2015 (-£35k) and future projections have also been revised.

Part 1 - Public

- (ii) To offset this, the delays caused to the programme meant that expenditure was also phased to occur in later months. We had projected that we would spend £125k in 2014-15, however this has been adjusted so that only £75k occurs in the financial year and the other costs have been pushed into later years, leaving the “other costs” budget underspent by £49k.

d) Hemming case

- (i) We are awaiting a decision from the Supreme Court³ in this case, which is looking into whether licensing authorities could charge a licensee for the costs of taking action against those who are not licensed, as well as for the costs of processing that licensee’s own application. The BSB has a clear interest in this case our intervention to date has cost £36k.

e) Staffing

- (i) There have been several extra staffing requirements over the last few months. In the Strategy and Communications department, additional resource has been put in place to cover extra work for the FBT, Entity Regulation and Stakeholder Engagement communications meaning that the staffing budget is £48k overspent, although the Regulatory Knowledge and Information Manager vacancy will financially offset this to some extent. An additional manager has been recruited to support the FBT project and to cover a vacancy being carried in the Education and Training department; the associated staffing budget will be overspent by £49k.
- (ii) In the Supervision team, the establishment has been increased to cover the growing workload needed to deliver the supervision strategy. The employees have commenced in post earlier than first anticipated leading to a £15k overspend.
- (iii) The Equality and Diversity team is currently carrying a policy manager vacancy which will be recruited for this year. The staff shortage and reduced activity has caused an underspend of £14k.
- (iv) Total BSB staff costs are nevertheless 1% (£32K) underspent against budget.

f) Research

- (i) Funds for market and consumer research have not been spent to the levels expected due to staff vacancies and a reprioritisation of staff resources to look at data quality issues earlier in the year. This meant there was insufficient capacity to undertake more externally commissioned work. There was also a need to align the activities with the regulatory risk work, and given the closely alignment between risk and research, this underspend was earmarked to contribute to the costs of the regulatory risk work.

g) Outsourced casework

- (i) The Professional Conduct Department has been dealing with some very complex and lengthy cases that have appropriately been outsourced. It is very difficult to predict the level of external support needed. Originally we had budgeted £20k for

³ <http://www.bailii.org/ew/cases/EWCA/Civ/2013/591.html>

Part 1 - Public

such requirements, however we have spent £52k to date and expect to spend another £28k before year end.

h) Regulatory Risk

- (i) A significant amount of funds were required for short term external expertise and the PRP Committee were advised of budgetary position. We are now finalising the action plan for the work required to fully embed risk-based regulation across the organisation. The action plan will require an additional £72k of expenditure in the 2014-15 year.

i) QASA

- (i) As the judicial review appeals process continues, we are not spending the QASA operational budget. Staffing changes and redeployments have been carried out to reflect the current situation. This will lead to an underspend of £115k, and in addition we are not expecting to receive any income in 2014-15 in this area (-£56k).

j) Supervision

- (i) The Budget was set on the basis that external resource may be required for supervision visits. These are now being undertaken by internal staff members (+£33k). Additionally the Youth Courts work is being funded out of the centralised Research budget rather than the Supervision budget creating an underspend of £40k in this area.

Equality Impact Analyses

- 20. The Strategic Plan and Business Plan have already been through an equality impact assessment. The Performance Indicators related to HR also monitor our performance against various E&D measures.

Risk implications

- 21. Risks that may have an impact on the BSB achieving its objectives have been considered as part of compiling the business plan activity updates.

Regulatory objectives

- 22. The BSB's Strategic Plan and Business Plan were designed to ensure we meet the regulatory objectives.

Publicity

- 23. This report is in the public agenda of the board meeting and will be published on our website.

Annexes

- 24. Annex 1 – Q3 Dashboard
- Annex 2 – Guidance to dashboard
- Annex 3 – Management Accounts summary
- Annex 4 – PCD Performance Indicators

Lead responsibility

Anne Wright
Vanessa Davies
Amanda Thompson
Viki Calais
Andrew Cohen

Q3 Dashboard

(Shaded areas are the key changes since the Q2 Performance report)

Business Plan Activities (2014-15)				Service Standards (Core activity)							
	Time	Budget	Staff	Professional Conduct Indicators	Q3	YTD	Target				
Aim 1: Implement specialist regulatory regimes				Professional Conduct Indicators							
Handbook review	⚠	✓	✓ (see 15d)	KPI - % of complaints concluded or referred to disciplinary action within service standards	75%	78%	80% ⚠				
Public and licensed access review	✓	✓	✓	OPI - % of complaints concluded or referred to investigation within 8 weeks	70%	78%	80% ⚠				
Cab rank rule consideration	✓	✓	✓	OPI - % external complaints concluded or referred to disciplinary action within 8 months following investigation	94%	82%	80% ✓				
Entity authorisation / Licensing Authority app.	✗	✓	⚠ (see 12a)	OPI - % of internal complaints concluded or referred to disciplinary action within 5 months following investigation	81%	75%	80% ⚠				
Enforcement regime for entity regulation	✓	✓	✓	Qualification Committee Applications							
Aim 2: Public & professional understanding of our role and mission				Time take to determine applications from receipt of the complete application:							
Freedom of Information compliance	✓	✓	✓	Up to 6 weeks	86%	75%	✓				
External Relations strategy	✓	✓	✓	6 to 12 weeks	100%	98%	✓				
User feedback surveys	⚠	⚠	✓	Over 12 weeks	0%	0%	✓				
Intranet implementation	⚠	✓	✓	Year-to-date performance against budget							
Complainant expectation project	⚠	✓	✓ (see 12f)	Act			Year-end forecast (against budget)				
Knowledge collection and dissemination	✓	✓	✓	Income	£1,162k	£673k	+£489k ✗	Fcast	£1,493k	£1,816k	-£323k ✗
Aim 3: High standards of entry to and practice in a diverse profession				Bud			Var				
LETR	✓	⚠	✓	Expenditure	£3,651k	£4,058k	+£407k ✗	Expenditure	£5,204k	£5,313k	+£109k ✓
BCAT evaluation	✓	✓	✓	YTD			2013-14				
Academic Stage review	✓	✓	✓	Sickness (days/FTE)	4.68	8.5	✓	HR			
BPTC (applications process)	✓	✓	✓	Sickness (long term)	0.95	N/A	✓	YTD			
CPD regime development	✗	✗	✓ (see 12e)	Turnover (%)	23%	36%	⚠	2013-14			
Qual. Committee delegation proposals	✓	✓	✓	Retention (%)	74%	79%	✓	Recruitment times			
Litigation business process review	✓	✓	✓	Staffing			HR				
QASA	✗	✗	✗ (see 12b)	YTD			2013-14				
Legal advice centres / special bodies	⚠	✓	✓	2014-15 (YTD)			27 Nov 14				
Youth Courts	✓	✓	✓	2014-15 (YTD)			18 Feb 14				
Aim 4: Evidence- and risk-based in all we do				IT Response times			Corporate Risk Register				
Knowledge management strategy	⚠	✓	✓ (see 12g)	2014-15 (YTD)			27 Nov 14				
Policy development framework	✓	✓	✓	Response to high priority calls	100%	✓	Likelihood: 1 1, 4 4, 3 4, 1 1				
Performance management software	X	X	X (see 12c)	Response to medium priority calls	99%	✓	Likelihood: 2 4, 4 4, 1				
Regulatory Risk Framework - training	⚠	✗	⚠ (see 12c)	2014-15 (YTD)			18 Feb 14				
Complaint costings	✓	✓	✓	2014-15 (YTD)			18 Feb 14				
Chambers supervision	✓	✓	✓	2014-15 (YTD)			18 Feb 14				
International Strategy	⚠	✓	✓ (see 12h)	2014-15 (YTD)			18 Feb 14				
Aim 5: Best practice as an organisation				IT Response times			Corporate Risk Register				
Contract management	✓	✓	✓	2014-15 (YTD)			18 Feb 14				
Internal Comms Strategy	✓	✓	✓	2014-15 (YTD)			18 Feb 14				
New Chair & Board member recruitment	✓	✓	✓	2014-15 (YTD)			18 Feb 14				
TRIP	✓	✓	✓	2014-15 (YTD)			18 Feb 14				
Governance	⚠	✓	✓	2014-15 (YTD)			18 Feb 14				
Fees and charges review	✓	✓	✓	2014-15 (YTD)			18 Feb 14				
Standard of proof review	X	X	X	2014-15 (YTD)			18 Feb 14				
Service level agreement with BC (Resources Group)				% of aims and objectives met							
Project Management Office				97%	✓	HR		94%	✓		
Records Office				85%	⚠	Facilities Management		99%	✓		
IT				93%	✓	Finance		99%	✓		

Guidance note on the Dashboard

1. The purpose of the dashboard is to give the Board a one-page visual overview of how we are progressing against our strategic aims, business plan activities, budget and our other performance indicators. It is intended to be viewed alongside the quarterly Performance Report, which provide further detail and explanation on the information the dashboard displays.
2. The dashboard displays different information from the Corporate Risk Register. Activities can be rated as high risk in the Corporate Risk Register but green on the dashboard. This is because while there may be significant risks relating to an activity, we may still be on track to meet our timelines.
3. This section will show how we are performing against the KPIs set out in the BSB's 2013-16 Strategic Plan. As these cover the 3-year period of the plan, the majority of these are under development.

Business Plan Activities

4. This section shows the activities listed in the BSB's 2014-15 Business Plan¹. Each activity has three different traffic lights associated with them, reflecting how we are performing in terms of time, budget and staff.
5. The 2014-15 Business Plan also lists quarterly milestones for each activity, e.g. for the implementation of an Intranet, we set out that we will select a provider and agree the project scope by the end of Q1, create the system and begin content development by the end of Q2, complete content for the first phase by the end of Q3 and complete the first phase by the end of Q4. The 'time' indicator monitors performance against this quarterly timetable of work.
6. If we have not or do not expect to complete a task by more than three months after its due date the indicator will appear as red. It will appear as amber if some elements of the task are currently behind schedule by less than three months, or there are plans in place to ensure that it will be completed on-time. It will show as green if the task is completed or on-track.
7. For 'budget', a red indicator signals that there is a significant overspend against this activity. (+/-10%) Amber shows that this item is on budget but there are significant risks of overspend in this area. Green shows that the activity is broadly on-budget.
8. For 'staff', a red indicator signals that the activity is suffering from staffing issues that are having a significant and negative impact on the timeline for this activity, e.g. long term sickness or losses of multiple members of staff in a short space of time. Amber indicates that some staffing issues have temporarily affected parts of the timeline which may have presented operational issues. Green indicates that there are no staffing issues of consequence to this activity.
9. Activities where the 'time' indicator has changed since the last quarterly report to the Board will show as highlighted, e.g. an activity which has changed from green to amber will be highlighted in amber. A reference to the relevant paragraph in the Performance Report will provide further explanation for the change.

¹https://www.barstandardsboard.org.uk/media/1586437/bsb_business_plan_2014-15.pdf

Part 1 – Public

10. If all of the indicators for an activity display an 'x', this means that the activity has been indefinitely delayed or is no longer necessary e.g. The Business Plan implies that we will conduct a standard of proof review, however the Board has since agreed to put work on hold in this area for 2014-15.

Services Standards (Core Activity)

11. This area shows our key and operational performance indicators for the Professional Conduct Department (PCD) and Qualifications team. The indicators show as green if we are meeting or exceeding our targets, amber if we are within 5% of our target and as red if we are failing to achieve them. The targets are agreed by the PRP Committee.

Resources

12. The budgeting and forecasting section displays the variance between our year-end forecast and our budget for both expenditure and income. For expenditure, if we are forecasting an overspend the indicator will show as red, and green if we are forecasting an underspend. Similarly, if our income forecast is lower than our budgeted income the indicator will display as red, and if not it will display as green.
13. IT response times are provided by the IT department and the sickness, turnover and retention data is provided by the HR Department. The figures shown are for the year-to-date. If we are not on-track to meet our targets the indicators will show as red, if we are on-track they will display as green.

Corporate Risk Register

14. The heat-map (summary) of the BSB's Corporate Risk Register is displayed on the dashboard for reference. For further information and a more complete picture on the Corporate Risk Register please refer to the Corporate Risk Register reports which appear quarterly in Part 2 of the Board Papers.

Service Level Agreement (SLA) with the Bar Council

15. The BSB has an SLA with the Bar Council for the services provided by the Resources Group. This has a schedule for each Resources Group team outlining what is expected of them and also what is expected of the BSB.
16. The BSB'S Contract Management Officer (CMO) conducts quarterly review meetings with each Resources Group, and provides an assessment for each performance measure as to whether it has been "met" or "not met." The dashboard displays the percentage of measures met. If this falls below 80% it is rated as red and if it falls below 90% it is rated as amber. If it is above 90% it will usually be rated as green, although if a performance measure is not met which is deemed sufficiently important, this could impact on the overall rating.

BSB SUMMARY

BUDGET VARIANCES

	DEC	DEC	DEC	DEC	2014/15	2014/15	2014/15 Fcast vs 2014/15	Drivers
	Q3 YTD	Q3 YTD	Q3 YTD	Q3 YTD	YE	YE	Budget	
	ACTUAL £	BUDGET £	VAR £	VAR %	FCAST £	BUDGET £	VAR £ VAR %	
Income								
PCF Regulation	4,397,250	2,931,500	1,465,750	50%	19,961	0	19,961	
Professional Conduct	19,961	0	19,961		19,961	0	19,961	-41%
Assessments	148,820	171,400	-22,580	-13%	155,820	262,400	-106,580	1% Ref 19a) Fewer BCAT students
Education and Training	812,050	153,000	659,050	431%	1,066,510	1,061,000	5,510	-39%
Qualifications	181,289	290,575	-109,286	-38%	235,669	385,790	-150,121	-70% Ref 19b) Fewer applications to the Qualifications Committee
Entity Regulation	0	24,990	-24,990	-100%	15,000	50,000	-35,000	-100% Ref 19c) New regime commenced later
QASA	0	33,075	-33,075	-100%	0	56,400	-56,400	0%
	1,162,120	673,040	489,080	73%	1,492,960	1,815,590	-322,630	-18%
Expenditure								
Executive	515,618	505,765	-9,853	-2%	705,652	637,666	-67,986	-11%
Staff Costs	450,501	471,545	21,044	4%	582,124	592,666	10,542	2%
Other Costs	65,117	34,220	-30,897	-90%	123,527	45,000	-78,527	-175% Ref 19d) Legal advice on Hemming case; Risk consultants
Strategy and Comms	489,465	578,624	89,159	15%	692,123	791,665	99,542	13%
Staff Costs	440,611	404,827	-35,784	-9%	585,185	537,229	-47,956	-9% Ref 19e) Recruitment for specialist posts; temporary staff for stakeholder engagement
Other Costs	48,854	173,797	124,943	72%	106,938	254,436	147,498	58% Ref 19f) Funds for market / consumer research not spent
Professional Conduct	951,081	956,271	5,190	1%	1,326,403	1,265,555	-60,848	-5%
Staff Costs	842,338	823,128	-19,210	-2%	1,105,525	1,095,870	-9,655	-1%
Other Costs	108,743	133,143	24,400	18%	220,878	169,685	-51,193	-30% Ref 19g) increase in outsourced casework
Assessments	308,813	320,233	11,420	4%	445,514	435,366	-10,148	-2%
Staff Costs	222,130	226,153	4,023	2%	307,331	304,386	-2,945	-1%
Other Costs	86,683	94,080	7,397	8%	138,183	130,980	-7,203	-5%
Education and Training	386,555	474,621	88,066	19%	583,682	582,700	-982	0%
Staff Costs	291,635	255,661	-35,974	-14%	397,162	348,100	-49,062	-14% Ref 19e) Additional members of staff for FBT programme
Other Costs	94,920	218,960	124,040	57%	186,520	234,600	48,080	20%
FBT	0	0	0		0	0	0	0%
Staff Costs	0	0	0		0	0	0	0%
Other Costs	0	0	0		0	0	0	0%
Qualifications	223,318	241,460	18,142	8%	304,923	320,488	15,565	5%
Staff Costs	199,594	210,998	11,404	5%	276,513	281,072	4,559	2%
Other Costs	23,724	30,462	6,738	22%	28,410	39,416	11,006	0% Ref 19b) change programme funds not spent
Regulatory Policy	302,324	266,666	-35,658	-13%	473,245	361,284	-111,961	-31%
Staff Costs	217,186	255,327	38,141	15%	283,246	346,372	63,126	18%
Other Costs	85,138	11,339	-73,799	-651%	189,999	14,912	-175,087	-1174% Ref 19h) Risk consultants not budgeted for
Entity Regulation	84,242	166,541	82,299	49%	160,500	212,659	52,159	25%
Staff Costs	52,287	65,446	13,159	20%	85,394	88,159	2,765	3%
Other Costs	31,955	101,095	69,140	68%	75,105	124,500	49,395	40% Ref 19c) Monies not spent because of delays to the programme
Supervision	231,277	284,027	52,750	19%	317,903	382,597	64,694	17%
Staff Costs	228,875	224,499	-4,376	-2%	313,986	299,055	-14,931	-5% Ref 19e) Additional members added to the team
Other Costs	2,402	59,528	57,126	96%	3,916	83,542	79,626	95% Ref 19j) Research funds not spent; internal resources used for chambers visits
QASA	87,929	172,537	84,608	49%	86,753	201,633	114,880	57%
Staff Costs	87,621	81,737	-5,884	-7%	86,445	103,733	17,288	17%
Other Costs	308	90,800	90,492	100%	308	97,900	97,592	100%
Equality and Diversity	76,986	91,137	14,151	16%	107,720	121,486	13,766	11%
Staff Costs	70,595	78,101	7,506	10%	98,679	104,882	6,203	6%
Other Costs	6,391	13,036	6,645	51%	9,041	16,604	7,563	46% Ref 19e) Staff vacancy
	3,657,609	4,057,882	400,273	10%	5,204,416	5,313,099	108,683	2%
Total Staff Costs	3,282,363	3,316,003	33,640	1%	4,354,098	4,395,962	41,864	1%
Total Other Costs	554,236	960,460	406,224	42%	1,082,826	1,211,575	128,749	11%

PCD Performance Indicators

PCD Measure		2014-15				
		Q1	Q2	Q3	YTD (Q1, Q2 & Q3)	Target
Overarching KPI	The percentage of complaints concluded or referred to disciplinary action within service standards	79%	80%	75%	78%	80%
OPI (Assessment)	The percentage of complaints concluded or referred to investigation within 8 weeks	83%	82%	70%	78%	80%
OPI (Investigation)	The percentage of external complaints concluded or referred to disciplinary action within 8 months following investigation	57%	91%	94%	82%	80%
OPI (Investigation)	The percentage of internal complaints concluded or referred to disciplinary action within 5 months following investigation	63%	77%	81%	75%	80%

Long Running Cases

Snapshot at the close of Q3 of 2014-15

Operational Indicator	Total Open Cases	Over-running Cases	Percentage Over-running
Assessment (8 weeks)	107	40	37%
External Investigation (8 months)	59	3	5%
Internal Investigation (5 months)	46	7	15%
Total	212	50	24%

Changes to BSB Constitution

Status

1. For approval.

Executive Summary:

2. This paper sets out some proposed amendments to the formal documents setting out the responsibilities of the Independent Appointments Panel, which makes appointments to the Board. Most of the amendments are “housekeeping” to bring terminology up to date. However the amendments also seek to give the Panel a little more flexibility over terms of office in order best to serve the Board’s operating needs.

Recommendations

3. It is recommended to the Board that it:
 - a. **Approves** the proposed changes to Schedule A of the BSB’s constitution, and
 - b. **Agrees** to forward them to the Bar Council for its agreement in order to have the change take effect

Background

4. The Bar Standards Board’s constitution specifies the procedures by which members of the Board, including the Chair and Vice Chair, are appointed. The constitution establishes an Appointments Panel, which is responsible for all appointments to the Bar Standards Board.

Comment

5. The Appointments Panel met on 23 January 2015 to agree the arrangements and timetable in relation to the recruitment for new Board members that will be required during 2015.
6. The Appointments Panel also looked at Schedule A of the Constitution and considered that some amendments were required. The first is a minor amendment to the way in which independent members of the panel are described. The constitution at present requires there to be one member who is “accredited by the Office of the Commissioner for Public Appointments”. That office no longer accredits individuals so this statement is inaccurate. The suggested new wording is that there be “an independent person with knowledge of the CPA Code of Practice or similar skills and experience in good recruitment procedures”. This change is shown in track changes in Annex 1 to this paper.
7. Secondly, the Appointments Panel considered that there should be some amendments to the terms of office provisions.
8. As members may recall, the Board in 2014 inserted a provision into the Standing Orders that allowed it to extend committee members’ terms of office beyond the usual six year maximum. This was intended to be a power used only in exceptional circumstances. The Appointments Panel considered that a similar provision should be inserted into the Constitution. It is proposed that a new clause A22 be inserted to effect this, as shown in track changes in Annex 1 and as follows:

A22. In exceptional circumstances, the Appointments Panel may resolve to offer an extension of any member's appointment beyond the maximum six year period of appointment permitted above. Any resolution to make a limited offer of extension must:

- a. be made by offer in writing*
- b. be made for a specific reason that is articulated in the offer of extension*
- c. be made for a specified time period and for a period of less than 3 years,*
- d. only be made following a satisfactory appraisal of the individual.*

9. The Panel also considered that if a member of the Board was subsequently appointed as Chair or Vice Chair then a new maximum six year period of office should commence upon that appointment. Members of the Panel advised that there is precedent for this in other public bodies. However, to abide by good governance guidance, it is also appropriate to apply a cap to the number of years that can be served overall. A new clause A21 is proposed to effect this, as follows:

A21. If a member of the Board is subsequently appointed to the post of Chair or Vice Chair, that person's maximum six year period of appointment as Chair or Vice Chair commences from the date of appointment to that post. Notwithstanding this, the period of appointment offered will not be such to cause the member concerned to serve more than nine consecutive years on the Board overall.

10. The Panel also thought it would be helpful to define more closely the term "casual vacancies" at A19 and the proposed new wording is vacancies which arise as a result of a member not serving their full term of appointment."
11. The Board is asked to agree that these amendments should be made and to put this forward to the Bar Council in order to obtain its agreement.

Resource implications

12. There are no resource implications as a result of this paper.

Equality Impact Assessment

13. The changes have been considered for their equalities impacts. It is not thought that the appointment of an existing Board member to the Chair or Vice Chair post and having a new maximum six year period start upon that appointment causes any equalities issues because the appointment to the Chair or Vice Chair post would only occur after an open competition.
14. The ability to extend a member's term of office beyond the usual six year maximum is seen as good governance and because there is a process to be followed, does not cause any equalities issues.

Risk implications

15. There is a risk that these amendments could be seen to be reducing the proper turnover of membership on the Board. This risk is mitigated by the fact that the extension are to be for specified purposes only. It is anticipated they would only be used where there is a particular need for continuity and used infrequently.

Consultation

16. No consultation has been carried out on this proposal. The technical amendments (such as amending the OCPA reference) do not require any consultation being technical in nature. The main change to the possible length of a term of office is consistent with the BSB's standing orders. It is a relatively minor amendment and does not disturb the fundamental balance of the Board or any of its functions. As a similarly, minor amendment, it is considered that consultation is not necessary.

Publicity

17. No publicity is planned or required. The amended constitution will be published on the website following agreed by the Bar Council.

Annexes

18. Annex 1 – BSB constitution including proposed changes in track changes.

Lead responsibility:

Vanessa Davies
Amanda Thompson

Schedule A to the Constitution of the Bar Standards Board

The Panel

- A1. The Bar Council shall establish an Appointments Panel (“the Panel”), which shall be responsible for appointing members of the BSB.
- A2. The Panel shall consist of:
- (1) A member nominated by the Lord Chief Justice.
 - (2) The Chairman of the Bar Council, *ex officio*.
 - (3) The Chairman of the BSB, *ex officio*.
 - (4) A member nominated by the President of the Inns’ Council, who shall be a practising barrister.
 - (5) A member nominated by the Chairman of the BSB.
 - (6) Two members who are lay persons, nominated by the Chairman of the Bar Council and the Chairman of the BSB:
 - (a) at least one of whom shall be an independent person with knowledge of the CPA Code of Practice or similar skills and experience in good recruitment procedures accredited by the Office of the Commissioner for Public Appointments; and
 - (b) one of whom shall be the Chairman of the Panel,
- A3. With the exception of the *ex officio* members, members of the Panel will be appointed for a period not exceeding three years. If such period expires during an appointments round, the person will remain a member of the Panel until the end of that round.
- A4. Appointments to the Panel may be renewed once.

- A5. Subject to paragraph A6 below, the members of the Panel identified in sub-paragraphs A2(1) to (3) above, and the individuals who nominate members of the Panel under sub-paragraphs A2(4) to (6) above, may nominate an alternate who is entitled to take their place, or the place of their nominated member, at any meeting which the member is unable to attend.
- A6. For any meeting of the Panel at which any question relating to the appointment of the Chairman of the BSB is to be discussed, the BSB may nominate an alternate to take the place of the Chairman of the BSB.

Proceedings of the Panel

- A7. The quorum for a meeting of the Panel shall be five members.
- A8. Meetings of the Panel shall be chaired by the Chairman or a member of the Panel nominated by the Chairman.
- A9. The Chairman of the BSB may not take part in any discussion or decision of the Panel relating to any appointment to that office.
- A10. Matters requiring a vote by the Panel shall be decided by a simple majority of votes cast by the members present. In the case of a tie, the person chairing the meeting shall have a second, deciding vote.
- A11. In carrying out their functions, members of the Panel:
- (1) are under a duty to protect and promote the principle of regulatory independence; and
 - (2) must act:
 - (a) in the best interests of the proper exercise of the Bar Council’s regulatory functions; and
 - (b) in accordance with the “Nolan” principles of public life (set out in Schedule B to this Constitution) and should take account of best practice for public appointments,

including in particular the Commissioner for Public Appointments' Code of Practice for Ministerial Appointments to Public Bodies.

Procedure for Appointments

- A12. Subject to paragraph A18 below, all appointments by the Panel shall be made by way of open competition, and appropriate arrangements shall be made, including advertisements in relevant publications, to ensure that suitably qualified persons have the opportunity to put their names forward to consideration for appointment.
- A13. In appointing members of the BSB, the Panel shall have regard to the desirability of securing that the BSB includes members who (between them) have experience in or knowledge of an appropriate range of relevant fields and any particular requirements identified by the BSB.
- A14. The Panel must report to the Bar Council the name of any person whom it has appointed at the first meeting of the Bar Council after the appointment has been made.

Criteria for Appointment

- A15. The competencies required of BSB members shall be those as agreed from time to time between the Bar Council and the BSB.
- A16. A member of the Bar Council or any of its representative committees may not hold office as a member of the BSB. A person who has been responsible for a representative function shall not thereby be ineligible for appointment as a member of the BSB, but, in considering whether to appoint any such person to the BSB, the Panel shall take account of his responsibility for a representative function, when that responsibility ended and any implications for the observance of the principle of regulatory independence.

Length of Appointments

- A17. All appointments made by the Panel shall be for a fixed period of up to three years.
- A18. The Panel may renew an appointment for a further fixed period of up to three years without holding a competition, if the Panel is satisfied that:

- (1) the person has performed to the standard to be expected of the office held, and
- (2) it is in the interests of the BSB to renew the appointment.

A19. With the exception of the Chair of the BSB, ~~casual~~ vacancies which arise as a result of a member not serving their full term of appointment may be filled by the BSB but any appointment so made will last only until the next round of appointments made by the Panel.

A20. A person may not normally serve more than six years consecutively as a member of the BSB.

A21. If a member of the Board is subsequently appointed to the post of Chair or Vice Chair, that person's maximum six year period of appointment as Chair or Vice Chair commences from the date of appointment to that post. Notwithstanding this, the period of appointment offered will not be such to cause the member concerned to serve more than nine consecutive years on the Board overall.

A22. In exceptional circumstances, the Appointments Panel may resolve to offer an extension of an individual person's appointment beyond the maximum six year period of appointment permitted above. Any resolution to make a limited offer of extension must:

a., be made by offer in writing,

b. be made for a specific reason that is articulated in the offer of extension,

c. be made for a specified time period and for a period of less than 3 years, and

d. only be made following a satisfactory appraisal of the individual.

A-A 23 A person shall cease to be a BSB member if:

- (1) the period for which he was appointed expires (and his appointment is not renewed);
- (2) he resigns his membership by notice in writing;

- (3) he was appointed as a lay person and ceases to be a lay person;
- (4) he was appointed as a practising barrister and ceases to be a practising barrister or becomes a member of the Bar Council or one of its representative committees;
- (5) he fails to attend four or more meetings in any one year and the BSB resolves that he should cease to be a member;
- (6) the BSB or the Panel resolves that he is unfit to remain a member (whether by reason of misconduct or otherwise); or
- (7) he is dismissed by the Bar Council.

Schedule B to the Constitution of the Bar Standards Board

B1. In this Constitution and in the Schedules to this Constitution, the following terms have the meanings set out below:

	the BSB	the Bar Standards Board
	the Inns’ Council	the Council of the Inns of Court
	the “Nolan” principles of public life	The principles set out in paragraph B4 below
	the Panel	the Appointments Panel established under Schedule A to this Constitution
	the representative committees of the Bar Council	the committees established pursuant to Part Two of the Standing Orders of the Bar Council

B2. In this Constitution and in the Schedules to this Constitution, the following terms have the meanings given in the following provisions:

	lay person	Legal Services Act 2007, Schedule 1, paragraphs 2(4) and (5)
	the principle of regulatory independence	Internal Governance Rules 2009, rule 1
	regulatory functions	Legal Services Act 2007, section 27(1)
	representative functions	Legal Services Act 2007, section 27(2)

B3. For the avoidance of doubt, the regulatory functions of the Bar Council include, without limitation:

- (1) Qualifications and conditions for entry including fitness for practice.
- (2) All aspects of training, including continuing professional development.
- (3) The setting of standards for those practising at the Bar.

- (4) The determination, amendment, monitoring and enforcement of rules of professional conduct, including disciplinary rules.
- (5) Investigation and prosecution of complaints against barristers and students except in so far as those matters are assigned by statute or under a resolution of the Bar Council to an external body.

~~B4.~~ ~~B4.~~ The “Nolan” principles of public life are the “Seven Principles of Public Life” set out in the ~~First 14 th~~ Report of the Committee on Standards in Public Life, ~~January 2013~~. These are:

~~B5.~~ ~~Selflessness~~

~~Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.~~

~~B6.~~ ~~Integrity~~

~~Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.~~

~~B7.~~ ~~Objectivity~~

~~In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.~~

~~B8.~~ ~~Accountability~~

~~Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.~~

~~B9.~~ ~~Openness~~

~~Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.~~

~~B10. — Honesty~~

~~Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.~~

~~Leadership~~

~~Holders of public office should promote and support these principles by leadership and example.~~

The Seven Principles of Public Life

The Seven Principles of Public Life apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the civil service, local government, the police, courts and probation services, NDPBs, and in the health, education, social and care services. All public office-holders are both servants of the public and stewards of public resources. The Principles also have application to all those in other sectors delivering public services.

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

~~B11.B4.~~ 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.

Report of the Qualifications Committee to the Bar Standards Board

Status:

1. For noting.

Executive Summary:

2. This is a report on the work of the Qualifications Committee during 2014.

The Work of the Committee

3. The Committee's Terms of Reference are attached at Annex A. It is responsible for determining applications for waiver from the requirements for qualification as a barrister, for authorisation as a pupillage training organisation, for waiver from the rules governing entitlement to practise as a barrister and for the grant of licensed access. It also determines applications for review of its own decisions and of decisions of the Inns Conduct Committee.

Committee Membership

4. At the beginning of 2014, Professor Carl Stychin, an existing lay member of the Committee, took over from Linda Stone as Lay Vice-Chair. Two new barrister members (David Southern QC and Jane Walshe) and five new lay members (Keith Baldwin, Dr Alan Clamp, Dr Hannah Quirk, Julie Swan and Professor Alex Wright) also joined the Committee. This meant that the Committee had a total of 21 members (11 barrister; 10 lay).
5. At the end of 2014, Sarah Clarke left the Committee as Board member and Barrister Vice-Chair, and has been replaced by Adam Solomon.

Panels

6. The Committee has delegated most of its decision-making powers to Panels. Due to a shortage of barrister members, a decision was taken at the beginning of 2014 to merge two of the Panels, the CPD Panel and the Practising Rules Panel. There are therefore now five Panels, each comprising four or five members of the Committee, at least two barrister and two lay.
7. During 2014, the Committee approved proposals put forward by each of the Transferring Qualified Lawyers Panel, the Practising Rules & CPD Panel and the Academic Stage Panel to delegate more decision-making to staff, within defined criteria. The Pupillage Panel is due to put forward its proposals for approval early in 2015. The Pupillage Training Organisations Panel has decided not to delegate any decision-making to staff, as its powers are due to pass to a sub-committee of the Education & Training Committee at some point in 2015.
8. The Committee hopes to increase its level of staff-delegation in 2015.

Numbers of Applications Considered

9. The numbers of applications considered in 2014 are set out in Annex B. The total appears to show a small increase from 2013, from 1,378 to 1,454. However, the underlying figures are a little more complicated.
10. The main reason for the apparent increase is applications for authorisation to conduct litigation. This is, in effect, a new type of application (the 17 applications considered under this heading for 2013 were for waivers from the requirements applying just to employed barristers at that time). 191 applications were received, but this was considerably below the estimate of 900 applications in the first year that had been budgeted for.
11. There was a significant drop in the number of applications from transferring qualified lawyers (from 211 to 151), partially mitigated by an increase in the number of transferring solicitors (from 74 to 108).
12. There has been a significant decrease in the number of applications for extension of time for or waiver from CPD requirements (from a total of 303 to 131). This is almost certainly a result of the move away from requiring all barristers to return their CPD record cards to a spot-checking system. It is expected that these types of application will decrease further and possibly disappear entirely once the new outcomes-focused CPD regime is introduced.
13. Applications that significantly increased in number (eg reductions in pupillage, licensed access for immigration advisers) tend to be those that have a lower application fee than those where numbers fell (eg transferring qualified lawyers).
14. The most significant falls in application numbers were in the latter half of 2014.
15. The effect of paras 13 and 14 is that income for that portion of the year that falls within the 2014/15 financial year (ie April to December 2014) is around 25% lower than the same period last year.

Appeals to the Visitors

16. Until 7 January 2014, there was a right of appeal to the Visitors to the Inns of Court against many types of decisions of the Qualifications Committee. From that date, the jurisdiction of the Visitors transferred to the High Court.
17. The hearings of seven appeals to the Visitors (served before the transfer of jurisdiction) took place in 2014. In five cases, the appeal was dismissed. In two cases, both applications for reductions in pupillage, the appeal was allowed. The hearing of the one outstanding appeal to the Visitors is due to take place on 19 February 2015.
18. There has been just one appeal to the High Court against a Qualifications Committee decision since the transfer of jurisdiction. That appeal was heard and dismissed on 29 January 2015.
19. It is surprising that there has only been one appeal to the High Court in the past 12 months, given that there used to be about 10 appeals to the Visitors per year. It is unclear why this is, although it could be that applicants are either daunted by the prospect of appealing to the High Court or deterred by the fee.

Key Performance Indicators

20. The Committee has set itself the following Key Performance Indicators:

- i) The percentage of applications determined within six weeks of receipt of the complete application, including all required documentation and the application fee.
Target: 75%
- ii) The percentage of applications determined within twelve weeks of receipt of the complete application, including all required documentation and the application fee.
Target: 98%

21. The first period of time for which we have assessed our performance against these standards is 1 October to 31 December 2014. The results are as follows:

			Cumulative Total		
Up to 6 weeks	199	86%	Within 6 weeks	199	86%
6-12 weeks	32	14%	Within 12 weeks	231	100%
Over 12 weeks	0				

22. This shows that decisions were made within our KPIs well within the targets set. However, it should be noted that this time period coincides with the period during which application numbers have been particularly low.

Resource Implications

- 23. The resources for the Qualifications Committee and the Qualification Regulations section are covered by the application fees charged for applications made to it.
- 24. The Committee has been reviewing its application fees and Fee Waiver Policy. A paper on this will be put to the March meeting of the Board.

Equality Implications

- 25. Equality monitoring data is collected for all applications and it is intended to produce a report on this data in early 2015.

Risk Implications

- 26. The Committee's move to more delegated decision-making by staff has risks related to the quality of decision-making. This is mitigated by clear criteria for decision-making and supervision of staff.
- 27. Issues relating to application fees and fee waivers involve balancing the risks of insufficient resources with the risks of prohibitively high fee deterring individuals from seeking waivers and authorisations to which they are entitled.

Impacts on other teams / departments or projects

28. The work of the Qualifications Committee does not have a direct impact on other teams. However, the Future Bar Training Programme overseen by the Education & Training Committee is likely to have a significant impact on the Qualifications Committee in the future.

Consultation

29. The Qualifications Committee considered a draft of this report at its meeting on 9 February 2015.

Annexes

30. Annex A – Qualifications Committee – Terms of Reference
Annex B – Number of Applications Considered by Qualifications Committee 2014

Lead responsibility:

Rob Behrens
Joanne Dixon

Qualifications Committee – Terms of Reference

1. to consider and determine:

a. applications for exemption from any requirement of the Bar Training Rules (Section 4B of the Handbook); and

b. any request for review made under 4B10, 3C6 or 3E11 of the Handbook

2. to consider and determine all applications for authorisation under the following (including dispensations from and waivers):

a. waivers from the requirement to work with a “qualified person” (rS20 & rS21);

b. authorisation to conduct litigation (rS49)

c. waivers from the requirement to undertake Public Access work (rC120)

d. waivers or extensions of time in relation to the Continuing Professional Development Regulations (section 4C)

e. waivers from the pupillage funding and advertising requirements (rC113);

f. authorisation of Approved Training Organisations (rQ39);

g. approval for licensed access; and

h. any other rule or regulation as may be delegated to it by the Board.

3. to discharge the functions of the Bar Council and the Inns in respect of the recognition of European lawyers conferred upon them pursuant to the European Communities (Recognition of Professional Qualifications) Regulations 2007 and the European Communities (Lawyers’ Practice) Regulations (2000).

4. to exercise the powers of the Board to designate Legal Advice Centres;

5. to supervise and, where necessary, decide questions concerning the issue of practising certificates and the registration of pupil supervisors;

6. to liaise, where appropriate, with other BSB Committees, representative committees of the Bar Council, the Inns’ Council and any other body on any matters of concern or common interest;

7. to undertake such other tasks as the Board may require; and

8. to report to the Board on its work as and when required.

The membership of the Qualifications Committee shall be:

9. A chair and three vice-chairs, of whom two must be lay persons and two must be practising barristers;

10. At least three lay persons; and

11. At least six practising barristers.

Number of Applications Considered by Qualifications Committee 2014

	Total (2013 figure in brackets)
Transferring Qualified Lawyers Panel (“Panel 1”)	
Qualified Foreign Lawyers	151 (211)
European lawyers applying for Call to the Bar	19 (18)
European lawyers applying for Registration under the Establishment Directive	7 (2)
Registered European Lawyers applying for Call to the Bar	0 (0)
Legal Academics applying for dispensation from the standard requirements for Call to the Bar	3 (5)
Applications for Temporary Membership of the Bar	2 (2)
Solicitors applying for Call to the Bar	108 (74)
Reduction in Pupillage for a Barrister who has also qualified as a Solicitor	38 (40)
Extension of time in which to Pass Bar Transfer Test	39 (15)
General Exemption	2 (0)
<i>Total Panel 1</i>	<i>369 (367)</i>
Pupillage Panel (“Panel 2”)	
Applications for approval to undertake external training	28 (18)
Applications for reduction in pupillage	59 (38)
Applications from pupils for dispensation from the pupillage regulations	41 (25)
Applications for retrospective registration of pupillage	32 (14)
<i>Total Panel 2</i>	<i>160 (95)</i>
Practising Rules & CPD Panel (“Panel 3/4”)	
Applications for extension of time for completion of the New Practitioners Programme	23 (58)
Applications for waiver of the NPP Requirements	8 (12)
Applications for extension of time for completion of the Established Practitioners Programme	70 (151)
Applications for waiver of the EPP Requirements	32 (82)
Applications for rights of audience/waivers of the practising rules	42 (40)
Applications for rights to conduct litigation	191 (17)

Part 1 – Public

	Total (2013 figure in brackets)
Applications for waiver of the Public Access Rules	26 (28)
Applications for exemption from the Vocational Conversion Course	1 (0)
Applications for licensed access	23 (24)
Applications for licensed access – renewals	24 (11)
Applications for licensed access – reapplications	12 (0)
Registration for licensed access – immigration advisers	100 (73)
<i>Total Panel 3/4</i>	<i>552 (496)</i>
Pupillage Training Organisation Panel (“Panel 5”)	
Applications for authorisation as a pupillage training organisation	22 (32)
Applications for waivers of the Pupillage Funding & Advertising Requirements	33 (19)
<i>Total Panel 5</i>	<i>55 (51)</i>
Academic Stage Panel (“Panel 6”)	
Applications for Partial Exemption from the Academic Stage – QLD Provider	13 (12)
Applications for Partial Exemption from the Academic Stage – non-QLD Provider	20 (20)
Applications for Exercise of Discretion to Waive Requirement to obtain lower second class honours	15 (13)
Application for Certificate of Academic Standing on the basis of overseas or non-standard degrees	125 (130)
Applications for reactivation of stale qualifications	18 (17)
Application for approval of credit transfer	51 (71)
Application for approval to exceed permitted study-time	6 (6)
Application for permission to commence Vocational Stage before completing Academic Stage	3 (1)
Application for approval of deemed pass/condonation	5 (8)
Bar Examination Transcript/Certifying Letter	18 (13)
Mature Non-Graduate	10 (20)
<i>Total Panel 6</i>	<i>284 (311)</i>

Part 1 – Public

	Total (2013 figure in brackets)
TOTAL APPLICATIONS – Initial decisions	1,420 (1,320)
Full Committee – Applications for Review	
Qualified Foreign Lawyers	7 (14)
European Lawyers applying for Call to the Bar	0 (1)
Temporary Admission	1 (0)
Legal Academics applying for dispensation from the standard requirements for Call to the Bar	1 (2)
Solicitors applying for Call to the Bar	2 (3)
General Exemption	2 (1)
Applications for reduction in pupillage	5 (10)
Applications for external training	1 (0)
Applications for waivers of the practising rules	0 (3)
Waiver of the Public Access Rules	2 (0)
Applications for rights to conduct litigation	0 (1)
Applications for waivers of the Pupillage Funding & Advertising Requirements	0 (7)
Applications for authorisation as a pupillage training organisation	0 (1)
Applications for Partial Exemption from the Academic Stage	1 (2)
Applications for Exercise of Discretion to Waive Requirement to obtain lower second class honours	1 (2)
Applications for reactivation of stale qualifications	1 (1)
Applications for Certificate of Academic Standing	3 (0)
Application for approval of credit transfer	0 (1)
Mature Non-Graduate	0 (2)
Decisions of the Inns Conduct Committee	7 (7)
TOTAL APPLICATIONS FOR REVIEW	34 (58)
TOTAL APPLICATIONS	1,454 (1,378)

Chair's Report on Visits and Meetings - February 2015**Status:**

1. For noting

Executive Summary:

2. In the interests of good governance, openness and transparency, this paper sets out the Chair's visits and meetings since the last board meeting.

List of Visits and Meetings:

- | | |
|-------------|---|
| 12 February | Lunch with Richard Thompson
Attended BC/BSB Chairmen's Committee
Attended PRP Committee
Met with Andrew Mitchell QC |
| 16 February | Lunch with the Treasurer and Sub Treasurer of Inner Temple, the Rt Hon Lord Justice Moore-Bick and Patrick Maddams |
| 17 February | Attended Chairs/CEOs BSB/LSB meeting
Met with Treasurer of Gray's Inn, Desmond Browne QC
Met with Rolande Anderson |
| 18 February | Attended BSB staff meeting
Met with Malcolm Cohen
Met with Tim Robinson |
| 19 February | Met with Brian Lee, Institute of Barrister Clerks
Met with Christine Kings and Edith Robertson, Legal Practice Management Association
Attended meeting with LSB on legislative options beyond the LSA |
| 23 February | Attended Global Law Summit |
| 24 February | Attended Global Law Summit
Attended Finance Committee |
| 25 February | Attended Global Law Summit
Attended Board briefing meeting |
| 26 February | Met with Shailesh Vara, Parliamentary Under-Secretary of State, Minister for the Courts and Legal Aid
Met with Rob Behrens
Attended Board meeting
Meeting with Justine Davidge |

Equality Impact Assessment

3. No Impact

Risk implications

4. These reports address the risk of poor governance by improving openness and transparency.

Consultation

5. None

Regulatory objectives

6. None

Publicity

7. None

Lead responsibility:

Sir Andrew Burns

Director General's report - BSB meeting 26 February 2015

For consideration and noting.

Director General

1. I have worked closely with Sir Andrew Burns KCMG over the last month to ensure he is well briefed on the work of the BSB and prepared for the round of meetings he has been involved in (as set out in his report). A key area has been in relation to the LSB: we have had the first four way Chairs/CEOs meeting. In addition, we have participated in the most recent "Regulators' Summit" which is reported on in the private agenda in more detail. A public statement on the work that is being undertaken in this context was due to be released shortly. BSB Directors have been engaged actively in each of the four areas of work concerned. I have also had my first routine one-to-one meeting with the LSB's new Chief Executive, Richard Moriarty. The BSB's response to the LSB draft Strategic and Business Plan consultation has also been completed and will be published in due course.
2. I have been closely involved in our continued work on QASA, including in relation to preparation for the Supreme Court hearing on 16 March, liaising with other regulators and stakeholders. I have also continued to oversee our intervention in the *Hemming* case at the Supreme Court.
3. Following a meeting on 23 January of the Independent Appointments Panel, Heidrick and Struggles have been retained to assist with the recruitment of barrister Board members for appointment from 2016. The process runs from early March through to late July and is choreographed very ably by Lynne Callegari. All reading this report are encouraged to bring the opportunities to contribute to the work of the BSB to the attention of suitably qualified barristers – further details will be circulated at the beginning of March.
4. I continue to have close oversight of and contribute to work on the Licensing Authority application and related work and of course the work on the 2015/16 budget and business plan, elsewhere on the agenda. It was a pleasure to introduce Sir Andrew to all BSB staff at a "coffee morning" meeting on 18 February.

Regulatory Policy***Standards***

5. The Regulatory Policy Team has set up a project to consider whether or not single person entities should be required to purchase their primary layer of insurance from BMIF (as previously discussed by the Board). As part of the project, the team will be gathering data on the current market, alternative insurance options for entities and seeking expert advice on the impact of insurance options on the mutual model. A consultation will be developed and signed off by the Handbook Working Group and will be run from the end of March as part of the evidence gathering process. A proposal will be brought back for the Board to consider in June.
6. High-level feedback has been received from the LSB on the licensing authority application. The team have sought further clarification where necessary and are in the process of finalising the application in light of the comments. A separate note on compensation arrangements was sent to the LSB and we are awaiting further feedback on this.

Regulatory risk

7. Efforts this month have focused on planning and resourcing for a programme of activity to take forward the next phase of work to embed risk into our regulatory approach. The programme sets out four streams of activity:
 - **Risk identification & assessment** – including issuing an update to the Risk Framework & Index, followed by publication of the BSB's first Risk Outlook
 - **Decision-making & control** – a decision-making framework to align approaches throughout the organisation, explicitly embedding risk. Development of regulatory performance measures will also support bolstered regulatory oversight.
 - **People & culture** – building the capability, capacity and ways of working needed for effective risk-based regulation. This includes staff and board development, incorporation of regulatory risk into performance management and a structured programme around regulatory tone and culture.
 - **Process, information & systems** – the building blocks supporting effective operation of risk based regulation in practice. Processes and systems designed to align to regulatory intent and support flexible and adaptive regulation.
8. The Board is considering regulatory risk further under a separate item on the agenda for this month.

Equality and Diversity

9. Publication of equality information is a legal requirement under the Equality Act 2010. We have now published on our website:
 - *Aggregated Diversity Report on the Profession 2014* – a report containing aggregated data on the profession broken down by protected characteristic and seniority.
 - *Bar Course Aptitude Test Candidate Data 2014* – Aggregated diversity data on all candidates who sat the BCAT in 2014
 - Diversity data of complainants and barristers who are subject of misconduct complaints in 2014.
10. The E&D team are currently in the process of updating the E&D training for all staff. New content will be added to the training, this includes principles of unconscious bias, more group exercises and an understanding of common misconceptions. This training is being improved taking into consideration the feedback received from staff in 2014 and training will be delivered in March 2015 to new staff who have joined the Bar Standards Board and Bar Council.
11. The E&D team attended a meeting of regulators, inspectors and ombudsmen who have an interest in human rights and equality which is facilitated by the Equality and Human Rights Commission. The group reviewed the "Human Rights into Action" Handbook which provides case studies of how human rights can be taken into account in regulators day-to-day work. The group shared best practice and provided updates on the projects they were currently working on.

Supervision

Entity regulation

12. To date the team has registered 59 interested applicants and given them access to the online portal. Of those registered:
 - 44 are single person entities (excluding three from external testing)
 - eight are entities of two-five persons (including one from external testing)
 - one entity of 6-15 persons; and
 - two have not given a firm indication but this will be determined from their application.
13. Eleven (11) fully completed applications have been submitted. Of these nine are from single person entities and one is from a two-five person entity.
14. Progress has been made on the development of IT systems to support the end to end authorisation process. Fortnightly sessions are ongoing between the team and IT to agree requirements. Indicative time scales for delivery are April, 2015, with onsite testing to occur beforehand. In the interim, spreadsheets have been developed to manually record and monitor application activity and to facilitate review and capture of the information submitted. Assessments have started with decisions to be made from April.
15. Communication updates are ongoing with a recent feature in the BSB's Regulatory Update, followed up with a message to all registered applicants describing the benefits and advantages of early application. A general tweet will be sent in mid-March ahead of the issuing of authorisation decisions. A more formalised, wider-reach message has been scheduled with the Communications Team for the week the first decisions / authorisations are issued. Briefing sessions to chambers and associations are ongoing, including two scheduled talks in February to the Institute of Barristers' Clerks.
16. As part of the registration process, the team is gathering market information from applicants, including data on the degree of interest in the BSB's application to the LSB to licence ABS.

Supervision

17. By the time the Board meets all High Impact Chambers should have been informed of the results of the Supervision Return process. Visits will be scheduled to all High Risk Chambers and undertaken over the next two to three months. So far 14 Chambers have been identified as High Risk. A number of other Chambers have been identified as Medium Risk and given a period of time in which to demonstrate that identified concerns have been addressed; many of these Medium Risk Chambers have already demonstrated significant improvements. A comprehensive analysis of emerging themes and risks arising from the Supervision Return process will be undertaken and the results will be communicated across the executive and the market as appropriate; a report will also be shared with the Board for noting.
18. The IT systems that will support supervision have been in development since December and since the end of January the Supervision Team has been testing a prototype. The new system will be operational from 2 March and will make a significant difference to administration of supervision by improving the ability to manage

information, prioritise Chambers for supervision, track deadlines and report effectively on risk.

19. On 24 and 25 February the Supervision Department will be hosting an event for the Institute of Barristers Clerks (in London and Manchester) to provide an update on risk-based supervision and entity regulation.

Education and Training

20. Internal drafting of the Professional Statement has progressed, with final editing being undertaken prior to consultation. The Professional Statement will establish an important point of reference for what a barrister should be able to do on first full authorisation.
21. Work is now in progress to plan a series of focus group meetings that will support the development of our proposals for the future of the BPTC and pupillage.
22. A "green paper" on the Future Bar Training, to communicate to a wider public some of the changes we may be thinking of making, was due to be published by 20 February.

Vocational Training

23. All BPTC institutions and their sites are being visited as part of the annual monitoring process, a key component of our quality assurance system for vocational training.
24. A final draft of the report on BPTC key statistics (for the benefit of prospective students) is being reviewed at the time of writing, with the intention that such a report will be published annually.

Centralised assessments

25. An interim report on progress with the review of centralised assessments was presented on 10 February to the Education & Training Committee. The review is chaired by Prof Paul Kohler, and the final report is scheduled to be submitted to the Committee in April 2015. Operational plans for this year's examinations, which start in April, are well on track.

Pupillage

26. Pupillage registration is now integrated within the Qualification Regulations team, following the appointment of new members of the team.

CPD

27. The pilot of the proposed revised scheme of CPD has been initiated with nearly 100 participants from a range of practice environments. A public consultation on the new scheme is planned for publication in April 2015.
28. The BSB Handbook anticipated the introduction of new requirements for barristers returning to practice after five years or more, from April 2015. However, in view of developments in CPD regulation and the wider Future Bar Training programme, the introduction of such new requirements has been deferred.

Qualification Regulations

29. There is a separate report to the Board on the work of the Qualifications Committee in 2014 elsewhere on the Board Agenda.
30. The Qualifications Committee met on 9 February 2015. It undertook reviews of six decisions of its Panels and upheld the original decision in each case. It also considered papers on application fees and the Academic Stage of training.
31. On 29 January 2015, the hearing of the first appeal to the High Court against a decision on the Qualifications Committee took place. The appeal, which related to refusal to readmit a barrister who had previously been disbarred, was dismissed by Mrs Justice Rose.

People

32. Nana Amoako (Assessments Administrator) left on 12 February, and recruitment for a replacement is in progress.
33. Two new appointments have been made in the Qualification Regulations team, with Dennis Bonsu and Michael Archer taking on roles as Training Regulations Assistants (additionally supporting pupillage registration).

Professional Conduct**General**

34. Work in the Professional Conduct Department has largely been “business as usual” over the last month. As we are now in the last quarter of the year; staff are concentrating on ensuring that complaints are dealt with quickly and efficiently in order to try to meet our KPI targets. However, the Board should note that recent staff vacancies and other absences within the department are likely to have an adverse impact on the year-end figures.
35. **New staff member:** The PCD has successfully recruited to the post of Assessment Officer in the Assessment Team. Alka Puri will be joining us on 23 February 2015 where she will benefit from a weeks’ handover with the outgoing Assessment Officer, Catherine Mitchell, who leaves on 27 February 2015.
36. **Time recording:** Staff are continuing to record time spent on each aspect of the work of the PCD in order to provide a sound basis for establishing the cost of handling complaints. The time recording is likely to carry on for the foreseeable future.
37. **NFA consultation:** the consultation on removing from the Complaints Regulations the power of the Professional Conduct Committee to make a finding of No Further Action, due to problems with its practical application, commenced on 12 February and will run for eight weeks, closing on 1 April 2015.

Judicial Reviews

38. The PCD is currently handling four applications for Judicial Review, three of which remain at the permission stage. The fourth application relates to decisions by the Professional Conduct Committee to dismiss complaints against two barristers without investigation. This application was struck out by the Administrative Court and the decision is being appealed to the Court of Appeal.

39. The PCD has received three new applications for Judicial Review since October 2014. Two of these are at the permission stage and concern the decision to bring disciplinary proceedings and a dismissal of a complaint respectively. A decision was made on the third application in January 2015, when the Claim was discontinued.
40. Last month the PCD reported on an additional appeal case in addition to those listed above. The appeal, considered in early January 2015, was against a decision by the Administrative Court not to quash a Disciplinary Tribunal finding to disbar a barrister despite the Administrative Court having found that there were fundamental flaws in the prosecution process. The Court of Appeal set aside the decision of the Administrative Court and ruled that the Visitors' decision to dismiss the appeal from the original Tribunal should be quashed. Since last month, the matter has been remitted to the Visitors to consider all consequential matters (including costs) and an application by the BSB for Charges one and two to be reheard by the Tribunal. Costs of the Court of Appeal and Administrative Court hearings have been awarded against the BSB. The PCC is still considering what further action should be taken in light of the outcome.

Strategy and Communications

Communications

41. Since this report was prepared for the January Board meeting, the following press releases and announcements have been issued:
- 21 January: A statement on the judgement in the *McCarthy v the Visitors to the Inns of Court and the Bar Standards Board* case, referring back to actions undertaken in 2010;
 - 2 February: Joint announcement with the Bar Council that the annual Authorisation to Practise process is now open;
 - 3 February: A statement about the BSB's latest position on QASA following the discussion at the January Board meeting.
42. The Board will have seen the fortnightly media coverage that the above announcements generated.

Work in Progress

43. At the time of writing, the following pro-active communications activities are scheduled for the next few weeks and months:
- The next phase of communication for the Future Bar Training programme including work to set the scene for future consultations about the professional statement, regulation of the academic stage and CPD.
 - A communications plan to launch the 2015/16 BSB Business Plan.
 - Launching consultations for the Regulatory Policy team about s.69 and Standard Contractual Terms.

Online and social media

44. During January, 29,911 users visited the BSB website. At the time of writing, we have 10,695 followers on Twitter.

Business Support

Strategic Planning

45. Planning the BSB next three-year strategy has commenced and the team is working with the PRP Committee to undertake a strategic planning review. Board members will hear more about this at the April Away Day.

Business Plan and Budget

46. Work is underway to pull together the BSB Business Plan publication for 2015-16 which will be considered at the February Board meeting, prior to final sign off at the March 2015 meetings. This also involves finalising the BSB's budget for 2015-16 which will be signed off by the Bar Council's Finance Committee in March.
47. The team is also working with other departments to improve the way in which we report on our management accounts, particularly income and risks. This ties in with the review of the fees and charges policy which will be brought to the Board for discussion, following the PRP committee's consideration of it.

Risk Management

48. Team members are working with the Regulatory Risk Manager to ensure that the corporate risk framework aligns with the regulatory risk framework. This is being overseen (pending the outcome of the wider governance review) by the Governance, Risk and Audit Committee, which had a workshop on this subject in January 2015. The Business Manager is working to devise parameters for "serious event reviews" which will look at actual or "near-miss" serious regulatory failures.

Contract Management

49. The revised Service Level Agreement with the Bar Council's Resources Group has now been signed and communicated internally. The Business Support Team is carrying out a project to improve the way that we monitor and manage our contracts, to ensure that we achieve value for money and mitigate contractual risks.

Regulatory knowledge and information

Research

50. The Regulatory Knowledge and Information Manager has resigned and left the organisation. The projects currently underway are being progressed very capably by the Research and Evaluation Officers in the team: Zoe Pellatt and Oliver Jackling. Deadlines for current projects are all still on schedule.
51. The Youth Courts Advocacy Review research project is underway and proceeding well. Observations and interviews are now scheduled. We are receiving very good feedback from a number of stakeholder groups about this initiative.
52. The SMT is shortly to consider a proposal to revise the statistics we publish on the website and how this interacts with the content of what has previously been known as the Bar Barometer.

Knowledge management

53. There is close liaison with the Regulatory Risk Manager to ensure that we align our knowledge management and risk activities. The two are very closely linked and we will seek to progress together for efficiency as well as efficacy.

Information and data management

54. The Information Architecture project is progressing. There is work being undertaken to ensure that we use what we have done as part of the regulatory risk framework to feed into the Information architecture project so that there is no need to repeat any aspects. The Chief Information Officer is scheduled to update the Board on progress at its March meeting.

Resources Group**Current Key Business Projects****55. Information Management Programme of work**

- A range of projects, some listed below, has been constituted as part of a programme of work to transform the businesses information management and underpinning systems architecture over the next one-three years.
- Work is underway to build the programme in a more cohesive way with the teams; looking at dependencies and overarching programme outcomes/objectives that link in with the overarching IT strategy. Managed by the Resources Group PMO.

56. Authorisation to Practice 2015

- Process went live on 2 February 2015
- 3,633 have completed the declaration (23.33%)
- 649 have completed the full process and have their certificates

57. Intranet

- Still on track to meet go live for 25 March 2015
- Setting up / build of the intranet is 90% complete
- Look and Feel development has been finalised
- Content development complete and uploading to begun ready for testing during early March

58. Human Resources Information System (HRIS)

- Process review and requirements specification complete
- Business case agreed for implementation of the HRIS during April – September 2015
- Supplier Selection research underway

59. Data Cleansing

- Business case agreed
- Project plan completed
- Initial audit of the quality and integrity of data across the organisation underway in conjunction with the information architecture project

60. **CPD Regulation Implementation**

- Prototype of CPD rules and requirements and guidance complete
- CPD Pilot launched and planning statements due for submission from pilot group on 27 February

61. **Supervision and Entities regulation**

- Supervision on track for go live first week of March; Entities on track for go live first week of April
- First version of the Supervision system is built and with the supervision team for testing
- The work on the Entity Authorisation system has been started. Good progress has been made on the application development and the payment processes.

62. **Information Architecture**

- Business Process Review workshops have begun with the Representation, Policy and Services directorate – 50% complete
- Review of the As-is processes for BSB in conjunction with the regulatory risk project team underway
- Scope for review of business processes contained to HR, Finance and Records and 50% complete
- Research underway to look at the technological options for the future IT single solution

Functional & Team Updates**Project Management Office – Richard Thompson*****Projects***

63. Key projects and programmes the PMO are managing and/or supporting are listed in the key business projects section of this report.

Project Management Standards Training

64. An Introduction to Project Management Training course has been developed for delivery during March, offered to the entire organisation. This has been built around the PM core guidelines. So far we have 75 employees signed up for this course. This is the first of a series of sessions around project management throughout 2015 and early 2016. More in-depth sessions will be run around specialist topics following on from this introductory course.

65. This activity will help the PMO in achieving its objective to raise the skillset and culture of project management across the organisation.

Project Portfolio Monitoring

66. The PMO now has a monthly reporting cycle in place which generates a monthly dashboard displaying the portfolio of projects and programmes live and pending across the organisation.
67. Over the next few months our focus will be on providing a more sophisticated analysis of the portfolio in terms of resources and finances so this can become a more

sophisticated management tool for the senior teams across the Bar Council and the Bar Standards Board.

Human Resources – Catherine Shaw

Performance review

68. The mid-year performance review process was completed during December. We are still awaiting the return of a number of forms. Communication was sent to staff and managers during January on the outcome of the process and an opportunity for feedback. This will be incorporated in to training ahead of the year end process.

HR team

69. Gloria Packer joined the team on 19 January 2015 as HR Manager. Georgina Holton will soon go on maternity leave and her last working day in the office before that will be 12 March 2015. Until that time she is undertaking some project work on our Induction process.
70. All the HR team participated in the successful Resources Group team meeting at the end of January.

Reward

71. A proposal for a reward strategy has been agreed in principle by the Emoluments Committee. This contains recommendations regarding annual salary reviews, performance related progression and non-financial reward. The HR team are undertaking further work on the details of our policy. The strategy was launched to the Leadership Group for discussion at its meeting in February. We have completed the annual review of our Fitness First benefit.

HR system and intranet

72. We continue to work with the PMO in respect of both these projects, and are currently in the process of completing the Business Case ahead of a project review in February. The HR team have all been working on FAQ's, Benefits information, Staff Handbook and Policy updates for the HR section of the intranet.

HR Policies

73. Completed line manager training on the new Dignity at Work Policy.
74. Preparing an updated version of our Special Leave Policy for review and discussion in February.
75. Working on changes to our Annual Leave Policy for review and discussion in February.

Employee Relations

76. Engaged People Insight to partner with us on our employee survey.
77. First meeting of newly formed staff committee – The Forum.

Records – Smita Shah

78. Authorisation to Practise 2015-16: The team are now focusing on the ATP process. Two temps have been recruited to assist in managing the phones and workload.
79. So far the members are going through the process quite seamlessly and the system has functioned well. The last few items of development has been completed, so the online administrators and barristers who are registered under rS15 will be sent their notifications this week so that they may commence completing their renewals.
80. The highest queries have been around: what is the correct date that should be used for calculation of earnings for the Practising Certificate Fee, what should be included in the income and should income from sitting as a judge, lecturer at law school etc. be included. A revised list of FAQ's is being drawn up to address these queries.

Finance – David Botha

81. We continue to defer the implementation of a new finance system to align this project with the review of the organisation wide information management systems, starting with the Information Architecture project. We are instead directing efforts to reviewing the business processes and information flows that drive the financial information and transactions to simplify, standardise where appropriate and to streamline in anticipation of implementation of a replacement system at the end of 2015.
82. Preparations for the year end are underway with an interim audit expected early in March and the final audit in May. Proposals are also being drawn up for revisions to our annual financial reporting pack to improve the transparency of financial performance, to increase the relevance of the financial information to stakeholders and to increase accountability.
83. We are completing the review of corporate risk reporting and management activities initiated in 2014 for review in the spring.
84. A permanent Financial Controller (Ade Soremekun) has now been hired replacing Patricia Payne who left us early in February. Patricia took on a challenging role and in a short space of time had established her credentials as an experienced and professional finance leader. She had performed admirably in delivering a series of improvements to business and finance practise and will be missed.

Facilities – Sam Forman

85. A Scope of works has been agreed for the repair obligations to the common areas - Basement to Fourth Floor. Costs are due shortly and once agreed work will commence to these areas.
86. Works to the HVAC system on the First Floor have been postponed due to difficulties around sourcing parts to the system. We are working with our engineers and consultants to find an alternative solution.
87. Potential new tenants for the upper floors are still locked in negotiations with the landlord. Prospective tenants undertake legal work.
88. Property Strategy – initial discussions have commenced with the PMO to start developing a range of options that feed into the strategy.

89. Agreed to proceed with Meeting Room Pods for installation on the Ground Floor Mezzanine. Actual costs and lease options being sought. Lead time on installation 3-4 weeks.

IT Department – Tony Cook

90. PCI DSS Compliance - Shortlisted two vendors who have sent in their proposals. Will be looking to negotiate on prices and proceed with scoping exercise.
91. Corporate Policies – numerous policies are currently being developed and circulated for comment and review. The Bring Your Own Device policy has been reviewed by SLT and is currently being revised following feedback. Email and Acceptable use policy has been circulated to HoDs for comment. Once complete these will be passed to SLT.
92. Objective DMS Review – this is progressing well, a staff survey is currently being finalised prior to circulation for staff feedback.
93. Data Cleansing - A rough outline of a plan that needs to be put into project and agreed has been compiled, we have also been working on a master excel file to capture all the audited data, excel and access systems.
94. The IA project - Process mapping for Records is continuing but hope to be finished by the end of February.

Vanessa Davies
Director General BSB
19 February 2015