



REGULATING BARRISTERS

**Meeting of the Bar Standards Board**  
**Thursday 24 November 2016, 4.30 pm**  
**Room 1, First Floor, Bar Standards Board Offices,**  
**289-293 High Holborn, London, WC1V 7HZ**

**Agenda - Part 1 – Public**

			<b>Page</b>
1.	<b>Welcome and introductions (4.30 pm)</b>	Chair	
2.	<b>Apologies</b>	Chair	
3.	<b>Members' interests and hospitality</b>	Chair	
4.	<b>Approval of Part 1 (public) minutes</b>		
	• 27 October 2016 (*)	Annex A Chair	<b>3-7</b>
5.	<b>Matters Arising (*)</b>		
6.	a) <b>Action points and progress</b>	Annex B Chair	<b>9-12</b>
	b) <b>Forward agenda</b>	Annex C Chair	<b>13-14</b>
7.	<b>Appointment of lay Board members (4.40 pm)</b>	BSB 083 (16) Chair	<b>15-16</b>
8.	<b>Performance Report for Q2 (4.45 pm)</b>	BSB 084 (16) Anne Wright	<b>17-31</b>
9.	<b>Chair's Report on Visits and Meetings: November 2016 (*)</b>	BSB 085 (16) Chair	<b>33-34</b>
10.	<b>Director General's Report (5.00 pm)</b>	BSB 086 (16) Vanessa Davies	<b>35-43</b>
11.	<b>Any other business</b>		
12.	<b>Date of next meetings</b>		
	• Thursday 15 December 2016 (Board Away Day)		
	• Thursday 26 January 2017 (full Board meeting)		
13.	<b>Private Session</b>		

**John Picken**  
**Governance Officer**  
[JPicken@barstandardsboard.org.uk](mailto:JPicken@barstandardsboard.org.uk)  
17 November 2016

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

**BSB 241116**



<p><b>BAR STANDARDS BOARD</b></p>
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REGULATING BARRISTERS

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

Thursday 27 October 2016, Room 1.1, First Floor  
289 – 293 High Holborn, London, WC1V 7HZ

- Present:** Sir Andrew Burns KCMG (Chair)  
Naomi Ellenbogen QC (Vice Chair) (items 7 - 14)  
Rolande Anderson  
Rob Behrens CBE  
Aidan Christie QC (items 7 - 14)  
Malcolm Cohen  
Judith Farbey QC  
Tim Robinson  
Professor Andrew Sanders  
Nicola Sawford  
Anu Thompson  
Dr Anne Wright CBE
- By invitation:** Keith Baldwin (Special Adviser)
- Bar Council in attendance:** Stephen Crowne (Chief Executive, Bar Council)  
Chantal-Aimée Doerries QC (Chairman, Bar Council)  
Mark Hatcher (Special Adviser to the Chairman of the Bar Council)
- BSB Executive in attendance:** Viki Calais (Head of Corporate Services)  
Vanessa Davies (Director General)  
Rebecca Forbes (Governance Manager)  
Oliver Hanmer (Director of Regulatory Assurance)  
Sara Jagger (Director of Professional Conduct)  
Andrew Lamberti (Communications Manager)  
Ewen Macleod (Director of Regulatory Policy)  
John Picken (Governance Officer)  
Rob Wall (Head of Policy Programmes)  
Wilf White (Director of Communications and Public Engagement)
- Observers:** Stephen Redmond (Chair, Independent Appointments Panel)  
Bronwen Curtis CBE (Independent Member, Independent Appointments Panel)  
Jacqui Francis (Independent Member, Independent Appointments Panel)

**Item 1 – Welcome**

1. The Chair welcomed Members and guests to the meeting, in particular Stephen Redmond, Bronwen Curtis CBE and Jacqui Francis from the BSB's Independent Appointments Panel.

**Item 2 – Apologies**

2.
  - Justine Davidge
  - Andrew Mitchell QC
  - Adam Solomon

**Item 3 – Members' interests and hospitality**

3. None.

## Part 1 - Public

**Item 4 – Approval of Part 1 (public) minutes (Annex A)**

4. The Board approved the Part 1 (public) minutes of the meeting held on Thursday 29 September 2016.

**Item 5 – Matters Arising**

5. The Chair asked for an update on two items ie:
- recommendations from the Independent Observer’s report on E&D monitoring and training (minutes 11 and 13);
  - the decision to target Barristers Clerks, Head of Chambers and Chief Clerks in promoting the new CPD scheme (minute 22).
6. Rolande Anderson also asked about record keeping on E&D training. It was apparent from the previous meeting that this had not been properly managed in the past.
7. In response, the following comments were made:
- E&D training records for Board and Committee members have now been updated following a survey and new procedures will be instituted as regards future record keeping. Dates have been agreed for those who have yet to complete the course;
  - CPD roadshows are underway and specific meetings have been arranged with the Institute of Barristers Clerks (IBC) and the Legal Practice Managers Association (LMPA);
  - roadshow attendees have included Head of Practice and the Learning and Development Managers of larger sets of chambers. We have also made a commitment to issue relevant guidance materials to Heads of Chambers;
  - in addition, the following related action has been taken:
    - Specialist Bar Associations have been informed;
    - a webinar on CPD changes will take place on 10 November 2016;
    - some chambers have requested specialist briefings and these will be undertaken in due course.
8. Judith Farbey QC asked for a copy of the material used at CPD roadshows. She is chairing a CPD day at Middle Temple in November 2016.
9. **AGREED**
- a) to note the above updates.
  - b) to forward CPD roadshow material to Judith Farbey QC.

OH

**Item 6a – Action points and progress**

10. The Board noted progress on the action list.

**Item 6b – Forward Agenda (Annex C)**

11. The Board noted the forward agenda list. In response to questions about the proposed agenda for November 2016 and December Away Day, the following comments were made:
- the Away Day agenda is likely to include items on:
    - prioritisation of regulatory risks;
    - progress on the strategic plan;
    - next steps of governance reform, likely to include discussion on Board appraisal and development;
  - the November agenda includes an item on international working with the theme of ensuring that our regulatory work keeps pace with the globalisation of the profession. It is also reflected in the BSB’s strategic plan. The aim will be to develop a suitable protocol in association with the Bar Council to avoid any duplication of effort.

JP to  
note

**Item 7 – Amending the scope of in-house employed practice**

BSB 073 (16)

12. Ewen Macleod highlighted the following:
- the paper proposes a revised approach to the BSB's earlier consultation on amending the definition of "employed barrister (non-authorised body)". This follows helpful feedback from both the Bar Council and the Bar Association for Commerce, Finance and Industry (BACFI);
  - the proposal is now to extend the existing rule (rS39) but in more specific terms than originally envisaged. The effect will be to regularise what is already the BSB's standard response of issuing waivers to those barristers who wish to work outside traditional "employed practice" as it is currently defined;
  - a Task Completion Group will be established to oversee the associated guidance and to ensure there are no unintended consequences of the rule change prior to making the relevant application to the LSB.
13. In response to a question about feedback from BACFI, Ewen Macleod commented as follows:
- the revised proposal may not go as far as BACFI may have wished but it follows the same direction;
  - if approved, the new rule would reduce the need for barristers to apply for waivers than currently is the case;
  - BACFI will be informed of the Board's view following the meeting.
14. Judith Farbey QC drew attention to feedback on risks associated with broadening the definition as set out in paragraphs 26-28 of Annex B to the paper. She advised that the Executive take this into account and accordingly proceed with due caution. This was acknowledged and agreed. **EM to note**
15. **AGREED**
- a) to note the responses to the consultation summarised at Annex B of the report.
  - b) to make the rule change suggested at paragraph 26 of the report, subject to further informal discussions with stakeholders and the establishment of a Task Completion Group to agree associated guidance and confirm that no further consequential changes are needed. **EM**

**Item 8 – Statutory Intervention**

BSB 074 (16)

16. Rob Wall highlighted the following:
- subject to Parliamentary approval of its designation as a licensing authority, the BSB will acquire statutory powers of intervention for the alternative business structures (ABSs) it regulates;
  - this is the first time that the BSB will have such powers, though other regulators have them already;
  - the proposed intervention strategy (Annex A) builds on the core principles agreed by the Board in July 2016. This incorporates:
    - development of intervention procedures and guidance;
    - proposals to amend the scheme of delegation to empower the Director General to authorise intervention action;
    - selection of two intervention agents following a tendering exercise;
    - development of document management procedures, staff training and a communications plan;
  - the scope for BSB intervention will extend to other authorised persons once the proposed s69 Order is ratified.

## Part 1 - Public

17. Members commented as follows:
- the Board as a whole should be informed of a decision to intervene, not just the Chair, so that Members are aware of the circumstances prior to press reportage;
  - some circumstances may arise which require a rapid response. It would be helpful to know if the process has sufficient flexibility to cope with this;
  - the process as described does not explain how intervention is monitored as it proceeds.
18. In response the following comments were made:
- informing just the Chair about decisions to intervene is thought appropriate in view of the need for speed and confidentiality;
  - there is scope for the Director General to delegate authority to a Director in exceptional circumstances. This should afford the flexibility to achieve a rapid response. In addition, having two intervention agents makes it possible to respond to a situation where two interventions are required at the same time;
  - a senior member of staff will be operationally involved throughout the intervention process, so monitoring will take place through that means.
19. In respect of the first point, the Board agreed that Members should be informed in addition to the Chair but they should refer enquiries to the relevant senior manager, rather than responding with press lines. In addition Members appreciated that this type of information can only be shared in a limited way.
20. **AGREED**
- a) to approve the intervention strategy at Annex A of the report subject to an amendment in the notification of intervention decisions such that all Board Members are included.
  - b) that the Director General be delegated decision making authority on intervention as set out in Annex A to the report.
  - c) to note the additional work undertaken to date (cf. min 16 above).

RW

**Item 9 – Bar Council Standing Orders – proposed amendments**

BSB 075 (16)

21. Vanessa Davies advised the Board on proposed changes to the Bar Council's Standing Orders as they relate to appointment procedures for bodies where there is joint representation ie Finance Committee, Budget Review Groups Emoluments Committee, Chairmen's Committee and Audit Committee.

22. **AGREED**

- a) to endorse the proposed appointments process and for its inclusion in the Standing Orders for joint committees.
- b) to endorse the changes to the Standing Orders as set out in the Annex to the report regarding the appointment of non-ex officio positions.

RF to  
inform NZ**Item 10 – Chair's Report on Visits and Meetings: October 2016**

BSB 076 (16)

23. **AGREED**

to note the report.

24. **Note:** the paper presented to the Board omitted one calendar entry in error ie:  
*"2 October - attendance at a Reception hosted by the Bar Council at the Temple Church followed by the Dinner jointly hosted by the Chairman of the Bar and the President of the Law Society at Middle Temple"*

25. For the public record this is now included in the report published on the BSB's website.

**Item 11 – Director General's Report**

BSB 077 (16)

26. Vanessa Davies highlighted the following:
- the CPD roadshows which have proved to be successful in engaging the profession;
  - the Future Bar Training (FBT) roadshows which are now underway.
27. Rolande Anderson attended one of the early FBT events and commented it had proved a useful exercise, particularly in terms of resolving misunderstandings on the part of attendees that final decisions had been made. In fact, this is part of an ongoing conversation to identify practical means to achieve greater flexibility in the path to qualification.

28. **AGREED**  
to note the report.

**Item 14 – Any Other Business**

29. None.

**Item 15 – Date of next meeting**

30. Thursday 24 November 2016.

**Item 16 – Private Session**

31. 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;
  - (2) Matters Arising;
  - (3) Action Points and Progress;
  - (4) Centralised assessment of incoming information
  - (5) Independent regulatory decision making at the Bar Standards Board
  - (6) Professional Indemnity Insurance (PII)
  - (7) Communications and Public Engagement Strategy
  - (8) Professional Conduct in relation to taxation
  - (9) Any other private business;
  - (10) Review of the Board meeting in terms of conduct and outcomes.
32. The meeting finished at 5.05 pm.





**BSB – List of Part 1 Actions  
24 November 2016**

*(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
9a (27 Oct 16) – CPD roadshows	forward CPD roadshow material to Judith Farbey QC	Oliver Hanmer	immediate	16/11/16	<b>Completed</b>
15b (27 Oct 16) – definition of “employed barrister (non-authorised body)”	draft a rule change to amend the scope of in-house employed practice subject to further information discussions with stakeholders and the establishment of a Task Completion Group to agree associated guidance	Ewen Macleod	by end Jan 17	16/11/16	<b>In hand</b>
20a (27 Oct 16) – intervention strategy	amend the intervention strategy to ensure all Board Member are notified of decisions to intervene	Rob Wall	immediate	16/11/16	<b>Completed</b>
22a (27 Oct 16) – Standing Orders (joint BC / BSB bodies)	inform Natalie Zara of the Board’s approval of the Bar Council Standing Order amendments for joint BC / BSB bodies	Rebecca Forbes	immediate	31/10/16	<b>Completed</b> – verbal advice to Natalie Zara to allow consideration at BC meeting of 5 November and amended Standing Orders approved at that meeting.
25b (29 Sept 16) – shared parental leave	draft consultation on possible changes to the equality rules to permit shared parental leave in Chambers	Amit Popat / Ewen Macleod	before end of Dec 2016	16/11/16 19/10/16	<b>Delayed but back on track</b> Consultation near final and to be published by end of November  <b>On track-</b> consultation drafted and pending sign off; publication expected 1 November 2016
12b (28 Jul 16) – Statutory Intervention	undertake further work on the Statutory Interventions policy document for its reconsideration by the Board in Autumn 2016	Rob Wall	by 20 October 2016	16/11/16 21/09/16	<b>Completed</b>  <b>On track</b> – work on revising the strategy, and on drafting the accompanying operational guidance, progressing well. The final strategy will return to the board for formal approval in October.

**BSB – List of Part 1 Actions  
24 November 2016**

*(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
27c (19 May 16) – Youth Proceedings Advocacy Review	seek further discussions with the MoJ and Legal Aid Agency on how to address the financial value placed on the youth justice system	Oliver Hanmer	Review at the end of 2016	18/10/16	We still await the publication of the MoJ commissioned Taylor review of Youth Justice, which once published will provide the impetus for discussions with the MoJ/LAA about funding for Youth Court advocacy. No date for publication has yet been made available.
20d (26 Nov 15) – Gov review & revised SOs	establish two new roles to support the changes in education and training ie <ul style="list-style-type: none"> <li>• a “Visitor” to hear challenges against Centralised Examination policy and procedures</li> <li>• an increased role for the Independent Observer to the Centralised Examination Board.</li> </ul>	Victoria Stec	before 31 March 16	08/11/16	<b>In hand</b> – Interim Independent Examinations Observer participated in the resit Boards and this worked well. The arrangement will continue until internal audit is clarified.
				17/10/16	<b>In hand</b> – Interim Independent Examinations Observer appointed for work on resit Boards in October 2016. Contract will be ongoing but with 3-month termination clause so that when future of internal audit is clear, other arrangements can be made if needed.
				20/09/16	<b>In hand</b> – title of “Independent Reviewer” rather than “Visitor” has been agreed and interim Independent Reviewer is in place on an ad hoc basis from July 2016; recruitment processes for permanent role not yet complete.  See separate Board paper on Assurance Framework regarding Independent Observer.
				20/07/16	<b>On track</b> – recruitment processes not yet complete; interim appointments made for 2016 cycle, previously reported
				28/04/16	On track – recruitment in progress

**BSB – List of Part 1 Actions  
24 November 2016**

*(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
				09/03/16	On schedule – role descriptions agreed and recruitment about to start
				16/02/16	In hand – agreed at GRA and recruitment being built into schedule; assurance framework in development.
				19/01/16	In hand – proposal before GRA on 19 January 2016
21b (23 July 15) – insurance for single person entities	seek a rule change to require single person entities to obtain their primary layer of professional indemnity insurance from the BMIF	Rob Wall	by 31 Jul 15	16/11/16	<b>On track</b> – oral update on Part 2 agenda
				20/10/16	<b>For discussion</b> - see Board paper BSB 080 (16) – item 6 on the Part 2 agenda
				20/09/16	<b>On track</b> – economic analysis now complete. This will be considered by a Task Completion Group on 22/09 and presented to the board in October.
				20/07/16	On track – the LSB has now published its thematic review of restrictions on insurance provider. We are taking this into account as the economic analysis and other work is scoped.
				13/06/16	On track – tender issued for economic analysis to support policy development
				11/05/16	On track – internal project initiated

**BSB – List of Part 1 Actions  
24 November 2016**

*(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
				09/03/16	On track – initial neutral response from LSB on our submission
				16/02/16	In hand – legal advice being used for submission to LSB on competition law aspects being prepared.
				19/01/16	Ongoing – issues being considered by GRA on 19 January 2016 and update to be provided as necessary to Board.
				16/11/15	Ongoing – update in private session
				04/09/15	Ongoing. A first draft of the application has been produced and preliminary discussions have been had with the LSB (the application will be updated in the light of these discussions). We also need to get some further advice on competition law before progressing the application. Assuming that can be done in time, the application will be submitted in September.

**Forward Agendas****Thursday 15 Dec 2016 (Board Away Day)**

- Risk Prioritisation and progress towards the strategic plan
- LSB Paper: “A vision for legislative reform of the regulatory framework for England and Wales” – Sept 2106. Focus on:
  - a) regulatory objectives
  - b) regulation by title
- BSB logo and strapline
- Governance reform

**Thursday 26 Jan 2017**

- Publication of diversity data
- Equality objectives and strategy
- “Reflections” report from the Independent Observer
- APEX update
- Professional Conduct in Relation to Tax (PCRT) (Part 2)
- CMA review discussion
- Chambers Governance – report on “Delivery Models Used by Barristers”
- Revised Standing Orders
- Board Statements on Governance Principles and on the Role of the Board

**Thursday 23 Feb 2017**

- Study on the delivery of legal services by barristers
- Response to FBT Consultation
- Outcome of FBT Governance Review
- PRP Report: includes the BSB Q3 Performance Report (includes Business Plan update, KPIs, Management Accounts, SLAs) (Part 1)
- Draft BSB Business Plan for 2017-18 (Part 2)
- Corporate Risk Register (Part 2)
- Regulatory risk prioritisation
- Regulatory operations project update including further report on IDMB

**Thursday 23 Mar 2017**

- BSB Business Plan for 2017-18 (Part 1)
- Assurance Framework update (Part 1)
- Authorisations Governance Project

**Thursday 27 Apr 2017 (Board Away Day)**

- Remuneration for barrister members

**Thursday 25 May 2017**

- PRP Report: includes the BSB YE Performance Report (includes Business Plan update, KPIs, Management Accounts, SLAs) (Part 1)
- Corporate Risk Register (Part 2)

**Thursday 22 Jun 2017**

- Draft Annual Report 2016-17 (Part 2)

**Thursday 27 Jul 2017**

- Annual Report 2016-17 (Part 1)

**Thursday 28 Sept 2017**

- PRP Report: includes the BSB Q1 Performance Report (includes Business Plan update, KPIs, Management Accounts, SLAs) (Part 1)
- Business Planning and Budget Bid for 2018-19 (Part 2)
- Corporate Risk Register (Part 2)
- GRA Committee Annual Report (Part 1)
- Schedule of Board meetings Jan 2018 – Mar 2019

**Thursday 26 Oct 2017**

**Thursday 23 Nov 2017**

- PRP Report: includes the BSB Q2 Performance Report (includes Business Plan update, KPIs, Management Accounts, SLAs) (Part 1)
- Corporate Risk Register (Part 2)

**Thursday 7 Dec 2017 (Board Away Day)**

**Thursday 25 Jan 2018**

**Thursday 22 Feb 2018**

- PRP Report: includes the BSB Q3 Performance Report (includes Business Plan update, KPIs, Management Accounts, SLAs) (Part 1)
- Draft BSB Business Plan for 2018-19 (Part 2)
- Corporate Risk Register (Part 2)

**Thursday 22 Mar 2018**

- BSB Business Plan for 2018-19 (Part 1)

## Appointment of lay Board members

### Status:

1. For noting.
2. Public

### Executive Summary:

3. The Board is asked to note the process for recruitment and appointment of lay members to fill the vacancies created by the departure of three members at the conclusion of their terms.

### Recommendations

4. It is recommended that the Board note the appointments of the three new lay members, to take office from 1 January 2017: Alison Alden, Steven Haines, and Zoe McLeod.

### Background

5. Vacancies for three lay Board members arise from 1 January 2017, when Malcolm Cohen, Tim Robinson and Andrew Sanders conclude their second terms of appointment to the Board.
6. A review of the competencies required on the Board was conducted in mid-2016, in anticipation of the recruitment process, to achieve the balance of skills and experience required for the Board to meet its current and planned programme of work. As a result, applicants were sought with expertise in consumer affairs, education and training, and commerce (including finance, governance, risk or audit).

### Comment

7. 133 applications were received for the three positions, advertised on behalf of the BSB by an external recruitment consultancy.
8. The Independent Appointments Panel, constituted as required in Schedule A to the Constitution of the BSB, met in September 2016 for the purpose of shortlisting. Shortlisted candidates underwent a preliminary interview by the external recruitment consultancy and recommendations were then made to the Independent Appointments Panel.
9. 13 candidates were interviewed for the three available positions, with the final interviews held on 24 October 2016.
10. Following confirmation of references, offers of appointment were made to, and accepted by, Alison Alden, Steven Haines, and Zoe McLeod.
11. Alison has been appointed in part for her expertise in education and training. She retired from the post of Chief Executive at The Higher Education Statistics Agency (HESA) in 2015. Previous senior posts include Deputy Registrar and Director of IS as a member of Bristol University's senior executive team and Director of IT at Warwick University. As a

self-employed retiree, Alison maintains a portfolio of non-executive roles including being on the Boards of two universities and a school governor.

12. Steven has been appointed in part for his commercial expertise. He is currently Managing Director for BT Group (Mobile) where he is responsible for transformation into a mobile business; a company he has worked for in various capacities since 1990. Steven's previous posts include: Chief Operating Officer/Managing Director 2006-2014, Director of Strategy and Business 2001-2006, Director of Marketing and Product Development 1997-2001, and General Manager Sales and Services 1990-1997. He is a seasoned senior executive with more than 15 years of board experience.
13. Zoe McLeod has been appointed in part for her expertise in consumer affairs. She is an experienced Board and Panel Member with more than 20 years' experience in consumer affairs, communications and regulation. As an established consumer champion, Zoe currently sits on Ofwat's Advisory Panel as a consumer expert. In addition, Zoe was elected Local Councillor/Assistant Cabinet Member for Children and Youth Services – Richmond upon Thames Council between May 2006 and May 2010. She was Chief of Staff to Shadow Minister Susan Kramer MP between 2005 and 2007.

#### **Resource implications**

14. No additional resources required.

#### **Equality Impact Assessment**

15. Equality and Diversity data on applicants has been collected and analysis will inform advertising for the next round of recruitment for Board members.

#### **Risk implications**

16. The potential risks of vacancies in Board membership and the necessity to maintain a lay majority, have been mitigated by this recruitment and appointment.

#### **Impacts on other teams / departments or projects**

17. There will be positive impacts on those teams and projects that will benefit from access to lay Board members with this specific expertise. No negative impacts are identified.

#### **Consultation**

18. Internal consultation on the competencies required for the Board was conducted in mid-2016.

#### **Publicity**

19. A press release will be issued subsequent to announcement at the Board.

#### **Lead responsibility:**

Rebecca Forbes  
Governance Manager



## Performance Report for Q2 (as at end September 2016)

### Status

1. For discussion and decision.

### Executive Summary

2. This paper provides an update to members of the Board on the BSB's progress and performance in Q2 against the aims and activities set out in its 2016-17 Business Plan. It covers a wide range of information (see the dashboard in Annex 1) relating to projects, financial position and performance measures, and it provides the Board with an assessment of progress against our plans.

3. The Executive has previously reported to Board how tightly resourced we are, and this year it is becoming more and more apparent. Some of our high priority projects and programmes (such as FBT and the IM programme) are impacting on business as usual (BAU) and on smaller, less time-critical pieces of work. Staff members have been dealing with a heavy workload and decisions have been taken to de-prioritise less important projects. This demonstrates we are managing our resource effectively, but also explains why some of the "exception" areas have arisen below.

4. The main "exception" areas highlighted in this report are:

- a) Our financial position is currently on track. We are monitoring staffing establishment very closely and we expect to overachieve on our non-PCF revenue. Our year-end forecasts are:
  - (i) **Non-PCF Income:** £1,050k against a projection of £947k (variance £103k or +11%);
  - (ii) **Expenditure:** £5,003k against a budget of £5,213k (variance £210k or +4%).

This means that we should be able to keep our commitment to offset the BC's PCF collection shortfall.

- b) Six Business Plan activities are showing as amber on the BSB performance dashboard – Scope of Practice, Public Access; MoJ consultation on regulatory independence; Chambers Governance; Professional Indemnity Insurance (PII) arrangements; and Future Bar Training which still remains a concern for the PRP Committee as the programme remains under pressure both in terms of the proposed timeline and the available resources (see paragraph 3 and 11e).
- c) The PCD missed its target of 80% in Q2; the results were: KPI 78%, OPI1 79%, OPI2 69% and OPI3 78%. There are various reasons for the levels of performance; no firm trends have been detected.
- d) The Authorisations function (qualifications) missed its target of dealing with 75% of applications within six weeks. The percentage achieved was 72%; this dip was due to staffing shortages and the scheduling of the August 2016 Committee meeting.
- e) The overall staff turnover is 43.8%, with voluntary turnover at 19% and this remains a high concern for the Committee.

5. The private annexes to this report are attached to BSB paper 088 (16): HR Dashboard and the Resources Group Report, which includes an update on the WorkSmart programme which has been very well implemented and well received. The PRP Committee applauded the work of those involved in achieving this.

### Recommendations

6. Members of the Board are invited to:
  - a) **scrutinise** the detail of the report;
  - b) **discuss** the main areas highlighted;
  - c) **make recommendations** to the Executive or the Committee as necessary.

### Background

7. We are just over half way through the first year of our new Strategic Plan<sup>1</sup>. The 2016-19 Strategic Plan sets out the way in which we will regulate barristers and specialised legal services businesses. It also sets out how we will respond to potential proposals for change in the regulatory landscape and its underpinning legislation. The work which is to take place over this three-year period has been organised into the following three strategic aims:
  - a) Regulating in the public interest;
  - b) Supporting those we regulate to face the future; and
  - c) Ensuring a strong and sustainable regulator.
8. The Business Plan<sup>2</sup> for 2016-17 outlines our key activities for the year, as well as our budget and staffing requirements. This report describes our performance against our objectives and budget, as well as the overall performance within the BSB and RG.

### Reporting process

9. On a quarterly basis, the Corporate Support Team gathers information, in liaison with the Senior Management Team (SMT), and then reviews the activities in the Business Plan and provides progress updates. It is SMT members' responsibility to provide explanations for delays or overspends and the associated risks or impacts and how they are being addressed. Resource Group colleagues provide the figures underlying the HR and IT performance data on a quarterly basis. The revised report has been designed with the aim to increase accountability and to rationalise how management information is presented (see BSB paper 088, annex 6).
10. The live document against which business activities are reported was last updated on 16 November 2016, whereas our performance indicators and management accounts are for Q2 only (as at 30 September 2016).

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<sup>1</sup> 2016 – 19 Strategic Plan

[https://www.barstandardsboard.org.uk/media/1746768/bsb\\_strategic\\_plan\\_2016-19.pdf](https://www.barstandardsboard.org.uk/media/1746768/bsb_strategic_plan_2016-19.pdf)

<sup>2</sup> Business Plan - [https://www.barstandardsboard.org.uk/media/1750592/bsb\\_business\\_plan\\_2016-17\\_31.3.16.pdf](https://www.barstandardsboard.org.uk/media/1750592/bsb_business_plan_2016-17_31.3.16.pdf)

**Areas for further consideration**

11. Activity is reported to the Board and to the PRP Committee by exception. This means that only items which are not running to budget, timetable or have other resourcing issues are highlighted below, and have been listed in the order that they appear in the 2016-17 Business Plan.

These include:

- a) Scope of Practice and Employed Barristers rules
- (i) Board members will recall that the 2015-16 Business plan stated our intention to review the three-year rule and any other scope of practice restrictions in relations to the employed barrister to ensure that our rules are fit for purpose. The Legal Services Board (LSB) has published guidance on s15 of the Legal Services Act (LSA), which requires approved regulators to examine restrictions on employed barristers working in-house. That narrow rule issue was therefore prioritised and we have consulted on a proposal to broaden the definition of employment for barristers working in organisations that are authorised by law firms.
  - (ii) The responses to the consultation identified some particularly challenging drafting issues that needed to be considered. We have informally consulted those who responded on some proposed alternative drafting and have finished working through these additional comments.
  - (iii) This activity, which is currently within our control (c1), is showing as amber, as our recommendations were not taken to the Board in July 2016 as originally planned. The Board agreed in October 2016 to make the narrow rule change, although a Task Completion Group is being set up to finalise the changes and to compile the associated guidance. This means for the next quarter this activity will show as being back on track.
- b) Public and Licensed Access
- (i) Our Public and Licensed Access rules enable barristers to be instructed by a client directly without a professional client (usually a solicitor) also being instructed.
  - (ii) The aim of the Public and Licensed Access review is to assess whether the current regulatory regime with regard to public and licensed access is suitably transparent, accountable, proportionate, consistent and targeted. The review involves gathering and analysing evidence, setting up a Task Completion Group, and drafting a final report with recommendations to the Board. This report should inform decisions on whether specific policy or other regulatory responses are required to effectively manage risk in this area; whilst the report will make recommendations in this regard, the actual decision making and implementation of any decisions will be outside of the scope of the initial review, and a separate consultation (and an application to the LSB) will be needed prior to any changes to regulatory arrangements.

- (iii) Board members will recall that this business plan activity was reforecast into this business year. The evidence gathering activities have been completed (for example, evidence has been gathered from supervision activity and independent research was commissioned to gather views from barristers and clients). Analysis of the evidence has taken place and has met its target of completion by Q1 as set out in the 2016-17 Business Plan.
- (iv) When we originally planned the review, we had asked Law for Life<sup>3</sup> to rewrite the guidance for lay clients and review our standard client care letter. The latter did not proceed as originally planned as we agreed to work jointly with other regulators on a project to review the content of client care letters. Scoping and tendering for this work took longer than anticipated however, the research report<sup>4</sup> has now been received and published.
- (v) This business activity, which is currently within our control (C1), has slipped by a quarter. In September the Task Completion Group discussed and analysed options on the basis of the report. We intend to bring our recommendations to the Board on 24 November and any consultation will be conducted from December 2016 onwards.

c) Chambers' Governance

- (i) The aim of this project (Delivery Models Used by Barristers) is to gather information on the different models used by practising barristers to deliver legal services, including how barristers receive instruction. This project also aims to provide information on delivery models using the term barrister, or purporting to be a barrister to deliver legal services. The research objectives are as follows:
  - To provide an understanding of the different models used by barristers to provide legal services;
  - To provide an up-to-date overview on how barristers receive instruction; and
  - To identify the risks and the benefits associated with each delivery model.
- (ii) On 12 May 2016 we invited external experts in legal services to a workshop in order to get their views on the research objectives and the findings of the desk research. Based on the feedback that we received, the processes of reviewing the methodology has changed and the revised project timeline has been agreed with the contractor Pye Tait and signed off by the project sponsor. The final report will be received from Pye Tait in mid-December and will be presented to the Board on 25 January 2017.
- (iii) This activity, which is currently within our control (C1), although is not deemed to be time critical, has been impacted by a number of higher priority projects and programmes (see paragraph 3). The completion of this activity has been moved to the beginning of Q4 we are confident that this activity will be completed by the end of the business year.

<sup>3</sup> The company that helped us with ensuring our PCD website pages were in “plain English”

<sup>4</sup> [https://www.barstandardsboard.org.uk/media/1794566/client\\_care\\_letters\\_research\\_report\\_-\\_final\\_021116.pdf](https://www.barstandardsboard.org.uk/media/1794566/client_care_letters_research_report_-_final_021116.pdf)

d) Professional Indemnity Insurance arrangements

- (i) All self-employed barristers are required to take out their primary layer of Professional Indemnity Insurance (PII) with the Bar Mutual Indemnity Fund (BMIF). Entities are not subject to the same requirement but must take out PII that meets minimum terms prescribed by the BSB (although, in practice, most take out PII with BMIF who provide cover to entities on a case by case basis). On 22 June 2016 the BMIF agreed to provide PII to Alternative Business Structures (ABS) on the same basis as entities.
- (ii) The Board agreed in July 2015 to extend the BMIF monopoly to single-person entities (SPEs). In subsequent discussions with the LSB, however, the BSB was advised to seek legal advice on the proposed extension to SPEs. Legal opinion was sought on two points: whether current arrangements were compatible with competition law; and whether the proposed rule change relating to SPEs would be compatible with competition law. The advice received was positive but not conclusive. There appears to be a good case that arrangements for the self-employed Bar are defensible – although the case for SPEs could be weaker. Counsel recommended that the BSB conduct a full competition impact assessment, in line with guidance issued by the Competition and Markets Authority (CMA), to provide the hard evidence to inform our next steps.
- (iii) In July 2016, we commissioned Oxera to conduct an economic analysis of the PII market for barristers. The work is now complete, and has been delivered on time but over our initial budget. The analysis raises a number of issues and we are currently considering our position. The analysis was brought to the Board on 27 October 2016, and Board members who were able, attended a pre-briefing with the lead Oxera consultant.
- (iv) This business activity timeline, which is currently within our control (C1), has slipped by a quarter and presently we are still confident that we will conclude this activity by the end of the business year.

e) Future Bar Training (FBT)

- (i) Board members will recall that our FBT programme focusses on changing the way we regulate, in order to foster innovation, protect the rule of law, protect access to justice, and safeguard standards for all those who rely on barristers' services. The FBT is a programme that consists of six work streams which are:
  - clearly defining the benchmark that describes the knowledge and skills that all newly qualified barristers should possess on their first day in practice;
  - making our rules covering education and training less prescriptive and ensuring that they are proportionate, and transparent and address the main risks;
  - establishing a more flexible approach to continuing professional development;
  - reviewing how the BSB manages and shares data to support its regulatory objectives in education and training;

- improving access routes to the profession by reviewing the vocational stage of training for the Bar and pupillage; and
  - reassessing the regulation of the academic stage of qualification.
- (ii) We should have stated much more accurately in the Business Plan our original timelines. The consultation which started on 3 October is due to close on 23 December 2016. Therefore the analysis and review of the consultation will take place in Q4 (rather than Q3 as shown in the Business Plan) and a paper will be brought to the Board in February 2017. Nevertheless we are confident that we will complete this activity by the end of Q4.
- (iii) We had lost some programme management capability and we are currently deciding on how to replace or source these skills. There had been a gap here for a few months as the focus for FBT had been on drafting policy and consulting; this was and remains well resourced. As the programme progresses, staffing may become an issue (staffing is flagged as amber on BSB dashboard, annex 1). We have been reviewing our staffing plans for the 2017-18 budget, and if our bid is agreed, then we should have sufficient resource to have a full implementation team next year. Depending on bid approval and timing of recruitment, we expect this amber to change to green by year-end.
- f) Ministry of Justice consultation on regulatory independence
- (i) In November 2015 the Treasury announced that the Ministry of Justice (MoJ) will be consulting on the independence and full separation of the Legal Services Regulators from their representative bodies. The consultation is yet to commence. The Competition and Markets Authority (CMA) has also launched a market study to:
- examine the long-standing concerns about the affordability of legal services and standards of service; and
  - complexity of the current regulatory framework.
- (ii) In September 2016 the LSB published its vision for legislative reform of the regulatory framework, which can be accessed from the following link;
- [http://www.legalservicesboard.org.uk/news\\_publications/LSB\\_News/PDF/2016/20160909LSB\\_Vision\\_For\\_Legislative\\_Reform.pdf](http://www.legalservicesboard.org.uk/news_publications/LSB_News/PDF/2016/20160909LSB_Vision_For_Legislative_Reform.pdf)
- (iii) We will continue to actively engage with MoJ officials and other regulators in order to gain further insight into the content of the consultation and are fully engaged with the CMA's continuing work. The Board received a short paper (September 2016 Board meeting) following the LSB's vision document, where it was suggested that over the next few months some high-level scenario planning exercises should be undertaken. A further update paper will be discussed on 24 November in private session.

## HR Dashboard

12. The PRP Committee reviewed the HR dashboard (see BSB paper 088, annex 5) which details the measures that we use to monitor staffing arrangements. Our rolling staff turnover has “spiked” this quarter to 43% with voluntary turnover at 19%. We unfortunately include in these statistics the death of a valued colleague, which had a significant impact across the organisation. Three of the leavers finished their fixed-term contracts, four left during their probationary periods, and one left due to the restructure of the Senior Management Team. Some of our current vacancies are being carried for a period of time, and this is affecting the organisation’s progress and performance (as mention in the executive summary, see paragraph 3) as well as the expenditure bottom line (see paragraph 22 below).
13. We have had 35 leavers over the course of the last 12-month period, although eight of these finished fixed-term contracts and six left because of redundancy. Out of those remaining that completed our leavers’ questionnaire, five cited better pay and benefits or lack of long-term prospects.

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

14. The service level agreement between the BSB and the RG is working well. On a whole the majority of the aims, objectives and deliverables have been met and are on track.
15. Finance and Human Resources department are highlighted as amber due to some staffing issues and missed deadlines.
16. The following is a summary of the key updates and further information can be found in the RG one report, BSB paper 088, annex 6:
  - a) WorkSmart has been one of the biggest achievements this quarter, involving most of the teams in RG. The WorkSmart programme is looking to allow staff to work more flexibly and to help reduce office space in preparation for our move in 2019. All floors have now been reconfigured with more people taking up flexible working than first anticipated. The PRP Committee applauded the work of those involved in achieving this.
  - b) Some good progress has been made on our management information project and a barrister demographics dashboard has been designed and rolled out. The reporting tool allows much easier reporting on the “types” of barristers there are (eg practising/unregistered; employed/self-employed etc). Another technological advancement made this quarter is the development of our ABS application portal which is currently going through testing.

## PCD Operational Performance Indicators

17. Performance against the KPI this quarter is overall slightly below the 80% target, although substantially below in relation to OPI2. The Executive is satisfied that there is no cause for concern given the case numbers underlying the percentages are very small and achieving the KPI for the quarter would have required only three more cases to be closed within target. An analysis of the cases closed outside the KPIs indicates that a relatively common theme was delays at PCC level eg in allocating cases to PCC members, receiving responses from PCC members or putting cases to PCC meetings. These delays are a product of the summer period when availability is more limited, the absence of a PCC

meeting in August and the lay member vacancies on the PCC which we expect will be filled by the end of the year.

18. As referred to above, the case numbers are small. In relation to OPI 2 the numbers of cases dealt with are small, meaning that just two cases have resulted in the 80% target not being met. Turning to OPI 3, the volume of cases dealt with has increased substantially, almost trebling in comparison to Q1. In spite of this there has been a 1.5% improvement on performance against KPI.
19. Nevertheless, the PCD Managers will be carrying out a greater level of spot checks on files over the next quarter to provide reassurance that there are no remaining pockets of avoidable delay.

### Authorisations (previously qualifications)

20. We measure the percentage of applications determined within 6 weeks of receipt of completed applications. For the first time we missed our target of 75% by percentage points. During Q2, there were staff shortages and absences, and there was also no Panel meeting held in August. This resulted in delays in the times taken to finalise decisions on some applications.

### 2016-17 Budget and Forecast

21. Below are the headline figures for Q2 and further detail can be found in Annex 2:
  - a) In the first six months for the period ending 30 September 2016 (Q2 of 2016-17), the BSB received £242k in non-PCF income against our budgeted projection of £176k (var £66k, +6%). We have conservatively estimated a year-end forecast of £1,050k against a budgeted figure of £947k (var £103k, +11%). This has mainly been due to unbudgeted income from the Bar Course Aptitude Test (BCAT, £120k).
  - b) For expenditure, in Q2 we have spent £2,543k against a budget of £2,489k (var £54k, -2%). We forecast that we will have spent £5,003k against a budget of £5,213k (var £210, +4%). The underspend is mostly driven by staff vacancies specifically held to ensure the BSB can contribute to fund the Bar Council's PCF collection shortfall (also see HR dashboard, annex 5 in paper BSB 088).
22. Detailed information on each departmental budget, which sets out the departmental forecasts and commentary on each line of the budget, can be provided upon request. The key pressures and challenges have been summarised from these documents and are set out below:
  - a) Staff costs:
    - (i) We are closely managing our staff costs and making robust decisions when vacancies arise. The largest saving is expected to occur in the PCD budget due to unexpected staff vacancies. Other savings in other departments are mainly due to posts expressly remaining vacant for longer or delays in recruiting. The HR dashboard shows the vacancies and our staff turnover levels.



- (ii) As previously reported, the Bar Council did not achieve the level of PCF revenue that it had forecast. The BSB has committed to help offset this shortfall by looking to reduce the drawdown on PCF funds by around £60k. These forecast underspends contribute to this commitment.
  - (iii) The underspends will be offset by large recruitment bills for Board, committee and APEX members. Also our staff Learning and Development budget may be slightly overspent as we expect to commence delivery of a Leadership and Management development programme this year: supplier bids and prior estimates may not quite match, but we want to take a value for money decision in this important area rather than merely select the cheapest supplier.
- b) Income
- (i) As mentioned in Q1 we are not forecasting any income (and therefore any costs) associated with QASA this year, as this remains uncertain (we have not yet had a decision from the MoJ on defence panels).
  - (ii) When we set the budget, we did not plan for any BCAT income as we had made an assumption that the Test would not go ahead. In quarter 1 we conservatively estimated a year-end surplus of £30k as the Test is continuing. We are now predicting that we will receive £120k which will include revenue from a cycle that ran during the previous financial year.
  - (iii) We receive the bulk of our revenue in the latter part of the financial year – this relates to BPTC fees charged on a per capita basis for the number of BPTC students. Last year we had just over 1200 students enrol, and this year we are prudently forecasting 1000, although early indications show it could be much greater than the previous year. Our low estimations were made because of uncertainty surrounding the future of bar training and not knowing how proposed changes to the system (currently being consulted on – see the BSB's FBT consultation) will impact the education market.
- c) Non-staff Expenditure
- (i) As previously reported, we spent more than anticipated on the market analysis needed to evidence the BMIF/PII matters.
  - (ii) This overspend will offset a number of underspends. The largest relates to QASA (as mentioned above). We are going to be using our BPTC External Examiners in a much more risk-based way ie they will reduce their examination of optional subjects and focus on the core subjects. We also delayed the recruitment of our APEX members meaning that we will not spend as much on APEX fees as we had first anticipated. Our centralised legal/professional fees budget will not be drawn upon as much as previous years, this is partly due to increasing our internal capability and capacity.

### Equality Impact Analyses

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

**Risk implications**

24. The Corporate Risk Register and the associated private information relating to this report can be found in paper 088 (16) and annexes.

**Regulatory objectives**

25. Delivery of Strategy is aligned to the Regulatory Objectives and relates to them as explained in the Strategic Plan documents.

**Publicity**

26. This report will be presented in the Public part of the BSB Board agenda.

**Annexes**

27. Annex 1 – Q2 Dashboard  
Annex 2 – Management Accounts summary  
Annex 3 – PCD Performance Indicators

**Lead responsibility**

Dr Anne Wright CBE, Chair, PRP Committee  
Dr Vanessa Davies, Director General  
Viki Calais, Head of Corporate Services  
Natasha Williams, Business Support Officers

Q2 Dashboard														
Business Plan Activities (2016-17)					Service Standards (Core activity)									
<b>Strategic Programme 1</b>					<b>Professional Conduct Indicators</b>									
<b>Regulating in the public interest</b>					Q2 Target									
	TIME	BUDGET	STAFF	CTRL	IMPRT	SIZE	PRP paper reference	KPI - % of complaints concluded or referred to disciplinary action within service standards		77.8%	80%	⚠		
Consumer Engagement* (combined with as below)	X	X	X	C1	3	2		OPI - % of complaints concluded or referred to investigation within 8 weeks		79.2%	80%	⚠		
Research	✓	✓	✓	C1	3	1		OPI - % external complaints concluded or referred to disciplinary action within 8 months following investigation		68.8%	80%	⚠		
Stakeholder Engagement (combined with *)	✓	✓	✓	C1	3	2		OPI - % of internal complaints concluded or referred to disciplinary action within 5 months following investigation		78.0%	80%	⚠		
Independent regulatory decision making	✓	✓	✓	C1	3	2		<b>Authorisations (previously qualifications)</b>						
International work	✓	✓	✓	C1	1	1		Q2 Target						
Disciplinary system	✓	✓	✓	C1	4	1		Time taken to determine applications from receipt of the complete application:						
Regulatory Interventions	✓	✓	✓	C1	3	3		Up to 6 weeks						
								0 to 12 weeks						
								Over 12 weeks						
								Entity Authorisation Decisions						
								Q2 Target						
								The % of authorisation decisions made within service standards						
								Within 6 Months						
								Within 9 Months						
								<b>Number of Service Complaints closed</b>						
								Q2 0						
								<b>2016 - 17 Q2 YTD actuals against budget</b>						
								<b>2016 -17 YE fcst against budget</b>						
								Act	Bud	Var	Act	Bud	Var	
								Income	£242k	£176k	£66K	£1,050k	£947k	£103k
								Expenditure	£2,543k	£2,489k	£54k	£5,003k	£5,213k	£210k
								<b>Staffing (Rolling figures) Q2 2015-16</b>						
								HR						
								Sickness (days/FTE)						
								Sickness (days/long term)						
								Turnover (%)						
								Turnover (Voluntary)						
								<b>IT Response times</b>						
								<b>Corporate Risk Register</b>						
								2016 - 17 Q2						
								18 Jul 16						
								24 Oct 16						
								Likelihood						
								Impact						
								Response to high priority calls						
								Response to medium priority calls						
								<b>Service level agreement with BC (Resources Group)</b>						
								% of aims and objectives met						
								Project Management Office						
								Records Office						
								IT						
								HR						
								Facilities Management						
								Finance						
<b>Key</b>														
<b>Control</b>			<b>Importance</b>			<b>Size</b>			<b>Weighting</b>			<b>Business Activities</b>		
C1 - BSB Control			4 More important			1 Small piece of work			Higher weighting			Completed		
C2 - RG control			1 Less important			4 Large piece of work			Lower weighting					
C3 - External control														



2016-17 BSB Management Accounts									
	Q2 YTD Actual £k	Q2 YTD Budget £k	Variance £k	Variance %	YE Forecast £k	YE Budget £k	Variance £k	Variance %	PRP Paper Reference
<b>Income</b>									
Entity Regulation and Alternative Business Structures	6	17	11	-65%	40	36	4	10%	If ABS regulation launches this year then this will remain on track
Authorisations - Waivers & Accreditations	109	123	14	-11%	229	254	25	-10%	QASA unlikely to be implemented (22 bi) Authorisations / Waivers income will be greater than original cautious projection
Examinations	85	0	85		120	0	120		BCAT is running (22 bii)
Supervision - Education and Training	30	36	6	-17%	650	657	7	-4%	BPTC student fees will be received in latter part of the year (22 biii)
Professional Conduct Department	12	0	12		12	0	12		
<b>Total directly controlled income</b>	<b>242</b>	<b>176</b>	<b>66</b>	<b>37%</b>	<b>1,050</b>	<b>947</b>	<b>103</b>	<b>11%</b>	
PCF and Inn's Subvention	3,412	3,502	90	-3%	6,914	7,004	90	-1%	
<b>Total income</b>	<b>3,653</b>	<b>3,678</b>	<b>25</b>	<b>-1%</b>	<b>7,963</b>	<b>7,951</b>	<b>12</b>	<b>0%</b>	
<b>Expenditure</b>									
<b>Entity Regulation and Alternative Business Structures</b>	<b>42</b>	<b>41</b>	<b>1</b>	<b>0</b>	<b>85</b>	<b>83</b>	<b>2</b>	<b>-2%</b>	
Staff Costs	42	41	1	-2%	85	83	2	-2%	
Other costs	0	0	0		0	0	0		
<b>Authorisations - Waivers &amp; Accreditations</b>	<b>113</b>	<b>109</b>	<b>4</b>	<b>-4%</b>	<b>222</b>	<b>271</b>	<b>49</b>	<b>18%</b>	
Staff Costs	105	98	7	-7%	193	197	3	2%	
Other costs	8	11	3	30%	28	74	46	62%	QASA is unlikely to be implemented (22cii)
<b>Examinations</b>	<b>172</b>	<b>144</b>	<b>28</b>	<b>-20%</b>	<b>329</b>	<b>330</b>	<b>1</b>	<b>0%</b>	
Staff Costs	69	63	6	-10%	132	129	3	-2%	
Other costs	103	81	22	-27%	197	201	4	2%	
<b>Supervision - Post Qualification</b>	<b>219</b>	<b>240</b>	<b>21</b>	<b>9%</b>	<b>463</b>	<b>484</b>	<b>21</b>	<b>4%</b>	
Staff Costs	218	239	21	9%	453	481	28	6%	Vacancy being held (22 ai)
Other costs	1	1	0	-25%	10	3	7	-232%	
<b>Supervision - Education and Training</b>	<b>200</b>	<b>212</b>	<b>12</b>	<b>6%</b>	<b>310</b>	<b>363</b>	<b>53</b>	<b>15%</b>	
Staff Costs	154	143	11	-8%	240	271	30	11%	Vacancies (22 ai)
Other costs	46	69	23	33%	70	93	23	24%	External Examiner costs reduced (22 cii)
<b>Professional Conduct Department</b>	<b>626</b>	<b>628</b>	<b>2</b>	<b>0%</b>	<b>1,207</b>	<b>1,279</b>	<b>72</b>	<b>6%</b>	
Staff Costs	561	561	0	0%	1,062	1,145	83	7%	Vacancies (22 ai)
Other costs	65	67	2	3%	145	134	11	-8%	
<b>Strategy and Policy</b>	<b>489</b>	<b>429</b>	<b>60</b>	<b>-14%</b>	<b>1,035</b>	<b>992</b>	<b>43</b>	<b>-4%</b>	
Staff Costs	416	395	21	-5%	800	832	33	4%	Vacancies (22 ai)
Other costs	73	34	39	-114%	235	159	76	-48%	Oxera market analysis study (22 ci)
<b>Communications and Public Engagement</b>	<b>151</b>	<b>169</b>	<b>18</b>	<b>0</b>	<b>351</b>	<b>356</b>	<b>5</b>	<b>0</b>	
Staff Costs	121	140	19	14%	272	281	9	3%	
Other costs	30	29	1	-2%	79	74	4	-6%	
<b>Corporate Services</b>	<b>367</b>	<b>355</b>	<b>12</b>	<b>-3%</b>	<b>669</b>	<b>728</b>	<b>59</b>	<b>8%</b>	
Staff Costs	288	315	27	9%	558	575	17	3%	Vacancies (22 ai) Overspend in Learning and Development (22 aiii) Overspend in recruitment (22 aiii)
Other costs	79	40	39	-98%	111	153	42	27%	APEX recruitment delayed (22 cii) Underspend in legal fees (22 cii)
<b>Chair and Director General</b>	<b>165</b>	<b>163</b>	<b>2</b>	<b>-1%</b>	<b>335</b>	<b>328</b>	<b>7</b>	<b>-2%</b>	
Staff Costs	162	163	1	1%	326	328	2	1%	
Other costs	3	0	3		9	0	9		
Staff costs	2,135	2,157	21	1%	4,119	4,322	202	5%	
Non-staff costs	408	333	76	-23%	884	891	7	1%	
<b>Total directly controlled expenditure</b>	<b>2,543</b>	<b>2,489</b>	<b>54</b>	<b>-2%</b>	<b>5,003</b>	<b>5,213</b>	<b>210</b>	<b>4%</b>	
<b>Net</b>	<b>1,110</b>	<b>1,189</b>	<b>30</b>	<b>2%</b>	<b>2,960</b>	<b>2,738</b>	<b>222</b>	<b>8%</b>	



## PCD Key Performance Indicators

PCD Measure		2016-17			2015-16 YE	2015-16 Target
		Q1 <sup>1</sup>	Q2	Target		
Complaints	Number of complaints received	113	73	n/a	481	n/a
Overarching KPI	The percentage of complaints concluded or referred to disciplinary action within service standards	89.4%	77.8%	80%	75.7%	80%
OPI (Assessment)	The percentage of complaints concluded or referred to investigation within 8 weeks	89.1%	79.2%	80%	72.6%	80%
OPI (Investigation)	The percentage of external complaints concluded or referred to disciplinary action within 8 months following investigation	91.3%	68.8%	80%	81.3%	80%
OPI (Investigation)	The percentage of internal complaints concluded or referred to disciplinary action within 5 months following investigation	76.5%	78.0%	80%	79.2%	80%

## Over-Running Cases

## Snapshot at the close of Q2 of 2016-17

Operational Indicator	Total Open Cases	Over-running Cases	Percentage Over-running
Assessment (8 weeks)	48	10	21%
External Investigation (8 months)	32	9	28%
Internal Investigation (5 months)	36	5	14%
<b>Total</b>	<b>116</b>	<b>24</b>	<b>21%</b>

**Note**

OPIs and the overall KPI measure closed cases – In consequences, cases that are delayed (however legitimate the reason) will impact these figures.

The overall KPI reflects the combined effect of the three individual OPIs

<sup>1</sup> Q1 figures have been amended due to 8 linked cases which were referred to a disciplinary tribunal in Q1 but wasn't recorded until August 2016.





**Chair’s Report on Visits and External Meetings, November 2016****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:****Sir Andrew Burns**

3 November	Attended Lincoln’s Inn Grand Day Dinner
5 November	Reported on BSB activities at the Bar Council meeting
5 November	Met with the Circuit Leaders and Chair of the Criminal Bar Association
14 November	Attendance at a panel discussion on the <i>vision for legislative reform</i> . This event was hosted by the LSB and the UCL Centre for Law and Ethics
15 November	Attended the Chairmen’s Committee meeting
16 November	Addressed the Away Day for the Professional Conduct Committee and Prosecutors
16 November	Met with the President of the Queen’s Bench Division, Sir Brian Leveson
17 November	Attended a Cyber Security summit in London
23 November	To attend the Regulators’ Chairs’ meeting
23 November	To meet with the Chair and Chief Executive of the Solicitors Regulation Authority

**Equality Impact Assessment**

3. No Impact

**Risk implications**

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

**Consultation**

5. None

**Regulatory objectives**

6. None

**Publicity**

7. None

**Lead responsibility:**

Sir Andrew Burns KCMG

**Director General's report - BSB meeting 24 November 2016**

For consideration and noting.

**Director General**

1. In the last month I have led CPD roadshows for the profession in London (three times), Bristol, Cardiff, Birmingham, Leeds and Manchester, supported by the Chair and Board members and other senior staff. I also presented our webinar which over 400 people signed up for, with some 290 participating live. A number of further presentations e.g. to CPD providers and for individual chambers and SBAs are also booked. We have had very useful feedback which allows us to refine further the supporting materials we will provide for the profession. Overall the new scheme is being received as representing a significant opportunity for more meaningful and worthwhile CPD for barristers, but the BSB will continue to signal clearly how compliance with the scheme can be achieved.
2. I have also participated in FBT consultation events, which are reported on further below. I shared a panel session on 9 November with other "Women Leaders in Law" at the 2016 Spark 21 Conference, an annual event associated with the First 100 Years project: <http://first100years.org.uk>
3. We have made considerable progress with APEX this month, recruitment being largely completed by the time of the Board meeting. I and Directors have been extensively involved in interviews and the process has been very competently administered by Rebecca Forbes. The calibre of applicants has been pleasingly high and we look forward to welcoming our new expert advisers on 16 December to an Induction Day.
4. I have also been working on the responses to the MoJ "tailored review" of the LSB and OLC/ LeO, further work on the LSB's Vision Paper and on the agenda for the upcoming meeting of all the legal services regulatory board Chairs and CEOs.
5. Mid-year performance reviews for all BSB staff will be completed by 30 November.

**ASPIRE**

6. A report was provided to the Legal Services Board setting out progress against the action plans, which once completed will enable the BSB to achieve satisfactory against the regulatory standards framework. Subsequent to that report a meeting took place with LSB staff which noted positively the progress made. Work against the action plan remains largely on track although there may be scope for reprioritisation given the demands on resources. This will be discussed at the ASPIRE programme board and by the senior management team in December.

**Strategy and Policy**

**Professional Standards**

***PII***

7. Our work in this area continues in accordance with our plans. An oral update will be provided to the Board in Part 2.

***International work***

8. We are presenting a paper to the Board in Part 2 on the BSB's international work. This recommends that, as a first step, we agree a protocol or memorandum with the Bar Council to clarify respective roles and responsibilities.

***Immigration Thematic Review***

9. A detailed Project Initiation Document (PID) and project plan for the implementation of the recommendations of the Immigration Thematic Review are being finalised. External stakeholders will be contacted to discuss opportunities for collaborative working and an internal project group has been constituted. The group will meet for the first time this month to finalise the PID and plan and to discuss next steps. The implementation phase of this project is scheduled for delivery in the next business year.

***Public and Licensed Access Review***

10. Following our analysis of the risks in the market, work has progressed on developing options in the following areas: information and guidance, training and potential rule changes. We are presenting a report with recommendations to the Board, although we await the final report from the Competition and Markets Authority, which may make further recommendations that will influence our next steps. If the Board agrees, a consultation on rule changes will begin in the New Year.

***Equality and Access to Justice***

11. The E&AJ team met with an LSB representative regarding the LSB's Diversity Guidance Consultation. It was agreed that a meeting would be arranged for late November, in which the LSB will present their planned Diversity Guidance to key staff and equality champions from across the BSB. Using the notes from this meeting the E&AJ team will draft the BSB's official response to the consultation.
12. A roundtable event has been organised to discuss the issue of LGBT data reporting in chambers. It will be hosted by the E&AJ team in late November. Both legal and non-legal LGBT rights groups will be present to put forward their thoughts.
13. The equality objectives for 2017-2020 have been drafted, and an Equality Strategy paper is being written for the January Board meeting. In finalising our proposals we will involve our new E&D APEX members.
14. The most recent E and D knowledge sharing session was on 25 October 2016, and concerned Race Equality at the Bar. It was presented by Shazeeyah Akhtar, International Equality Lawyer and Campaigner. 25 people from across the BSB and Bar Council were in attendance.
15. The consultation paper regarding a suggested change to the parental leave rules in the Handbook is in its final drafting phase at the time of writing. The suggested change would enable parental leave to be shared between the carers of a child during the child's first year. The consultation will commence before the end of November and will last for 12 weeks.
16. The Head of Equality and Access to Justice and the Supervision equality champion delivered an E&D learning session on 10 November 2016 for pupils training at Lincoln's Inn. Further invitations have been received to provide more input into the training of pupil barristers.

### ***Future Bar Training***

#### ***Future routes to authorisation – Consultation***

17. FBT engagement activities continue with two more regional events (Cardiff and Bristol) planned for mid-November. Turnout in some locations has been low, especially from members of the profession, although the quality of debate has been high. In total, approximately 100 people have attended the consultation events to date and further activities are planned with the Young Bar and with more students in London. By 25 November 10 events will have been held. We have had positive feedback from those who have attended the events. Details of these events can be found [here](#).
18. Last week, the Council of the Inns of Court (COIC) published the speech made at our FBT event in July by Derek Wood QC as a specific proposal for reforming Bar training. We have publicised their proposal through Twitter and our Regulatory Update and have referred to it at the consultation events.
19. At its meeting on 8 November, the BSB Education and Training Committee hosted the Bar Council's Education and Training Committee to discuss the FBT consultation.
20. After the consultation period, due to end on 23 December 2016, we intend to analyse the information gathered and take this to the Board. We anticipate an initial read-out at the January Board and a full report and formal recommendation to be made at the Board meeting on 23 February 2016.

#### ***Regulatory Risk***

21. The new Risk Assessment Policy has now been approved by the Senior Management Team and the risk team is working closely with the Centralised Assessment project team to apply and test the policy in our new approach to assessment of incoming information. A period of internal validation of the Assessment Policy will take place to inform any changes required.
22. Risk reporting is still progressing, supported by our data analyst and Information Services team.
23. The Board will consider the approach to take to risk prioritisation at the December away day.

#### ***Research***

24. Since the Board meeting in October, work has progressed in a number of areas.
25. The Invitation to Tender for research with Family Law clients, part of our consumer research programme, has been signed off and sent out to research providers. The team has been working with the QC Appointments Panel to support their research project looking into lower application rates by women to become QCs.
26. The team has also been researching the barriers to access to the profession for women, BME candidates, and those from lower socio-economic backgrounds at different stages - BPTC, pupillage and progression within the profession – to inform the FBT programme. We have also worked on scoping research and data requirements for further final policy development and future evaluation required for FBT.

27. We have shared the online survey used in the delivery models research with a wide range of stakeholders and agreed with the project team and Pye Tait the discussion guide for in-depth interviews in the next phase.
28. We published the final report for the Client Care Letters project with a joint press release with the other legal regulators and the LSCP.
29. We will shortly be publishing internally the Quarterly Research Round Up for Q2; and we continue to support the development of the next stage of the Information Management programme. A new research and Information manager, Corrine Charles joined us on 14 November. Corrine most recently undertook a similar role at the CPS.

## **Professional Conduct**

### ***Staffing***

30. The Professional Conduct Department has five current and pending vacancies. Recruitment to the majority of these vacancies has commenced. However it will mean that PCD will be operating on reduced resources until March 2017, depending on notice periods.

### ***Quarter 2 Key Performance Indicators***

31. Overall we achieved a performance of 77.8% of cases concluded within service standards. Operational Performance Indicators were as follows: OPI 1 – 79.2%, OPI 2 – 68.8% and OPI 3 – 78%. Further details and analysis can be found in the PRP Quarterly Report.

### ***Joint Disciplinary Tribunal Working Group***

32. The Joint Disciplinary Tribunal Working Group has been expanded to include nearly all the approved regulators. As part of the ongoing work to find areas of alignment in approach, a Joint Regulatory Operational Meeting was held on 11 November. The purpose of the meeting was to begin to develop a Memorandum of Understanding with other regulators in the legal sector for the sharing of relevant disciplinary information. The meeting was a useful starting point in this process.

### ***PCC Lay Recruitment***

33. The Professional Conduct Department is currently coordinating a recruitment exercise for Lay members. There has been a large volume of applications, with the closing date on 18 November 2016. Interviews are scheduled to take place in late November/early December 2016. We hope to be in a position to appoint five new Lay members, whose terms will then commence on 1 January 2017.

### ***Anti-Discriminatory Practice/Unconscious bias training***

34. As recommended by the Independent Observer in her most recent report to the Governance, Risk and Audit Committee, we have been working with the Equality & Access to Justice Team to plan tailored training for the Professional Conduct Committee. This is now complete and the session will be delivered in early December. We expect all our Committee members to attend.

***Litigation***

35. For the first time in what is thought to be over a decade the PCD currently has no Judicial Review applications against any decisions awaiting determination.
36. In the only outstanding litigation, an Employment Tribunal matter, a case management hearing took place on the 17 October, with a view to identifying the issues raised by the Barrister. However, the tribunal was unable to do so on the day and a further hearing is to be listed in the New Year to consider submissions on the issues.

**Regulatory Assurance Department*****Licensed Body (“ABS”) Implementation***

37. Feedback from the external pilot was reviewed and, where appropriate, reflected in the final version of the online application portal. We are operationally ready to launch the regime subject to the relevant parliamentary approval which we anticipate in late 2016 / early 2017.

***Statutory Interventions***

38. The Interventions Strategy and Operational Guidance was approved by the Board in October. We are currently finalising contracts with our preferred suppliers for intervention agency services and planning for the provision of external expert training for BSB staff. We expect all necessary preparatory work to be completed in line with the launch of the ABS regime. Broader powers of intervention into other authorised bodies (both barristers and entities) will be acquired as and when our application under section 69 of the LSA 2007 is granted (anticipated 2017).

***Anti-Money Laundering Supervisory Regime***

39. In June, we reported that we had responded to HM Treasury’s (HMT) consultation to examine options to improve the Anti-Money Laundering (AML) and Counter Financing of Terrorism (CFT) supervisory regime. HMT has now completed its evaluation of the information provided, also taking into account the conclusions of the Better Regulation Executive’s Cutting Red Tape Review. HMT will be announcing plans for reform shortly and has provided some information in advance about its conclusions and its intentions. In particular:
  - HMT’s overarching conclusion is that there is a lack of consistency in the standard of AML/CTF supervision across all 27 supervisors, resulting in a disjointed AML/CTF Supervisory Regime. This is consistent with the findings of the 2015 National Risk Assessment.
  - HMT intend to create a “supervisor of supervisors” or AML/CTF Watchdog who would fill the accountability gap where existing structures are not already in place. The Watchdog will establish standards of effective supervision and hold supervisors to account against those standards. It is not clear at this stage how this will be funded. Supervisors are concerned to ensure that this will not be a financial burden and that the Watchdog has good sector knowledge.
  - There is support for developing supervisor risk methodology guidance for each sector (Legal, Accountancy, Banking, etc) to ensure consistency. The Legal sector Affinity group of supervisors sees merit in working together on this.

40. HMT have also consulted on the transposition of the 4<sup>th</sup> Money Laundering Directive, which must be transposed in 2017. The Supervision Manager attended a series of workshops at HMT to explore various aspects of the Directive. Much of our response focused on helping HMT to understand our existing processes and enforcement policies where relevant to the Directive, as well as the predominantly self-employed and referral nature of the Bar and the fact that only a limited part of the work of the Bar falls under the regulations. Our response to the consultation is available here: [https://www.barstandardsboard.org.uk/media/1796497/2016\\_11\\_10\\_bsb\\_4mld\\_response.pdf](https://www.barstandardsboard.org.uk/media/1796497/2016_11_10_bsb_4mld_response.pdf)

### **CPD**

41. The LSB have now approved the changes to the CPD rules on 2 November. The new rules come into force on 1 January 2017.
42. The communication and engagement plan continues. There have been a number of successful Roadshows across the country explaining the new scheme. In addition approaching 300 people signed in to a webinar, and we have given a seminar specifically for CPD providers.
43. The next steps will include producing relevant supporting materials including planning templates and good practice examples, drawing on feedback provided at the roadshows. We aim for these to be published by 10 December.

### **CPD Accreditation**

44. We are currently in the process of bringing the CPD accreditation scheme to an end. All providers have been sent a letter explaining the changes that come into effect on 1 January 2017. Next month we will send an email to providers explaining that they no longer need to submit their CPD monitoring reports, though they will need to maintain these reports for two years.

### **Youth Proceedings Advocacy Review**

45. Following the “Defining the competencies of a youth court advocate’ workshops, we have now drafted the competencies and guidance documents related to this piece of work. We have set up a Task Completion Group to review, feedback and act as a sounding board on the documents. The TCG is made up of professionals working across the youth justice sector to give us as wide a perspective as possible.

### **Pupillage**

46. The department’s Equality Champion supported the Equality and Access to Justice team in delivering an Equality and Diversity workshop at a Lincoln’s Inn Pupil training event. It provided a useful opportunity to engage with those at the start of their careers at the Bar on this subject.

### **Authorisations**

47. The Qualifications Committee met on 7 November 2016. It undertook reviews of eight decisions of its Panels and staff, upholding the original decision in six cases and amending the original decision in two cases.
48. The Committee also approved the following proposed timetable for implementation of the Authorisations Governance Review:



- At the end of 2016, continuing members of the Qualifications Committee will be split into two pools, one pool of advisors and one pool of reviewers.
- From 1 January 2017, all first instance decisions currently taken by the Qualifications Committee and its Panels will be taken by staff, who will be able to seek advice from members of the pool of advisors where necessary.
- During the period 1 January to 31 March 2017, all applications for review of first instance decisions will continue to be determined by the full Qualifications Committee.
- From 1 April 2017, all applications for review of first instance decisions will be determined by review panels, made up of three members of the pool of reviewers, including at least one barrister and one lay member.
- During Spring/Summer 2017 recruitment of the second half of APEX (comprising experts to support decision-making) and recruitment of members of Review Panels will take place.
- The Qualifications Committee will be disbanded on 31 August 2017.
- From 1 September 2017, staff will be able seek advice from APEX on first instance decision making and applications for review will be determined by Review Panels.

### ***Centralised Assessment of Incoming Information (“CAT”)***

49. SMT reviewed the Risk team’s draft BSB-wide risk assessment policy in October. This is now being used to finalise the methodology for assessing incoming information in CAT.
50. The Project Team has been holding a series of workshops to define user requirements for the Information Management Programme so that development can begin in December.

### **Communications and Stakeholder Engagement**

51. Since this report was prepared for the October Board meeting, the following press releases and announcements have been issued:
  - 11 October: Press release about an unregistered barrister disbarred following conviction for import duty evasion
  - 28 October: Press release about an unregistered barrister disbarred following seriously offensive tweets
  - 28 October: Announcement about recruitment of lay members for the Professional Conduct Committee
  - 2 November: Press release about a barrister disbarred, following criminal conviction for tax evasion
  - 2 November: Joint press release with the other legal regulators and the Legal Services Consumer Panel about the research into Client Care Letters
  - 4 November: Press release about barrister suspended for delaying refund payments to clients
  - 8 November: Press release about an unregistered barrister disbarred, following conviction of theft
  - 15 November: Press notice about barrister Mr Rehman being permanently banned from public access work and being suspended for a further 27 months
52. The Board will have seen the fortnightly media coverage that the above announcements generated.

53. The team arranged and supported a range of stakeholder engagement events including:
- The BSB stand and session on Alternative Business Structures at the Bar Conference on 15 October;
  - A series of CPD roadshows for barristers at locations around the country;
  - A webinar about CPD attended by over 300 barristers on 10 November; and
  - A series of FBT meetings with barristers, students and legal academics at locations around the country.
  - We have also undertaken some social media engagement about the FBT consultation on our new Facebook page.

### ***Work in Progress***

54. In addition to business-as-usual activities, at the time of writing, the following pro-active communications are scheduled over the next few weeks and months:
- the launch of a consultation for the Bar about shared parental leave;
  - announcements about APEX membership and the new appointments to the Board;
  - communication to support the forthcoming changes to the Disciplinary Tribunal Regulations; and
  - a final wave of communication to the Bar about the changes to CPD. This includes a hard-copy mailing to all barristers and a “special CPD edition” of the monthly Regulatory Update email.
55. Following the approval of the new Communications and Public Engagement strategy last month, the team is taking forward its implementation. This includes commissioning research amongst users of the BSB website and preparing a staff and Board session about brand (re)positioning.

### ***Online and social media***

56. During October, 28,308 users visited the BSB website. At the time of writing, we have 15,577 followers on Twitter and 2,619 followers on LinkedIn.

## **Corporate Services**

### ***Staffing***

57. Dan Burraway joined as the new Corporate Support Manager on 21 November.

### ***Governance***

58. Recruitment for the three lay Board member vacancies was completed with the final interviews held on 24 October 2016. Following confirmation of references, formal letters of appointment were sent on 4 November 2016. Induction for the new Board members is scheduled for Friday 20 January 2017. Two of the new members will attend the Board meeting in November as observers, and all three will attend the Away Day in December.

59. Equality and diversity monitoring forms have been sent to all Board and committee members. Anonymised data will be provided to the Research and Equality and Access to Justice teams, who will conduct analyses and consider whether it is necessary to develop new strategies to encourage participation on the Board and committees from a more diverse pool of candidates.
60. Interviews for the second round of recruitment to the Advisory Pool of Experts (APEX) were held in the week commencing 14 November. Roles for competition law, equality and diversity law, constitutional, human rights and public law practitioners were available, and offers will be made in the week commencing 28 November. An induction session for all appointed experts is scheduled for Friday 16 December, with equality and diversity training in the morning and a formal induction session in the afternoon. The formal induction will be followed by an opportunity to network, and an invitation has been extended to Board members.

### ***Corporate Support***

61. Quarter two of 2016-17 closed on 30 September, so the Corporate Support Team has been working on Q2 performance reporting and mid-year forecasting (see the PRP paper).
62. We continue to work on renewing the BTAS (COIC) service agreement which is due to be extended at the end of the calendar year.
63. The team has been liaising with staff from the Legal Services Board on the next stages of its Cost of Regulation project. Much of this work will involve improving our accountability and transparency, work which has already been very well developed at the BSB.
64. The Assurance Framework is the next major objective of the team and we have commenced an assurance mapping exercise as a precursor to developing our internal audit function.

### **Key Resource Group updates**

65. The following is a summary of the key updates and further information was include in the reports to the PRP Committee.
  - WorkSmart has been one of the biggest achievements this quarter, involving most of the teams in RG. The WorkSmart programme is looking to allow staff to work more flexibly and to help reduce office space in preparation for our move in 2019. All floors have now been reconfigured with more people taking up flexible working than first anticipated.
  - Some good progress has been made on our management information project and a barrister demographics dashboard has been designed and rolled out. The reporting tool allows much easier reporting on the “types” of barristers there are (eg practising/unregistered; employed/self-employed etc). Another technological advance made this quarter is the development of our ABS application portal which is currently going through final user testing.

**Vanessa Davies**  
**Director General BSB**  
**17 November 2016**