



Appointment of Audit Committee Members

Application Pack

April 2024

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The General Council of The Bar

Introduction

The General Council of the Bar, or Bar Council, represents and, through the independent Bar Standards Board (BSB), regulates, over 17,000 barristers in self-employed and employed practice.

The Bar Council

The Bar Council promotes:

- The Bar's high quality specialist advocacy and advisory services
- Fair access to justice for all
- The highest standards of ethics, equality and diversity across the profession, and
- The development of business opportunities for barristers at home and abroad.

In its representative capacity, the Bar Council work includes:

- Communicating regularly with the profession about key matters affecting its interests
- Influencing the development of public policy and legislation affecting the provision of specialist advocacy and advisory services and, more widely, in the profession's and the public interest
- Developing and promoting the work (and the values) of the Bar at home and abroad, to governments, legislatures, the media and other stakeholders, and
- Working to improve entry to the profession (with the aim of ensuring that the Bar is open to all with the requisite ability), to provide rewarding careers and to sustain the long-term future of the Bar.

The Bar Council's annual reports and Strategic Plan are available to view [at this link.](#)

The Bar Standards Board

The Bar Standards Board was established in January 2006 as a result of the Bar Council separating its regulatory and representative functions. It is an independent regulatory board responsible for regulating barristers called to the Bar of England and Wales.

The BSB mission is to regulate the Bar so as to promote high standards of practice and to promote and protect the public interest. The responsibilities cover the following key activities:

- Setting the qualifications and conditions for entry to the profession;
- Setting continuing training requirements;
- Setting standards for those practising at the Bar and enforcing professional rules of conduct;

- Monitoring the service provided by barristers to deal with areas of risk and to assure quality;
- Handling complaints against barristers and students, and taking disciplinary or other action where appropriate.

Vacancy details

The Bar Council and Bar Standards Board wish to appoint one member to the **Audit Committee** under paragraph 14e of the Standing Orders for Joint Committees.

Paragraph 14e states that the Audit Committee should include “Two members nominated jointly (in consultation with the Chair of the Audit Committee) by the Chair of the Bar Council and the Chair of the BSB acting in accordance with the Seven Principles of Public Life and taking account of best practice for public appointments, including the Governance Code on Public Appointments, who shall be deemed independent of both the GCB and the BSB on appointment and shall be appointed for a term of three years, renewable once".. One of the current two members appointed under paragraph 14e will be retiring at the end of February 2024 leaving a vacancy for a new member from 1 March 2024.

The terms of reference for the Audit Committee are included in Annex 3.

Applications from individuals with a good knowledge of the governance, risk or audit areas within an organisation, either public or private sector, would be welcomed. Applicants for the Audit Committee positions need not be Barristers.

The following committees also operate in support of Bar Council and BSB activities within the locus of the Audit Committee.

- **Finance Committee** – overseeing preparation of the entity’s accounts; annual budgets and expenditure; PCF proposals; banking and investment arrangements, and the application of financial controls
- **General Management Committee (GMC)** - responsible for the management and strategic direction of the representational functions of the Bar Council.
- **Governance, Risk and Audit Committee (GRA) of the Bar Standards Board** - responsible for ensuring the Board's corporate governance standards and internal controls are maintained. The Committee keeps under review and advises the Board on all matters relating to the risk management framework and the BSB's internal audit function.

A full list of terms of reference for the above and other committees supporting representational and regulatory functions are included on the websites for Bar Council and Bar Standards Board.

Time commitment

Committee members are expected to play a full part in the work of the Audit Committee, and to prepare for and attend all its meetings. The type of work carried out by the Audit Committee includes, but is not limited to, overseeing the development of audit processes, reviewing risk mechanisms and areas of risk within the organisation and keeping under review insurance cover for the organisation.

The Audit Committee meets 4 times in the year (normally on a Thursday evening in March, July, August and December, though this may change from time to time), usually in Holborn, London, at the offices of the Bar Council.

Meetings of the Committee are usually held at 5pm (finishing at 6.30pm), to accommodate the need for self-employed barrister members, who may be on the committee, to attend court during the day. This is an important aspect to consider in deciding whether you wish to apply for the post.

On occasion, an ad hoc meeting may be called or members may be asked to become involved in a smaller working group of the Committee for which there will likely be additional meetings.

Criteria for appointment

It is crucial for the integrity of the system that those appointed should be of sufficient standing, integrity and judgement to inspire public confidence in the representative and regulatory arrangements. Candidates must be able to demonstrate that they can commit the time for this role.

All committee members are appointed on Nolan Principles, a copy of which is at Annex 1, and to attributes expressed in Annex 2. Committee Members are expected to declare any interests which could be seen to impair independent decision making.

Terms and conditions

The following is intended as a general guide; specific terms and conditions will accompany letters of appointment.

Appointments will be for a period of up to three years and may be renewed for a further term of three years, subject to satisfactory performance and that it is in the interests of the Bar Council.

Lay members are remunerated at a flat rate of £165 per meeting, reviewed periodically, to cover both attendance and preparation time. Travel costs will be reimbursed within the conditions of the Bar Council's travel policy.

For interview attendance by applicants, standard class travel fares or other reasonable travel costs will be reimbursed upon production of receipts.

How to apply

Application Form

To apply please visit the About Us section of our website.

Candidates will be asked to provide a covering letter (maximum two pages of A4) outlining how they meet the person specification and eligibility criteria for the role, together with a brief CV (maximum two pages of A4) to ionwukwe-anyadike@barcouncil.org.uk.

If you have a disability or for any other good reason are seeking a reasonable adjustment to the recruitment process, please contact Isi Onwukwe-Anyadike, Governance and Committees Manager, to discuss on 0207 611 1465 or ionwukwe-anyadike@barcouncil.org.uk.

Candidates with queries regarding the position should contact Isi Onwukwe-Anyadike in the first instance to arrange an informal discussion.

Monitoring form

It is important that the Bar Council should reflect the diversity of the society that the Bar serves, and applications from all sections of the community are welcomed. To enable us to monitor this properly, you are asked also to complete the monitoring form supplied with the online application form.

Timetable & Interviews

The timetable for the process is as follows:

Closing date for applications: **Tuesday 28 May 2024**

Interviews will be conducted by a selection panel made up of:

- a. The Chair of the Bar;
- b. The Chair of the BSB, and
- c. The Chair of the Audit Committee.

The Nolan Principles

The '**Seven Principles of Public Life**' form the basis of the ethical standards expected of public office holders. These principles were devised by the [Committee of Standards in Public Life](#) (CSPL):

1. **Selflessness:** Holders of public office should act solely in terms of the public interest.
2. **Integrity:** Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
3. **Objectivity:** Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
4. **Accountability:** Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
5. **Openness:** Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
6. **Honesty:** Holders of public office should be truthful.
7. **Leadership:** Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.

Competencies, Experience and Attributes

Core competencies for committee members

All applicants are expected to be able to demonstrate the following competencies:

1. An interest in and commitment to the integrity of the justice system and diversity.
2. Understanding and knowledge of financial, other functional and statutory audit and oversight activities;
3. Understanding, analysing and reaching decisions on complex or sensitive issues;
4. Working as part of a team and contributing strongly and robustly to debates to reach a collegiate decision;
5. Commitment to public interest and the “Nolan Principles” of public life.

In addition to the core competencies all members should meet the following relevant criteria:

6. Members should undertake that they are able to do the necessary preparatory work, attend Committee meetings and any necessary induction training and be accessible to provide advice to the Bar Council.
7. They must not be the subject of criminal charges, directors disqualification orders or be undischarged bankrupts;
8. Barristers must not be the subject of orders or undertakings under the Fitness to Practise Rules or Interim Suspension Rules; and
9. Members should not be subject to exclusion from the Committee under its policy governing members who are the subject of current complaints or findings of professional misconduct or inadequate professional service.

Annex 3

Excerpt from Bar Council Standing Orders for Joint Committees

13. The terms of reference of the Audit Committee are:

Governance and Risk Management

- a. To advise on the GCB's role as an approved regulator for the purposes of the Legal Services Act 2007 on all corporate governance matters and to review the effectiveness of all internal controls, including financial management arrangements and internal business processes and in so doing to make appropriate use for this purpose of:
 - i. internal audits;
 - ii. external audits; and
 - iii. reports and assurances from the representative, regulatory and Resources Group functions.
- b. To review the risk management arrangements of the representative, regulatory and Resources Group functions, including processes for assessing, reporting, owning and managing risks to the corporate entity and their reputational and financial implications across all parts of the GCB, and to make recommendations and seek assurances or clarification as may be necessary or desirable in the interests of the GCB as a whole;
- c. To receive risk registers at each meeting and seek assurances that effective control systems are in place and are being adhered to from the Director of Finance, Chief Executive of the GCB and the Director General of the BSB;
- d. To review and make arrangements on whistleblowing processes and the arrangements for investigating fraud, corruption and error;
- e. To keep under review the level and nature of the GCB's insurance cover;
- f. To keep under review the GCB's accounting policies; and
- g. To review the findings of the internal and external auditors, if appropriate, and ensure that issues raised in the management letter are addressed by the appropriate GCB staff, and to ensure that issues raised by the Audit Committee are appropriately responded to;

Internal Audit

- h. To receive assurances from the 'first instance' GCB and BSB panels/committees that the processes in place for internal audit are effective and that any actions raised are addressed;

External Audit

- i. To make recommendations to the GCB on the appointment and removal of the external auditors;
- j. To oversee the relationship with the external auditors, including:
 - i. there is a retender for an external audit firm at least every five years;
 - ii. that no audit firm is, normally, appointed as an external auditor for longer than 10 years (any extension will require the approval of the Audit Committee); and
 - iii. ensuring that the external auditors are informed of any significant developments or risks which might impact upon the audit process or fee;
 - iv. that the Audit Committee should approve any non-audit services to the GCB.
- k. To monitor and review the external auditor's independence, objectivity and effectiveness;
- l. To review the findings of the external auditor and ensure that appropriate actions are being taken;
- m. To determine and keep under review policy on the engagement of the external auditor to supply non-audit or consultancy services;
- n. To scrutinise the integrity of the GCB's Annual Report and Accounts and, subject to audit, to recommend them for approval by the GCB; and

Statutory Compliance

- o. To review and make recommendations on the processes in place to ensure that the GCB meets its statutory obligations, including those with regard to employment, data protection and health and safety.

14. The membership of the Audit Committee shall be:

- a. A Chair who is an independent lay person with relevant audit knowledge and experience nominated by the Chair of the GCB and the Chair of the BSB acting in accordance with the Seven Principles of Public Life and taking account of best practice for public appointments, including the Governance Code on Public Appointments. In the case of a tie in any matter put to an Audit

Committee vote, the Audit Committee Chair shall have the casting vote;

- b. A Vice-Chair (who is preferably, but need not be, a practising barrister) with relevant audit knowledge and experience nominated jointly (in consultation with the Chair of the Audit Committee) by the Chair of the GCB and the Chair of the BSB, and who shall be deemed independent of both the GCB and BSB on appointment, who shall be appointed for a term of three years, renewable once;
- c. A practising barrister nominated by the Chair of the GCB, who shall be appointed for a term of three years, renewable once;
- d. A member of the BSB nominated by the Chair of the BSB, who shall be appointed for a term of three years, renewable once, or for a term co-terminous with their membership of the BSB's Board; and
- e. Two members (who may, but need not, be practising barristers) nominated jointly (in consultation with the Chair of the Audit Committee) by the Chair of the GCB and the Chair of the BSB acting in accordance with the Seven Principles of Public Life and taking account of best practice for public appointments, including the Governance Code on Public Appointments , who shall be deemed independent of both the GCB and the BSB on appointment and who shall be appointed for a term of three years, renewable once.

In attendance: the Chief Executive, the Director General of the BSB, other senior staff as necessary.

- 15. No person who is a member of the Finance Committee may also be (or act as an alternate for) a member of the Audit Committee.
- 16. The members of the Audit Committee identified in paragraph 14(c) and (d) above may nominate an alternate who is entitled to take their place at any meeting which the member is unable to attend, providing that alternate is not also a member of the Finance Committee.
- 17. The quorum for meetings of the Audit Committee shall be three members (or alternates).