

**BAR
STANDARDS
BOARD**

REGULATING BARRISTERS

**Meeting of the Bar Standards Board
Thursday 23 January 2014, 4.30 pm
VC Room, 2nd Floor, Bar Standards Board Offices,
289-293 High Holborn, London, WC1V 7HZ**

Agenda

Part 1 – Public

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1.	Welcome and introductions (4.30 pm)	Chair	
2.	Apologies	Chair	
3.	Members' interests and hospitality	Chair	
4.	Approval of Part 1 (public) minutes: <ul style="list-style-type: none">• 21 November 2013	Annex A	3-8
5.	Matters Arising	Chair	
6.	a) Action points and progress	Annex B	9-12
	b) Forward agendas	Annex C	13
	<u>Items for discussion</u>		
7.	Aggregated Diversity Data on the Barrister Profession (4.40 pm)	BSB 001 (14) Rolande Anderson / Sarah Louffi	15-58
	<u>Items for noting</u>		
8.	Report from the Qualifications Committee (4.55 pm)	BSB 002 (14) Rob Behrens / Joanne Dixon	59-67
9.	Chair's Report on Visits and Meetings: Dec 13 – Jan 14	BSB 003 (14) Chair	69-71
10.	Director's Report (5.05 pm)	BSB 004 (14) Vanessa Davies	73-83
11.	Any other business		
12.	Dates of next meeting Thursday 20 February 2014		
13.	Private Session		

John Picken
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16 January 2014

<p>BAR STANDARDS BOARD</p>

REGULATING BARRISTERS

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

Thursday 21 November 2013, Video Conferencing Room

289 – 293 High Holborn, London, WC1V 7HZ

Present	Ruth Deech QC (Hon) (Chair) Patricia Robertson QC Rolande Anderson Rob Behrens Sarah Clarke Malcolm Cohen Paula Diggle (by telephone) Simon Lofthouse QC Matthew Nicklin QC Tim Robinson Andrew Sanders Sam Stein QC Richard Thompson Anne Wright - items 7-14
In attendance	Nick Lavender QC (Vice Chairman, Bar Council) James Wakefield (COIC representative)
BSB Executive in attendance	Andrew Cohen (Business Support Officer) Vanessa Davies (Director) Chloe Dickinson (Governance Support Officer) - items 1-7 Joanne Dixon (Qualification Regulations Manager) Sara Down (Head of Professional Conduct) Roger Hammond (Change Programme Manager) Victoria Hardman (Communications Manager) Ewen Macleod (Head of Professional Practice) John Picken (Board & Committees Officer) Robert Pragnell (Senior Policy Officer) Amanda Thompson (Head of Strategy & Communications) Simon Thornton-Wood (Head of Education & Training)
Bar Council Executive in attendance	Stephen Crowne (Chief Executive, Bar Council)
Attending by invitation	Sarah Brown (Special Adviser) Emily Windsor (Special Adviser)

Item 1 – Welcome and introductions

1. The Chair welcomed members and guests to the meeting. She also paid tribute to the work of Paula Diggle and Matthew Nicklin QC, both of whom will stand down from the Board at the end of the year having completed two full terms of office. She warmly thanked them for their prolonged hard work on behalf of the BSB and the outstanding contribution this represented.

Item 2 – Apologies

2.
 - Justine Davidge;
 - Maura McGowan QC (Chairman, Bar Council);
 - Stephen Collier (Treasurer, Bar Council);
 - Ben Denison (Chief Information Officer);
 - Mark Hatcher (Director, Representation & Policy);
 - Oliver Hanmer (Head of Quality);
 - Viki Calais (Business Manager).

Item 3 – Members’ interests and hospitality

3. Ruth Deech referred to her report to the Board (item 12) in respect of the following engagements:
 - Lunch given by Lord Justice Beatson (10 Nov 13);
 - Dinner given by Brian Doctor QC (11 Nov 13).

Item 4 – Approval of Part 1 (public) minutes – 24 October 2013

(Annex A)

4. The Board approved Part 1 of the minutes of the meeting held on Thursday 24 October 2013 subject to the following amendments:
 - the second bullet point of minute 11 should read:
“there is a public launch event for the Handbook on 22 January 2014 and a number of roadshows have preceded this;”
 - the second bullet point of minute 20 should read:
“the Chair, herself, has been made an ordinary bencher of the Inner Temple;”

Item 5 – Matters arising

5. None.

Item 6 – Action Points & Forward Agendas**6. Action points and progress (Annex B)**

The Board noted the updated action list as set out in Annex B of the agenda papers. The Chair remarked that concerns brought to her attention by a barrister about the cost of public access training proved to be unfounded as the figures quoted by the barrister had been incorrect.

7. Forward agendas (Annex C)

The following comments were made:

- the submission of the Entity Regulation application does not need to come back to the Board, hence its omission from the forward agenda list. The Handbook Working Group will sign off the final version to be sent to the LSB;
- the BSB’s response to the Jeffrey Review on advocacy will need to be completed in December. There is no Board meeting in that month. Justine Davidge and Sarah Clarke are working on the response which will be circulated to Members by email for comment prior to its formal submission;
- an item on fees and charges should be added to the February meeting of the Board;
- the post-LETR plan will need to be moved to the March meeting.

**BSB
Members
to note****AT to
note
STW to
note**

Item 7 – Standing Orders Review

BSB 087 (13)

8. Amanda Thompson commented as follows:
- the paper is an interim measure to enable Committees to operate in accordance with the provisions of the new Handbook (effective from 6 January 2014);
 - a further review of the Standing Orders is scheduled for next year. This will be an in-depth re-draft to take into account proposals for change in governance arrangements;
 - revised versions of the Declarations of Interest Policy and Gifts and Hospitality policy are also included.
9. Richard Thompson also referred Members to the revised Terms of Reference for the Supervision Committee which had been circulated subsequent to the main agenda papers. The revised draft:
- omits specific reference to QASA on the grounds that this is dealt with at Board level;
 - expresses the role of the Committee in terms of providing assurance on supervision arrangements and to review and challenge future proposals from the executive on this topic.
 - Seeks to articulate clearly the relationship between committee and Board and the differences in roles and responsibilities
10. Members commented as follows:
- the Terms of Reference for the Standards Committee includes reference to granting waivers from the requirements of the Handbook. It has previously been agreed that powers regarding waivers should all be transferred to the Qualifications Committee;
 - the Terms of Reference for the Qualifications Committee includes “authorisation of Approved Training Organisations (ATOs)”. In fact it may be more appropriate for this to come under the remit of the Supervision Committee;
 - the Board has previously asked that Committees be made smaller. In view of this the quorum may be better expressed simply as a specific number of barrister and lay members, and omit reference to “one third” of the membership;
 - Committee Chairs should be consulted about any future changes to the Committee appointments process;
 - the practice of balancing numbers of lay and barrister members on Committees is largely historical in origin and may not be appropriate to continue. Membership should simply reflect the skills required;
 - QASA should, in fact, be incorporated in the Terms of Reference of the Supervision Committee. Whilst the Board has a specific interest in this topic now, it would not be appropriate for it to have front line responsibility once QASA reaches a steady state. Duplication of effort in terms of report writing can be avoided by effective agenda management.
11. In response, the following comments were made:
- the principle of separating the powers to make rules from the powers to grant waivers is agreed. This would have already occurred but for the fact that the Qualifications Committee is being restructured. Once completed, that Committee will have full responsibility for waivers;

- there needs to be a fuller discussion on the lines of demarcation between the Qualifications Committee and the Supervision Committee. This can occur next year when the Standing Orders will be further reviewed. For the immediate future, however, it would be useful if the proposed Terms of Reference could be approved temporarily pending this further consideration.
- the Terms of Reference for the Supervision Committee could simply refer to strategic oversight of “quality assurance schemes”.

12. **AGREED**

- a) to approve the revised Standing Orders, including committees’ Terms of Reference, subject to the inclusion of QASA in those for the Supervision Committee. **AT/CD**
- b) to approve the new Declarations of Interest Policy and the new Gifts and Hospitality policy.
- c) that a further review to the Standing Orders be undertaken during Spring / Summer 2014 and referred back to the Board. **AT/CD**

Item 8 – Performance Report Q2 (as at 30 September 2013)

BSB 088 (13)

13. Amanda Thompson drew Members’ attention to the revised version of the performance dashboard (Annex 1 of the report). This has been amended in response to the directions received at the last meeting. She also referred Members to the virements approved by the Planning, Resources & Performance Committee at its meeting on 22 October 2013.
14. The following comments were made:
- we remain within budget in overall terms but QASA remains a concern and needs to be closely monitored during 2014 as income levels have already been affected;
 - the changes in staffing will be discussed at the Away Day when an updated organogram will be available;
 - the absence of the Data Analysis Officer and the consequent delay in production of performance reports implies a too heavy reliance on a single staff member;
 - the half year staff turnover figure (12%) is higher than the half year target of 7%. It may be useful to consider a summary of exit interviews at the Away Day. Since the issue has been ongoing for a while, it may be worth taking a longitudinal analysis over, say, the last four years.
15. In response, the following comments were made:
- action has already been taken to make good the temporary absence of the Data Analysis Officer and the longer term issue of expanding skills in data management is acknowledged;
 - for the most part, the higher than expected turnover has been due to younger members of staff taking advantage of promotional opportunities elsewhere. BSB is a small organisation and equivalent opportunities are therefore limited in number.
16. **AGREED**
- a) to note the performance summary.
- b) to note the virement of funds between account headings within the Exam and Assessments budget as set out in the report.

Item 9 – COIC (BTAS) Contract - update

BSB 089 (13)

17. Vanessa Davies highlighted the following:
- the report sets out progress to date on the 82 recommendations which arose from the Browne report (2012) on administrative arrangements for COIC disciplinary tribunals;
 - the majority of recommendations have now been implemented; a smaller proportion are still in progress and a minority were not progressed as it was not considered appropriate to do so;
 - the new contract with BTAS was signed on 23 October 2013;
 - the BSB has a new Contract Management Officer postholder who will ensure the terms of the contract are fulfilled. The Independent Observer also has a role, though distinct from the CMO, in providing assurance on operation of the BSB's disciplinary system in general.
 - the BSB will be represented on the Strategic Advisory Board for BTAS (Vanessa Davies will be a member of this body). A lay member of the Board is also to be nominated to the BTAS Strategic Advisory Board. This should assist in managing future risks that might arise in connection with BTAS.
18. The Chair asked if the IT systems in place at BTAS were adequate. In response James Wakefield confirmed that significant investment had taken place for improved IT resources including a re-launched website.

19. **AGREED**

to note the report and the good progress achieved to date.

Item 10 – Chair's Report on Visits and Meetings: Sept - Oct 2013

BSB 083 (13)

20. The Chair made the following amendments to the report on her visits and meetings:
- she met The Hon Mr Justice Haddon-Cave QC on 13 November to discuss the Jeffrey Review of Advocacy;
 - her meeting with the Director of the Campaign for Freedom of Information, scheduled for 21 November, was cancelled.

21. **AGREED**

to note the report.

Item 11 – Director's Report

BSB 084 (13)

22. Vanessa Davies highlighted the following:
- good progress is being made in the lead-up to the new Handbook coming into effect on 6 January 2014;
 - Janet Pugh, Education Manager, leaves the BSB on 22 November 2013. She played a key role in the establishment of the Central Examinations function and the value of her contribution has been significant;
 - there was a very successful consumer engagement meeting on 13 November involving delegates from Victim Support, Citizens' Advice and the Advice Services Alliance.
23. Members commented as follows:
- it is likely there will be vacancies on the Supervision Committee and the current round of committee recruitment may identify some suitable candidates;

- the report refers to the Chambers' Equality and Diversity Officers Event (6 November 2013). This was a notable success with very good attendance and enabled the beginning of an E&D Officers network;
- the session on the Handbook at the Bar Conference was well received, as have been the roadshows.

24. **AGREED**
to note the report.

Item 12 – Any Other Business

25. None.

Item 13 – Dates of next meetings

26. Thursday 12 December 2013 (Board Away Day, HM Treasury).
Thursday 23 January 2014 (BSB Offices).

Item 14 – Private Session

27. 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 – 24 October 2013;
- (2) Matters Arising;
- (3) Action points and progress – Part 2;
- (4) Cab rank rule, Very High Cost Cases and changes to legal aid fees;
- (5) Corporate Risk Register
- (6) Proposal for a revised scheme for regulation of Barristers' Continuing Professional Development
- (7) LSB s 55 Investigation – note on draft protocol to meet a required undertaking on regulatory independence
- (8) QASA judicial review - update
- (9) Legal Services Board proposals following the Legal Education & Training Review
- (10) Any other private business

28. Neither the Bar Council nor COIC representatives were invited to attend the private session. The meeting finished at 5.40 pm.

BSB – List of Part 1 Actions
23 January 2014
(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
12a (21 Nov 13)	include reference to QASA in the Terms of Reference of the Supervision Committee and publish the revised Standing Orders	Amanda Thompson / Chloe Dickinson	before 6 January 2014	14/01/14	Completed
12b (21 Nov 13)	publish the new Declarations of Interest Policy and the new Gifts and Hospitality policy	Amanda Thompson / Chloe Dickinson	before 6 January 2014	14/01/14	Completed
12c (21 Nov 13)	undertake a further review to the Standing Orders	Amanda Thompson / Chloe Dickinson	by end June 2014	14/01/14	Work has commenced
10 (24 Oct 13)	prepare a response to the LSB consultation paper on lay Chairs and email to Board Members for approval	Amanda Thompson	before 19 November 2013.	14/01/14 13/11/13	Completed. Response available on BSB website Draft to be circulated to Board members by 15 Nov 13
16 (24 Oct 13)	continue with implementation of the regulatory risk framework as agreed by the Board	Amanda Thompson	before April 2014	14/01/14 13/11/13	Discussed at Awayday in December; to be reviewed by SMT week of 20 Jan 2014 and by Board in February In progress. Updates in Director's report, performance report and corporate risk register. Key action for Board to note is need to schedule training dates for Board members in December.

BSB – List of Part 1 Actions
23 January 2014

(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
14b (26 Sept 13)	implement the action plan arising from the Diversity Review of the Bar Standards Board Complaints System	Sarah Loutfi / Sara Down / Amanda Thompson	before end March 14 (action relating to online training due by start of 2015)	14/01/14 13/11/13 16/10/13	On track Work remains on track In progress. The majority of actions have been completed or are on track. Two items (user feedback survey and inclusion of EIAs in policy work) are being addressed but may be implemented early next year rather than before the end of 2013.
24b / c (26 Sept 13)	extend amendments to the new Fitness to Practise Regulations and Guidance to cover the manager of the entity (irrespective of whether this person is a BSB authorised individual) and forward the application to the LSB for approval	Ewen Macleod / Sara Down	by 28 October 13	11/11/13	Discussions ongoing with the LSB in relation to the draft entity application
16b (18 Jul 13)	gather feedback on accessibility of information on the BSB website about complaints	Amanda Thompson	before end March 14	14/01/14 13/11/13 17/07/13	On track Stakeholder workshop held on 13 November dealing with QASA. Next session will be as below. Early indications are that engagement will be productive. 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.

BSB – List of Part 1 Actions

23 January 2014

(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
12d (21 Jun 12)	update the draft Governance Handbook re: typographical and text amendments and re-draft of the section concerning Gifts and Hospitality	Viki Calais	August 2012	14/01/14	Gifts and Hospitality completed; major revision of governance handbook now complete and being reviewed by GRA
				5 Nov 13	Revised approach adopted by GRA, the next version will be presented to the January 2014 GRA meeting
				8 Oct 13	Revised approach presented to GRA at October 2013 meeting.
				14 Aug 13	The next version will be presented to the GRA Committee at its meeting in October 2013.
				9 May 13	Governance Support Officer now in post. Work on governance handbook has recommenced.
				13 Mar 13	Recruitment on (revised) schedule
				9 Jan 13	Work re-scheduled and pending appointment of additional resource
				7 Nov 12	On hold whilst the business plans and budget bids are finalised. Will be completed by the end of the year.

BSB – List of Part 1 Actions
23 January 2014
(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 (16 Jun 11)	arrange for amended Memorandum of Understanding to be signed for BSB User Group and ensure disclosure of interests by members of the Group	Amanda Thompson	before 13 July 2011	14/01/14	Expected to be finalised at March stakeholder group meeting
				13/11/13	To be progressed with stakeholder group following analysis of feedback received from first session held on 13 November.
				8 Oct 13	as below
				9 May 13	To be progressed as part of overall stakeholder engagement strategy
				13 Mar 13	To be progressed now new staff in post
				12 Jul 12	Ongoing

Forward Agendas

Thursday 20 February 2014

- Education & Training Report, for note
- BSB Q3 Performance Report (includes Business Plan update, KPIs, Management Accounts, Corporate Risk Register)
- draft BSB Strategy update, Business Plan 2014-15 & Budget 2014-15
- Discussion on MoJ's response to its Consultation on Transforming Legal Aid (if available)
- QASA update
- Regulatory Risks (Part 2)
- Prosecutors Panel – review of pro bono system (Part 2)

Thursday 27 March 2014

- final version of BSB Strategy update, Business Plan 2014-15 & Budget 2014-15
- QASA report
- Post LETR plan
- CPD consultation
- Handbook – public access & Cab rank rule
- Supervision – structure of first questionnaire

Wednesday 30 April 2014 (Board Away Day)

Thursday 22 May 2014

- BSB Year-End Performance Report (includes Business Plan update, KPIs, Management Accounts, Corporate Risk Register)
- Jeffery Review of Advocacy report (if available)

Thursday 26 June 2014

- Fees and Charges

Thursday 24 July 2014

- BSB Draft Annual Report for 2013-14
- TRIP closure report

Thursday 11 September 2014 (Budget meeting)

- BSB draft Business Plan and Budget Bid for 2015-16

Thursday 18 September 2014

- BSB Q1 Performance Report (includes Business Plan update, KPIs, Management Accounts, Corporate Risk Register)

Thursday 23 October 2014

- Forward strategic overview

Thursday 27 November 2014

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

Thursday 11 December 2014 (Board Away Day)

Thursday 29 January 2015

Thursday 26 February 2015

- BSB Business Plan for 2015-16
- BSB Q3 Performance Report (includes Business Plan update, KPIs, Management Accounts, Corporate Risk Register)

Thursday 26 March 2015

Aggregated Diversity Data on the Barrister Profession

Status:

1. For discussion, approval and noting.

Executive Summary:

2. The Equality Act Specific Duties Regulations 2011 require the BSB to publish, every January, equality information relating to those who are affected by our policies and practices. The Legal Services Board (LSB) requires the BSB to publish aggregated diversity data on the barrister profession by 31st December each year broken down by the following strands: age, gender, disability, race, religion or belief, sexual orientation, socio-economic background and caring responsibilities.
3. Due to the timing of both Board and Equality Committee meetings in late 2013 it was agreed that the December 2013 data would be published in January 2014. The extension to the deadline for publication was agreed with the LSB in October last year.
4. The attached report (Annex A) sets out diversity data gathered on the profession from four sources: the Core Database (as at August 2013), the Biennial Survey of the Bar (2013), and both the 2011/12 and 2012/13 Pupillage Supplementary Surveys. Data has been collected on the diversity strands set out above and has been broken down by seniority.
5. The BSB Research team analysed the data in November 2013 and has advised that, due to low disclosure levels, the data in the areas of disability, religion or belief, sexual orientation and caring responsibilities is not reliable and therefore cannot be used for drawing reliable statistical conclusions. Good levels of data exist in the categories of gender, race and age.
6. In November 2013 the BSB Equality and Diversity Committee (EDC) considered the diversity data report and the issue of low disclosure rates. It recommended that the issue of low disclosure rates should be raised with BSB Strategy and Communications team in order that communications with the profession can stress the importance of providing the BSB with this data. It also asked that the new BSB Research Strategy be presented to the EDC at its March 2014 meeting for discussion and recommendations.
7. The low disclosure rate relating to diversity characteristics has been an issue for the Bar Council and BSB for several years. It is likely that the ability to delegate responsibility for completing the monitoring form to clerks or practice managers, coupled with issues barristers faced in locating the monitoring form and submitting it, may have caused the problem. The E&D team has been working with the IT, project management and communications teams on these issues and going forward it is likely that the following areas of activity will result in higher disclosure from the profession:
 - a) As of April 2014 all individual barristers will be required to engage with the Barrister Connect system on an annual basis as part of the authorisation to practise process. The ability to delegate responsibility for completing the diversity monitoring form will be removed.

- b) Information on the benefits of completing diversity data forms will be included as part of the central communications from the BSB regarding authorisation to practise, as opposed to the current approach of disseminating such information in specific “E&D monitoring” communications. It is anticipated that putting this information in the generic BSB communication packages as opposed to E&D specific ones, may lead to higher readership and therefore better disclosure.
- c) The positioning and signposting of the monitoring form on Barrister Connect has been changed. The form is now much more prominent on the relevant page and should be much easier for barristers to find and complete.
- d) A “pop up reminder” will appear immediately prior to completion of the electronic authorisation to practise process for individuals who have not completed their diversity monitoring form. The pop up will appear once only and will remind individuals that the form has not been completed and that they are strongly encouraged to complete it.
- e) The recent event for Equality Officers in chambers focused, in part, on diversity data collection and its importance which is likely to have encouraged individuals to understand the benefits of providing their data to the BSB.

Recommendations

8. The Board is invited to:
 - a. Approve the attached report at Annex A for publication by the end of January 2014 in order to meet both regulatory and statutory requirements.
 - b. Note continuing efforts to promote better disclosure of diversity data from the profession.

Summary of Legal and LSB Regulatory Requirements

Legal Requirements

9. The Equality Act 2010 Specific Duties Regulations 2011 came into force in September 2011. The regulations require that listed public authorities publish information on an annual basis, beginning in January 2012, to demonstrate compliance with the general equality duty (s.149 Equality Act 2010). The general duty requires public bodies to pay due regard to the need to:
 - Eliminate unlawful discrimination, harassment and victimisation;
 - Advance equality of opportunity between different groups; and
 - Foster good relations between different groups.
10. The information published should include information relating to those who are affected by the public bodies’ policies and practices. In the BSB’s case, this means data on those we regulate and those to whom we provide services.

LSB Regulatory Requirements

11. In July 2011 the LSB issued guidance stipulating that Approved Regulators (ARs) must collate diversity data to give an aggregate view of the diversity make-up of each branch of the profession. ARs must publish this data by the end of each year. Data must be published on the following strands: age, gender, disability, race, religion or belief, sexual orientation, socio-economic background and caring responsibilities. The BSB must publish the numbers of individuals in each group, and as a percentage of the total Bar. The data must be anonymised, aggregated, and broken down by seniority (i.e. QC, practising Bar, pupil).

Background

12. Up until 2012, the Bar Council Records Department collected data on the gender, age, race and disability of every barrister in England and Wales. This was done on application for a practising certificate. In March 2012 the Bar Council introduced a new Authorisation to Practise system (ATP) which requires individual barristers to renew their practising certificate via the online Barrister Connect portal. This online system contains a voluntary monitoring page which allows barristers to input their personal diversity data. This data automatically populates the Bar Council's 'Core Database', which contains an electronic record on every individual barrister.
13. The BSB E&D team extracted anonymised diversity data on the profession from the Core Database in August 2013. The data was submitted to the BSB Research team who produced the report at Annex A.
14. As a result of the data collection exercise, there is comprehensive data in some areas and very poor data in other areas due to the low disclosure rates. The BSB has high levels of data in the following areas:
 - a) Gender
 - Excluding data relating to "prefer not to say" responses and non-returns, the core database has gender data on 98.6% of barristers
 - The data shows an underrepresentation of women at the practising Bar and particularly at QC level.
 - b) Race
 - The core database has race data on 89.5% of barristers
 - The data shows a significant underrepresentation of BME barristers at QC level.
 - c) Age
 - The core database has age data on 78.2% of barristers
 - The data shows no significant under or overrepresentations, other than those for which there is a reasonable explanation e.g. the majority of pupils are aged 25-34.
15. There are low levels of data in the following areas:
 - a) Disability
 - The core database has disability data on 15% of barristers which represents a 10% increase on disclosure rates in 2012.
 - 14.14% of the Bar stated that they were not disabled. 1% barristers declared that they were disabled.

b) Religion or belief

- The core database has religion or belief data on 12.5% of barristers which represents a 7.8% increase in disclosure rates in 2012.
- The highest responses were in the following categories: 6.7% of all barristers declared they are Christian, 2.9% declared they have no religion, and 1.1% declared that they are Agnostic.

c) Sexual orientation

- The core database has sexual orientation data on 12.4% of barristers which represents a 7.7% increase in disclosure rates in 2012.
- 11.6% of all barristers declared that they are heterosexual/straight, 0.5% declared that they are a gay man, 0.1% declared that they are a gay woman and 0.2% declared that they are bisexual.

d) Socio economic background

- 10.6% of all barristers completed the question about what type of school they attended (an increase of 9% on the 2012 figures), and 10.2% of barristers answered the question about whether they were the first generation of their family to attend university which represents a 9% increase in disclosure rates in relation to this question since 2012.
- 6% of all barristers stated that they attended state schools and 4% attended fee paying schools.

e) Caring responsibilities

- 11.8% of barristers answered the question about caring responsibilities for children (an increase in disclosure of 8.8%), and 10.1% of barristers answered the question about caring for others which is an increase in disclosure in this area of 8.6%.
- 3% of barristers declared that they have childcare responsibilities whilst 1.8% declared that they care for another person who is not their child.

16. The data set out in the above paragraphs shows a marked increase in diversity data disclosure rates at the Bar. It is difficult to attribute the increase in disclosure to any one area of activity but it may be argued that the concerted efforts of the Equality and Diversity team and its committee to promote the benefits of providing data and encourage disclosure may well have assisted. However despite the clear increase in disclosure rates, the Research team have advised that the data in relation to disability, sexual orientation, religion/belief, socio economic background and caring responsibilities remains unreliable and that greater disclosure is needed before such data can be relied upon. This remains as a problem for the BSB because it has statutory and regulatory duties to promote equality and diversity in relation to **all** the protected characteristics listed in the Act.
17. The E&D team anticipates a continued rise in the numbers of barristers declaring their diversity data via the Barrister Connect system over the course of 2014. This is because from April 2014 onwards significant changes to the way in which barristers engage with electronic diversity data provision will come into force. Barristers will no longer be able to delegate the responsibility of completing the monitoring form to their clerks or practice managers and will need to complete the form themselves. Other changes include alterations to the location of the monitoring form within the Barrister Connect system which mean that the form will be easier to see and easier to fill out and submit. Communications with the profession on the benefits of disclosing diversity data will be included within the generic BSB authorisation emails, removing diversity data from its perceived “silo” and presenting monitoring as mainstream and part of the BSB’s core function.

18. According to the agreed timetable the E&D team will extract diversity data from the core database in August 2014. As stated above it is anticipated that the level of disclosure will be significantly higher than in the previous two years. Analysis and preparation of the 2014 and all future diversity data reports will be undertaken by the E&D team.
19. Once approved by the Board the aggregated diversity data at Annex A will be published, by the 31st January at the latest, in the Equality and Diversity section of the BSB website. It is intended that the report will be publicised to the profession and the public through the BSB Chair's monthly email newsletter and the BSB Twitter feed.

Financial implications

20. There are no financial implications arising from the recommendations of this paper.

Equality Impact Assessment

21. It is not considered that the publication of diversity data will have any adverse impact on equality because these activities have been designed to promote and advance equality and diversity. Therefore an Equality Impact Assessment is unnecessary.

Risk implications

22. Failure to comply with the Equality Act 2010 Specific Duties Regulations could lead to the BSB being issued with a compliance notice.
23. Failure to meet the LSB's extended deadline for publication of aggregated diversity data under the Section 162 guidance could lead to enforcement action.

Regulatory objectives

24. The collection and publication of diversity data on the Bar relates directly to the BSB's regulatory objectives, as defined in Section 1 of the Legal Services Act 2007, namely objective 1 (f): "encouraging an independent, strong, diverse and effective legal profession".

Annex

25. Annex A: Diversity Data Report Autumn 2013.

Lead responsibility:

Rolande Anderson (Chair, BSB Equality & Diversity Committee)
Sarah Loutfi (BSB Equality & Diversity Advisor)
January 2014

Diversity Data Report

Autumn 2013

Submitted to the E&D team
by the
BSB Research team

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Executive Summary

This report presents the latest findings on data available on the diversity of the Bar. The purpose of the report is to meet statutory regulations and set out an evidence base which can support the formulation of equality and diversity policy.

Four distinct datasets were used to compile the findings: the Core Database 2013, the Second Biennial Working Lives Survey of the Bar 2013, the Pupillage Supplementary Survey 2011/12 and the Pupillage Supplementary Survey 2012/13. Each survey is described in detail.

Some of the key points from the report are outlined below;

1. Just over a third (N=5,434) of the Bar population on the Core database 2013 is made up of women compared to men (N=10,045).
2. Nearly two thirds of the Bar are male (63%) and 37% are female.
3. 89.8% of the practising Bar are white compared to 10.2% who are Black Minority Ethnic (BME).
4. The majority (96.1%) of barristers do not have a disability compared to 3.8% who declare that they do.
5. The age distribution is even at the practising Bar. About a quarter (24%) are 25-34 years and a third (32%) are 35-44 years. Among QCs, the balance shifts towards the 45-55 years age group: 23%. Among pupils 10% are under 25 years old.
6. Just over half (50.4%) of the practising Bar consider themselves Christian and well over a third (38.9%) claim no religion. Jewish practitioners account for 4.4% of the Bar, Muslims 1.8%, Hindus 0.9%, Buddhists 0.7% and Sikhs 0.7%. Those declaring "other religion or belief" account for 2.2%.
7. 93% of the Bar are heterosexual/straight; 3% are gay men; bisexual: 2%; and gay women/lesbians: 1.1 %.
8. Over half (56%) of the practising Bar attended a state school compared to 44% attending fee paying schools. There is a slight decrease in the numbers of state schooled barristers since last year. Over half of pupils in 2012/13 (61.1%) attended a state school whilst 38.9% attended a fee paying school.
9. Less than half (45.9%) of the practising Bar reported having caring responsibilities for children.
10. The majority of pupils (92.3%) do not have a dependent child living with them compared to under a tenth (7.7%) who have a dependent child.
11. The majority (90.6%) of the Bar do not have caring responsibilities for an adult compared to 9.4% that declared caring responsibilities.

This report is compiled annually by the Research team. The Research team provides research and information support to the Bar Standards Board and by specific agreement also to the Bar Council.

The Research team monitors, assesses and evaluates changes to the profession through the design, conduct and commissioning of studies for the Bar Standards Board and by specific agreement also to the Bar Council.

No one data source provides all the monitoring data on the Bar and each data source has advantages and limitations. New BSB requirements for chambers to collect and publish diversity data came into force in 2012. (See appendix for a list of the rules)

In future years it should be possible for the BSB to report on a greater number of protected characteristics as the Bar Council's and BSB's data collection are enhanced through a rationalised, more strategic approach to evidence collection and analysis.

It is necessary to outline a number of limitations in this report. The Research team recommends that the following caveats are borne in mind:

- Whilst the report may provide coverage across the Bar, no one data set could provide an in-depth understanding on the diversity of the Bar.
- The Core Database records the whole population of the Bar and to date has almost captured the entire Bar population on gender and ethnicity.
- However data completion rates are low for some demographic data, such as declaration of disability, sexual orientation, socio economic background, care for children and care for others.
- The *Barristers' Working Lives Survey 2013* captures a wide coverage of the working Bar, though this is not the entire population, half the Bar were surveyed (8,000) approx. and from this sample it received 44% response rate (3,300) approx.
- The Pupillage Supplementary Survey has experienced survey fatigue particularly in the last two years. Although comprehensive in terms of coverage, the most recent survey only received 155 responses from a pupil population of 450 on average – a response rate of just about 34%. Nonetheless, pupils who did submit a survey answered each question and the survey provides valuable information.
- Provisions have been made in the Research strategy following the research audit to rationalise evidence collection and analysis of protected characteristics. Cross-disciplinary meetings have been set up to address the shortcomings identified through a better use of existing systems and channels.

1 Introduction

This Diversity Data report is published annually to meet the requirements of equality legislation, the specific equality duties and the statutory guidance of the Legal Services Board. It gives an overview of diversity at the Bar and establishes an evidence base for use in policy development.

This paper outlines the data that is currently available from the Bar Standards Board on the diversity of the barrister profession. The Bar Standards Board is committed to providing clear and transparent statistical diversity data for every level of the barrister profession.

Data contained in the Bar Council's membership records (The Core Database) is used as a data source for this report accompanied by the second Barristers' Working Lives - A Biennial Survey of the Bar 2013 and the Pupillage Supplementary Survey 2011/12 and 2012/13. At the end of each survey year results are collated into an annual report which is presented for the Equality and Diversity Committee and BSB Board before publication on the website.

No one dataset provides all the monitoring data on the Bar. Each source has advantages and limitations which are explained in more detail in the report. The report presents an analysis using four separate datasets covering a range of themes; gender, ethnicity, disability, age, religion/belief, sexual orientation, type of school attended and caring responsibilities in relation to the barrister population.

1.1 Report Structure

The report begins with an executive summary, introduction, methodology and aims. The data sources used for the analysis of the report are individually described in detail.

The results on protected characteristics are presented throughout the report in the following order: gender, ethnicity, disability, age, religion/belief, sexual orientation, type of school attended and first generation to attend university. The last section looks at caring responsibilities, the responsibility for the care of children and the responsibility for the care of others. Data is analysed using SPSS and the outputs are then presented in tables with descriptive statistics. The conclusions section draws on the key equality issues raised by the analysis of the data and sets out a number of recommendations.

1.2 Methodology

The data sources used in this report are surveys and the membership records of the Bar. Figures on protected characteristics from the core database were extracted on 23 August 2013. Figures and percentages are calculated in aggregate form using Excel 2013. Barristers register their details on "Barrister Connect", an authorisation to practise system¹ which shows their current contact details, practising status, confirmation that a barrister has

¹ This is a more structured approach to barristers' registration, which is called Authorisation to Practise. The new rules which came into force in April 2012 modernise the authorisation process and bring the arrangements into compliance with the Legal Services Act 2007.

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completed the requisite amount of continuing professional development (CPD) activity and paid a practising fee. When renewing their practising certificate the online system includes a section that allows barristers to input their diversity and monitoring data which automatically populates the core database.

Barristers' Working Lives - A Biennial Survey of the Bar 2013 was commissioned by the BSB and Bar Council jointly from the Institute for Employment Studies IES and Employment Studies Limited. The researchers provided the BSB Research team with the working dataset and the results were correlated using IBM Statistics SPSS 21². The survey was open from early May 2013 and closed in mid July 2013. The survey targets half of the practising Bar alternatively every other year and received 7,406 responses in 2013 which represents a response rate of 44 per cent. IBM Statistics SPSS 21 was used for the analysis. The full survey will be published in early 2014.

The Pupillage Supplementary Survey is an annual on-line survey which monitors the characteristics (including diversity characteristics) of pupils. This report incorporates 2011/12 and 2012/13 pupillage data. A link to the survey is available to pupils along with their registration forms when taking up their pupillage. While this survey is not compulsory, pupils are encouraged to participate. The survey was distributed to 438 pupils (1st six) and 475 (2nd six)³ in 2011/12, of whom 276 pupils responded. The response rate was considerably lower for the academic year 2012/13, the survey was distributed to 444 (1st six) and 465 (2nd six) of whom 155 pupils responded. The lower response rate is due to a change in the administration of the survey which did not associate the survey with the registration as clearly as previously. This will be addressed in the new Research strategy following the wider research, monitoring and evaluation audit carried out in November 2013. The survey is open for a year from August 2011 to August 2012, for example. This is due to the fact that many pupils take up pupillage at different stages throughout the year with the majority registering in September and January. Pupils also have the option of sending a paper survey by post to the BSB. IBM Statistics SPSS 21⁴ was used for the analysis.

1.3 Aims

The overarching aims of this report are:

1. To meet the requirements of the statutory duties and Legal Services Board requirements,
2. To provide the Bar Standards Board and Bar Council with the latest information on the diversity of the Bar.

² SPSS Statistics is a software package used for statistical analysis.

³ A pupillage is the final stage of training to be a barrister and usually lasts one year; the period is made up of two six-month periods (known as "sixes"). The first of these is the non-practising six, during which pupils shadow their pupil supervisor, and the second is a practising six, when pupils can undertake to supply legal services and exercise rights of audience.

⁴ SPSS is an application that performs statistical analysis on data. Entering and manipulating information in the application on a computer can be done by using this program. SPSS can provide information on descriptive statistics, frequencies and predictors for identifying groups for example.

2. Data sources

2.1 The Core database 2013

The Core Database collects data on the profession via the online “authorisation to practise” system, Barrister Connect. When using the online system to renew their practising certificate, barristers are able to input their diversity and monitoring data, which then automatically populates the core database. The rate of completion of equality and diversity monitoring data in the first year was very low although this varies slightly for individual monitoring strands, as each question is voluntary and so some could be left blank if desired. After the practising certificate renewal period is over, an additional email inviting barristers to log into the online system and complete their diversity monitoring data is sent to the profession. However completion rates remain low. Barristers can access the “authorisation to practise” system at any time and update their diversity monitoring information. The diversity monitoring information from the core database was extracted in August 2013.

Data on gender, ethnicity, age and disability that had previously been collected by the Bar Council Records Department and was available in the old database was transferred to the core database to supplement the new monitoring data. This data includes gaps referred to as “unknown data” where respondents left fields unanswered. For those protected characteristics for which monitoring data had not been previously collected, data from the Survey of the Bar (2013) and the Pupillage Supplementary Survey (2011/12) and (2012/13) has been used to supplement the data collected from the Core Database in 2013.

2.2 Barristers' Working Lives - A Biennial Survey of the Bar 2013

The Survey of the Bar was first undertaken in 2011. Approximately half the barrister population (8,000) were drawn at random from the main membership record of whom 7,281 had email contact addresses as well as postal addresses. There were 2,965 responses to this survey, suggesting a response rate of 37%. The 2013 survey followed a very similar approach to that developed successfully in 2011, maximising both the coverage of work related issues and the response rate. The sample was analysed against certain characteristics such as employment status, gender, QC status, age and year of call, in order to ensure that the survey was representative of the barrister population. In order to provide sufficient responses from important sub-groups of barristers in 2011 it was decided to survey approximately half the population. The rationale behind this decision was that in 2013, when the second survey was conducted, the other half of the population could be surveyed so reducing the survey burden and fatigue on individual barristers and helping to ensure the maximum possible response rate could be achieved. The final valid sample of 7,406 is slightly smaller than that of 7,780 in 2011. It is made of 7,709 in the original sample less the Post Office returns and “not applicable” responses, ie those barristers who had retired or reported that they were not working in the profession. Using this figure the valid response rate is 44 %, representing a significant increase in response rate from 38 % in 2011. This survey will run every two years to track changes of the working Bar on the same sampling principles.

2.3 The Pupillage Supplementary Survey 2011/12 & 2012/13

The Pupillage Supplementary Survey is conducted annually and is administered continuously throughout the year. The survey is distributed to pupils with their pupillage registration forms. The “pupillage year” typically follows the format of the academic year, which is why the survey runs through 2011 and 2012.

The survey was distributed to 438 pupils (1st six) and 475 (2nd six)⁵ in 2011/12 of whom 276 pupils responded. The response rate was considerably lower for the academic year 2012/13, the survey was distributed to 444 (1st six) and 465 (2nd six) of whom 155 pupils responded.

⁵ A pupillage is the final stage of training to be a barrister and usually lasts one year; the period is made up of two six-month periods (known as "sixes"). The first of these is the non-practising six, during which pupils shadow their pupil supervisor, and the second is a practising six, when pupils can undertake to supply legal services and exercise rights of audience.

3. Protected characteristics

3.1 Gender

Table 1 below shows the gender at the Bar by professional status.

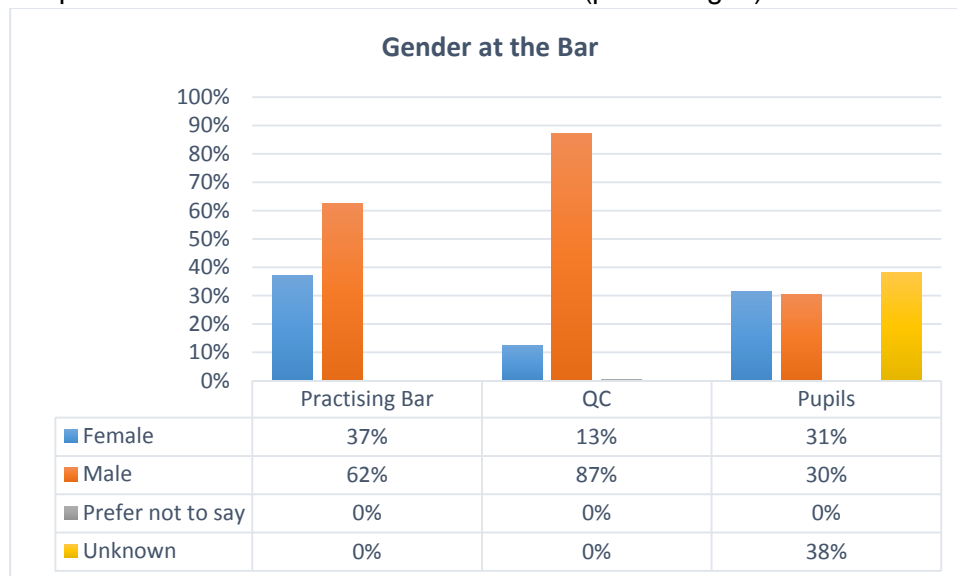
Table 1: Gender at the Bar (numbers)

Gender by Seniority	Female	Male	Unknown	Total
QC	197	1,371	0	1,572
Practising Bar	5,103	8,544	48	13,695
Pupil	134	130	163	427
Total	5,434	10,045	215	15,694

Source: Core database (August 2013)

Graph 1 below shows details of gender at the Bar by professional status. This data was taken from the Core Database 2013. Women account for 37% of the practising Bar while men account for 62%. Women account for 13% of QCs while men account for 87%. Women account for 31% of pupils, men 30% and 38% is simply unknown as pupils have not answered or have used the “prefer not say” section. The figures reveal almost two thirds of the Bar are male. In comparison to last year’s Diversity Data report there is very little change based on gender among the practising Bar or QCs.

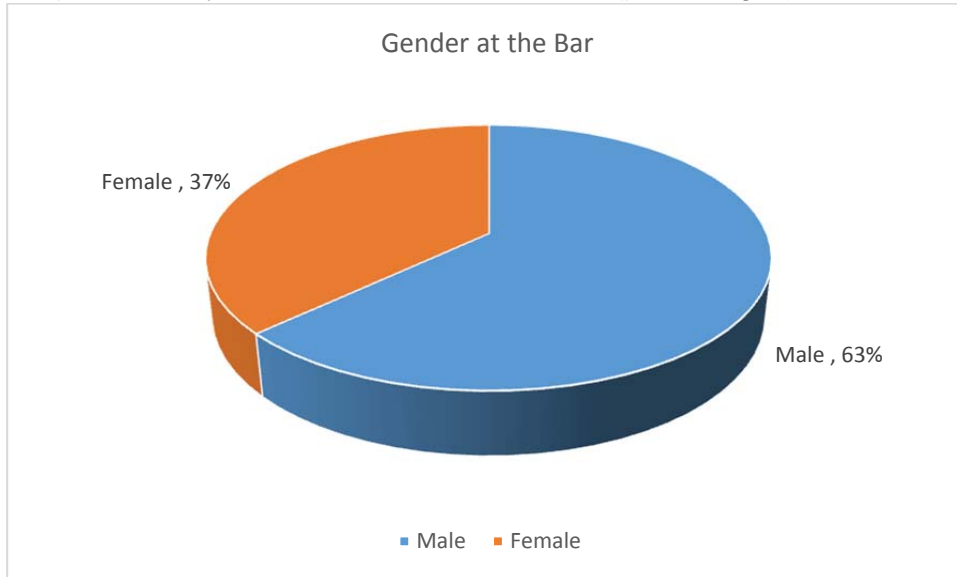
Graph 1: Core database: Gender at the Bar (percentages)



Source: Core database (August 2013)

Graph 2 below shows the figures from the survey of the Bar 2013 showing that nearly two thirds (63%) of the Bar are male whereas 37% are female, therefore correlating well with data from the Core Database.

Graph 2: Survey of the Bar: Gender at the Bar (percentages)



Source: Barristers' Working Lives - A Biennial Survey of the Bar 2013

3.2 Ethnicity

Table 2 below shows the ethnicity of the Bar by numbers.

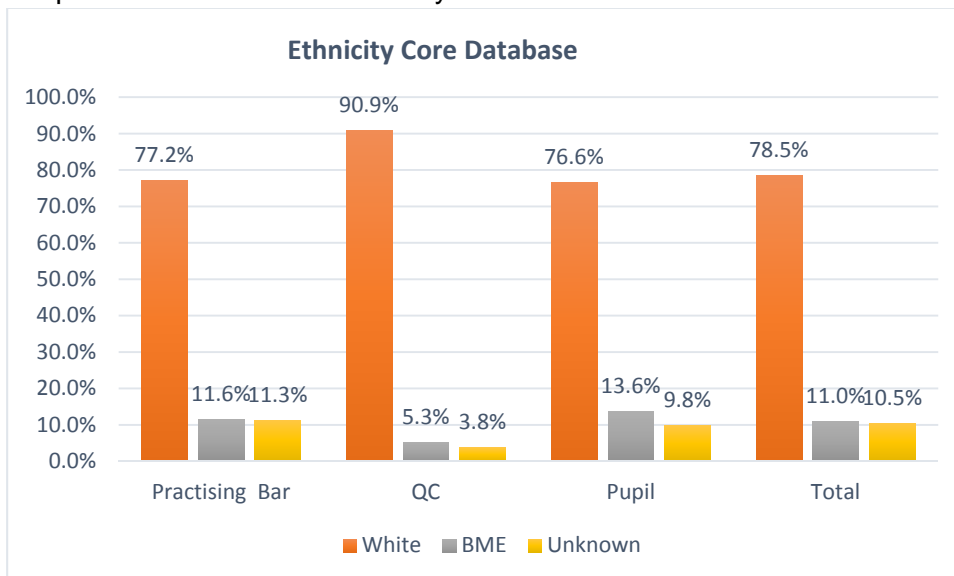
Table 2: Core database: Ethnicity at the Bar (numbers)

Ethnicity by Seniority	White	BME	Unknown	Total
Practising Bar	10,569	1,583	1,546	13,698
QC	1,429	83	60	1,572
Pupil	328	58	42	428
Total	12,326	1,724	1,648	15,699

Source: Core database (August 2013)

Graph 3 displays the data regarding ethnicity by seniority among the Bar. Among the practising Bar 77.2% are white, 11.6% are BME and 1.3% are unknown. Among QCs at the Bar 90.9% are white, 5.3% are BME and 3.8% are unknown. Among pupils, 76.6% are white, 13.6% are BME and 9.8% are unknown. Overall, for those who disclosed their ethnicity, 78.5% are white, 11% are BME and 10.5% remain unknown.

Graph 3: Core database: Ethnicity at the Bar



Source: Core database (August 2013)

3.3 Detailed ethnicity

Tables 3a and 3b below shows the detailed breakdown of ethnicity of the Bar by numbers. This shows a detailed breakdown of white and BME categories as used in the 2011 census categories. This data was taken from the Core Database.

Table 3a Core database: detailed breakdown ethnicity (numbers)

Ethnicity by Seniority	Practising Bar	QC	Pupil	Whole Bar
English/Welsh/Scottish/Northern Irish/British	9,879	1,383	293	11,555
White Irish	276	17	12	305
Any other White background	414	27	23	464
Gypsy or Irish Traveller	1	2	0	3
White and Black Caribbean	37	1	3	41
White and Black African	27	0	3	30
White and Asian	87	7	6	100
Any other mixed/multiple background	113	5	0	118
Caribbean	162	7	4	173
African	173	5	10	188
Any other Black background	44	4	1	49
Indian	361	22	11	394
Pakistani	190	10	7	207
Bangladeshi	67	1	3	71
Any other Asian background	124	3	4	131
Chinese	51	2	2	55
Arab	1	0	0	1
Any other	146	16	4	166
No Information	1,546	60	42	1,648
Total	13,699	1,572	428	15,699

Source: Core database (August 201

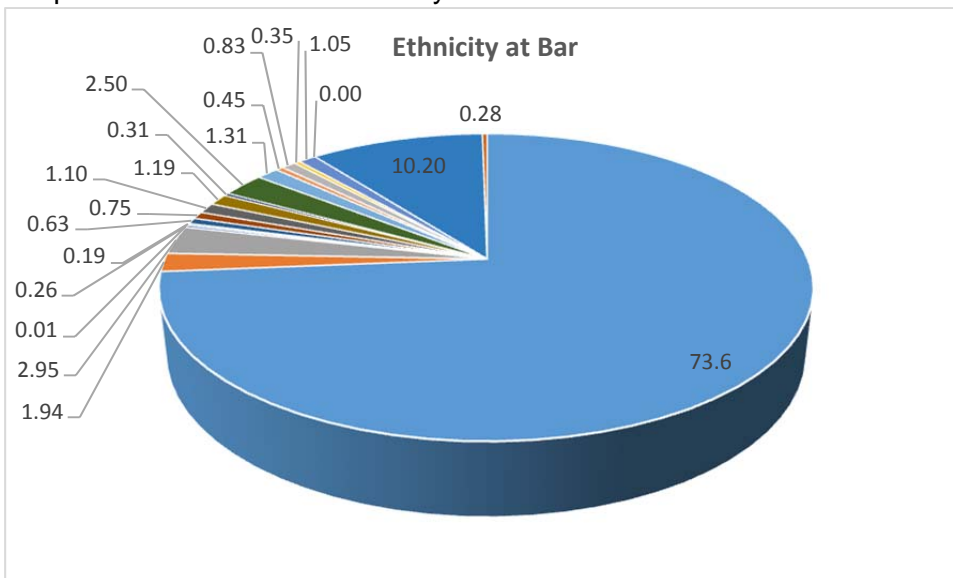
Table 3b: Core database: detailed breakdown ethnicity (percentages)

Ethnicity by Seniority	Whole Bar
English/Welsh/Scottish/Northern Irish/British	73.6%
White Irish	1.9%
Any other White background	3.0
Gypsy or Irish Traveller	0.0
White and Black Caribbean	0.3
White and Black African	0.2
White and Asian	0.6
Any other mixed/multiple background	0.8
Caribbean	1.1
African	1.2
Any other Black background	0.3
Indian	2.5
Pakistani	1.3
Bangladeshi	0.5
Any other Asian background	0.8
Chinese	0.4
Arab	0.0
Any other	1.1
No Information	10.2
Unknown	0.3
Total	100

Source: Core database (August 2013)

Graph 4 shows the ethnic breakdown of the Bar by numbers. The ethnicity of those who declared their ethnicity is displayed in the graph. A sizeable number of practitioners (10%) did not answer this section. The largest ethnic group is English/Welsh/Scottish/Northern Irish/British (73.6%) followed by white Irish (2%), any other white background (3%), Gypsy or Irish Traveller (0.02%), white and black Caribbean (0.27%), white and black African (0.20%), white and Asian (0.65%), any other mixed/multiple background (0.77%), Caribbean (1.13%), African (1.23%), any other black background (0.32%), Indian (2.58%), Pakistani (1.36%), Bangladeshi (0.45%), any other Asian background (0.83%), Chinese (0.35%), Arab (0.01%), any other (1.06). We received no information in relation to 10%.

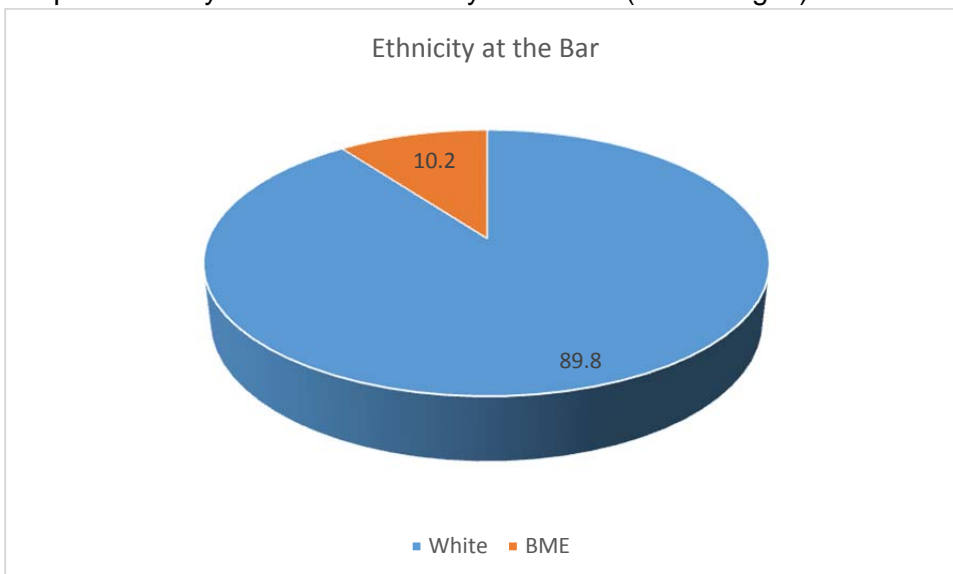
Graph 4: Core database: Ethnicity at the Bar



Source: Core database (August 2013)

Graph 5 shows in percentages the proportions of white and BME practitioners using the Survey of the Bar data. The results indicate that white practitioners account for 89.8% of the Bar whilst BME practitioners account for 10.2% of the Bar.

Graph 5: Survey of the Bar: Ethnicity at the Bar (Percentages)



Source: Barristers' Working Lives - A Biennial Survey of the Bar 2013

3.4 Disability

Table 4 shows the number of barristers who reported having a disability at the Bar. It also shows “unknown” data.

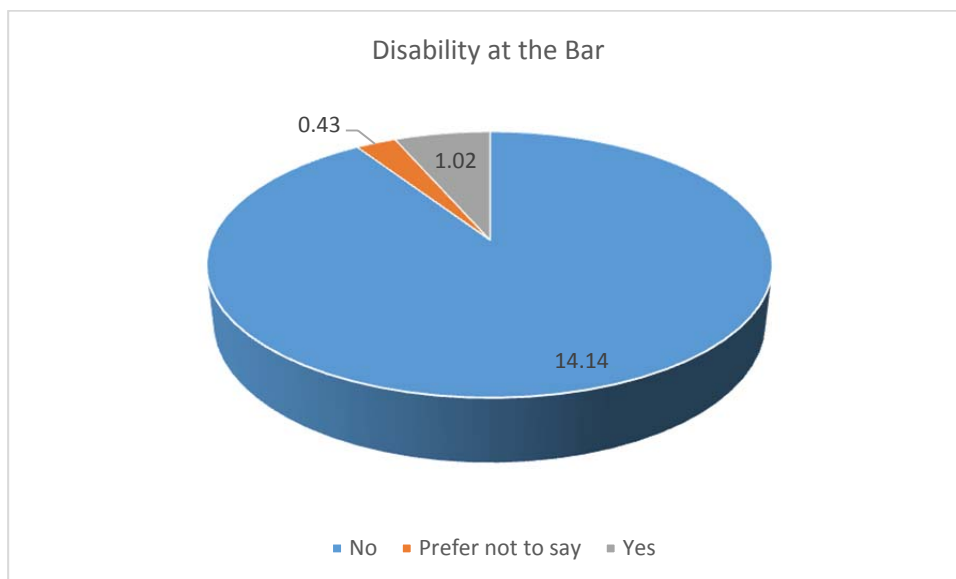
Table 4: Core database: disabled practitioners at the Bar (numbers)

Disability by Seniority	No	Yes	Unknown	Total
Practising Bar	2,048	150	11,497	13,695
QC	136	9	1,427	1,572
Pupil	35	1	391	427
Total	2,219	160	13,315	15,694

Source: Core database (August 2013)

Graph 6 shows information about the numbers of barristers whose disability status was available through the Core Database records. It also shows the numbers of those who used the “refer not say” option. 84% of the practising Bar did not disclose this information on the system. For those that did disclose their information 14.14% did not declare a disability, whilst 1% declared they had a disability.

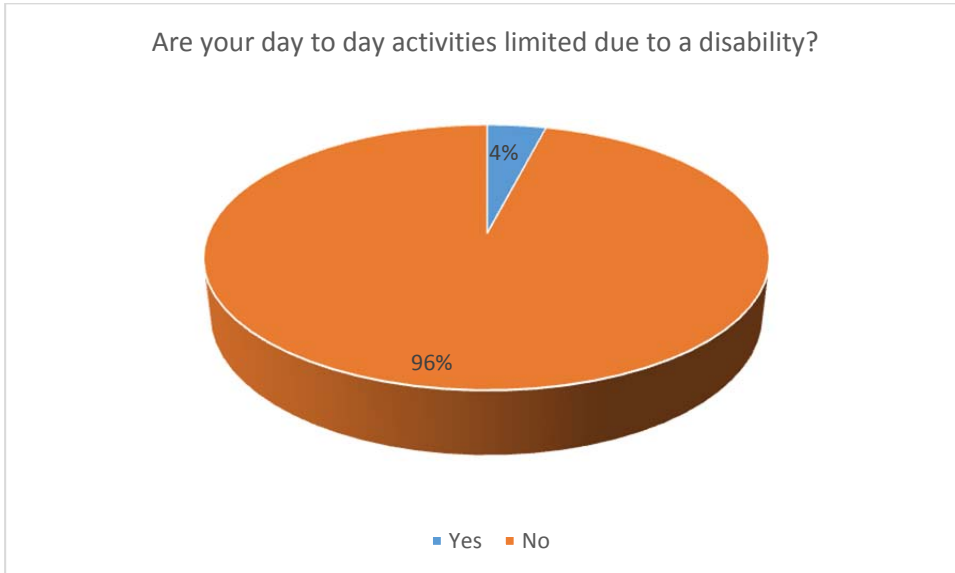
Graph 6: Core Database: Disability at the Bar (percentages)



Source: Core Database (August 2013)

Graph 7 shows that the vast majority (96%) of barristers did not report having a disability compared to (4%) who did declare that they have a disability.

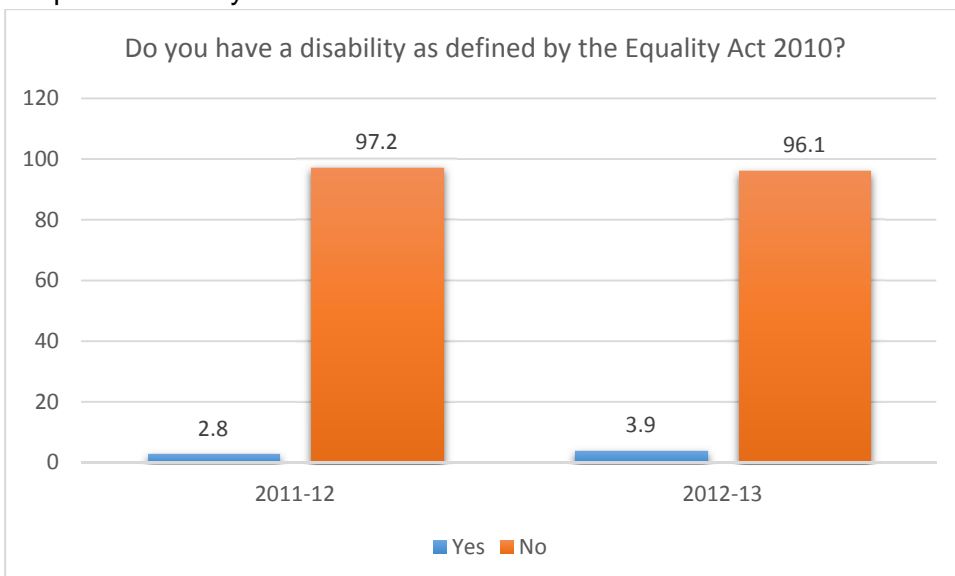
Graph 7: Survey of the Bar: disability at the Bar (percentages)



Source: Barristers' Working Lives - A Biennial Survey of the Bar 2013

Graph 8 shows the percentages of pupils who reported on their disability status. The majority of pupils answered “no” to having a disability in both 2011/12 (97.2%) and in 2012/13 (96.1%). In 2011/2012, 2.8% of pupils reported having a disability whilst a third more (3.9%) reported having a disability in 2012/13. This graph shows a slight increase of 1.1% from the previous year in the number of pupils reporting a disability in 2012 /13.

Graph 8: Disability at the Bar



Source: Pupillage Supplementary Survey 2011/12 and 2012/13

3.5 Age

Table 5 shows the numbers of barristers by age by category: QC, practising barrister or pupil. This data also includes “unknown” category data. The age profile is well balanced across the profession.

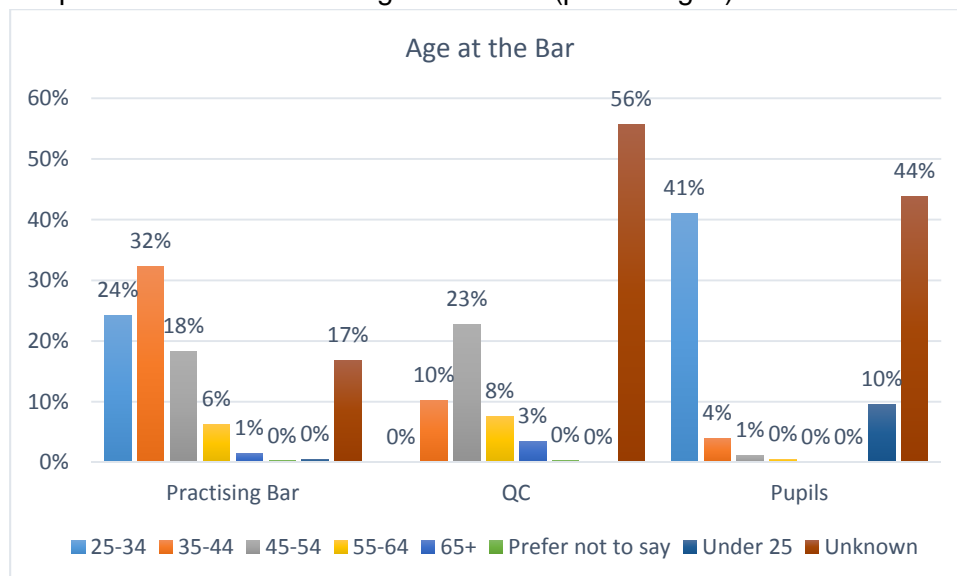
Table 5: Core database: age of practitioners at the Bar (numbers)

	Under 25	25-34	35-44	45-54	55-64	65+	Unknown	Total
QC	0	0	161	357	119	55	880	1,572
Practising Bar	65	3,321	4,415	2,495	852	205	2,342	13,695
Pupil	41	175	17	5	2	0	187	427
Total	106	3,496	4,593	2,857	973	260	3,409	15,694

Source: Core database (August 2013)

Graphs 9a, 9b and 9c show the percentages of practising barristers, QCs and pupils by age. They also show “unknown” category and “prefer not to say” answers. Among the practising Bar 24% are aged 25-34 and 32% are 35-44 years. Among QCs 23% are 45-54 years. This is a 2% increase from last year’s figures. Among pupils 10% are under 25 years old. A large number of the Bar did not disclose this information. In comparison to last year’s Diversity Data report there is very little change in age distribution within the Bar.

Graph 9a: Core database: Age at the Bar (percentages)

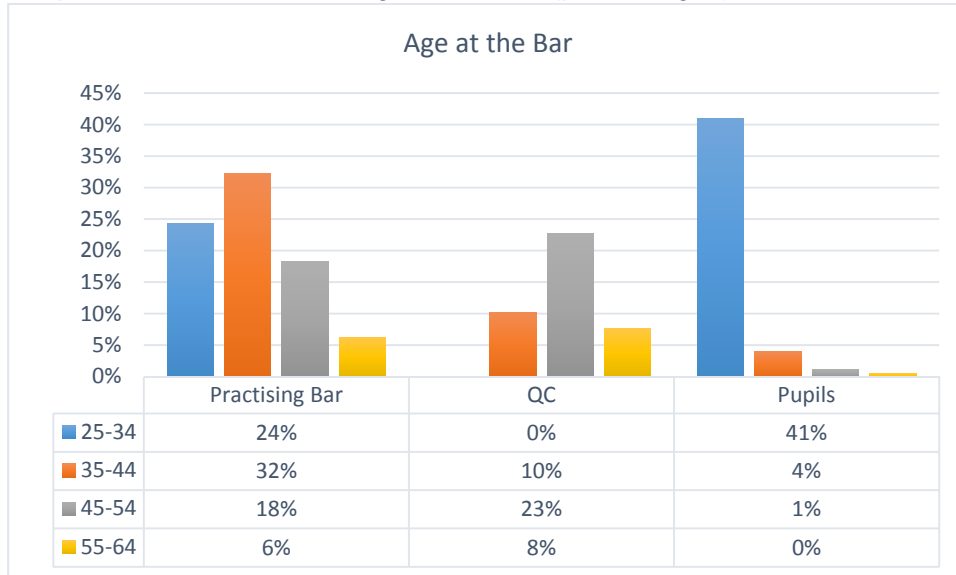


Source: Core Database (August 2013)

Part 1 - Public

Graph 9b shows a more detailed breakdown of age within the Bar. The age group with the largest number of individuals in it at the practising Bar is 35-44 years (32%) followed by 25-34 years (24%). The largest number of QCs fall within the 45-54 year age group (23%) while the highest number of pupils are between 25 to 34 years (41%).

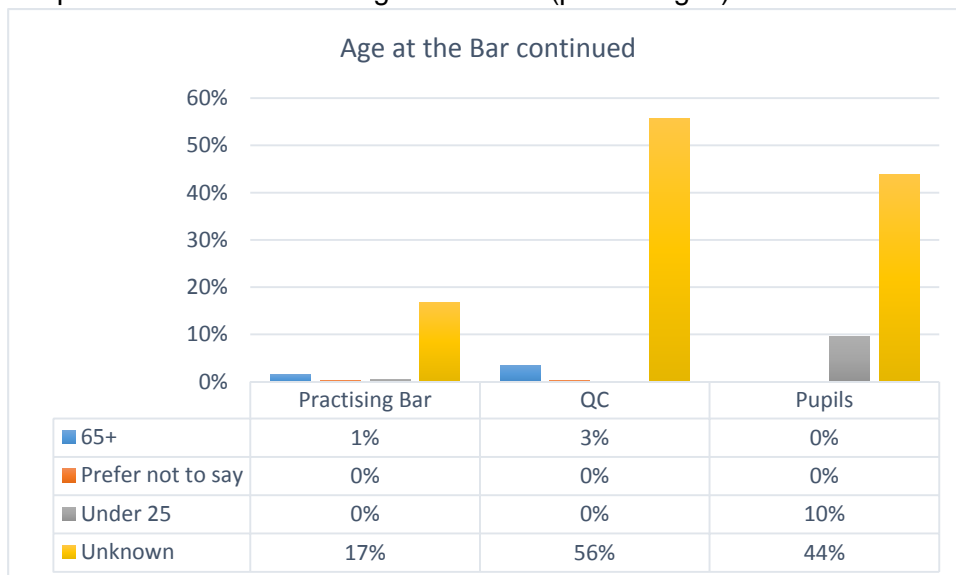
Graph 9b: Core database: Age at the Bar (percentages)



Source: Core Database (August 2013)

Graph 9c shows a high number of practitioners did not disclose their age. 17% of the practising Bar, 56% of QCs and 44% of pupils did not disclose their age.

Graph 9c: Core database: Age at the Bar (percentages)



Source: Core database (August) 2013

3.6 Religion / belief

Table 6 shows the numbers of QCs, practising barristers and pupils who reported their religion or belief.

Table 6: Core database: religion/belief of practitioners at the Bar (numbers)

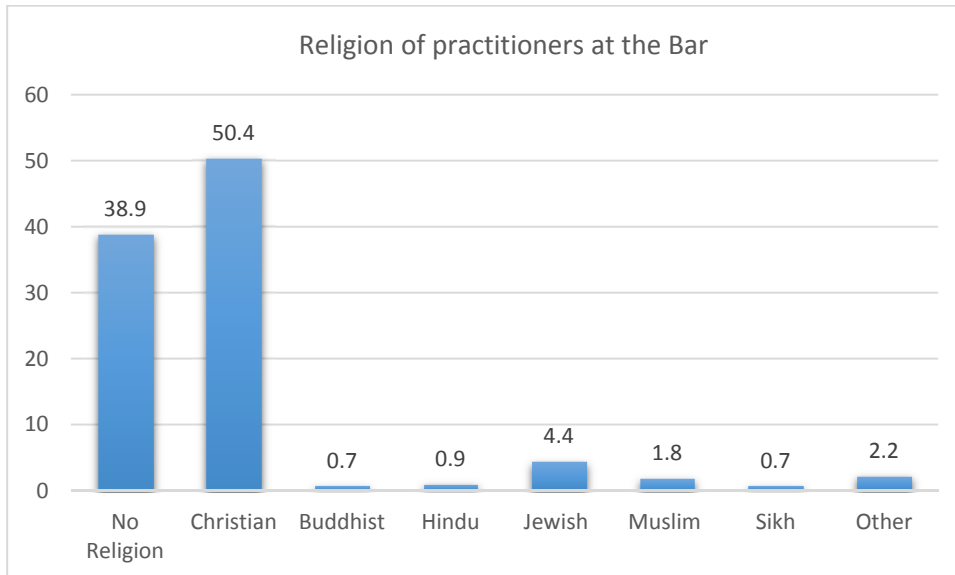
Religion or Belief by Seniority	Practising Bar	QC	Pupil	Total
Agnostic	175	9	0	184
Buddhist	12	0	0	12
Christian	984	71	7	1062
Hindu	39	1	1	41
Jewish	63	12	0	75
Muslim	71	1	0	72
No religion	436	22	3	461
Other	32	1	0	33
Prefer not Say	107	8	1	116
Sikh	19	1	0	20
Unknown	11,757	1,446	415	13,618
Total	13,695	1,572	427	15,694

Source: Core database (August 2013)

Part 1 - Public

Graph 10 below shows the percentages of practising barristers, QCs and pupils who disclosed their religion or belief. The survey results show just over half of the Bar are Christian (50.4%) but 38.9% state they have no religion. Declarations of religion after that show that 4.4% are Jewish, 1.4% are Muslim, 0.9% Hindu, 0.7% are Buddhist 0.7% and 0.7% are Sikh. There is an “other” category which accounts for 2.2%.

Graph 10: Religion/belief of practitioners at the Bar (percentage)

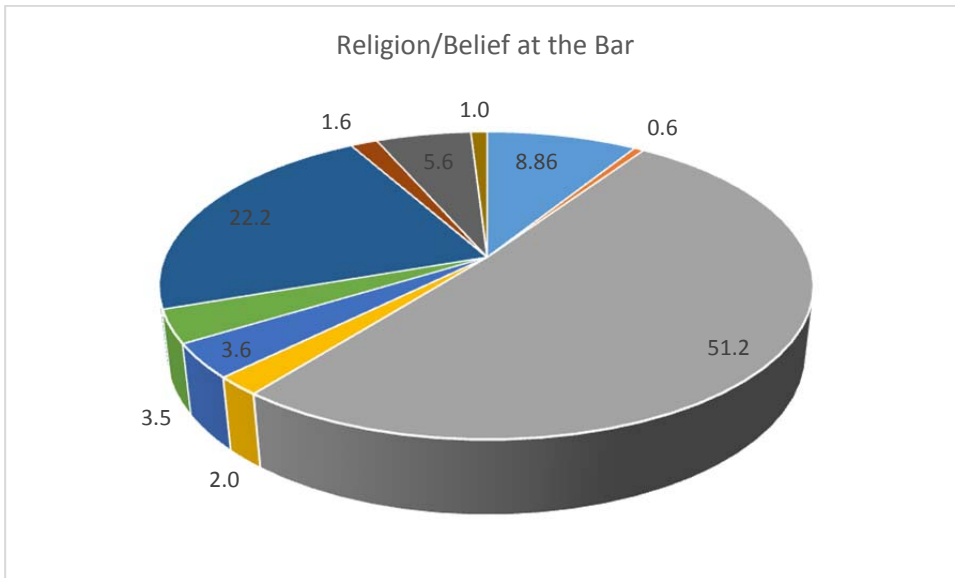


Source: Barristers' Working Lives - A Biennial Survey of the Bar 2013

Part 1 - Public

Graph 11 shows the breakdown the percentages of members of the Bar by the religion/belief they have declared. The largest group to report their religion/belief are Christians (51.2%) followed by the second largest group declaring no religion/belief (22%). The remaining religion/belief categories are: Agnostic (8.86%), Buddhist (0.6%), Hindu (2.0%), Jewish (3.6%), Muslim (3.5%), other religion/belief (1.6%). Those who prefer not to say account for 5.6% and those who declare themselves Sikh are 1.0% of the population. 86% (n=13,618) did not disclose this information.

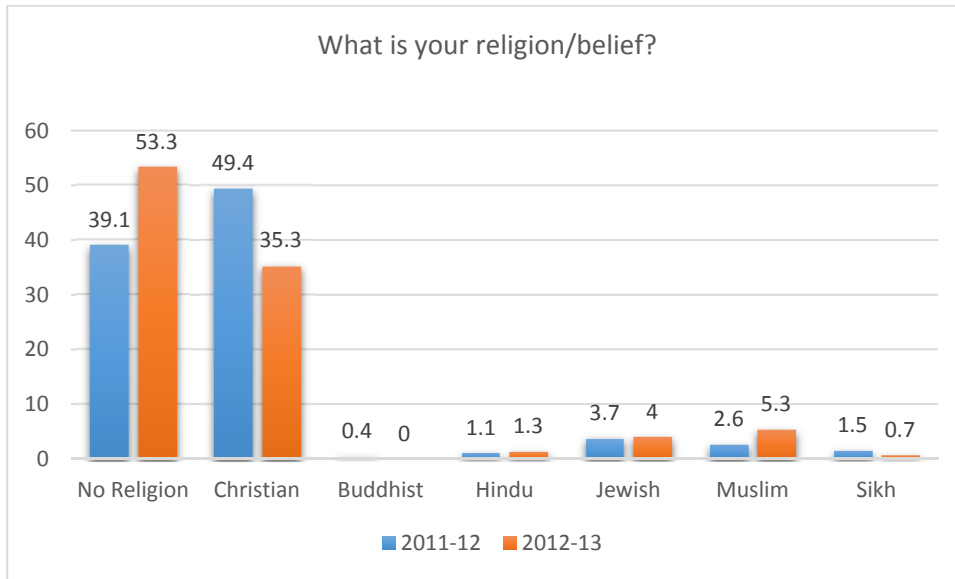
Graph 11: Core database: religion/belief at the Bar (percentages)



Source: Core Database 2013

Graph 12 below shows the percentages of pupils who reported their religion/belief. The response categories offered were those used in the 2011 census. This data was taken from the Pupillage Supplementary Survey from 2011/12 and 2012/13. The survey results show the 2011/12 data in brackets with the 2011/13 figures after that. The categories are: no religion (39.1%) 53.3%, Christian (49.4%) 35.3%, Jewish (3.7%) 4%, Muslim (2.6%) 5.3%, Hindu (1.1%) 1.3%, Sikh (1.5%) 0.7% and Buddhist (0.4%).

Graph 12: Religion/belief of pupils at the Bar (percentages)



Source: Pupillage Supplementary Survey (2011/12 and 2012/13)

3.7 Sexual Orientation

Table 7 shows the numbers of QCs, practising barristers and pupils who reported their sexual orientation.

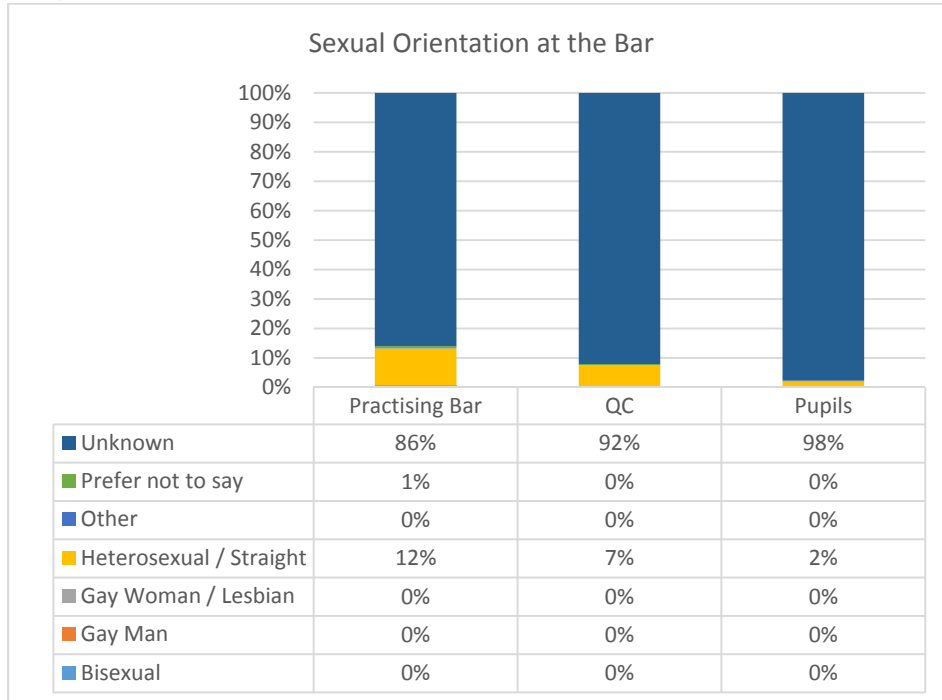
Table 7: Core database: Sexual orientation at the Bar (numbers)

	QC	Practising Bar	Pupil	Whole Bar
Bisexual	1	27	0	28
Gay Man	5	68	1	74
Gay Woman / Lesbian	0	21	0	21
Heterosexual / Straight	113	1,698	8	1,819
Other	0	8	1	9
Unknown	1,453	11,873	417	13,743
Total	1,572	13,695	427	15,694

Source: Core database (August 2013)

Graph 13 shows the percentages of barristers who disclosed their sexual orientation where the information is available in the Core Database. The majority of the Bar did not disclose their sexual orientation. This is illustrated in the “unknown” category. For those who did disclose this information, the “Heterosexual/ straight” category is the most populated in the system. 86% of the practising Bar, 92% of the QCs and 98% of the pupils did not state their sexual orientation.

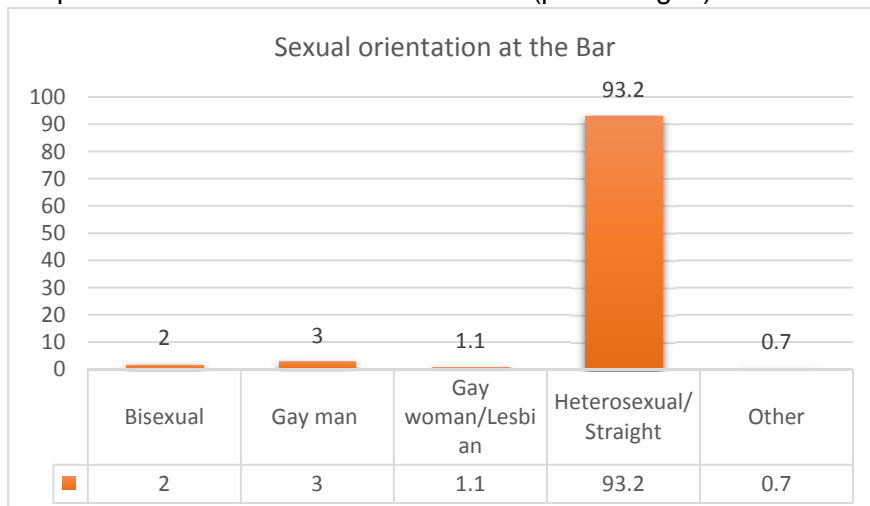
Graph 13: Core database Sexual orientation at the Bar



Source: Core database (August 2013)

Graph 14 shows 93.2% of the Bar reported in the survey that they are “Heterosexual/Straight”.

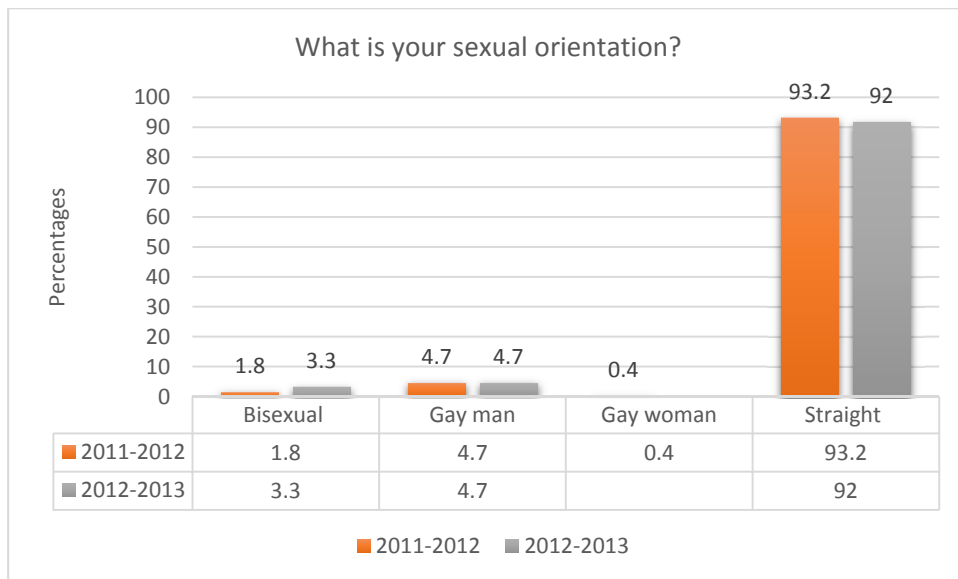
Graph 14: Sexual Orientation at the Bar (percentages)



Source: Barristers' Working Lives - A Biennial Survey of the Bar 2013

Graph 15 shows pupils' sexual orientation by percentage. The 2011/12 survey discloses 93.2% identify as Heterosexual/Straight, 4.7% as "Gay man", 1.8% as Bisexual 1.8% and 0.4% as "Gay woman/lesbian". The results for 2012/13 are: Heterosexual/straight 92%, 4.7% Gay man and 3.3% Bisexual. Evidently, there is an increase in pupils identifying themselves as Bisexual with those figures increasing from 1.8% to 3.3% between the two surveys.

Graph 15: Pupillage Supplementary Survey Sexual orientation at the Bar (percentages)



Source: Pupillage Supplementary Survey (2011/12 and 2012/13)

Protected Characteristics Summary – Key points

1. With regard to gender, two thirds of the Bar are male (63%) whereas 37% are female. This shows no change from previous figures in 2011.
2. The figures from *Barristers' Working Lives- A Biennial Survey of the Bar 2013* for ethnicity show that white practitioners account for 89.8% of the Bar whereas BME practitioners account for 10.2%. This is similar to the previous Biennial survey in 2011 showing that one in ten practitioners at the Bar are BME. The *UK Census 2011* figures indicate 80 per cent (45.1 million) of all usual residents in England and Wales in 2011 belonged to the "White: British" ethnic group. The largest other ethnic groups in 2011 were "Asian/Asian British: Indian" (3 per cent, 1.4 million), "Asian/Asian British: Pakistani" (2 per cent, 1.1 million) and "Black/Black British: African" (2 per cent, 990,000).
3. The figures from the *Barristers' Working Lives- A Biennial Survey of the Bar 2013* show 96.1% of barristers do not have a disability while 3.8% report having a disability. This is very similar to the previous survey in 2011 with 4% of the Bar reporting they were disabled. According to the latest *UK Census 2011* more than 10 million people in England and Wales (almost 18% of the population in England and Wales) were limited in some way when undertaking daily activities. These figures suggest there may be an underrepresentation of disabled persons working at the Bar.
4. With regard to religion/belief, Christians account for just over half of the Bar (50.4%) with those disclosing no religion (38.9%) the next largest categories. Other religious beliefs disclosed are: Jews (4.4%), Muslims (1.4%), Hindus (0.9%), Buddhists (0.7%) and Sikhs (0.7%). There is also an "other" category which accounts for 2.2%. This shows a slight variation in previous figures from 2011 with 54% reporting their religion/belief as Christianity and 37% as no religion. In the *UK Census 2011* Christianity was the largest religion, with 33.2 million people (59.3 per cent of the population). The second largest religious group were Muslims with 2.7 million people (4.8 per cent of the population) 14.1 million people, around a quarter of the population in England and Wales, reported they have no religion in 2011.
5. With regard to sexual orientation the *Barristers' Working Lives- A Biennial Survey of the Bar 2013* shows that 93.2% described themselves as "heterosexual/straight". This shows very little variation from the last survey in 2011, revealing one in ten from the Bar identified themselves as "Heterosexual/Straight". The Integrated Household Survey (April 2011 to March 2012) indicates that 93.9% of adults identified themselves as "Heterosexual/Straight". A further 1.1 % of the surveyed UK population, approximately 545,000 adults, identified themselves as Gay or Lesbian, 0.4% of the surveyed UK population, approximately 220,000 adults, identified themselves as Bisexual and 0.3% identified themselves as "Other". Some 3.6% of adults stated "Don't know" or refused to answer the question and 0.6 % of respondents provided "No response" to the question.

4. Socio Economic Background

There is no universally recommended way of gathering data on social class. This varies depending on the type of profession and traditional entry routes into a given profession. Educational background has been used as one of the main ways of determining a barrister's social class, however the questions and categories vary slightly depending on the data source. The socio economic questions provided by the Legal Services Board are used in this report. This is because there is a strong correlation between a person's social background and parent's level of educational attainment particularly when choosing the type of school to attend, type of university and career choice.

4.1 Type of school attended

Table 8 shows the numbers of QCs, practising barristers and pupils who reported the type of school they attended. There is also "unknown" category data included.

Table 8: Core database 2013: Type of school attended (numbers)

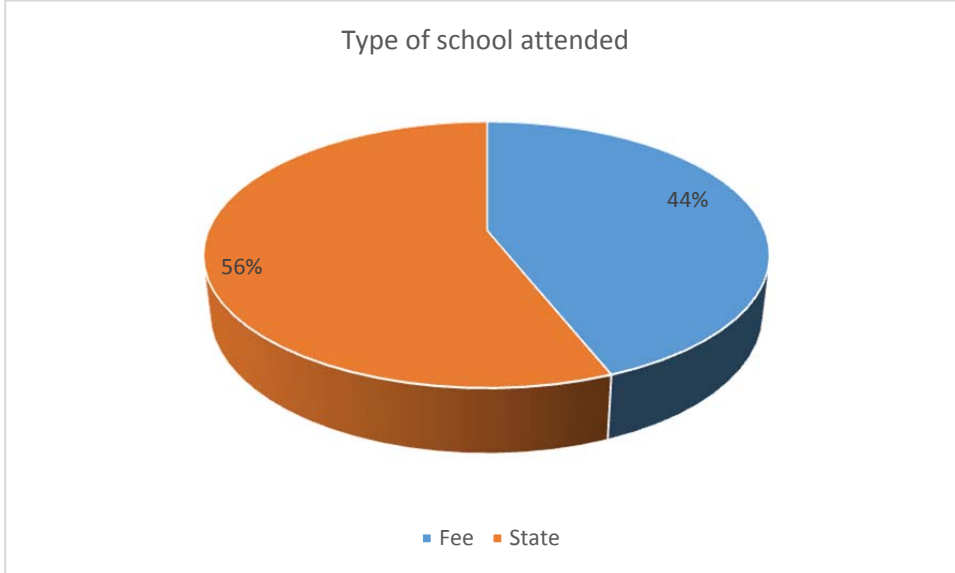
Seniority	Attended School outside the UK	Fee paying	State	Unknown	Total
Practising Bar	90	553	910	12,142	13,695
QC	1	65	36	1,470	1,572
Pupil	0	3	8	416	427
Total	91	621	954	14,028	15,694

Source: Core database (August 2013)

Part 1 - Public

Graph 16 below shows the percentages of practising barristers (including QCs and excluding pupils) who reported the type of school they attended in the Survey of the Bar 2013. The survey reveals that 56% of the sample attended state schools while 44% attended fee paying schools.

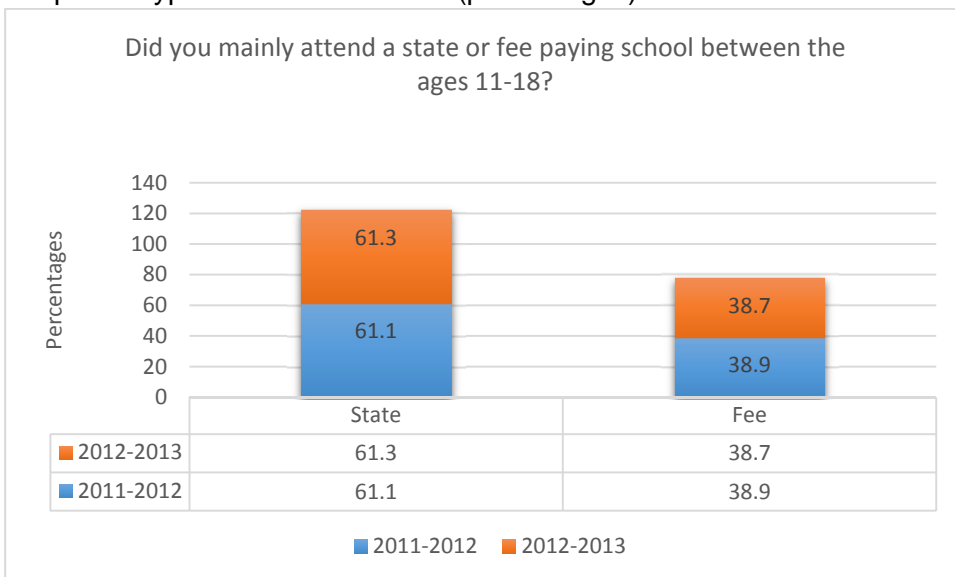
Graph 16: Type of school attended (percentages)



Source: Barristers' Working Lives - A Biennial Survey of the Bar 2013

Graph 17 shows the percentages of pupils and the type of school they attended as declared in the Pupillage Supplementary Survey in 2011/2012 and 2012/2013. The survey reveals of those that responded to the survey 61.1% (2011/12) and 61.3% (2012/2013) attended a state school whilst 38.9% (2011/12) and 38.7% (2012/13) attended a fee paying school. The results indicate very little variation in figures between the two years.

Graph 17: Type of school attended (percentages)



Source: Pupillage Supplementary Survey (2011/12- 2012/13)

4.2 First generation in family to attend to university

Table 9 below shows the numbers of QCs, practising barristers and pupils who reported that they were the first generation in their family to attend University. This also shows “unknown” data.

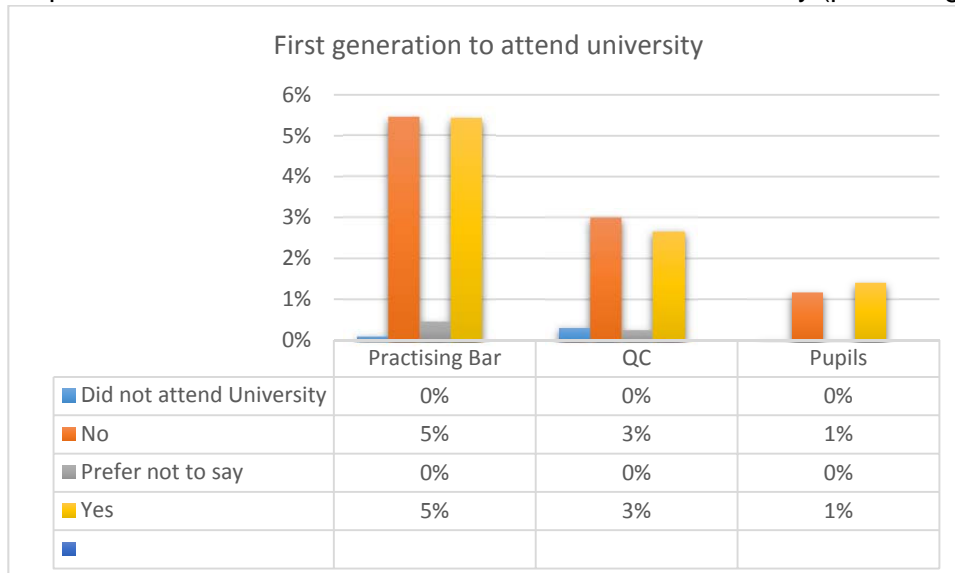
Table 9: First generation to attend university (numbers)

Seniority	Did not attend university	Not 1 st generation	1 st generation	Unknown	Total
QC	5	47	4	1,478	1,572
Practising Bar	15	747	743	12,190	13,695
Pupil	0	5	6	416	427
Total	20	799	791	14,084	15,694

Source: Core database (August 2013)

Graph 18 shows the percentages of practising barristers, QCs and pupils who reported whether or not they were the first generation in their family to attend university. Those that chose to disclose their information are displayed in the graph. 5% of the practising Bar and 3% of QCs were first generation in their family to attend university. 90% of this information is unknown.

Graph 18: Core database: First Generation to attend university (percentages)



Source: Core database (August 2013)

Socio Economic Background Summary- Key Points

1. With regard to type of school attended the *Barristers' Working Lives- A Biennial Survey of the Bar 2013* showed that 56% of the practising Bar attended a state school while 44% attended a fee paying school. This shows very little variation from previous years with 2011 figures showing 57% of the practising Bar attended a state school and 42% attended a fee paying school. Overall, the numbers of pupils attending state school in the population as a whole is much higher than that of fee paying schools. According to the latest 2013 figures there are now 508,601 pupils at *Independent School Council* member schools, up slightly from 508,472 in 2012. (*ISC Census 2013*). 3.2 million pupils were reported attending a state funded school. (*National Statistics collected by Department of Education.*)
2. The figures show that only 5% of the practising Bar and 3% of QCs were the first generation in their family to attend university, however 90% left this question blank. Literature on educational diversity suggests a strong correlation between a person's social background and parents' level of educational attainment particularly when choosing the type of school to attend, type of university and career choice.

5. Caring responsibilities

This section focuses on the care of children and the care of others.

5.1 Care of children

Table 10 shows the numbers of QCs, practising barristers and pupils who reported having caring responsibilities for children. This also shows “unknown category” data.

Table 10: Core database: Responsibility for the care of children (numbers)

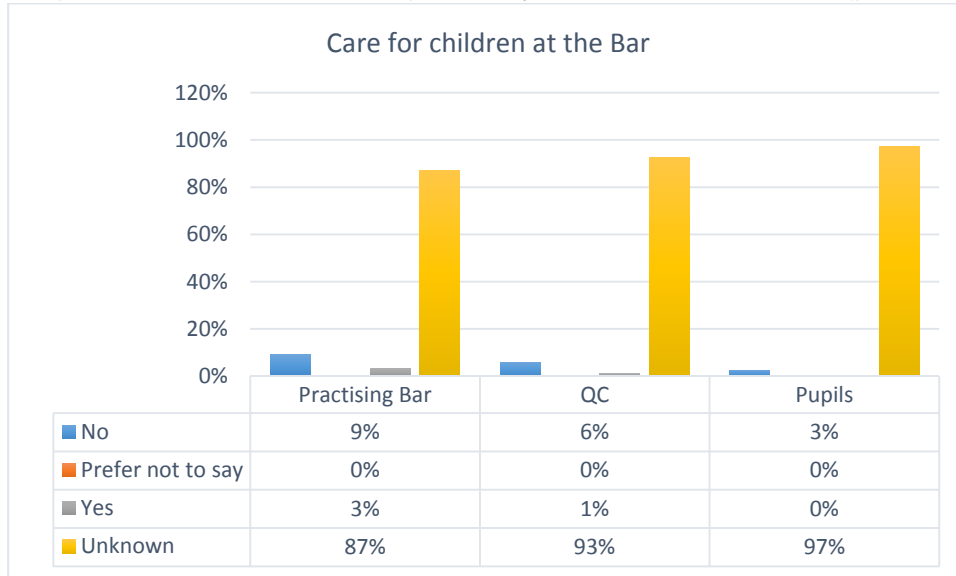
Seniority	Not resp for kids	Resp for kids	Unknown	Total
Practising Bar	1,289	456	11,959	13,695
QC	94	18	1,460	1,572
Pupil	11	0	416	427
Total	1,385	474	13,835	15,694

Source: Core database (August 2013)

Part 1 - Public

Graph 19 shows the percentages of QCs, practising barristers and pupils who reported having caring responsibilities for children. A breakdown by career stage is displayed below. For those who answered yes to caring responsibilities, 3% are practising barristers and 1% are QCs. Unknown data is very high (from 87% for the practising Bar, to 93% for QCs and 97% for pupils) and is also displayed.

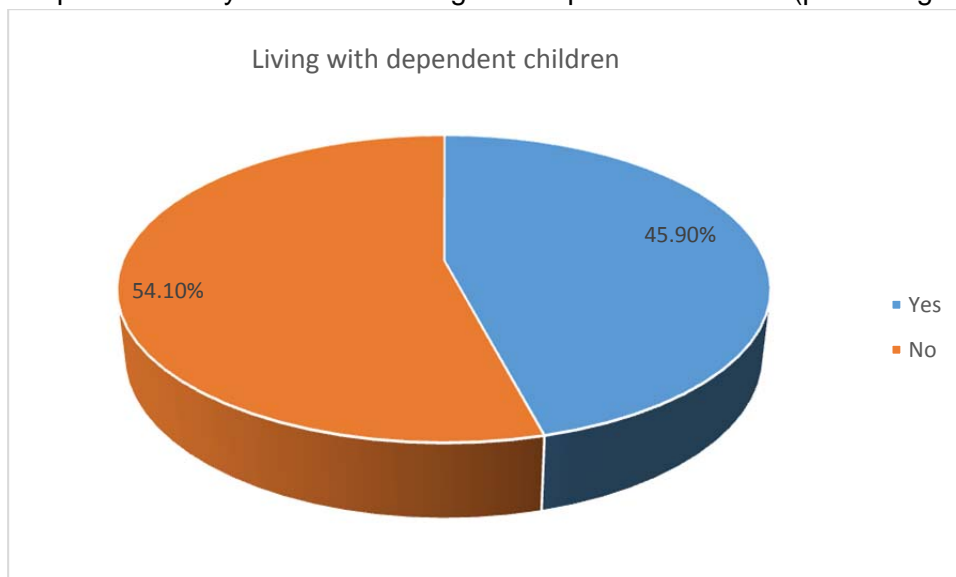
Graph 19: Core database: Responsibility for the care of children (percentages)



Source: Core database 2013

Graph 20 shows the percentage of the practising Bar who reported living with dependent children. The survey results indicated 45.9% of respondents are living with dependent children whilst 54.1% are not living with dependent children.

Graph 20: Survey of the Bar: Living with dependent children (percentages)

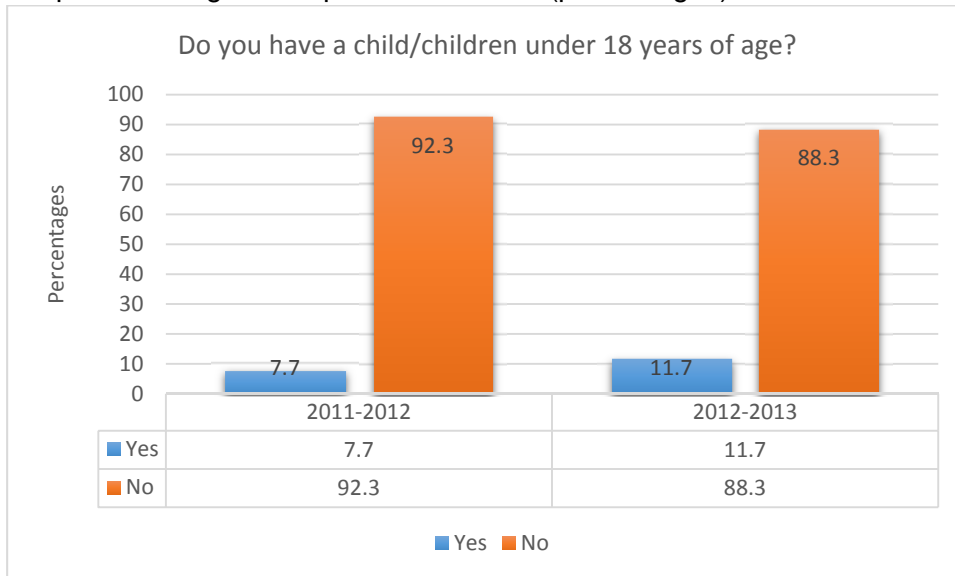


Source: Barristers' Working Lives - A Biennial Survey of the Bar 2013

Part 1 - Public

Graph 21 shows the percentage of pupils who reported having a child/children under 18 years of age living with them. The results indicate 7.7% (2011/12) and 11.7% (2012/13) of pupils reported having a dependent child compared to 92.3% (2011/12) and 88.3% (2012/13). Evidently as displayed in the graph below, there is an increase in pupils that declared having a child under 18 years of age by 4%.

Graph 21: Living with dependent children (percentages)



Source: Pupillage Supplementary Survey (2011/12 and 2012/13)

5.2 Care for others

Table 11 shows the number of QCs, practising barristers and pupils who reported having caring responsibilities for other people.

Table 11: Core database Responsibility for the care of others (numbers)

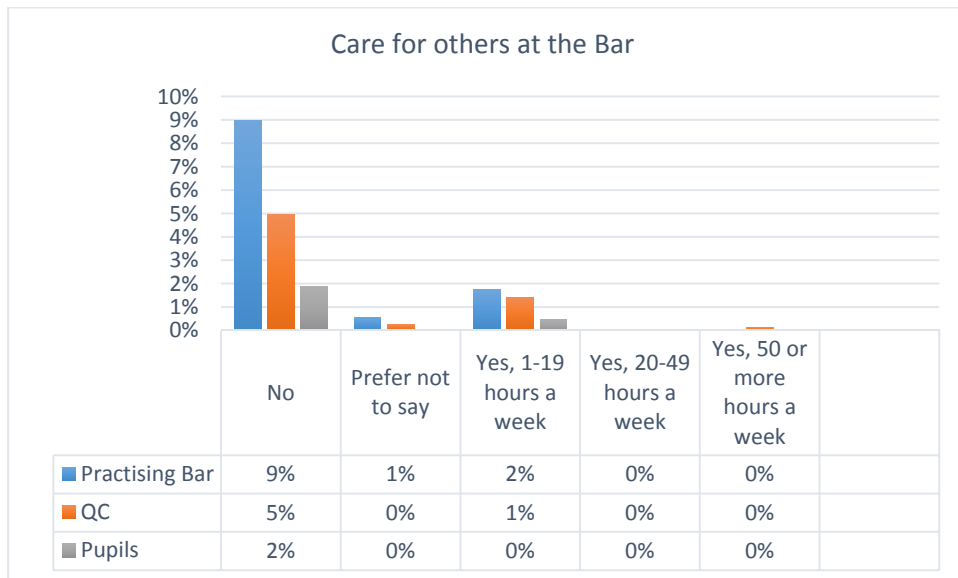
Seniority	No	Yes, 1-19 hours a week	Yes, 20-49 hours a week	Yes, 50 +hours a week	Unknown	Total
Practising Bar	1,229	238	8	8	12,212	13,695
QC	78	22	1	2	1,469	1,572
Pupil	8	2	0	0	417	427
Total	1,315	262	9	10	14,098	15,694

Source: Core database (August 2013)

Part 1 - Public

Graph 22 shows figures relating to caring responsibilities for an older adult or relative. The vast majority of the Bar 90% did not disclose information on this. For those who did disclose their information, 9% of the practising Bar do not have any caring responsibilities whereas 2% provide up to 19 hours per week caring for someone and 1% of QCs provide up to 19 hours a week.

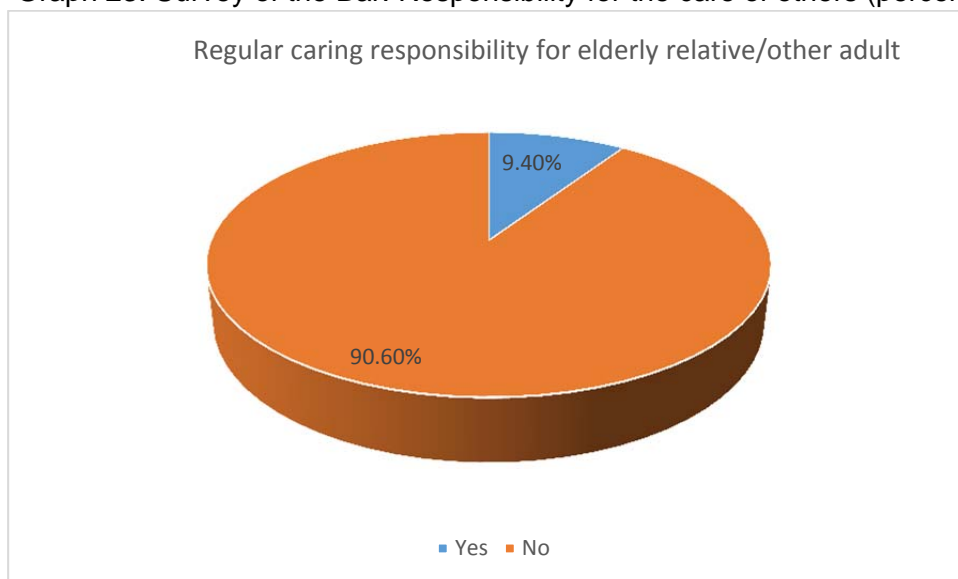
Graph 22: Core database Responsibility for the Care of others (percentages)



Source: Core Database (August 2013)

Graph 23 reveals 90.6% of the Bar do not provide regular care for an older adult compared to 9.4% for those who do so.

Graph 23: Survey of the Bar: Responsibility for the care of others (percentages)



Source: Barristers' Working Lives - A Biennial Survey of the Bar 201

Caring responsibilities Summary-Key Points

1. The figures from the *Barristers' Working Lives - A Biennial Survey of the Bar 2013* suggest 45.9% of the Bar have a dependent child/children whilst 54.1% do not.
2. The figures from the Pupillage Supplementary Survey indicate 92.3% (2011/12) and 88.3% (2012/13) reported not having a dependent child. However, 7.7% of pupils in (2011/12) and 11.7% of pupils in (2012/13) reported having a dependent child. In 2012/13 there was an increase of 4% from the previous year, of the Bar declaring they had a child under 18 years.
3. The figures from the *Barristers' Working Lives A Biennial Survey of the Bar 2013* reported 4% having caring responsibilities for an elderly relative or other adult with caring needs compared to 90.6% that do not. According to the *UK Census 2011*, 10% (5.8 million) of residents of England and Wales provided unpaid care for someone with an illness or disability. This suggests the Bar is not representative of national statistics with 4% declaring caring responsibilities compared to 10% the national average.

6. Conclusion

By and large, across all the protected characteristics, there has been little or no change in the profile of the Bar from the data collected. This would be expected when monitoring demographic changes in a profession over a one to two year timeframe.

With regards to gender, the figures from the previous report remain unchanged, with men representing two thirds of the profession. This gender imbalance is not unique as many women are underrepresented in similar professions of this level. Despite an increase in women's participation and diversity in the legal sector over the last few decades (Law Society & University of Westminster) women typically comprise under 25 percent of the partnership of elite firms (Black Solicitors Network, 2008).

One in ten (10%) of the Bar are from BME backgrounds. This figure remains unchanged from the previous report.

With regards to disability, the majority of barristers did not report having a disability (96.1%) compared to (3.8%).

The majority of the Bar profession that disclosed their sexual orientation stated they were heterosexual/straight.

Entry into the Bar profession remains competitive while attendance at state schools and fee paying schools prior to a career at the Bar remains by and large 50/50. This report looks at parental education attainment as a factor for predicting overall success gaining entry into the Bar. Data responses looking at this in more detail remain low. The Bar Council believes that background should not be a barrier to the Bar and that the profession should better reflect the society it serves. Whilst parental education is an imperfect measure of socioeconomic status, much has been made of the necessity of "links" to the profession in order to access the information, guidance and experience necessary to reach an informed decision on a career at the Bar.

Caring responsibilities for an older adult among the Bar profession is considered in this report; 4% of the Bar hold such responsibilities. According to the *UK Census 2011*, 10% (5.8 million) of residents of England and Wales provided unpaid care for someone with an illness or disability. This suggests caring responsibilities among the Bar are low compared to the national average.

Overall, it is difficult in some instances to examine the Bar in a comparative context to other professions. The Bar is smaller in size than most high paid level professions.

7. Recommendations & Limitations

The Research team monitors, assesses and evaluates changes to the profession through the design, conduct and commissioning of studies for the Bar Standards Board and by specific agreement also for the Bar Council.

Until now, the collection of data has largely been driven by individual and local needs rather than organisational ones. As a result, sources of data abound yet suffer from not only a lack of cohesion but also a poor coverage of the profession which, taken together, make it difficult to prepare integrative coherent reports.

There is a need to develop a new integrative strategy for data collection across the both parts of the organisation as no one data source provides all the monitoring data on the Bar and each data source has advantages and limitations. Only a cross-departmental strategic perspective on evidence requirements and proactive communication on these requirements will help secure sustainable stakeholder engagement, and coverage, consistency and relevance of evidence.

Practitioners should be strongly encouraged to provide their diversity data via the Barrister Connect system. This is a matter of high priority as diversity data extracted from the Core Database is not currently reliable due to the low completion rates.

The Pupillage Supplementary Survey response rate appears to be in decline particularly for the academic year 2012-2013. A new approach should be considered to secure responses. The research and education department at the Bar Standards Board are currently in discussions on this matter.

Appendix

Code of Conduct Rules on Equality and Diversity

- Have in force a written statement of policy on equality and diversity
- Have in force a written plan implementing that policy
- Have at least one Equality and Diversity Officer
- Use fair and objective criteria in their recruitment and selection processes
- Monitor by race, disability and gender the number and percentages of staff, barristers, pupils and assessed mini pupils; applications for assessed mini pupillage, pupillage, staff and membership of chambers and the allocation of unassigned work and take appropriate remedial action
- Ensure that the affairs of chambers are conducted in a manner which is fair and equitable for all members of chambers and pupils, including in relation to the fair distribution of work
- Have a written anti-harassment policy
- Have a parental and adoption leave policy and, where rent is paid on a flat rate basis must offer members taking a period of parental/adoption leave, a minimum of 6 months free of chambers' rent
- Have in force a flexible working policy
- Have in force a reasonable adjustments policy
- Have a Diversity Data Officer, whose name and contact details are notified to the BSB and whose role is to collect, process and publish data relating to certain characteristics of all members of the workforce, including barristers, pupils, clerks and staff.

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 2013.

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 of the pupillage funding and advertising requirements, for waiver from rules governing entitlement to practice 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.

Membership

4. At the beginning of 2013, Sarah Clarke replaced Matthew Nicklin QC as Board member of the Committee and as one of its barrister Vice-Chairs. Otherwise, membership continued as it was in 2012. At the end of 2013, the Lay Vice-Chair, two lay members and five barrister members came to the end of their terms of office. Arrangements are being made to replace them.

Applications Considered by the Committee

5. The Committee is divided into six Panels. The numbers of applications approved and refused by each Panel during 2013 are set out in Annex B. Please note, however, that the approved/refused distinction is fairly crude. For example, all 211 Qualified Foreign Lawyers who applied for exemption from the standard training requirements were approved, but the conditions attached to that approval cover a wide spectrum from being conditional on passing the whole of the Bar Transfer Test and undertaking 12 months' pupillage to complete unconditional approval. A total of 1,320 applications were considered in 2013, compared with 1,236 in 2012.
6. The numbers of applications for review considered by the full Committee during 2013 are set out in Annex C. A total of 58 applications for review were considered in 2013, compared with 69 in 2012.

Appeals to the Visitors

7. There is a right of appeal to the Visitors to the Inns of Court against many types of decisions of the Qualifications Committee. Eight such appeals were heard during 2013 – two qualified foreign lawyers, one European lawyer, one solicitor, two reductions in pupillage, one waiver from the pupillage funding and advertising requirements and one relating to a decision of the Inns Conduct Committee. In each case, the appeal was dismissed and the decision of the Qualifications Committee was upheld.
8. From 7 January 2014, the jurisdiction of the Visitors has transferred to the High Court, although the Visitors will continue to hear appeals against decisions of the Committee made before that date.

Business Process Review

9. There is a separate paper on the review that the Committee has undertaken elsewhere on the Agenda.

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 Panels 2013

	Approved	Refused	Total (2012 figure in brackets)
Transferring Qualified Lawyers Panel (“Panel 1”)			
Qualified Foreign Lawyers	211	0	211 (75)
European lawyers applying for Call to the Bar	18	0	18 (22)
European lawyers applying for Registration under the Establishment Directive	2	0	2 (5)
Registered European Lawyers applying for Call to the Bar	0	0	0 (1)
Legal Academics applying for dispensation from the standard requirements for Call to the Bar	3	2	5 (5)
Applications for Temporary Membership of the Bar	2	0	2 (4)
Solicitors applying for Call to the Bar	74	0	74 (110)
Reduction in Pupillage for a Barrister who has also qualified as a Solicitor	40	0	40 (21)
Extension of time in which to Pass Bar Transfer Test	15	0	15
<i>Total Panel 1</i>	<i>365</i>	<i>2</i>	<i>367 (245)</i>
Pupillage Panel (“Panel 2”)			
Applications for approval to undertake external training	17	1	18 (11)
Applications for reduction in pupillage	37	1	38 (57)
Applications from pupils for dispensation from the pupillage regulations	25	0	25 (33)
Applications for retrospective registration of pupillage	14	0	14 (8)
<i>Total Panel 2</i>	<i>93</i>	<i>2</i>	<i>95 (109)</i>
CPD Panel (“Panel 3”)			
Applications for extension of time for completion of the New Practitioners Programme	58	0	58 (55)
Applications for waiver of the NPP Requirements	6	6	12 (12)

	Approved	Refused	Total (2012 figure in brackets)
Applications for extension of time for completion of the Established Practitioners Programme	151	0	151 (187)
Applications for waiver of the EPP Requirements	78	4	82 (78)
<i>Total Panel 3</i>	<i>293</i>	<i>10</i>	<i>303 (332)</i>
Practising Rules Panel (“Panel 4”)			
Applications for rights of audience/waivers of the practising rules	34	6	40 (47)
Applications for designation as a “qualified person”	0	0	0 (4)
Applications for rights to conduct litigation	14	3	17 (10)
Applications for waiver of the Public Access Rules	21	7	28 (29)
Applications for licensed access	22	2	24 (52)
Applications for licensed access – renewals	11	0	11
Registration for licensed access – immigration advisers	73	0	73
<i>Total Panel 4</i>	<i>175</i>	<i>18</i>	<i>193 (143)</i>
Pupillage Training Organisation Panel (“Panel 5”)			
Applications for waivers of the Pupillage Funding & Advertising Requirements	7	12	19 (31)
Applications for authorisation as a pupillage training organisation	20	12	32 (14)
<i>Total Panel 5</i>	<i>27</i>	<i>24</i>	<i>51 (45)</i>
Academic Stage Panel (“Panel 6”)			
Applications for Partial Exemption from the Academic Stage	30	2	32 (31)
Applications for Exercise of Discretion to Waive Requirement to obtain lower second class honours	3	10	13 (17)
Application for Certificate of Academic Standing on the basis of overseas or non-standard degrees	101	29	130 (179)
Applications for reactivation of stale qualifications	12	5	17 (29)

Part 1 – Public

	Approved	Refused	Total (2012 figure in brackets)
Application for approval of credit transfer	65	6	71 (53)
Application for approval to exceed permitted study-time	5	1	6 (11)
Application for permission to commence Vocational Stage before completing Academic Stage	0	1	1 (0)
Application for approval of deemed pass/condonation	4	4	8 (16)
Bar Examination Transcript/Certifying Letter	n/a	n/a	13 (15)
Mature Non-Graduate	14	6	20 (11)
<i>Total Panel 6</i>	<i>234</i>	<i>64</i>	<i>311 (362)</i>
TOTAL APPLICATIONS	1,187	120	1,320 (1,236)

Number of Applications for Review Considered by the Qualifications Committee 2013

	Decision Upheld	Decision Amended	Total (2012 total in brackets)
Reviews of Decisions of Committee Panels			
Qualified Foreign Lawyers	14		14
European lawyers applying for Call to the Bar	1		1
Legal Academics applying for dispensation from the standard requirements for Call to the Bar	2		2
Solicitors applying for Call to the Bar	2	1	3
General Exemption	1		1
Applications for reduction in pupillage	8	2	10
Applications for rights of audience/waivers of the practising rules	1	2	3
Applications for rights to conduct litigation		1	1
Applications for waivers of the Pupillage Funding & Advertising Requirements	2	5	7
Applications for authorisation as a pupillage training organisation		1	1
Applications for Partial Exemption from the Academic Stage	1	1	2
Applications for Exercise of Discretion to Waive Requirement to obtain lower second class honours	2		2
Applications for reactivation of stale qualifications		1	1
Application for approval of credit transfer	1		1
Mature Non-Graduate	1	1	2
<i>Total Reviews of Panel Decisions</i>	<i>36</i>	<i>15</i>	<i>51 (64)</i>
Reviews of Decisions of the Inns Conduct Committee			
Admission to an Inn	3		3
Disciplinary Matter	4		4
<i>Total Reviews of ICC Decisions</i>	<i>7</i>		<i>7(5)</i>
TOTAL APPLICATIONS FOR REVIEW	43	15	58 (69)

Chair's Report on Visits and Meetings Dec 2013 – Jan 2014**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:

25 Nov 2013	In Dublin to speak to the Irish Bar Council about proposed new regulatory system for Ireland
26 Nov	Introductory meeting with Albanian Complaints Commissioner Attended Select Committee on Communications
27 Nov	Attended a lunch meeting with Lord Judge Attended a COIC meeting
28 Nov	Attended QASA JR Attended Law Society book launch reception
29 Nov	Attended QASA JR
2 Dec	Attended QASA JR
3 Dec	Attended Select Committee on Communications
4 Dec	Attended the funeral of Graeme Williams QC
5 Dec	Attended Prosecutor Panel Training and Thank You Reception
6 Dec	Participated in a debate on the Equality (Titles) Bill, House of Lords
8 Dec	Attended a party given by the Chairman of Lloyds Banking Group
9 Dec	Lunch with the Chair of the Human Fertilisation and Embryology Authority
9 Dec	Attended Bar Council Inaugural Address
11 Dec	Breakfast with Peter Susman QC Participated in a debate on VHCC in the House of Lords. Lord Carlile's motion to annul

Part 1 – Public

- 12 Dec Introductory meeting with Shailesh Vara, new Junior Minister of Justice
Board Away Day
- 13 Dec Lunch with Julie Brannan, SRA Education Officer
- 17 Dec Attended Lords meeting on the new system of Press Regulation
Attended Select Committee on Communications
- 18 Dec Attended a meeting with Lord Ribeiro, former President of the Royal
College of Surgeons, to discuss progress for women doctors.
Attended Inner Temple Benchers' meeting
- 20 Dec Breakfast with Sir Stanley Burnton, retired Lord Justice of Appeal
Attended staff Christmas party
- 21 Dec Lunch with Lord Wilson of Culworth, Supreme Court
- 23 Dec-09 Jan Away
- 14 Jan 2014 Attending Select Committee on Communications
- 15 Jan Attending Leadership Group session
Attending an Inner Temple Reception
- 16 Jan Chairing a Higher Education Forum
Attending the annual Lord Upjohn Lecture
- 21 Jan Attending the Launch of Legal Choices
Attending Select Committee on Communications
Attending GRA Committee
- 22 Jan Attending pre-board briefing
Attending Appointment Panel meeting
Attending Handbook launch event with Keynote speech by Dominic
Grieve QC
Hosting a dinner for departing Board Members

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:

Baroness Ruth Deech QC (Hon)

Director's Report

Status

For consideration and noting.

Director

1. The period since the last Board meeting focussed internally very much on final preparations for the roll out of the new Handbook and Code of Conduct, which, as will be seen below, has gone smoothly. This required intensive commitment from a range of staff, several of whom undertook work during the Christmas break to ensure all was ready for 6 January. We look forward to the formal launch event on 22 January in the presence of the Attorney General and Lord Judge.
2. The Judicial Review of QASA was heard over three days in late November / early December and the outcome is anticipated in the week of 20 January. The BSB was supported by an outstanding legal team to whom I would wish to express our thanks: Tim Dutton QC and Tetyana Nesterchuk of Fountain Court; and Iain Miller and Amy Tschobotko of Bevan Brittan (solicitors).
3. The Senior Management Team has devoted several days to designing and delivering elements of the Learning and Development Strategy, as indicated below. A principle of our strategy is that as far as appropriate, training and coaching are delivered through the line management chain so it has been important that the SMT devote time to ensuring consistency of content and approach. In particular we have sought to anchor the training content in the BSB's values (fairness, integrity, value for money, excellence, respect) to contribute to the further embedding of the latter.
4. We have finalised and published the BSB / Bar Council Protocol on ensuring regulatory independence and have started a programme of briefing to ensure all staff are able to work within the Protocol.
5. I have started initial work on the 2014 Chair and Board recruitment process, in conjunction with our Independent Appointment Panel. Two recruitment consultancy firms, already our preferred suppliers, have been invited to bid for the assignments. Work will run through to July.
6. By the time of the Board meeting I will have had the first 2014 monthly one to one meetings with the LSB CEO (in the LSB's new premises at Kemble Street); and met with my counterpart at the Florida Bar to discuss legal education reform.

The Regulatory Improvement Programme (TRIP)

7. The Regulatory Improvement Programme (TRIP) continues to proceed to plan. Most tasks have been completed on time despite the additional pressures of change of (internal) accommodation, the commissioning of a new document management system and some difficulties with recruitment. These risks whilst high, have been successfully managed and all have reduced risk status as a result.
8. As reported previously, the LETR has prompted a more radical review of Education and Training at the BSB. The TRIP board have accepted this is a departure from the previously agreed programme and because of the anticipated extended timescale for delivery, will be dealt with as a separate change programme.

Part 1 – Public

9. The learning and development plan commenced in October at which all staff were informed of the working arrangements at the BSB following the launch of the Handbook. The plan continues with training during January, February and March to support the change programme through 2014. Early training focuses on our new approach to collaborative working and to Customer Service and familiarisation with the BSB approach to risk assessment and its implementation. In addition, a mentoring scheme for SMT members, and 360 degree reporting for them at the next appraisal round are being prepared.
10. During November 2013 a new initiative began with several organisations that act as intermediary stakeholders and represent the views of consumers. At their first meeting there was a constructive dialogue confirming the stakeholders' enthusiasm to be involved in discussions with BSB and at which they expressed a desire to have greater input into the policy debates at the BSB.
11. The next phase of TRIP will focus on bringing the new teams together and finalising our processes for implementation. We anticipate gaining some time against our (delayed) plan for implementation during this period.
12. Immediately prior to Christmas the BSB Senior Management Team (SMT) gave a wide-ranging presentation to the LSB on the preparations for the launch of the Handbook (6 January 2014) and the progress made on the implementation of the Regulatory Standards Framework. The LSB were complimentary on both counts and in particular were impressed with the cohesiveness of the SMT.

Regulatory Policy

13. On 6 January the new BSB Handbook came into force. This followed an intense period of communication activities and training undertaken by the department. Some minor amendments to the Handbook were approved by the Legal Services Board in December – these were minor changes and corrections that were agreed by the Handbook working group on delegated authority from the Board (the changes are listed on our website, none of which reflects any substantive changes of policy). All additional guidance has also been reviewed and updated in the light of the new Handbook. The department is now focusing on finalising the application to the LSB for approval as an entity regulator. A draft application has been discussed with the LSB and we will be making some further amendments before formally submitting the application. Three new members of staff have taken up vacancies in the department following departures. We welcome Suchitra Hammond and Robert Pragnall as Senior Policy Officers, bringing a wealth of legal services and regulatory experience with them; and Robert Ennis in an administrative support role.

Supervision

14. In December the Supervision team hosted a lunch time briefing session for members of the Legal Practice Managers Association. The session was extremely well attended and attendees were accepting of the concept of risk-based supervision and appreciative of the opportunity to have the scheme explained and to discuss its implications. A session for the Institute of Barristers Clerks is also in the pipeline. On the subject of supervision communications, a letter and short leaflet will shortly be going out to all chambers to explain what to expect from supervision and where to find further information. We will also be offering briefing sessions to chambers upon request.
15. The Equality and Diversity monitoring project is nearly completed now, with all but two chambers having provided the follow up evidence required to prove that they have addressed identified non-compliance. In total, around 15 chambers were asked to demonstrate significant improvements in compliance and their responses are all being substantively assessed. A report will be prepared and will be presented to the Board in March or April.

16. Since risk-based supervision became operational with the new Handbook, the team has already acted upon some intelligence in relation to four chambers that were not advertising their pupillages correctly, all of which are now on the Pupillage Gateway with deadlines extended as appropriate.
17. There have also been a number of meetings between the Supervision team and other departments to discuss information sharing and collaborative working. This has included Education and Training, PCD and the Records Department.
18. Finally, job descriptions and competencies have been agreed for two new posts in the Supervision Team and recruitment will begin in the coming weeks.

Education and Training

Post-LETR plan

19. Work has progressed on the preparation of a programme plan, in line with the framework agreed by the Board in September 2013, and with a view to its presentation to the Education & Training Committee and Board in February and March 2014 respectively. It is proposed that the plan will form the basis of a submission to the LSB in response to their request for plans from the front-line regulators by April 2014.

A. Developing a competency framework for barristers

20. A first draft plan has been developed, and discussions are in progress with the SRA to ensure effective and appropriate collaboration.
21. A workshop was run with the Inns' Directors of Education on 7 January, as a first step in sharing knowledge of the purpose and effective implementation of the proposed framework, and planning engagement with the profession.

B. Aligning the Bar Training Regulations (BTRs) to modern regulatory standards

22. Progress in this area will be informed by developments in the other work programmes. The recent appointment of new staff in the Regulatory Policy team will increase capacity to address the requirement.

C. Establishing an outcomes-focused approach to continuing professional development

23. Following agreement of the full proposal by the Board in late November 2013, the project is now being initiated, with the full engagement of the Central Services Project Office team.

D. Sharing data to support our regulatory objectives in education & training

24. Initial work has been undertaken to align data development needs in education with the work plan of the BSB Research team.

E. Improving access routes to the profession

25. An initial meeting has taken place, and Jessica Bradford, senior policy officer in the E&D team, will work with the Education team to deliver the programme. Future options for the BPTC were discussed at a special session of the BPTC Subcommittee on 8 January.

F. Collaborative development of Academic Stage regulation

26. A revised Academic Stage Handbook has been published, jointly with the SRA. Next steps include engaging with the QAA in their review of the Law Benchmark Statement (from May 2014), and the finalisation of financial arrangements with the SRA for the revised regulatory approach.

Operational updates

BPTC

27. The first application period for 2014 closed on 7 January. The existing contract for the BPTC online portal will expire in September 2014, and reassessment of the role of the BSB in admissions has resulted in agreement that this is not a primary consideration for the BSB. A review of options is in progress, and is likely to result in the transfer of responsibility to providers of the course.
28. Monitoring visits have been planned January-March for five of the 11 BPTC sites in 2014.
29. A review of the syllabus for Criminal and Civil Litigation has been initiated, with a work plan agreed by the BPTC Subcommittee. The Civil team has been recruited; recruitment continues for Criminal contributors.

Bar Transfer Test (for transferring solicitors and overseas lawyers)

30. The contract to run the Bar Transfer Test from 2014 has been awarded to BPP following open competition. The new Handbook for the Test will come into effect in the new academic year, September 2014.

Assessments

31. Papers are being finalised for the First Sit assessments for 2014.
32. Recruitment is in progress for question writers for the BPTC Centralised Assessments, to strengthen the question bank which has previously been sourced through the BPTC providers.

Pupillage

33. Following implementation of the new Supervision scheme on 6 January, pupillage operations have been restructured. Pupillage registration has transferred to the Education and Training Department (Claire Hogg); pupillage monitoring has transferred to the Supervision Department and waivers and ATO authorisation will remain within the Qualifications team in Education and Training.

CPD

34. The normal business of CPD accreditation continues for 2014.
35. A fourth Public Access training provider is under consideration, alongside the existing providers: The Bar Council, HJT, and Barristers Direct.

Qualifications

36. The Qualifications Committee has agreed a change plan for the delegation of decision-making to staff. The plan is set out in a separate paper for the Board.
37. The team has been restructured and strengthened in anticipation of these changes, and also in preparation to receive applications for litigation authorisation.

Staffing

38. Significant turnover in staffing continues to prove a challenge across the team, as a result of departures and restructuring.
39. Adrian Coleman started on 2 January in the role of Assessments Manager, with a primary focus on the Centralised Assessments. Recruitment is under way for vacant Assessment Officer roles. Paras Junejo joins the BSB from the Bar Council as Vocational Training Officer on 20 January.
40. Sophie Maddison has been appointed to a Training Regulations Officer role (from Assistant), and Celeste Alexander-Allen has returned to the team in a temporary Training Regulations Officer role to handle litigation authorisation applications.

External liaison

41. Solicitors Regulation Authority: A meeting took place with the SRA and IPS on 8 November, to discuss shared interests in competency frameworks. The meeting has been followed by regular liaison as the regulators develop plans.
42. Inns of Court: A workshop was convened in January, together with the Director of COIC and Inns Student Officers, to discuss the implications of a new competency framework and engage support in its development.
43. Bar Council: A meeting is planned in February between the respective BC/BSB Chairs of Committee and senior officers.

Equality and Diversity***Diversity Data on the Profession***

44. The Equality Act Specific Duties Regulations 2011 require the BSB to publish, every January, equality information relating to those who are affected by our policies and practices. In August 2013 the E&D team extracted anonymised diversity data on the profession from the Core Database, broken down by seniority. In November the Research team analysed the data and presented a paper at the November meeting of the E&D Committee. The Research team advised that there has been a significant increase in disclosure levels in relation to some protected characteristics, but in some areas disclosure is still too low for the data to be used for drawing reliable statistical conclusions. The EDC noted that a number of changes will be made to the Barrister Connect online portal in 2014 with the aim of increasing disclosure rates. The Board will be asked to approve the aggregated diversity data in January prior to publication.

Reporting Serious Misconduct to the BSB

45. The draft BSB guidance on reporting serious misconduct was presented to the EDC in November. The requirement in the new Handbook includes reporting instances of discrimination as they are likely to be considered serious misconduct. The EDC advised that discrimination and harassment are very sensitive issues and no-one should be forced to report if they don't want to. It was also advised that an individual's position in chambers (e.g. Head of Chambers or pupil) should influence to some extent how the BSB deals with failure to report in this area as more junior members of chambers are more likely to be at risk of (or in fear of) victimisation. The EDC's comments were taken into consideration when revising the guidance prior to publication on 6 January.

Chambers Monitoring

46. The chambers monitoring exercise covering the equality rules has now concluded. The vast majority of the 40 chambers selected to take part in the exercise responded to the questionnaire and provided evidence to demonstrate how they are implementing the rules. The results of the exercise are currently being collated and analysed, and a full report will be presented to the EDC in the spring, with a Board paper and recommendations to follow.

Managing Career Breaks Seminar

47. The BSB E&D SPO delivered a presentation at the Bar Council's annual Managing Career Breaks seminar on 29 November 2013. The presentation focused on the equality rules of the Code of Conduct and gave information about the various rights and responsibilities in chambers regarding parental leave and flexible working. The SPO also drew attention to the BSB's CPD guide for those taking parental leave, which encourages barristers to, where possible, maintain their practising certificate in order to 'keep their hand in'. The presentation was followed by a Q&A session with an expert panel which comprised the SPO, a practising barrister and a chambers' administrator.

BSB Response to LETR

48. As part of the BSB's response to LETR, the E&D team have begun working with the Education and Training team on the 'widening access' programme of work. A number of meetings have taken place to initiate the project and begin to assess the level of available data and discuss the potential issues with diversity at BPTC level. A discussion paper on the topic will be presented to the January EDC meeting by the Head of Education and Training.

BSB Equality Champions Group

49. The BSB Equality Champions group met in December and reviewed the E&D refresher training that was delivered to members of the group in October by the E&D team. The group reported that they found the seminar-style training very useful and that other members of staff within their respective teams may benefit from the same training. The SPO gave a short presentation about how the equality rules appear in the new BSB Handbook and alerted the group to the new supporting information document that gives guidance on the implementation of the rules.

Staffing Changes

50. Jonathan Regal left his position as E&D Admin Assistant at the end of 2013. In spring 2014 the BSB E&D team, comprising the EDA and SPO, will be merging with the Regulatory Policy team in order to further embed E&D considerations into the policy work of the BSB.

Professional Conduct***General***

51. Following a period of high staff turnover, the PCD is now operating with a full staff complement. This has enabled the PCD to progress more effectively work associated with BSB wide projects including TRIP, SPACE and the new BSB Handbook.

Enforcement database

52. The return of the Reports and Data Analysis Officer after a three month absence means that the necessary development work outstanding on the enforcement database is now back on track. The extended service contract with Flosuite is at an end and the Business Analyst,

who had been employed on a temporary basis to assist with addressing the adaptations that needed to be made to the database in light of changes arising from the new Handbook, left at the beginning of January 2014. The majority of the amendments are in place with any remaining minor adaptations being addressed by the Reports and Data Analysis Officer. The Reports and Data Analysis Officer now has considerable work to do in developing the performance reports but there will be a public performance report produced after the year end. In the meantime, reporting will be available to PRP and GRA on performance against the KPIs.

PCD Handbook Implementation Project

53. With the launch of the BSB Handbook on 6 January 2014, the PCD Handbook Implementation Project is almost complete. A successful Professional Conduct Committee (PCC) Away Day was held at the end of November 2013 followed by an equally successful Prosecution Panel Event in early December 2013. Both events focussed on training for the new BSB Handbook whilst also covering necessary wider strategic BSB information. Training designed to ensure that staff are well equipped to deal with the new approach to regulation also took place for PCD staff in December 2013. Further training events on the new BSB Handbook and the changes within it are planned in February and March 2014 for those who were unable to attend other available training sessions and the PCC are receiving short refresher sessions at the beginning of each Committee meeting for the next few months. Aside from training, the PCD pages on the website are being updated to reflect new working practices and procedures and staff are currently working to ensure that all policies, guidance and leaflets are up-to-date and easily accessible to users.

Judicial Reviews

54. The PCD is now subject only to one application for Judicial Review, which is currently at the permission stage.
55. In relation to judicial reviews regarding the panel appointments issues, there were originally five judicial review applications. One was struck out on procedural grounds. An application has been made by the barrister to restore this application. The remaining four cases were dismissed in October 2013 as being totally without merit. Three barristers have lodged appeals with the Court of Appeal against dismissal of their Judicial Review applications. A decision on their applications for permission to appeal to the Court of Appeal is expected before the end of January 2014. No appeal has been made in relation to the final case, which is therefore concluded.

Strategy and Communications

Press, Website & Twitter

56. As of Tuesday 14 January 2014 we have 7,333 followers on Twitter.

Communications

57. It is with regret that we said farewell to Vicky Hardman on 3 January 2014. She made a significant contribution to the development of the Communications Team in her time with us. We wish her all the best in her new post. We have engaged the services of Laura Simons as a Communications Consultant for six months on a part time basis. Laura has been leading on our stakeholder engagement work and will continue with that, working on integrating it into normal BSB practice while she is with us. She will also be providing oversight for the Communications Team as well as contributing to the recruitment of the new Communications Manager.

58. Communications issues have been largely concerned with the day of action undertaken by the CBA and the BSB's response to that. Guidance was prepared and published prior to Christmas to make the BSB's position clear.
59. The communications regarding the new BSB Handbook have gone very smoothly.

Budget and business planning

60. Work continues apace to complete the Quarter 3 performance report which will come to the Board in February. The 2014-15 business plan is also being prepared for consideration by PRP before coming to the Board for final sign off in March.

Biennial survey of the Bar

61. Analysis of the survey results is complete. Final drafting is being undertaken to enable publication.

Board Committee recruitment

62. The recruitment process has been completed with paperwork now being finalised. All lay positions have been filled but committees are carrying barrister position vacancies due to the much lower numbers of applicants for those posts. Given the emphasis on reducing committee sizes it is not anticipated that any interim round will be conducted (and there are no funds for an additional recruitment round in the budget) but this view will be reexamined if committee membership drops to a point that committees are unable to function properly. The next recruitment process will run in the Autumn. Views will be sought on how to conduct the process prior to it commencing.

Governance Manual

63. The revision of the Governance Manual is now underway and will be completed this year. It has been considerably redrafted to reflect the emphasis on outcomes in the BSB Handbook. GRA is presently considering the revisions.

Risk Framework

64. The risk framework and supporting processes are being finalised before training all staff on it. People in teams who make specific decisions based on risk are fully trained and aware of what they need to do. Planning is underway to start implementing other aspects of the risk framework, eg focus groups.

DMS

65. The DMS went live for BSB staff in November. Use is increasing although as it has done so, inconsistencies in the file architecture have been identified. These are to be resolved at an Operational Team Meeting on 20 January.
66. The Board paper production workflow is being finalised according to the project implementation timetable. We anticipate piloting this for the February Board meeting for our internal production of the papers. At a subsequent point, Board members will be invited to use the secure external facing facility to access Board papers. Full details and explanation will be provided before this happens. Members should note that all Bar Council papers are now only provided electronically. The BSB has not yet implemented this as we need to ensure all decision making aspects are properly covered and sensitive information properly protected before doing so.

Central Services Report - Updates on Key Business Projects***SPACE***

- 67. Construction phases are progressing well to time, cost and quality. Phase 3 and 4 of the programme has been completed and phase 5 has been initiated. Two remaining office moves within the building are expected.
- 68. A Tender process has been initiated for vacant possession works and tenders have come in at less than projected in the budget.
- 69. Negotiations are due to begin with the landlord on vacant possessions and dilapidations.
- 70. Contracts on a new room/resource booking application have been signed and the implementation is planned for late February.

Document Management System

- 71. All staff across the organisation have now been trained on the new Document Management System, however as yet not all are using the system for their day to day work. Participation is being encouraged in all areas.
- 72. Work is now underway to further develop the workflow functionality, which will allow us to automate and simplify a number of processes across the organisation. The first main area in the BSB that will utilise this is the Strategy & Communications team for the production of Board Papers; this will be used both internally, and then to securely share papers with Board Members electronically using the Objective Connect extranet solution.

Authorisation to Practise

- 73. The IT team are working closely with the Project Management Office, the Records department, BSB teams and our external providers to prepare the Core Database and Barrister Connect for the 14/15 Authorisation to Practise cycle. The systems changes are being tested before launching in February. In addition to this, further development work is also taking place to allow litigation applications to be processed using this system.
- 74. An operational plan has been prepared to demonstrate how the increased workload and expected call volume will be handled. In anticipation of this, the Records team is preparing for the recruitment and training of temporary staff members to assist during the increased activity of the renewal period.
- 75. Communication of the changes the profession has begun, coordinated by the BC Comms team and subject to BSB approval.

Functional Updates***Project Management Office***

- 76. Following recruitment of the vacant PM role, and in parallel with its project specific support, the PMO will implement and establish a programme of improvement in project management operations across the business to improve project outcomes, reduce costs and ensure better management oversight of all project activities. The steps towards this include:

- Re-launch PM guidelines and support material and build QA processes.
- Deliver a single cycle of PM learning and development across the three directorates by June.
- Build a reputable projects register for live and future projects and implement mechanisms to capture performance status.
- Build a project gateway process and embed the use of it across the organisation.

Finance

77. With the completion of the recruitment in the finance function, the finance team will be able to develop other streams of work including:
- Reviewing our systems of approvals and controls for invoice and expense payments to remove weaknesses and inconsistencies and reduce the time taken to pay invoices.
 - Standardising our approach to sales invoicing and revenue tracking to ensure accuracy and provide better credit and financial control.
 - Reviewing our accounting system to determine how best to introduce increased automation, business workflow and management information

as well as undertaking analytical activities including strategic plan modelling, the review of commercial activity including fees and charges and seeking to optimise our VAT and corporation tax arrangements.

Human Resources

78. Recruitment: Ten vacancies have been handled over December with six of these completed and others progressing at various stages. We have welcomed three new staff over this period. There are a further 14 committee vacancies which are at reference or formal offer stage.
79. There have been six long term absences and 14 short term absences over the period. HR has been advising managers in handling absences.
80. There have been seven leavers over the period. This includes both mutually agreed exits, resignations and other managed exits.
81. During December, a number of changes were made to the HR structure:
- **Robert Grant** joined on January 13 as Head of HR and will report to Stephen Crowne, CEO Bar Council. Robert brings a great deal of skill and commercial experience and will lead on a number of planned strategic change initiatives. He will be working with the team to develop and refine individual responsibilities and to ensure that the HR function provides a 'value-added' service across the organisation. This should enable the progression of a range of project work including HRIS and further development of the HR Strategy and supporting policies.
 - **Georgina Holton** came back from maternity leave at the end of November and will provide the vital day to day operational support role for both the Bar Council and the Bar Standards Board. She works three days per week and will report to Robert.
 - **Jo Lisowska** has been promoted to HR Adviser and will support Georgina in respect of day to day operations across the organisation.

- **Elika Edwards** (interim) and **Tina Lehmann** both provide administrative support to the HR team. Elika is responsible for recruitment support and Tina covers more general HR activities.
- Finally, **Andrea Roots** will continue to work with us as an HR consultant, offering support to the HR team where required. She will also advise and lead on a number of key initiatives such as performance management during the coming months.

Facilities

82. Following the decision to reduce automatic printing of committee papers, the Print Team are preparing to showcase their print production capabilities to ensure that further cost savings can be obtained by bringing in-house previously outsourced activity.

Records

83. The Records team have completed over 25 audits of information held on our database including ascertaining rights of audience, correcting records with regards to changes made by members in Barrister Connect, and cleansing data. Eight audits remain including high volume record corrections of which four will be completed by the end of March and the remainder by September 2014.
84. Of the five team members, four have experienced the peak renewal period for a number of years and additional staff will be recruited for the renewal period peak. We expect that with the improvements on Barrister Connect, the process for members and clerks (where applicable) will be more streamlined.
85. We are developing a programme of additional changes that will increase automation capability for the 2015/16 renewal period, reducing the need for manual intervention and to support further planned changes.

Building Central Services Capacity and Capabilities

86. In 2013, a number of staffing and structure changes were agreed that increased the capacity and capability of Central Services functions to support all areas of the business. The recruitment activities for these are all now progressing well and expect to be completed by the year end.
87. Finance – A Senior Financial Accountant started work in early Jan 2014. This is a new role that provides capacity to develop and implement better financial controls, systems and processes across the business. It also frees up the Management Accounting team to support the development of better financial management activities across the organisation.
88. HR- A comprehensive restructure resulting in 1 additional FTE. Details are described earlier.
89. PMO – the recruitment of a Project Manager (a replacement role) and a Business Analyst (new role) to support business change projects and improvements on-going.
90. IS - A replacement Information Manager is being sought to support the rollout of DMS, the development of IS policy and to support related projects.

Dr Vanessa Davies
Director, Bar Standards Board
16 January 2014