

Survey Response Document

A public consultation on the LSB's proposed statement of policy

Confirmed

#00000031

Before you respond

This survey relates to the LSB's proposed statement of policy on 'Encouraging a diverse legal profession.'

We recommend you read [the consultation document](#) on our website before you respond.

For each set of questions in this survey, we have included a reference to the relevant paragraphs in the consultation document.

If you have any problems completing this survey, please email us on consultations@legalservicesboard.org.uk

Proposed statement of policy

These questions relate to **paragraphs 30-43** in the [consultation document](#).

We are proposing to issue a statement of policy under [section 49 of the Legal Services Act 2007](#) to encourage a diverse legal profession.

Our draft statement of policy sets out four outcomes which regulators must pursue:

- **Outcome 1:** Regulators take strategic, evidence-based and collaborative actions to encourage a diverse legal profession.
- **Outcome 2:** Regulators take effective steps to ensure regulatory approaches, processes and decision-making support equality and fairness and do not undermine efforts to encourage a diverse profession.
- **Outcome 3:** Regulators support fair, flexible, and accessible pathways into, within and back into the professions that encourage a diverse legal profession.
- **Outcome 4:** Regulators ensure their frameworks effectively support authorised persons to uphold professional conduct, behaviours, and competencies that encourage a diverse legal profession.

These outcomes are supported by core expectations (which all regulators are expected to meet) and enhanced expectations, recommended for greater impact (which regulators should also consider meeting).

The extent to which regulators should consider meeting the enhanced expectations will depend on both the specific risks and opportunities relevant to them and their regulated professions. This could include, but would not be limited to, evidence of stagnant or slow progress, evidence of a need for greater intervention to tackle more complex barriers, and/or where regulators have determined additional action is needed in pursuit of the outcomes.

In circumstances where a regulator has taken steps to meet the core expectations, yet barriers to a diverse legal profession persist, then it should consider meeting the enhanced expectations.

Q1a: Do you agree that these proposed outcomes will help to address the barriers to encouraging a diverse legal profession? Are there any further, or alternative, outcomes we should consider?

Answer:

Yes, broadly I agree. The four outcomes map sensibly onto the main levers regulators have strategy and evidence, fair regulatory processes, pathways in and through the profession and standards of conduct and competence.

If regulators actually use these outcomes to drive consistent, practical expectations, rather than treating them as high-level aspirations, they should help to address some of the structural barriers identified in the consultation, particularly around entry, progression and workplace culture.

I particularly welcome the explicit link made between wellbeing, working culture and diversity.

I would also welcome more explicit reference to socio-economic diversity and routes into the profession via apprenticeships and paralegal roles, which are particularly relevant for smaller firms.

Q1b. Do you agree that the proposed outcomes should be pursued by regulators through a set of specific expectations?

Answer:

Without specific expectations, it is very difficult for smaller firms to understand what regulators will in practice expect and for regulators to be held to account for meaningful progress.

Specific expectations also support proportionality and consistency: they allow regulators to be clearer about minimums vs “good practice” and reduce the sense that requirements change unexpectedly in response to individual thematic reviews, inspections or enforcement priorities.

Q1c. Do you agree that the proposed structure of core and enhanced expectations under the general outcomes offers an effective way to set a clear minimum standard for all regulators, while also encouraging regulators to consider additional steps, where appropriate?

Answer:

Yes, with one important caveat. The distinction between core and enhanced expectations is helpful, provided that:

“Core” is genuinely treated as a minimum, stable baseline; and

“Enhanced” does not, over time, become a de facto requirement without due process, consultation or proper impact assessment (especially for smaller regulators and firms).

From the perspective of a small firm, I would value clarity that any downstream expectations on firms arising from regulators' attempts to meet “enhanced” expectations will also be assessed through a proportionality and burden lens, with specific attention to small practices and those outside the main metropolitan centres.

Outcome 1: Strategic, evidence-based and collaborative action

These questions relate to **paragraphs 44-58** in the [consultation document](#).

We propose that regulators must pursue the following outcome:

• **Regulators take strategic, evidence-based and collaborative actions to encourage a diverse legal profession.**

We are also proposing the following expectations under this outcome.

Under core expectations, we propose that regulators must:

- Have effective, high-quality data monitoring processes in place (including publication of data) to support a clear and thorough understanding of the diversity profile of the regulated community over time and where greater diversity needs to be encouraged.
- Take further appropriate steps to identifying barriers to an equal, diverse, healthy and inclusive profession.
- Develop and publish evidence-based strategic action plans with SMART objectives, risk management, and evaluation.
- Ensure accountability at governing body level and report progress transparently.
- Work collaboratively with other regulators and stakeholders to share learning, harmonise data monitoring, and promote sector-wide consistency.

Under enhanced expectations, we propose that regulators should also consider:

- Horizon scanning for emerging barriers and opportunities (e.g., technology, demographic shifts, evolving consumer needs).
- Building on the strategic action plan to drive greater results, by including additional elements such as outcomes-based targets for activities, further accountability measures and enhanced evaluation practices.
- Designing and evaluating interventions with regulated communities; foster a culture of continuous improvement.

See our [draft statement of policy](#) for a detailed description of the proposed expectations.

Q2a. Do you agree with the proposed Outcome 1?

Answer:

Yes. Outcome 1 is sensible and overdue. The current system can feel fragmented, with different regulators collecting different data sets, at different times, in different ways and drawing conclusions that are not always shared clearly with firms.

A more strategic, evidence-based and collaborative approach at regulator level should reduce duplication and help firms like ours understand what data regulators actually find useful and what interventions have been shown to work.

Q2b. Do you agree that the proposed expectations will help regulators to pursue Outcome 1? Are there any further expectations beyond those we have included that would support regulators to pursue this outcome?

Answer:

Broadly yes, with suggestions for refinement. What I support strongly:

Standardised, high-quality diversity data monitoring by regulators, including socio-economic background.

Use of both quantitative and qualitative evidence, including lived experience, to understand barriers.

Published strategic action plans with SMART objectives and proper evaluation, rather than one-off initiatives.

Additional expectations I would find helpful:

Standardisation and burden-reduction for firms

It would be extremely helpful if regulators, under LSB's oversight, commit to harmonised question sets and reporting formats wherever possible, so that firms are not repeatedly asking staff for similar information in slightly different formats and can reuse internal data for multiple external requirements.

An explicit expectation on regulators to design data requirements with firm burden in mind, particularly for small organisations, would be welcome.

Transparency about what is done with the data

Many staff are understandably cautious about sharing sensitive personal information, especially in small workplaces where anonymity is hard to guarantee.

It would help if regulators are expected to publish clear explanations and examples of how diversity data has directly informed regulatory action, and how risks around confidentiality and re-identification are managed.

Regulator-led practical tools for small firms

An explicit expectation that regulators will provide templates / tools that firms can adopt or adapt (for example, model staff surveys, data-collection wording, low-cost ways to gather qualitative feedback) would be extremely useful and support consistent practice across the sector

Q2c. Are there any enhanced expectations that would be better placed under core expectations under Outcome 1? Are there any core expectations that would be better placed under enhanced expectations under Outcome 1?

Answer:

I would support moving horizon scanning for emerging barriers (eg technology, demographic shifts) closer to the core expectations. The pace of change (for example, in AI) means that diversity risks can emerge quickly and may otherwise be missed.

Conversely, where enhanced expectations require significant additional infrastructure (for example, very sophisticated evaluation frameworks), it might be better to keep these clearly as “enhanced” and encourage shared resources between regulators rather than each building complex systems independently.

Outcome 2: Fair regulatory approaches and decision-making

These questions relate to **paragraphs 59-69** in the [consultation document](#).

We propose that regulators must pursue the following outcome:

• **Regulators take effective steps to ensure regulatory approaches, processes and decision-making support equality and fairness and do not undermine efforts to encourage a diverse profession.**

We are also proposing the following expectations under this outcome.

Under core expectations, we propose that regulators must:

- Identify and address impacts on protected and other diversity characteristics (including socio-economic background) arising from new or updated regulatory policies or actions.
- Provide equality impact assessments when formally consulting.
- Take steps to ensure fairness in disciplinary and enforcement processes, including appropriate training, data analysis, remedial plans, and support for wellbeing of all parties.

Given the critical nature of pursuing fair processes and decision-making in regulatory practices, we deem the expectations proposed under Outcome 2 to be core expectations that must be met by all regulators. This is because the core expectations are all fundamental to the pursuit of fair regulatory approaches and decision-making. This should ensure a consistent approach across all regulators.

However, we encourage responses to our consultation that identify suitable enhanced expectations that can support the pursuit of this outcome which regulators should also consider adopting.

See our [draft statement of policy](#) for a detailed description of the proposed expectations.

Q3a. Do you agree with the proposed Outcome 2?

Answer:

Yes, very strongly. It is essential that fairness and equality are embedded in regulatory processes themselves. From a small-firm perspective, confidence that investigations and enforcement are carried out fairly, transparently and consistently across the sector is fundamental to trust in the system.

The evidence of over-representation of particular groups in enforcement processes is concerning. It is appropriate that addressing this is treated as a core obligation.

Q3b. Do you agree that the proposed expectations will help regulators to pursue Outcome 2? Are there any further expectations beyond those we have included that would support regulators to pursue this outcome?

Answer:

Yes, but I would suggest some additions/clarifications. Positive elements:

Requiring equality impact assessments (EIAs) for new/updated regulatory policies and for consultations is very welcome.

Emphasis on training for those taking decisions in disciplinary/enforcement processes, and on analysing outcome data by protected characteristics, is essential.

Further expectations that would help

Transparency for firms and individuals

A clearer expectation that regulators will publish, in an accessible way:

summary outcome data for investigations / disciplinary outcomes by key characteristics; and

plain-language explanations of what has been learned and what changes are being made.

Proportionality and early resolution

An expectation that regulators will consider proportionate, learning-oriented pathways (for example, advice, guidance, or remedial actions) where appropriate, rather than defaulting to formal proceedings, particularly for lower-level issues.

This is relevant for diversity because over-representation in formal processes can have a chilling effect on the participation and progression of affected groups.

Support for wellbeing of those involved

The expectation to safeguard wellbeing in enforcement processes is important. It may be helpful to spell out that this includes:

timely updates;

clear information about process and timelines;

signposting to appropriate support services;

recognition of the specific impact on individuals from under-represented groups.

Q3c. Are there any enhanced expectations we could set for regulators to pursue Outcome 2?

Answer:

Expect regulators to commission or participate in independent reviews of equality in enforcement (similar to some of the work in the health regulatory space) at defined intervals and publish responses and action plans.

Encourage regulators to work jointly where they share similar challenges (eg joint training for decision-makers on bias and cultural competence) to improve quality while keeping costs proportionate.

Outcome 3: Accessible, flexible and inclusive pathways into and through the profession

These questions relate to **paragraphs 70-82** in the [consultation document](#).

We propose that regulators must pursue the following outcome:

• **Regulators support fair, flexible, and accessible pathways into, within and back into the professions that encourage a diverse legal profession.**

We are also proposing the following expectations under this outcome.

Under core expectations, we propose that regulators must:

- Ensure that training routes to qualification, approved by the regulator, are designed to support equality of access and encourage diversity, while maintaining professional standards.
- As applicable, set and monitor standards for authorised training, qualification and/or assessment providers that support diversity goals.
- Make relevant information publicly available to support candidates' informed decisions, including costs and outcomes.

Under enhanced expectations, we propose that regulatory should also consider:

- Where appropriate, publishing outcomes for legal training disaggregated by diversity characteristics.
- Collecting and publishing data on education and training background of authorised persons.
- Where applicable, encouraging firms to develop work placement and training programmes that foster diversity and inclusion.

See our [draft statement of policy](#) for a detailed description of the proposed expectations.

Q4a. Do you agree with the proposed Outcome 3?

Answer:

From a small-firm, rural perspective, this is perhaps the most important outcome. Our ability to recruit and retain people from a range of backgrounds is heavily affected by training routes, costs and flexibility (for example, apprenticeships vs traditional pathways and the visibility of local opportunities).

Q4b. Do you agree that the proposed expectations will help regulators to pursue Outcome 3? Are there any further expectations beyond those we have included that would support regulators to pursue this outcome?

Answer:

Broadly yes. What I welcome:

A clear expectation that qualification routes should promote diversity while maintaining standards.

Publishing information on costs and outcomes to help candidates make informed choices.

Standards for authorised training / assessment providers that include diversity and inclusion.

Further expectations

Explicit weighting for apprenticeships and non-traditional routes

For small firms, apprenticeships and “grow your own” routes (eg support staff progressing via CILEX or paralegal qualifications) are often the most realistic way to support socio-economic diversity and retain talent locally.

Regulators could be expected to:

actively support apprenticeship routes in design and communications;

ensure any regulatory requirements (for example, around supervision or training records) are workable in smaller practices.

Joined-up careers information

There is a real “information barrier” for those without family connections in the profession.
Regulators could be expected to:

collaborate on neutral, centralised resources explaining routes into each branch of the profession in clear, non-jargon language;

highlight case studies from outside London / large commercial firms.

Accessibility and reasonable adjustments in training

Expectations on authorised providers should explicitly cover reasonable adjustments, accessible assessments and support for disabled and neurodivergent trainees, with regulators monitoring compliance.

Q4c. Are there any enhanced expectations that would be better placed under core expectations under Outcome 3? Are there any core expectations that would be better placed under enhanced expectations under Outcome 3?

Answer:

Publishing disaggregated outcomes data for training/assessments feels important enough to be close to the core; without this, it is difficult to identify and address differential attainment.

Conversely, some more resource-intensive activities (such as very detailed collection of historic educational background data where the value is uncertain) may be better kept as enhanced, at least initially, pending evaluation of usefulness.

Q4d. Are there any additional expectations, either core or enhanced, we should set under Outcome 3 to reduce barriers faced by authorised persons when moving between and/or re-entering the professions (e.g., following a prolonged absence from practice for health, caring or other reasons)?

Answer:

Yes, this is an important gap and very relevant to small firms. Regulators could be expected to:

Review return-to-practice requirements to ensure they are genuinely risk-based and not unnecessarily onerous for those who have had breaks due to health, caring responsibilities or other life events.

Encourage flexible re-entry routes, such as phased return, mentoring schemes or “returner programmes” that smaller firms can realistically participate in (for example, through shared schemes).

Promote transferability of skills across branches of the profession and practice areas, recognising that career paths are no longer linear.

Outcome 4: Professional conduct and competence

These questions relate to **paragraphs 83-120** in the [consultation document](#).

We propose that regulators must pursue the following outcome:

• **Regulators ensure their frameworks effectively support authorised persons to uphold professional conduct, behaviours, and competencies that encourage a diverse legal profession.**

We are also proposing the following expectations under this outcome.

Under core expectations, we propose that regulators must:

- Have and monitor clear standards in codes of conduct for all authorised persons to not bully, harass, victimise or discriminate against others and to treat those with which they engage fairly and with dignity and respect.
- Provide practical guidance and resources to support compliance.
- Have and monitor competence frameworks that include mandatory training on professional standards, including fair treatment and respect for all colleagues, at entry and throughout careers.
- Have and monitor additional standards and competence requirements for managers to ensure fair, compassionate, and inclusive management.
- Support authorised persons and regulated persons in firms to identify and use appropriate channels to raise concerns about conduct.
- Where applicable, require authorised firms to understand and address diversity gaps and wellbeing and inclusion challenges, and to report on these to the regulator.
- Where applicable, encourage and support authorised firms to design, implement, and monitor workplace policies that advance equality, encourage diversity, and foster inclusive and healthy work environments.

Under enhanced expectations, we propose that regulators should also consider:

- Where applicable, encouraging and supporting authorised firms to promote diversity in leadership and inclusive leadership practices.
- Where applicable, encouraging and supporting authorised firms to develop and implement evidence-informed strategic plans for fair, diverse, healthy, and inclusive environments.

See our [draft statement of policy](#) for a detailed description of the proposed expectations.

Q5a. Do you agree with the proposed Outcome 4?

Answer:

Yes. Codes of conduct and competence frameworks are the mechanisms that most directly shape day-to-day behaviour in firms. If they are clear, practical and well supported, they can have a significant positive impact on inclusion and wellbeing.

Q5b. Do you agree that the proposed expectations will help regulators to pursue Outcome 4? Are there any further expectations beyond those we have included that would support regulators to pursue this outcome?

Answer:

Yes, with some comments. Positive aspects:

Clear standards prohibiting bullying, harassment, victimisation and discrimination and requiring dignity and respect, are essential and should be non-negotiable.

The emphasis on competence frameworks that include equality, diversity and inclusion (EDI) is welcome; these should be integrated, not bolt-on.

Additional standards for managers are very important. In a small firm, where individuals often wear several hats, clear expectations and practical guidance for line managers are needed.

Additional helpful expectations

Practicality and proportionality for small firms

Expectations around workplace policies (for example, on pay gap reporting or complex performance frameworks) should be explicitly scaled to firm size and structure.

For smaller firms, simple, clear and well-drafted template policies and guidance from regulators (or centrally coordinated through LSB) would be invaluable.

Focus on behaviours, not just paperwork

It would help if regulators are expected to emphasise that policies alone are not sufficient: they should look at whether behaviours and cultures align with the standards.

For example, in supervision arrangements, progression decisions, allocation of work and flexibility in practice.

Support to raise concerns safely

The expectation that regulators support authorised persons to identify and use appropriate channels to raise concerns is important.

For small firms, where people may worry about confidentiality and career impact, it would be helpful if regulators:

promote independent or external routes for advice and informal support;

are explicit about the thresholds for formal reporting vs other remedies.

Q5c. Are there any enhanced expectations that would be better placed under core expectations under Outcome 4? Are there any core expectations that would be better placed under enhanced expectations under Outcome 4?

Answer:

I would support moving basic inclusive leadership expectations for those in senior management of authorised firms closer to core, at least for firms above a certain size, given the strong evidence that leadership behaviour is critical.

However, some elements around detailed strategic planning for diversity at firm level may be more realistic as enhanced expectations initially, especially for small practices that do not have HR / D&I teams. Here, clear proportionality and template approaches will be key.

Implementation and monitoring

These questions relate to **paragraphs 121-123** in the [consultation document](#).

We are proposing a phased implementation timeline, as set out below.

- **Phase 1 (0-3 months post publication of final statement):** The LSB works closely with regulators to ensure a clear understanding of the aims and expectations of the statement of policy.

- **Phase 2 (3-6 months post publication of final statement):** Regulators assess current activity against the outcomes and expectations to identify gaps and set out clear plans that show how and when regulators will meet the core expectations and, where relevant, enhanced expectations.

- **Phase 3 (12 months post publication of final statement):** Regulators will be able to demonstrate that they have taken or are planning to take effective steps to pursue the outcomes by meeting expectations (including, where relevant, the enhanced expectations) in the statement, with time-bound plans to meeting these within a reasonable timeframe if not yet met.

We are also seeking views on whether the LSB could take any further action to support compliance. This could be through formal guidance and/or informal resource and best practice sharing that could be provided alongside the final statement of policy.

Q6a. Do you agree our proposed timelines for implementation are achievable?

Answer:

For regulators, broadly yes, provided they prioritise work sensibly and make use of what already exists.

From a small-firm perspective, the critical point is that any new expectations flowing down to firms are introduced with:

adequate lead-in time;

clear, accessible guidance; and

recognition that many firms do not have dedicated compliance or HR teams.

Q6b. Are there any reasons why a regulator would not be able to meet these milestones? Please explain your answer.

Answer:

Potential challenges might include:

Regulators with very limited internal resource may struggle to complete robust evaluations and data systems work within the timeframe unless they share tools or collaborate.

Where extensive rule changes or major IT developments are required (for example, to data collection platforms), there may be dependencies on external suppliers that affect timing.

However, these are reasons to plan and cooperate, rather than to delay significantly.

Q6c. Do you have views on whether and how the LSB could take additional steps to support compliance with the proposed statement of policy (e.g., through either formal or informal outputs, such as guidance and/or other relevant resources)?

Answer:

Yes, several supportive steps would be very helpful:

Develop simple, shared tools and templates (for example, standardised diversity questions, model EIAs, sample action plans) that regulators can adopt and adapt rather than each designing everything from scratch.

Provide a central “good practice library” drawing on examples from different regulators and from other sectors (for instance health and social care), including what has been evaluated and shown to work.

Run joint learning events/webinars focused specifically on how proposals can be implemented in a way that works for small and medium-sized firms as well as larger organisations.

Equality Impact Assessment and Impact Assessment

These questions relate to **paragraphs 124-128** (Equality Impact Assessment, q7) and **paragraphs 129-132** (Impact Assessment, q8) in the [consultation document](#).

Q7a. Have you identified any equality impacts (both positive and negative) we haven't considered which, in your view, may arise from our proposed statement of policy?

Answer:

Positive impacts:

The proposals should help surface and address inequalities across several characteristics, especially where regulators systematically review data and lived experience.

Potential negative or unintended impacts:

Burden on small firms: If regulators respond by imposing complex or frequent reporting requirements without proportionality, this could divert limited resources away from meaningful internal work on inclusion and wellbeing.

Risk to confidentiality in small workplaces: In small firms, it can be difficult to maintain anonymity in diversity monitoring; this can discourage staff from disclosing sensitive information and potentially undermine trust.

Geographic and practice-area differences: There is a risk that indicators and benchmarks developed with large, urban firms in mind are applied uncritically to smaller or rural practices or to legal aid and high-street work, where both workforce and client base look different.

Q7b. Do you have any evidence relating to the potential impact of our proposals on specific groups with certain protected characteristics, and any associated mitigating measures that you think we should consider?

Answer:

From the experience of a small firm:

Carers (often women): Rigid expectations around hours and presenteeism are a real barrier. Measures that support flexible working, realistic workloads and non-stigmatised part-time work are particularly important.

Disabled and neurodivergent staff: Lack of understanding of reasonable adjustments and of accessible recruitment / assessment design can make entry and progression difficult. Regulators could encourage clear guidance and examples of reasonable adjustments in legal workplaces.

Staff from lower socio-economic backgrounds: Costs of training, unpaid work experience and travel to cities for assessments or events can be prohibitive. Emphasising local routes, apprenticeships and accessible online resources can help mitigate this.

Mitigation could include: proportionate requirements, central funding or support for evaluation and research, and strong emphasis on flexible, hybrid and apprenticeship pathways.

Q7c. Are there any other wider equality issues or impacts that we should take into account and/or any further interventions we should take to address these in our proposed statement of policy?

Answer:

Consider the interaction between diversity in the profession and access to justice in rural and coastal areas. Failure to sustain diverse workforces in these settings contributes directly to unequal outcomes for the communities we serve.

Encourage regulators to look at intersectionality in smaller data sets with care; where numbers are small, qualitative work may be more appropriate than trying to draw strong statistical conclusions.

Q8. Do you have any comments on the potential impact of the draft statement of policy, including the likely costs and anticipated benefits?

Answer:

Costs / risks

For regulators: investment in data systems, research and evaluation capability, and stakeholder engagement.

For firms: potential increase in data requests, policy work and training, which, if not managed proportionately, could be significant for small practices.

Anticipated benefits

More consistent and evidence-based regulatory approach, reducing duplication and confusion.

Better understanding of where barriers lie, leading to more targeted and effective interventions.

Over time, a more sustainable and diverse profession, including in smaller and rural firms, which should improve access to justice and consumer outcomes.

From a small-firm standpoint, the key determinant of whether the benefits outweigh the costs will be the practical design of downstream requirements and the availability of shared tools and guidance to avoid “re-inventing the wheel” at firm level.

Further steps to encouraging a diverse profession

We are also seeking views from respondents to the consultation on steps we could take alongside setting expectations for regulators in our [draft statement of policy](#).

You can read the details about these plans in **paragraphs 133-134** of our [consultation document](#).

Q9a. Do you have any comments on how the LSB, either independently and/or in partnership, might develop further measures alongside the proposals set out in the consultation to encourage a diverse profession?

Answer:

Yes. Possible measures include:

Acting as a convenor for cross-regulator and cross-sector learning (for example, bringing together legal, health and other professional regulators to share what has worked on diversity and inclusion).

Supporting pilot projects (for example, regional returner programmes, rural apprenticeship pathways, or shared EDI resources for small firms) with structured evaluation, then sharing learning widely.

Strengthening links with education and careers services, ensuring that information about legal careers reaches schools and colleges beyond major cities and includes realistic routes into high-street and rural practice.

Q9b. Do you have any views on whether the LSB could take additional steps alongside setting expectations for regulators in the draft statement of policy to encourage a diverse profession? If yes, please share your reflections on the most appropriate and potentially effective routes the LSB could take to achieve this.

Answer:

Yes.

LSB could publish periodic “state of diversity” reports drawing together data from all regulators and highlighting both good practice and areas of concern, with a specific focus on:

different firm sizes and geographies; and

different practice areas (e.g. legal aid vs commercial).

LSB could also facilitate the development of shared sector tools (for example, a model EDI action plan framework, or a core set of diversity questions) to reduce duplication and promote consistency.

Another route would be LSB-led engagement with consumers and communities, ensuring that the voices of those who struggle to access legal services feed into the diversity agenda.

Q9c. Do you have any further comments on our proposals that you would like to share?

Answer:

I wish to raise a specific concern that is not fully addressed in the consultation: the risk that regulators, in seeking to meet the LSB's new outcomes and expectations, will effectively “pass the burden down” to law firms, particularly small and mid-sized high-street practices, without proportionality, resourcing, or clear safeguards.

My concerns fall into three areas:

1. Risk of unintended regulatory buck-passing

While the proposed outcomes and expectations are directed at regulators, there is a real possibility that regulators will meet their obligations by introducing additional mandatory requirements on firms; regular staff surveys, increased reporting, expanded data sets, new policies, new training mandates, or additional supervision/evaluation processes.

Small firms do not have HR or EDI departments. In my firm, for example, regulatory compliance, HR, wellbeing, training, and diversity initiatives all sit with one individual alongside operational and risk roles. An expanded set of obligations introduced indirectly (as a by-product of regulator compliance) could be unmanageable.

2. Disproportionate burden on small, rural and legal aid-facing firms

A “one size fits all” approach would unfairly affect firms outside the City or large commercial practices. Smaller firms often have:

limited administrative capacity

higher confidentiality concerns when collecting diversity data

smaller local recruitment pools

lower turnover, making year-on-year “progress measures” less meaningful

more blended roles where line management, wellbeing and supervision overlap

If regulators respond to LSB requirements by imposing prescriptive policies or detailed reporting frameworks on firms, the burden could outweigh the practical benefit.

3. Risk of form over substance

There is a wider concern that if regulators are under pressure to demonstrate compliance with LSB expectations, they may prioritise documentation (policies, metrics, action plans) rather than taking proportionate, meaningful, evidence-based action. This in turn drives firms into doing the same: focusing on producing paperwork to “show compliance” rather than improving culture, recruitment or retention in ways that genuinely work for the organisation.

It would be helpful if the LSB explicitly recognised, in the final statement of policy, that:

regulatory expectations on firms must be proportionate, targeted and sensitive to firm size, location, and resources;

any new requirements on firms must be subject to consultation, equality impact assessment, and cost-benefit consideration in their own right;

regulators should not demonstrate compliance solely by increasing administrative burdens on firms;

wherever possible, regulators should share tools, templates and standardised data models, avoiding duplication and multiple inconsistent requests; and

meaningful cultural change is achieved through support, guidance and leadership, not increased bureaucracy.

I fully support the intention of encouraging a diverse profession, but it is essential that regulators do not respond in a way that inadvertently creates barriers for the very firms; small, rural, general-practice firms, that underpin access to justice and provide vital career entry points for people from diverse backgrounds.