



The Bar Standards Board's Regulatory Standards report 2015/16

May 2016

Background

Who we are and what we do

1. The Legal Services Board (LSB) is responsible for overseeing legal services regulators in England and Wales. We are independent of Government and of the legal profession. We hold to account regulators for the different branches of the legal profession. We drive change in pursuit of a modern and effective legal services market: one that better meets the needs of consumers, citizens and practitioners.

Regulatory standards

2. We have a process in place to hold the regulators to account for their performance. We consider the legal services regulators' performance against five regulatory standards: outcomes-focused regulation, risk assessment, supervision, enforcement and capability and capacity.
3. Effective delivery of the regulatory standards should lead to higher standards of professional conduct and competence amongst lawyers. It should help to create a legal services market with increased consumer choice and consumer confidence. It should encourage innovative practitioners who, if posing fewer risks, are not subject to intrusive or inflexible regulation. It will introduce a level of consistency in the approach to the regulation of legal services.
4. This is our second full assessment of the Bar Standards Board's (BSB) performance against the regulatory standards. To undertake this assessment we asked the BSB to complete a self-assessment against the five regulatory standards. We also considered other evidence such as the results of a questionnaire aimed at understanding the experiences of individual users of the BSB, the outcomes of in-depth interviews with, and written responses from, key stakeholder organisations and information gained in other areas of our work, such as statutory decisions and thematic reviews.
5. This report sets out our view on the performance of the BSB against each regulatory standard as well as the grades we allocated to it. It should be read in conjunction with our thematic report on the performance of all of the regulators against the regulatory standards.¹ At Annex A we have provided some facts and figures about the BSB.
6. Individual reports have been produced for each of the eight regulators. Care should be taken, if reading the other reports, to ensure misleading comparisons are not made, particularly in relation to the grades given. There are differences in: the size of the regulators, in terms of staff numbers, budget, and the regulated communities; the risk profiles; who they regulate (individuals, entities and

¹ The thematic report can be found here: http://www.legalservicesboard.org.uk/Projects/developing_regulatory_standards/index.htm

alternative business structures (ABS)); and the types of consumers their regulated communities engage with. We have taken the context of the BSB into account when considering its performance against the regulatory standards. The grades available are listed below.

- Good – all indicators embedded appropriately in the organisation and inform day to day working practices.
- Satisfactory – significant progress is being made to embed indicators and use them in day to day working practices.
- Undertaking improvement and work is well underway – indicators have been introduced but are not yet embedded appropriately in the organisation and do not yet inform day to day working practices.
- Needs improvement and work has started recently.
- Recognise this needs to be done but work has not yet started.

The next steps

7. The report indicates the areas where we think that there is scope for improvement. We will agree with the BSB a specific action plan as the basis for our future monitoring of performance. We aim to publish the action plan by the end of June 2016.
8. We would like to thank all those who contributed time, energy and insights to this regulatory standards review.

Overall assessment

9. Overall we consider that the BSB has demonstrated significant improvement since our 2012/13 Regulatory Standards report and our 2015 Update Report.² The BSB recognised improvements were needed and this, combined with its ambition to become a regulator of entities and a licensing authority for ABS, has driven change within the regulator. Since 2012/13, it has taken action to address our concerns that it needed to obtain more evidence about consumers and their needs, that work was required on an effective risk management framework and that it should alter its approach to supervision and its governance structure. The BSB has achieved these improvements by implementing an ambitious programme of structural, cultural and procedural change.
10. The BSB has reviewed its operational governance structures and the resulting changes are now in the process of being implemented. Changes to those operational governance structures include the executive assuming greater responsibility for policy development and operational decisions. The changes to its structure are intended to improve the BSB's ability to make decisions more effectively, efficiently and without the perception or otherwise of undue influence from the regulated community. We welcome these changes and recent examples support the need for change. However, we note that it is too soon to assess their impact. This is an area of the BSB's performance that we will monitor going forwards.
11. The cultural change has seen the BSB demonstrate at both executive and non-executive level a strong commitment to adopting a risk-based, outcomes-focused approach to regulation which takes account of consumer needs. It has also made great efforts to ensure that staff and the regulated community understand the reasons for the change of regulatory approach and are equipped to put it into practice. The BSB acknowledges that this cultural change is not yet fully embedded and we have noted that there have been issues (described in paragraph 19) where a risk-based approach has not been used. Due to the significance of the cultural change, this is another area where we will continue to monitor the BSB's performance. We will continue to expect to see a more thorough and consistent commitment to this approach throughout the life of a project or reform.

² This is a reference to the following reports: *Developing Regulatory Standards: an assessment of the Bar Standards Board* report (May 2013) and our *Regulatory Standards 2014/15: an update report on the performance of the legal services regulators* (February 2015). Hereafter referred to as 2012/13 Regulatory Standards report and the 2015 Update Report. These reports can be found here: http://www.legalservicesboard.org.uk/Projects/developing_regulatory_standards/index.htm

12. The different outlook by the BSB, and its work with the LSB in preparing to become an entity and ABS regulator, has caused it to reconsider its approaches to key areas of its work. This has enabled the BSB to develop and implement new approaches to its work such as its new system of proactive supervision and its methodology for risk assessment. We note that these changes have been beneficial for the BSB in terms of increasing its understanding of its own performance and the sector it regulates.

13. Whilst we consider that the BSB has progressed in the right direction, and that the amount that it has achieved is to be commended, we agree with it that there is still more to do. We would only note that we hope the BSB can deliver what it promises.

Grades

14. We set out below the grades that the BSB awarded itself and those the LSB awarded in 2012/13 and 2015/16. These illustrate that the BSB has a good understanding of its own performance and that it has made significant progress since 2012/13.

Grade \ Standard	Recognise this needs to be done but work has not yet started	Needs improvement and work has recently started	Undertaking improvement and work is well underway	Satisfactory	Good
Outcomes - focused regulation	LSB 2015/16				
	BSB 2015/16				
	LSB 2012/13				
	BSB 2012/13				
Risk assessment	LSB 2015/16				
	BSB 2015/16				
	LSB 2012/13				
	BSB 2012/13				
Supervision	LSB 2015/16				
	BSB 2015/16				
	LSB 2012/13				
	BSB 2012/13				
Enforcement	LSB 2015/16				
	BSB 2015/16				
	LSB 2012/13				
	BSB 2012/13				
Capability and capacity	LSB 2015/16				
	BSB 2015/16				
	LSB 2012/13				
	BSB 2012/13				

Assessment against the regulatory standards

Outcomes-focused regulation

To deliver this regulatory standard, we consider that regulators must:

- have high quality, up-to-date and reliable evidence on what legal services consumers need and how they use the services
- have effective engagement with consumers
- demonstrate that outcomes are being achieved
- review and update their arrangements based on the evidence they gather.

15. In our 2012/13 and 2015 reports we said that we expected the BSB to prioritise developing a robust evidence base on what consumers need and how they use legal services. It has started to gather such evidence either by commissioning research itself or by evaluating existing research. It has decided to focus initially on 'vulnerable consumers'. For example, it has completed joint research with CILEx Regulation on youth advocacy services and it is undertaking research with the LSB on public access barristers. This is the right approach.

16. Notably it has also undertaken work to embed its approach of being consumer focused in all its activities and decisions. For example, it has:

- trained Board members and staff on the importance of understanding the consumer interest with expertise provided by the Legal Services Consumer Panel (LSCP)
- developed tools to help them gather and take account of evidence on consumers
- appointed Board and staff consumer champions
- engaged with, and built, working relationships with consumer representative organisations.

We also consider the plans it has in place should enable the BSB to build on this strong foundation. For example, it:

- plans to develop a consumer engagement strategy
- has recently appointed a Director with responsibility for developing its work in consumer engagement
- committed to working on the joint regulators' projects on the approach that should be taken to client care letters and developing a unity of approach and voice to consumer umbrella organisations.

17. Another area where the BSB is undertaking improvement is by assisting the regulated community to better understand its approach to regulation and its benefits. The developing risk framework and the professional statement were cited by stakeholders we met as examples of where the BSB has made a conscious effort to use language carefully in order to better engage the regulated community. It was hoped that more could be done in this area. We note that the

BSB accepts this point. It has recently met with a group of barristers and asked specifically about the tone, content, style and frequency of communications they would prefer. The aim is to improve the effectiveness of its communication with the regulated community.

18. In our 2012/13 Regulatory Standards report we noted the challenge the BSB faced in becoming an outcomes-focused and evidence-based regulator. We therefore welcome the approach the BSB is taking to reviewing its regulatory arrangements in particular in relation to education and training (The Future Bar Training Programme). For example it has recently published a *Professional Statement* which describes the knowledge, skills and attributes that a newly qualified barrister should have when issued with a full practising certificate. We consider that the *Professional Statement* is outcomes-focused and its development was informed by a solid evidence base which included feedback from consumer representative organisations.

19. Whilst the above is welcomed, we note that there are still instances where the BSB might wish to consider how it applies an evidence and consumer focused approach to its work. It should ensure it learns from the concerns we publicly reported on in relation to its approach to complying with the statutory undertaking to the LSB. In particular, it should ensure for future policy development that:

- it takes a 'first principles' approach
- it takes account of a sufficiently wide evidence base
- it has an adequate consumer focus
- no undue weight is placed on the health of the regulated community.

We look forward to seeing evidence of these factors being taken into account in future policy development and in any future rule change applications, for example, when developing an approach for insurance requirements for single person entities.

20. The final aspect of outcomes-focused regulation is that the regulator must demonstrate that its regulation is delivering the outcomes consumers expect. In our 2015 Update report we asked that all regulators collect evidence to understand the impact of the rules they impose and whether those rules are delivering the outcomes consumers expect. We note that to date little evidence has been collected. This is to be expected as many of the changes described in this report have only recently been implemented. Whilst we recognise it can be difficult to gather evidence on outcomes we would encourage the BSB to consider creatively how it could monitor its impact.

Risk assessment

To deliver this regulatory standard, we consider the legal services regulator must:

- have formal, structured, transparent, evidence-based approaches to the collection, identification and mitigation of current and future risks which inform all regulatory processes
- focus their risk analysis on vulnerable consumers and consumer detriment
- have processes in place which are understood by the Board and staff
- demonstrate that outcomes are being achieved.

21. The BSB has made significant progress since the 2012/13 Regulatory Standards report when it was noted that it did not have an effective risk management system. This is to be commended. The BSB has appointed a Head of Regulatory Risk who has been responsible for the development of a 'risk framework' and a 'risk index' and these have been instrumental in the creation of the 'risk outlook'.³ It has used a wide and varied evidence base to create these three documents and has engaged with key stakeholders (particularly the regulated community and consumers) to ensure that they are comprehensive and easily understood. There has been a delay in the publication of these documents, they were due to be published at the latest by September 2015 but were not published until 4 April 2016. However, we have seen project documentation which shows they were used internally and, in our discussions with staff, they were able to describe how they used the risk framework to inform their work during this period of delay.
22. As well as developing this documentation, the BSB has reviewed its own structures and processes to assess whether they enable risk-based regulation to work in practice. For example, the BSB's authorisation functions are currently segregated between the education and training and supervision functions but will shortly be brought together. This should enable a risk-based approach to be applied more consistently to authorisation activity and for information to be shared in a more structured and reliable manner. The BSB is also in the process of obtaining intervention powers (through a legislative change that should occur later in 2016/17) which will be a valuable regulatory tool. This should help to address a key area of consumer risk and bring it in line with the other regulators who have such powers.
23. We heard from the BSB and some of its stakeholders that it has started to develop working relationships with other organisations who share a common interest to ensure that information on risk is appropriately shared. As noted above it is also starting to build an evidence base on consumer needs which has

³ The risk framework is the structured approach the BSB uses to collect, identify and mitigate risks. The risk index is a list of the risks the BSB has identified, categorised into particular groupings such as market risks and ethical conduct risks. The risk outlook sets out an overview of the key risks facing the legal services market. These can be found: <https://www.barstandardsboard.org.uk/media-centre/press-releases-and-news/risk-based-approach-to-regulating-the-bar-the-regulator-publishes-its-framework,-index-and-outlook/>

already informed its risk assessments and will continue to do so. The building of a usable evidence base is an area we noted in our 2015 Update report that we expected all regulators to focus on and therefore we welcome the steps taken by the BSB.

24. Whilst the BSB's risk-based approach is not yet fully embedded across the organisation, the foundation has been laid, and as with consumer engagement, Board members, the executive and staff are being empowered to take a risk-based approach to their work. This is being undertaken through various information-sharing fora, training opportunities and the development of practical tools. Again this was an area we noted in our 2015 Update report that we expected all regulators to focus on and therefore this work is welcomed.
25. The BSB has identified that it needs to develop means to assess whether its risk-based approach is working in practice and achieving the expected outcomes. It considers that there are two ways to do this. One is ensuring and monitoring that it has appropriate capability and internal processes to make risk-based decisions and the other is to observe the changes that its regulatory interventions are driving in the market. We agree with this approach and would expect it to start as soon as possible. We suggest that without this evidence, the hard work which has been undertaken to develop and embed a risk based approach to regulation will not be fully realised.

Supervision

To deliver this regulatory standard, we consider the legal services regulator must:

- have a supervision policy that is carried out with reference to identified risks, all available information and is underpinned by an evidence-based understanding of the different market segments
- have access to a range of supervisory tools and willingness and capacity to use them
- have processes in place to enable learning to be shared and performance to be monitored.

26. Supervision is another area where the BSB has demonstrated significant improvement since our 2012/13 Regulatory Standards report. Where its approach was previously reactive it is now predominantly proactive. It is evidence-based and enables the BSB to use a variety of supervision tools depending on the risk posed. The approach the BSB takes has been documented and is publicly available on its website (which is in line with our expectation for all regulators). We note that it plans to consolidate the various supervision documents into one Supervision Manual which should be published in spring 2016.
27. During 2015/16, the BSB completed its initial supervisory activity aimed at high risk/high impact chambers. This activity has generally been perceived favourably by the regulated community. The BSB's approach to supervision is seen to be proportionate and to deliver performance improvements to individual chambers. The BSB has also published a comprehensive report, in which it shared more widely with the regulated community, the general themes from its supervision of high risk/high impact chambers. We consider that this report should enable the impact of this supervisory activity to be wider than only those who underwent it.
28. The BSB is currently undertaking a supervisory exercise aimed at high risk/medium impact chambers. It would be good if the BSB could approach this exercise and its work on developing how it will supervise the regulated community on a day-to-day basis outside of the large scale supervisory exercises with the same efforts. In doing so, as noted in our 2015 Update report, we expect it should continue to monitor and report on the effectiveness, proportionality and value for money of its approach to supervision.
29. The BSB's supervisory approach has provided it with a wealth of information which has enabled it to record the changing risk profiles of the regulated community. As well as having a better understanding of the risks facing that community, the BSB has also used the learning from the application of the supervisory approach to improve its own processes. For example, it is going to adopt a more targeted and risk-based approach to its supervision of pre-qualification education and training.

30. Another way the information the BSB has gathered has been used is to identify emerging themes. For example, information gathered from across the BSB and from others indicated that immigration advice and services was an area of concern. When the BSB considered the information against its risk assessment framework, it concluded that it needed to carry out a thematic review of immigration advice and services. We note that the thematic review is taking longer than the BSB initially anticipated (a report was due to be presented to the Board in November 2015 but will now be presented in May 2016). The delay has occurred because the BSB adapted its approach to take into account new information gathered at a round table it held with organisations with a common interest in immigration advice and services. The new information related to the BSB's understanding of the needs of consumers and its identification of risks to consumers. We consider that this is evidence of the BSB being responsive and taking account of feedback on its work in a meaningful way.

Enforcement

To deliver this regulatory standard, we consider the legal services regulator must:

- have a range of effective and proportionate enforcement tools
- have published policies and guidance that enables others to understand the regulator's criteria for deciding to take action
- operate the enforcement function in a timely, evidence-based, fair and proportionate manner
- have appeal processes that are independent from the body or persons who made the original decision
- have processes in place to ensure that learning is shared and performance is monitored.

31. In the 2012/13 Regulatory Standards report we noted our concerns with the timeliness of the BSB's enforcement process; the size and composition of the Professional Conduct Committee (PCC); the body responsible for adjudicating on enforcement cases; and the incomplete framework for taking enforcement action (i.e. the need to have in place a risk-based approach to supervision). The BSB has made good progress in addressing these concerns.
32. The BSB has a good range of enforcement tools with published supporting guides for staff, decision-makers, complainants and professionals. The development of a proactive supervision function has supplemented its 'toolbox' and has enabled the enforcement function to be appropriately focused on those areas which are higher risk. We have seen evidence of the two functions working together to ensure that their approaches are aligned which is positive.
33. One issue about the alignment of supervision and enforcement relates to the challenge for the BSB in treating chambers as a single unit and imposing actions against it (supervision) but having no powers to take action against that chambers, only powers to take action against individuals (enforcement). We understand that the BSB is alert to this concern and will be considering how to reconcile this issue.
34. As we noted in our *Regulatory sanctions and appeals processes report – an assessment of the current arrangements (March 2014)*, the BSB does have appeal processes which are independent of the original decision-maker, which we consider to be in line with good practice.⁴ However, it remains the case that different standards of proof are used within the enforcement process for barristers. The civil standard of proof is used by the BSB in relation to non-disciplinary action (ie the imposition of administrative sanctions) and the criminal standard of proof is used by the BSB and its adjudication body (the Bar Tribunal

⁴ LSB report Regulatory sanctions and appeals processes report- an assessment of the current arrangements (March 2014)
http://www.legalservicesboard.org.uk/projects/thematic_review/pdf/20140306_LSB_Assessment_Of_Current_Arrangements_For_Sanctions_And_Appeals.pdf

and Adjudication Service (BTAS)) in relation to all decisions on disciplinary action. We consider that the civil standard of proof should be used at each stage of the enforcement process. The BSB does not consider that it would be in the public interest for it to move to the civil standard of proof whilst the Solicitors' Disciplinary Tribunal (SDT) still uses the criminal standard of proof. However, it has accepted that a move to the civil standard of proof may be appropriate. We expect that this issue will be considered by the BSB when it carries out some joint work with the Solicitors Regulation Authority (SRA) on both of their enforcement processes. The SRA is in a similar position regarding the standard of proof used in its adjudication process but it has recently publicly stated that it considers the civil standard of proof should be used.

35. The BSB has endeavoured to be transparent about its approach to enforcement, sanctions imposed and the time it takes to progress cases. This approach is welcomed and reflects our expectation set down in the 2015 Update report that all regulators should be transparent about their work. Linked to this principle of transparency is a piece of work the BSB is undertaking to improve the accessibility of information on its enforcement webpages. The BSB is working with a charity specialising in public legal education to make the information on its website clear, accessible and understandable to consumers. This project was delayed in 2014 due to resourcing issues but has now been completed. The intended outcome of the project was that those wishing to make a complaint or facing a complaint can navigate the pages, locate information, and understand the BSB's processes more easily. Taking such action addresses another of the expectations we set in 2015, which was for all regulators to ensure that the process of making a complaint to a regulator is accessible and user-friendly.
36. In our 2015 Update report we set out an expectation that the BSB would analyse whether it had appropriate enforcement powers, arrangements and processes. Whilst it has not carried out a structured wholesale analysis, we have seen evidence of the BSB addressing specific concerns about its performance. For example, it has reviewed its Disciplinary Tribunal Regulations and it is reviewing the structure, size and composition of the PCC. Alongside this there is also a robust system of ongoing oversight and scrutiny of the BSB's processes. This is undertaken by a range of committees, the senior management team and an independent observer. We consider that these systems should enable the BSB to learn from and monitor the progress of its enforcement function. It is also notable that the BSB has started to collect data on the costs of the enforcement process. We will be interested to see how these data will be used by the BSB.
37. The BSB has made some progress on reducing the time taken to consider enforcement cases (pre-adjudication) which was another priority area we identified for all the regulators. Between July 2014 and October 2015, the age of the oldest case has reduced (from 10 years to 6.7 years) and the percentage of its caseload which is between one and three years old has significantly

decreased (from 75% to 22.2%). However, we note that long-running cases continue to form a significant percentage (29%/18 cases) of the BSB's caseload as at the end of October 2015. These cases tend to be those which have been adjourned (because of ongoing litigation before the courts) or put on hold (pending the outcome of other regulatory hearings).

38. There is close scrutiny of the timeliness of the enforcement process as evidenced by the Planning, Resources and Performance Committee's 'deep-dive' review about the enforcement function's failure to meet three of their key performance indicators at the end of 2014/15. The main reason stated for the underperformance was staff shortages. The independent observer was also asked to review long-running cases. Whilst she found instances of avoidable delay she stated that these were not the cause of the length of the case. We welcome the scrutiny of the timeliness of the enforcement process and would expect it to continue so that any delays/bottlenecks in the process are quickly identified and remedied. This is also an area which we will monitor.

Capability and capacity

To deliver this regulatory standard, we consider the legal services regulator must:

- have clear and consistent leadership that ensures the whole organisation has a strong consumer focus
- have regulatory budgets and staffing set at appropriate levels for the risks associated with the market
- have a culture of transparency and improvement
- have management and governance processes in place which are capable of scrutinising the performance of the regulator.

39. The BSB has made good progress against this standard since 2012/13. Our main concerns at that time related to the BSB's operational governance structure, the perception of its independence from the regulated community, and the lack of clarity around how it will ensure its regulatory framework focuses on the needs of consumers.

40. The BSB has begun to address our expectation that it reform its governance and committee structure to increase its focus on scrutinising performance. It has undertaken a wholesale review of its operational governance structures and the plans that it has in place (which come into effect throughout 2016) include:

- reducing the number of policy committees
- removing any policy development responsibilities from decision-making committees
- the executive assuming greater responsibility for policy development and operational decisions
- reviewing the size and composition of the Board to ensure it is able to meet future demands.

We consider that these changes should assist the BSB in making decisions more effectively and efficiently. It is evident in published Board and committee papers and minutes that the BSB is transparent about its activities and that there is scrutiny of the BSB's performance, which is in line with the expectations we set all regulators in our 2015 Update report. Nonetheless the changes that are being made to the operational governance structure should make the lines of accountability for decisions clearer and therefore enhance the Board's and related committee's ability to scrutinise performance.

41. The work that the BSB has done to develop a coherent and organisation-wide commitment to being consumer-focused should also be enhanced through the changes to its operational governance structure. The BSB told us that the changes being made to its structure should prevent any possibility of the regulated community having a disproportionate voice in either policy or regulatory decision-making. We agree that the changes being made to the operational

governance structure should improve the BSB's ability to make decisions without the perception or otherwise of undue influence from the regulated community.

42. Whilst we consider that the changes to the operational governance structure should result in the improvements set out above, we will of course need to see the results of this exercise. We will therefore monitor the BSB's performance in both these key areas over the coming months. We would also encourage the BSB to consider formally evaluating the impact of its operational governance changes at a sensible future date.
43. Outside of its operational governance structure, the BSB has also continued to invest heavily in the development, management and engagement of its staff. For example it has introduced a structured induction programme for all staff. This investment appears to have had a limited impact on staff turnover so far (35.4% in quarter two in 2015/16 (including short-term contracts and maternity leave), compared to what the BSB records as a sector average of 14%). The BSB's view is that this is not unhealthy in the context of a period of substantial change and that it has allowed them to consider more generally what experience and skills are needed to operate its new regulatory model. We are sure the BSB will keep staff turnover under review so that it is able to take any appropriate action if concerns arise.
44. The BSB has managed to achieve significant improvement because it set itself an ambitious programme of change. Much has demonstrably been achieved and more improvement is planned. For example, the establishment of a unit that will be responsible for risk assessing all incoming information and the development and implementation of an organisation-wide information management system. This ambition is to be commended. However we note that there have been delays in the progression of some projects. It is important that the BSB is realistic about what it can achieve in the timescales available and the need to ensure that it maintains its core activities.

Annex one

What is the Bar Standards Board?

Key facts

- As at 1 December 2015, there were a total of 15,915 practising barristers regulated by the BSB (up from 15,716 in 2014).⁵
 - In November 2014, the BSB gained the powers to regulate entities. As at 29 March 2016, a total of 44 entities were listed on the BSB's entities register.
 - The BSB have yet to gain the power to regulate ABS; however their application to become a licensing authority has been approved by the LSB.
 - The BSB's budget for the financial year 2016/17 indicates a regulatory budget figure of £8.2 million (down from £8.3 million in 2015/16).⁶
 - The BSB employs 79 members of staff.⁷
1. The Bar Standards Board (BSB) is the independent regulatory arm of the General Council of the Bar (Bar Council), which is the approved regulator according to the Legal Services Act 2007.
 2. The BSB regulates barristers called to the Bar in England and Wales and entities. A barrister, once called to the Bar, must follow the BSB's Handbook, regardless of where they work or the area of law in which they specialize. The code of conduct in the BSB Handbook sets out how barristers are expected to behave towards their client and the BSB can take action, where it needs to, if those standards aren't being met.
 3. The BSB's key responsibilities include:
 - setting the education and training requirements for becoming a barrister
 - setting continuing training requirements to ensure that barristers' skills are maintained throughout their careers
 - setting standards of conduct for barristers
 - monitoring the service provided by barristers to assure quality
 - handling complaints against barristers and taking disciplinary or other action where appropriate.

⁵ https://www.barstandardsboard.org.uk/media/1729995/report_on_diversity_at_the_bar_2015.pdf and <https://www.barstandardsboard.org.uk/media-centre/research-and-statistics/statistics/practising-barrister-statistics/>

⁶ https://www.barstandardsboard.org.uk/media/1746772/bsb_business_plan_2016-17.pdf

⁷ https://www.barstandardsboard.org.uk/media/1746772/bsb_business_plan_2016-17.pdf

4. The BSB's governing board holds both public and private sessions. It is made up of 15 members and has had a lay majority since January 2012. It has had a lay Chair since 1 January 2015.