

Survey Response Document

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

Confirmed

#00000119

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:

We broadly welcome the four proposed outcomes as set out by the Legal Services Board, especially the focus on ensuring regulators have effective, high-quality data monitoring processes in place, as well as the proposed outcome to ensure regulators support accessible pathways within the legal profession, as well as initial pathways into the profession.

The Sutton Trust's Elitist Britain 2025 (Sutton Trust, 2025), which profiles the educational backgrounds of people occupying the country's top jobs, shows that senior judges are overwhelmingly drawn from elite education pathways. 62% of senior judges attended private school (largely unchanged from 2019, where it was 65%), compared to just 7% of the wider UK population, making it one of the professions with the highest private school attendance. Senior judges are also the profession with the highest proportion of Oxbridge graduates in this report, with three quarters (75%) having studied there. This has increased from 71% in 2019.

This shows that, despite good progress in promoting accessible entry-level pathways into law, progress at more senior levels is slower. This can have a knock-on effect, as senior leaders will set the accountability frameworks and influence the wider workplace culture in their respective areas.

We also welcome the focus for regulators to take strategic, evidence-based and collaborative actions to encourage a diverse legal profession. The Sutton Trust has long sought to support employers with detailed advice to improve social mobility in the workplace and encourage best practice, as shown by our Employer's Guide (Sutton Trust, 2020).

This guide sets out five steps to improve social mobility and encourage diversity in professional workforces, including the legal sector. Some of these steps are reflected in the Legal Services Board's outcomes, such as measuring socio-economic diversity. Further outcomes that could be considered include policies to build a talent pipeline, improve recruitment practices, and keeping and nurturing talent.

It is positive that the outcomes specifically name socio-economic diversity and does not restrict itself to those protected characteristics within the Equality Act.

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

Answer:

We agree that the proposed outcomes should be pursued by regulators through a set of specific expectations. Guidance from LSB can support regulators and employers to support diversity in the legal profession through actionable, constructive steps that can be adapted as appropriate for their respective scale and context.

Firms and regulators may be working at different stages, with some aiming to take initial steps to improve socio-economic diversity in their workforce, therefore fulfilling a core set of expectations, while others further into the process will welcome practical guidance for meeting an enhanced set of expectations.

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.

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:

We have answered Q2a, Q2b, and Q2c together.

We agree with the proposed outcome 1, as variation and inconsistency in data monitoring practices across regulators can present barriers to taking appropriate strategic action to encourage diversity in the legal profession.

Despite recent progress in focussed efforts to improve diversity in the professional workforce, some aspects of diversity outside of official protected characteristics, as set out in the Equality Act, have received less attention, including socio-economic diversity. Despite the major impact that these characteristics can have on entry and progression rates, many organisations do not have effective monitoring in place or, more importantly, a plan for improvement.

The proposed expectations are clear and detailed to help regulators pursue Outcome 1, especially as it relates to social mobility. The Sutton Trust's Employer's Guide provides a companion to guidance for businesses on monitoring socio-economic background from the Social Mobility Commission.

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:

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:

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:

We have answered Q3a, Q3b, and Q3c together.

We strongly agree with the measures set out in the proposed Outcome 2. This will place regulators in the legal profession in a strong position ahead of the enactment of the socio-economic duty in the Equality Act.

Enacting the socio-economic duty provides a clear mandate for emphasising the importance of socio-economic background, alongside age, sex, race, religion and disability, which will push other organisations to take action on socio-economic diversity.

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:

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

Answer:

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:

We have answered Q4a, Q4b, Q4c and Q4d together.

We strongly agree with the proposals set out in Outcome 3. In addition to the expectations around training and qualification already laid out, the Sutton Trust would encourage regulators to monitor the provision of routes into the legal profession such as internships.

Internships have grown to become a crucial part of the graduate job market, providing an invaluable opportunity to gain hands-on experience, develop key skills, and build professional networks. There has been significant growth in the provision of internships over the last few years, with 59% of employers offering internships in 2025, compared to 48% in 2018. In law, around two-thirds (64%) of employers reported offering internships (Holt & Cullinane, Unpaid and Underpaid Internships, 2025).

There are also regional disparities, with 80% of employers in London offering internship opportunities, compared to 34% in the South. Therefore, it may be constructive for proposed outcomes to take regional inequalities into account, as well as socio-economic background.

With internships playing such a key role in gaining entry-level access to the legal workforce, it is important for employers and regulators to take account of the challenges and barriers associated with them in order to be able to fulfil the expectations laid out in Outcome 3.

Sutton Trust research found that three in five (61%) of internships undertaken by recent graduates were either unpaid or underpaid, with one in five (20%) paying nothing at all. This resulted in two in five (40%) of recent graduates who reported taking part in an unpaid internship receiving financial support from their parents. This throws up significant barriers to entry into the legal profession for those unable to draw upon the financial and social support networks of better-off peers.

To support employers to encourage diversity in the legal profession, regulators should expand the expectations of Outcome 3 to promote fair, transparent and merit-based recruitment processes for internships.

Unpaid internships exclude many young people without financial support from relatives, and employers should take advantage of widening the talent pool in their hiring practices. Irrespective of any legal changes, employers should take seriously their responsibility to pay interns who are not simply doing work shadowing.

Internship positions should be publicly advertised so all young people can find and apply for opportunities. Many internships are never advertised, and instead offered through informal networks, to friends or family of staff or clients. This practice locks out talented young people without connections.

As well as being openly advertised, the process by which potential candidates are selected for internships should be fair and transparent, upholding the same standards of recruitment as any other jobs in the legal sector.

Where possible, guidance on contextual recruitment practices would help to secure top talent, regardless of background, and ensure that regulators and employers fulfil the expectations of Outcome 3.

Contextual recruitment covers any recruitment practices in which you take the context in which an applicant's previous academic attainment or experience has been achieved into account during the recruitment process.

We recommend that where possible, employers consider contextualising their recruitment practices. This can include both how you assess a candidate's academic record, and also how you assess any previous work experience. Contextual recruitment helps employers to gain access to talented people who they may otherwise have missed.

The Sutton Trust's Employer's Guide covers contextual recruitment in more detail, including currently available contextual admissions tools.

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:

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:

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:

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:

We have answered Q5a, Q5b and Q5c together.

We strongly support the expectations laid out in the proposed Outcome 4. As highlighted in our previous answer, socio-economic diversity is important at all levels of the legal workforce. This is especially true of senior leaders, who model professional conduct and behaviours, set expectations, and influence wider workplace culture for junior colleagues.

Therefore, the expectations in Outcome 4 should recognise the current challenges in achieving socio-economic diversity at senior levels and aim to address any potential 'blind spots' in training and skills relating to inclusive leadership practices.

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:

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:

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:

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

Answer:

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:

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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:

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:

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:

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

Answer:

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:

We have answered Q9a, Q9b and Q9c together.

We believe the LSB is well placed to convene and coordinate, and we would encourage it to make active use of that position by collaborating with organisations that already have established expertise, evidence, and infrastructure in this space.

We would particularly encourage the LSB to engage with the Social Mobility Alliance, a new coalition of social mobility-focussed organisations. The Alliance was created to help members work collaboratively to advance socio-economic equality across sectors. It is coordinated by the Sutton Trust and Social Mobility Foundation, members include The Bridge Group, The Brilliant Club, Career Ready, Co-op, Futures for All, the Purpose Coalition, and upReach, as well as youth representatives and advisers from academia.

The Alliance represents a ready-made forum of expertise that the LSB could draw on without needing to build new relationships from scratch. This is especially important on the issue of socio-economic background, which presents unique challenges; unlike protected characteristics under the Equality Act, it carries less legal protection, can be perceived as harder to measure consistently, and as a result often receives less regulatory focus than other diversity characteristics. Engaging with the Alliance would help the LSB navigate these challenges and develop a more rounded approach that recognises the complex and multifaceted nature of socio-economic inequality.

Collaboration is also key. The Legal Services Board occupies a position to enable regulators and employers who are taking leadership in the areas covered by this policy document to recognise their expertise and share their practices with other employers, so that a rich evidence base is available. PRIME, an alliance of law firms and in-house legal teams across the UK and Ireland determined to improve access to, and socio-economic diversity within, the legal profession, can serve as an example of best practice. Founded in 2011, the 60 member firms and in-house teams have delivered over 19,000 weeks of work experience, including targeted work in 'cold spot' locations.

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:

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

Answer: