

The Legal Services Board (LSB) hosted a webinar as part of the Ministry of Justice's campaign to recruit a new non-lay Board member for the LSB. Below are the answers to some of the questions raised during the event.

I have previously been a Board member for an approved regulator or regulatory body. Would this be a barrier to being appointed?

- Previously served membership would not be a barrier to being appointed. However, if you are currently serving as a Board member – or a member of a subcommittee – with one of those organisations, you would be expected to resign that appointment to take up a position on the LSB Board.

Given that referees are not contacted until after shortlisting, is it possible to share referee details at that point?

- It is possible to share referee details after the shortlisting has been completed. However, we would be grateful if the information was provided before, as we endeavour to give the referees sufficient time to respond, and we look to obtain them as quickly as possible once the shortlisting process is complete.

Are references written or done over the phone?

- Typically, they are written; however, they can be taken over the phone if there is a particular need for this, such as making a reasonable adjustment for a referee with a disability.

What are the biggest opportunities and challenges for the LSB?

- The following documents should help to give candidates an indication of the LSB's opportunities, challenges, and plans to address both:
 - [The State of Legal Services 2020](#)
 - [The LSB Business Plan 2021/22](#)
 - [Reshaping Legal Services, a sector-wide strategy](#)

What are the key skills the Board needs to add?

- This role's essential and desirable criteria can be found in the [application pack](#) on the Cabinet Office Public Appointments website.

How would you describe the culture of the Board?

- The culture of the Board is one of respect and active listening. Board Members take their roles seriously, prepare well for Board meetings and are well-supported by a professional and high-performing executive.

Could you provide guidance on the 30 days per year commitment? Is additional commitment required at different points in the year, and what is typically required each month?

- There are approximately ten Board meetings per year, scheduled at least a year in advance. If appointed to a committee, these also meet between 2-4 times a year. Outside of Board meetings, Board Members may be asked to be the Board lead on a project or a relationship with a front-line regulator. However, there is no set time commitment, and Board Members act flexibly to fulfil the role. There is also a programme of Board speakers, Board lunch and learns, and Board-to-Board meetings with stakeholders throughout the year.

How are conflicts of interests managed?

- Candidates concerned that they may have conflicts are invited to contact the LSB to discuss these before submitting their application. The [Corporate Governance Manual containing LSB's policy on conflicts](#) is available on the LSB's website. All [potential or actual conflicts are declared and published on the LSB's website](#).

What succession planning does the Board have in place to ensure new appointees have time to bed in?

- The Board currently comprises ten members, the maximum permitted under the Legal Services Act 2007. This assists with succession planning and gives new members adequate time to settle into the role. A yearly Board effectiveness and skills review identifies potential skills gaps to inform future recruitment rounds. Recruitment is planned well in advance by the Remuneration and Nominations Committee and in close liaison with the Ministry of Justice. There is also an extensive induction and onboarding process in place for new Board members.

I understand that there are also Committees of the Board – do these require a lot of additional time commitment?

- Committees meet 2-4 times a year (the Audit and Risk Committee meets 3 or 4 times a year; the Remuneration and Nominations Committee meets twice a year) with dates scheduled in advance. Not all Board Members sit on committees.
 - [Details on the two Committees and who sits on them can be found on the LSB's website](#)
 - [Minutes to both Committees are also published on the LSB's website](#)

This is likely to be my first significant appointment application - will this be a barrier to my application?

- This would not necessarily be a barrier, although you should seek to consider the fullest range of experience that you can draw on to meet the demanding requirements of this national level non-executive role. For example, you will need to demonstrate that you understand the difference between this and an executive role in your application.

What is the age diversity of the Board, and do you currently have Board members from ethnic minorities?

- The Board has a good range of ages represented. Other aspects of diversity – particularly representation from black and minority ethnic groups – are not represented. Therefore, with the Ministry of Justice, we seek the broadest range of applications for this and future recruitment rounds.

How are final decisions made on the Board, and what has been the most difficult in recent months?

- The Board has considered some significant policy matters in recent months, which have been the culmination of considerable programmes of work – more information, including copies of [Board papers and Board minutes](#), can be found on our website.
- In addition, details of how the Board is run and how decisions are made can be found in the [Rules of Procedure section of the Corporate Governance Manual](#).

Would acting as a director/trustee of a not-for-profit entity or charity be classified as 'experience of practice in the public sector'?

- No. While the experience of acting as a director/trustee of a charity would be useful non-executive director experience generally, it would not meet the criteria of *practice* in the public sector, which refers specifically to the carrying out of reserved legal activities.

Do Board members have 'representative' roles on the Board in relation to particular backgrounds or interests?

- The role of a Board member is to bring their unique combination of skills and experience to the board table to help inform discussions and assist the best quality decision-making. So, while different backgrounds and experiences are important, there are no representative roles on the Board: for example, we may have a member based in Wales, but that does not mean that they are the 'Wales representative', or we may have a barrister on the Board, but that does not mean that they speak for the bar. The Chair allocates Board member 'lead' roles among Board members, which may be informed by particular expertise or interest in an area of work – for example, we have Board leads for our business plan projects such as diversity, consumer issues, technology and innovation. The Board member lead role means acting as a critical friend to the executive, testing assumptions and acting as a sounding board as projects take shape.

Can Costs Lawyers apply for the role despite not being listed in the original advert?

- Costs Lawyers can apply for this role.

The Legal Services Act 2007 does not prescribe criteria for non-lay members. It only prescribes criteria for lay members and requires that they be a majority. Therefore, there is no requirement, within the terms of the LSA 2007, that any members be "non-lay". Nor does the act set out a positive definition of what is a "non-lay member".

The provisions are simply the starting point for the recruitment of non-lay persons rather than the final word. It is also clear that the list at para 2(5) Sch1 is a non-exhaustive list given its nature as a deeming provision. Costs Lawyers are covered within the definition of 'an authorised person in relation to an activity which is a reserved legal activity'.