2026/27 Budget and Practising Certificate Fees (PCF) Proposal
November 2026– Consultation

INTRODUCTION

1. As the approved regulator (AR) under the Legal Services Act 2007 (LSA07) [1], the General Council of the Bar (GCB) is obliged to consult the profession about the planned budget for the coming financial year, and the implications for changes to the PCF. The PCF proposal is then submitted to the Legal Services Board (LSB) for approval. The budget covers the business plans of both the representative body, the Bar Council (BC), and the operationally independent regulatory body, the Bar Standards Board (BSB).

2. The LSB is obliged by the LSA07 (Section 30) to make 'Internal Governance Rules' (IGR)[2] setting out requirements to be met by ARs for the purpose of ensuring that the exercise of an AR's regulatory functions is not prejudiced by its representative functions. IGR Rule 9 (regulatory resources) states that *'Each approved regulator must provide such resources as are reasonably required for its regulatory functions to be efficiently and effectively discharged.'* Rule 10 (Budget) states that: *'The regulatory body* [the BSB] *shall independently …formulate its own budget in accordance with its priorities and strategy.'* The Bar Council cannot accept or reject the BSB's budget but can seek further information under IGR Rule 3 where it has reasonable grounds to do so, to assure itself that the required resources and budget required are 'reasonable'. The inclusion of reasonable *'requires that the resources can be objectively justified as necessary and proportionate'*.[3] In *'seeking to influence the regulatory body the role of the AR is strictly limited to when it is acting in its representative capacity'.*

3. The other set of rules that the GCB, as the AR, has to follow, are the Practising Fee Rules made by the LSB under Section 51 of the LSA07[4] and the accompanying guidance.[5]

[1] https://www.legislation.gov.uk/ukpga/2007/29/section/51
[2] https://legalservicesboard.org.uk/wp-content/uploads/2019/07/IGR-2019.pdf
[3] https://legalservicesboard.org.uk/wp-content/uploads/2019/07/IGR-Guidance-July-2019.pdf
[4] http://legalservicesboard.org.uk/our-work/lsb-rules-and-guidance/attachment/pcf-final-rules-2021-accessible
[5] https://legalservicesboard.org.uk/wp-content/uploads/2021/02/Final-PCF-Guidance-2021.pdf

4. The Practising Fee Rules oblige the GCB, as AR, following consultation with the profession, to set out in detail in a PCF submission to the LSB, the planned programme of 'permitted purpose' activity to which the practising fees will be applied. This submission needs to address the criteria of Transparency, Accountability and Proportionality. *'Proportionality. The practising fee should be adequate to effectively discharge the approved regulator's regulatory functions in an efficient and cost-effective manner.'* The AR must give detailed income and expenditure forecasts for three years, from and including the year for which the fee is to be levied, *'where the approved regulator expects a material change in expenditure or income'.* The BC therefore needs to provide sufficient information, not only about its own programme of work but that of the BSB too.

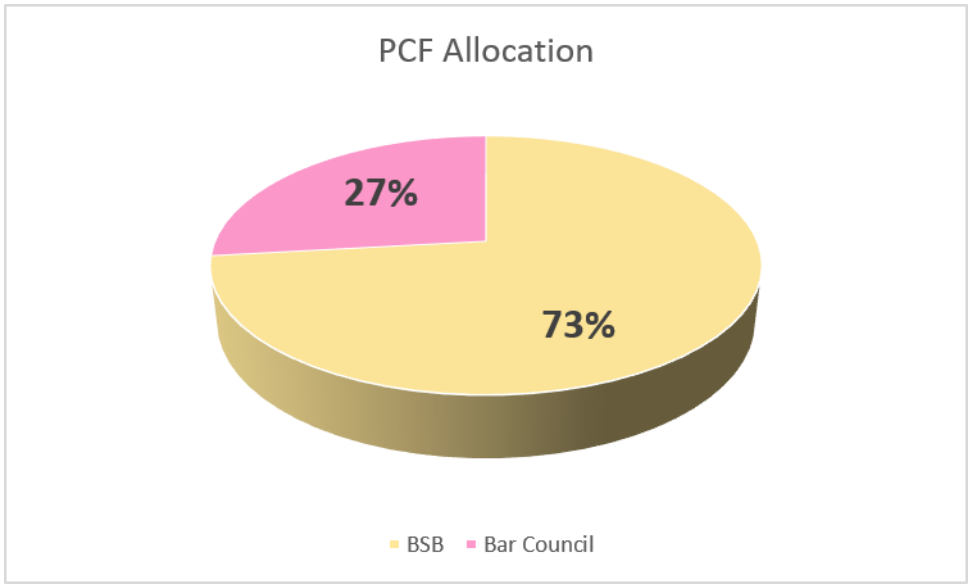
5. The proposed budgets for 2027/28 include an increase in expenditure which will lead to an increase in PCF, broadly in line with inflation. Operating costs will increase by 3.5% (£1.153m). Non-operating costs relating to the LSB/OLC are expected to fall by £87k. This means that total costs are expected to rise by £1.067m, a 3.1% increase. In order to cover the expected costs and maintain an adequate level of reserves, the PCF will need to rise by 3.5% (broadly in line with current inflation). Sections 41-71 have been written by the BSB independently and only formatted to fit with this paper.

6. **You are urged to consider this consultation and respond as indicated under 'Next Steps' below.**

PCF USAGE

7. Total PCF income is split between the BC and the BSB, taking into account the joint liability of the levies from the LSB and Legal Ombudsman (see the detail at table 13). The allocation of total PCF is expected to be 27% BC / 73% BSB in 2027/8 which is similar to this financial year.

Table 1



PCF INCOME FORECAST AND PROPOSAL FOR 2027/28

8. Our latest projections of PCF income for 2027/2028 show that any additional PCF income due to new barristers joining the profession and barristers moving up through the income bands (demographic changes) would be insufficient to cover the both the projected increase in total expenditure and the amounts needed to maintain healthy reserves.

9. In the past the GCB has been able to limit PCF increases to the profession. This was achieved by using a CBILS loan and the funds previously earmarked for the closed defined benefit (DB) pension deficit recovery plan. We have now fully depleted those options (and repaid the loan). The GCB has made progress in its drive to ensure the cost of regulation kept to a minimum. This coming year the GCB has been able to keep the increase in line with inflation. In order to remain financially stable and maintain a satisfactory level of reserves, **the proposed increase in PCF for 2027/28 will amount to 3.5%**. The BSB operating budget is 3% less than last year, the Bar Council operating budget increased by 8.1% (driven by non staff costs supporting delivery of additional income) and the Resources Group (shared services) increased by 11% (mainly due to the reclassification of £1m CAPEX to OPEX). The BSB and Bar Council are expected to have a surplus budget and should not need to rely on the reserves to finance operational expenditure. This means the surplus can be used to replenish the reserves in line with the LSB guidelines. The proposed 3.5% increase in PCF means the expected PCF gross income for 2027/28 will rise to £28.9m. The total income for the GCB is expected to be £35.9m with total expenditure expected to be £35.4m leaving an estimated surplus of £0.513m. Some contingency has had to be built into account for; replenishment of reserves due to a drop in the Permitted Purposes reserve at the last year end (31 March 2026), inherent uncertainties in the income forecasts (PCF and Regulatory AETO income), and the ever present risk of costs arising due to legal challenges.

10. **It is proposed to apply the 3.5% increase to every income / earnings band.**

11. The proposed PCF bands and fees for 2027/28 are:

Table 2

Band	Current	3.5% Increase	2027 Fee
Band 1: £0 - £40,000	£124	£4	£128
Band 2: £40,001 - £60,000	£329	£12	£341
Band 3: £60,001 - £90,000	£660	£23	£683
Band 4: £90,001 - £150,000	£1,200	£42	£1,242
Band 5: £150,001 - £240,000	£1,823	£64	£1,887
Band 6: £240,001 - £350,000	£2,472	£87	£2,559
Band 7: £350,001 - £500,000	£2,642	£92	£2,734
Band 8: £500,001 - £750,000	£3,342	£117	£3,459
Band 9: £750,001 - £1,000,000	£3,535	£124	£3,659
Band 10: £1,000,001 - £1,500,000	£4,009	£140	£4,149
Band 11: £1,500,001 - £2,000,000	£4,243	£149	£4,392
Band 12: £2,000,001 and over	£4,711	£165	£4,876

12. PCF income is expected to increase by 6.6%, consisting of a 3.1% demographic increase in PCF (based on budgeted, not actual, PCF collection) together with the proposed 3.5% PCF increase. Other regulatory and non-regulatory income is predicted to increase by 6%. PCF Entity income is expected to rise to £162k. The combined increase in total income is 6.5%.

Table 3

General Council of The Bar Budget 2027-28 P&L	BC 2027-28 £000's	BSB 2027-28 £000's	Budget 2027-28 £000's	Budget 2026-27 £000's	Variance to 2026-27 Budget £000's	% Variance to 2026-27 Budget %'s
Income						
PCF Income	7,749	21,161	28,911	27,119	1,791	6.60%
PCF Income - Entities	0	163	163	137	26	19%
Non-PCF Income	2,948	3,862	6,810	6,426	384	6%
Total Income	**10,697**	**25,186**	**35,883**	**33,683**	**2,201**	**7%**
Total Staff-Related Expenditure	**5,898**	**15,017**	**20,915**	**20,773**	**(142)**	**(1)%**
Total Non-Staff Costs	**4,355**	**8,904**	**13,260**	**12,248**	**(1,012)**	**(8)%**
Total Operating Costs	**10,253**	**23,922**	**34,175**	**33,021**	**(1,154)**	**(3)%**
Total Non-Operating Expenditure	**279**	**917**	**1,196**	**1,283**	**87**	**7%**
Total Expenditure	**10,533**	**24,838**	**35,371**	**34,304**	**(1,067)**	**(3)%**
Total Surplus/(Deficit) after Adjustments	**164**	**348**	**513**	**(622)**	**1,134**	

13. Since 2021 the GCB has used its reserves to help mitigate the effect of PCF increases on the profession. The strategy was instigated to try and shield the profession from the recent extreme economic events; COVID, the impact of a war in

Europe and the cost of living, with the return of high inflation. The strategy of containment, offset by the BSB's budget demands, led to there being no increase in 2021, a 4.5% increase in 2022, a 5% increase in 2023, 9.5% in 2024,8.5% in 2025, and 4.5% increase last year. The higher increases in the latter years relate to the BSB reform programme. Over the same period to this Autumn, inflation has risen by 28.2%. In the face of the sustained increases in costs the GCB must maintain and replenish its reserves to provide financial stability. This year the increase is broadly in line with inflation.

OPERATING EXPENDITURE (variance to 2026/7

14. The proposed increase in operating expenditure for the GCB is £1.15m (a 3.5% increase on the current year's budget):

Table 4

	2027-28 Operating Cost Variance to 2026-27 Budget			Total Variance to Budget
	Bar Council 27-28 v 26-27	RGP 27-28 v 26-27	BSB 27-28 v 26-27	
Total Staff-Related Expenditure	(203,653)	44,492	16,917	(142,244)
Variance to Budget %	(4.5)%	1.1%	0.1%	(0.68)%
Total Non-Staff Costs	(317,661)	(1,177,043)	483,083	(1,011,621)
Variance to Budget %	(16.2)%	(20.4)%	10.7%	(8.3)%
Total Operating Costs	(521,314)	(1,132,551)	500,000	(1,153,865)
Variance to Budget %	(8.1)%	(11.5)%	3.0%	(3.5)%

"RGP" stands for Resources Group, it provides shared services to the BC and BSB.

GCB staff and non-staff expenditure has increased against the previous year by 3.5%. The previous year's budget showed operating expenditure of £33,021k. This has increased by £1,154k in 2027/28 to £34,175k. The £1,154k net is broken down as follows:

- The Bar Council has a net increase in operating costs of £521k (£204k staff and £317k non-staff). This is an 8% increase in operating costs (staff costs increased 4.5% and non-staff costs by 16%) (Note: £305k increase in Services non-staff costs mitigated by an increase in additional revenue).

- BSB has set a Total Operating Cost budget which is £500k lower than its budgeted operating costs for this current year at £16,264k (27-28) v £16,764k (26-27).

- RGP has a net operating cost increase of £1,133k (£44k decrease in staff costs; non-staff cost increases in Corporate OH £718k, IS and IM of £316k, facilities £82k, depreciation £105k partially offset by a £44k saving in the HR budget). This is an 11.5% increase in operating expenditure (staff costs

decreased 1% and non-staff costs increased by 20%). The main driver for the increase in RGP is the transfer of £1m CAPEX budget to OPEX costs and additional IS/IM/cyber-security costs.

- RGP also includes the costs for the GCB transformation project, £550k; £400k in additional OPEX costs and £150k in staff costs, all met through savings derived from vacancies and matching cost reductions, such as the DB pension administration scheme costs which will cease during 2026-27.

GCB OPERATING COSTS

GCB

15. The General Council of the Bar's 2027/28 operating expenditure is expected to increase by £1,154k and non-operating expenditure to decrease by £87k compared to the 2026/27 budget. Therefore, the total expenditure increase is £1,067k. The Table below shows where the costs have risen and the type of cost.

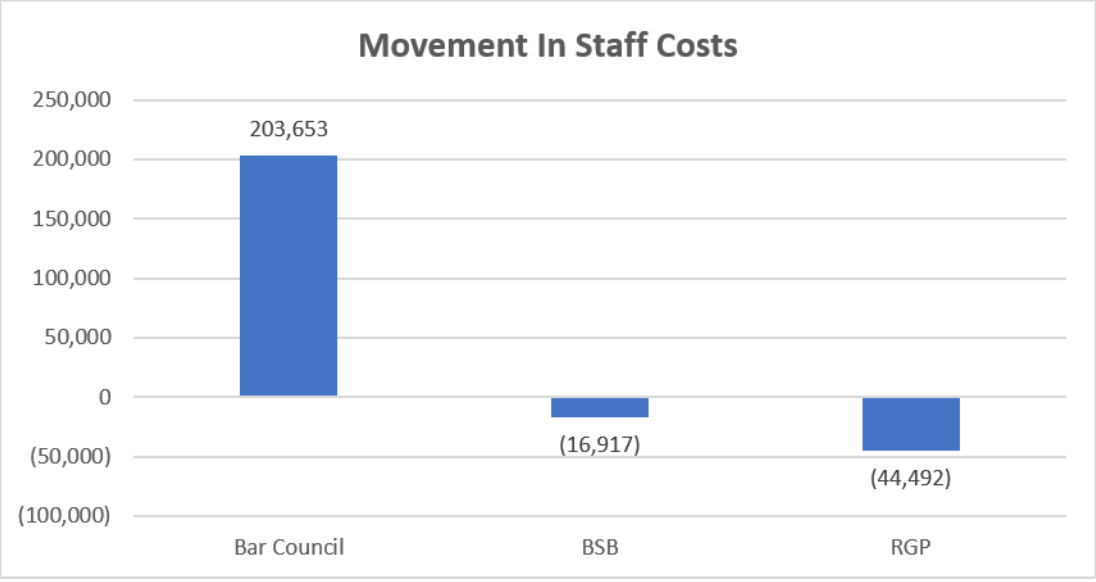
Staff Costs:

Table 5

	27/28 £000's	26/27 £000's	Change £000's	% Change
Staff Costs				
Bar Council	4,696	4,492	(204)	4.53%
BSB	12,213	12,230	17	0.14%
Resources Group	4,006	4,050	44	1.10%
	20,915	20,773	(142)	0.68%

- Staff costs for the BSB and RG have decreased compared to last year, with a modest increase in the Bar Council of 4.5% (relating to a small increase in staff).

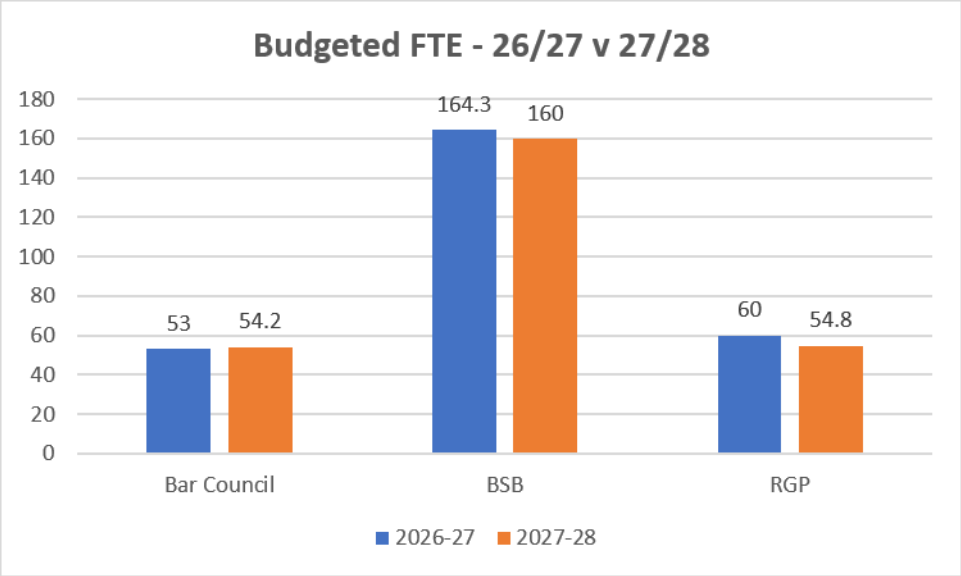
Table 6



- Staff costs have increased by £142k; this is the net change after increasing baseline salaries by 3.5% and has been achieved through staff reductions and the removal of vacancies. (FTE net changes: Bar Council +1.2, RGP -5.2, BSB -4.3).

- GCB Budgeted FTE for 2027-28 has decreased by 8.3 against the 2026/27 budget, 269.0 FTE (27-28) v 277.3 FTE (26-27). For RGP and Bar Council vacancies have been removed from existing budgets where there is no active recruitment underway.

Table 7



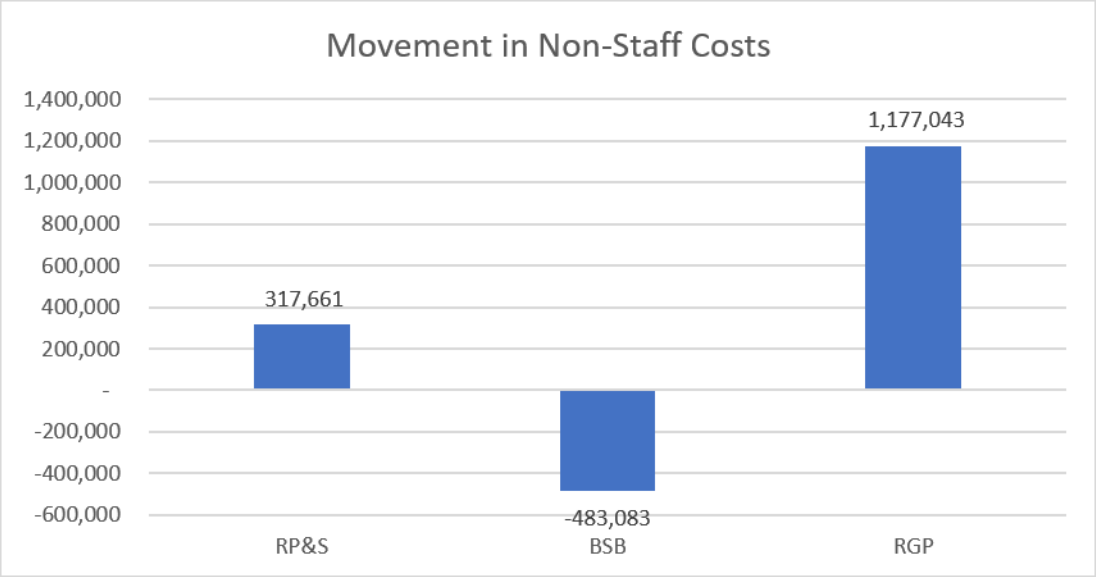
Non-Staff Costs:

Table 8

Non Staff Costs	27/28 £000's	26/27 £000's	Change £000's	% Change
Bar Council	2,275	1,957	318	16.23%
BSB	4,050	4,533	(483)	10.66%
Resources Group	6,935	5,758	1,177	20.44%
	13,260	12,248	1,012	8.26%

16. Inflation continues to place upward pressure on the operational costs of the GCB and its entities. This inevitably leads to an increase in the reserves need to held. Costs in the RG includes the reallocation of CAPEX to OPEX.

Table 9



NON-OPERATING EXPENDITURE

Table 10

Non Operating Expenditure	27/28 £000's	26/27 £000's	Change £000's	% Change
DB Pension	0	0	0	
LSB/OLC Costs	1,196	1,283	87	6.8%
Other Costs	0	0	0	
	1,196	1,283	87	6.8%

18. Non-Operating Costs have decreased by £87k due to a reduction in the forecast budgeted LSB charge.

Bar Council

19. The Bar Council is proposing an increase in operating expenditure of 8%, £521k. The increase consists of:

- A 4.5% increase in staff related costs (£204k), including a budgeted contingency of 3.5% has been built into salary budgets and increase in FTE's of 1.2. This includes additional FTE Changes: Executive +0.5, Policy + 0.7
- A 16% increase in non-staff costs, £318k. The Services portfolio is expected to increase expenditure by 67%, £305k, supporting additional increased revenue. Executive, Representation and Policy expenditure has increased by £12k, a 1% increase on the prior year, the inclusion of public awareness campaign, £112k, managed by the Comms team.
- Bar Council income is forecast to increase by £255k. This is derived from diversity and inclusion income, £33k, and additional Services income; £123k from additional visa income, new partnerships and £99k from additional Training & Events activity.

- Non-operating expenditure has increased by £478k (16%) compared to 2025/26 budget. This is due to the allocation of the proportionate share of additional RGP expenditure.

Resources Group

20. Resources Group (which supports Bar Council and BSB) is proposing an increase in operating expenditure on the 2025/26 budget of 11.5% (£1,133k). This increase is mainly due to inflationary pressures and moving the former £1m CAPEX budget to OPEX.

- Staff costs have reduced by 1% after allowing for annual salary uplift contingency of 3.5%, this has been achieved through removing all current vacancies.

The table below shows the movement of FTE's within RGP:

Table 11

	Resources Group Budgeted FTE - 2027-28 v 2026-27								
	Finance	HR	IT	IS	IM	PMO	BR	Facilities	Total
Fy 2027-2028	11.0	4.0	5.0	6.0	8.8	8.0	7.0	5.0	**54.8**
Fy 2026-2027	10.0	5.0	4.0	6.0	12.0	11.0	7.0	5.0	**60.0**
Movement	1.0	(1.0)	1.0	0.0	(3.2)	(3.0)	0.0	0.0	**(5.2)**

- Non-staff costs have increased by £1,177k (20%) from the 2025/26 budget.

- £315k increase in IS and IM costs which includes above inflation increases on licensing and support costs and additional cyber-security expenditure.
- £674k increase in corporate overheads (£718k increase in finance overheads and £44k decrease in HR overheads) this includes inflationary increases across recurring costs.
- Also, within this section is the £1m OPEX project budget and £400k in respect of the GCB Transformation project, both activities benefiting from the cost savings gained from the closure of DB pension scheme £431k and a planned provision release of £196k.
- £106k increase in depreciation to reflect capital additions (laptop fresh) in the current year. These assets will be depreciated over a 3-year period.
- £82k increase from inflationary pressures on facilities costs plus anticipated additional costs for service charges, health & safety and repairs & maintenance costs.

- Corporate income has reduced by £65k. This reflects the estimated change in how Input VAT is processed in the new Finance System.

Bar Standards Board

21. The BSB budget shows a decrease on the previous budget of approx. £500k. This is a 3% decrease in operating costs (before inflation is taken into account). Staff-Related expenditure decreased by £17k compared to the 2026/27 budget. Net movement in FTE a decrease in staff of 4.3; after the 3.5% salary contingency increase, salary costs have reduced by £17k net reduction.

- Non-Staff costs have decreased by £483k (11%) compared to 2026/27 budget.

- Non-operating expenditure has increased by £575k (8%) compared to 2025/26 budget. This is due to the allocation of the proportionate share of additional RGP expenditure.

SPLIT OF PCF INCOME

22. The GCB organisational overheads and those of the LSB/OLC levy and the DB Pension scheme are split between the BC and BSB, based on the relative permitted purposes expenditure of each (see below).

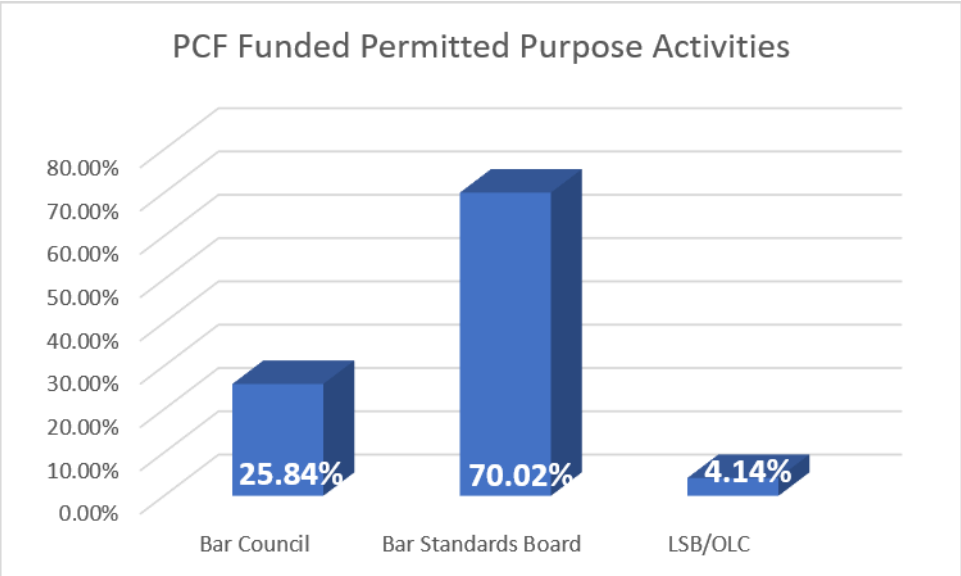
Table 12

		PCF Funded Permitted Purpose Activities £000's	PCF Funded LSB Levy £000's	PCF Funded OLC Levy £000's	Legacy DB Pension Scheme £000's	Total PCF £000's
2026/27 Forecast	Bar Council	6,469 23.72%	121 0.44%	161 0.59%	- 0.00%	6,751 24.75%
	Bar Standards Board	19,520 71.58%	431 1.58%	570 2.09%	- 0.00%	20,521 75.25%
	Total	25,989	552	731	-	27,272
2027/28 Budget	Bar Council	7,470 25.84%	120 0.42%	159 0.55%	- 0.00%	7,749 26.80%
	Bar Standards Board	20,244 70.02%	394 1.36%	523 1.81%	- 0.00%	21,161 73.20%
	Total	27,714	514	682	-	28,910

* Please note %'s are of the Total PCF

- The graph below also shows the allocation of PCF to Permitted Purposes activities.

Table 13



Permitted purposes Programme of Activity:

Table 14

Proportion of activity that is for Permitted Purposes								
Functional Area	**Permitted Purposes Gross Cost (£m)**	**51(4)(a)**	**51(4)(b)**	**51(4)(c)**	**51(4)(e)**	**51(4)(f)**	**(Max 100%)**	**Not in Scope of PP**
Levies								
Legal Services Board	**0.744**		100%				**100%**	
Legal Ombudsman	**0.539**		100%				**100%**	
Tax/Interest Expense	**0.075**						**100%**	
Bar Standards Board								
Regulatory Risk	**0.523**	100%					**100%**	
Equality & Access to Justice	**0.196**	100%					**100%**	
Research & Policy	**1.122**	100%					**100%**	
DG's office and Governance	**1.183**	100%					**100%**	
Board	**0.388**	100%					**100%**	
Standards	**0.529**	100%					**100%**	
Authorisations	**1.119**	100%					**100%**	
Supervision	**1.138**	100%					**100%**	
Examinations	**1.267**	100%					**100%**	
People and Culture	**0.590**	100%					**100%**	
Investigations & Enforcement	**2.423**	100%					**100%**	
Conduct Assessment	**0.855**	100%					**100%**	
Independent Decision-Making Body	**0.379**	100%					**100%**	
Information Management	**0.663**	100%					**100%**	
Legal	**0.849**	100%					**100%**	
Communications & Public Engagement	**0.687**	100%					**100%**	
Programmes & Planning	**0.448**	100%					**100%**	
Reform	**0.874**	100%					**100%**	
Overheads - Resources Group	**7.258**	100%					**100%**	
Bar Council								
Policy Directorate	**0.682**	90%					**90%**	10%
Equality, Diversity & CSR	**0.859**	90%					**90%**	10%
EU Law	**0.205**			40%		60%	**100%**	
International	**0.499**					80%	**80%**	20%
Law Reform, Regulatory & Ethics	**0.310**	60%		25%	10%	5%	**100%**	
Remuneration & Legal Practice	**0.398**	45%		45%		5%	**95%**	5%
Communications	**0.802**	15%		30%	15%	15%	**75%**	25%
Corporate	**2.699**	45%		15%	15%	15%	**90%**	10%
Total Gross P&L Expenditure	**30.301**							

The Bar Council

23. The Bar Council provides a broad range of services to barristers. The PCF supports these activities under a number of the permitted purpose activities as follows:

24. Permitted purpose 51a - the regulation, accreditation, education and training of applicable persons

25. A significant proportion of the Bar Council's work is allocated to this permitted purpose. A notable example of our work in this area is diversity and inclusion, in particular promoting equality, diversity and inclusion (including social mobility) in the profession. It is evidently in the public interest for the Bar to reflect the society it serves. We provide advice and support, training and guides for individual barristers and their chambers and employers. In addition, specific positive action programmes cover (i) access, (ii) retention and (iii) progression at the Bar, all of which contribute towards creating a more inclusive profession.

26. A significant area of work relates to the education, training, and provision of leadership to the profession on the regulatory environment in which barristers and chambers operate, including raising awareness of key regulatory developments. The regulatory environment in which the Bar operates is evolving and so we strive to assist barristers in understanding how the regulatory framework applies to them and their practice. It is both in the public interest and the Bar's interest for regulatory compliance to be of the highest standards.

27. This work supports our strategic aim to support a sustainable, inclusive and resilient profession, by providing services, guidance, information and training to maintain and raise professional standards, and to help overcome challenges that can hinder practice at the Bar.

28. Our work on providing practical advice and support on practice management falls under this permitted purpose, including drafting practice management guidance for the Bar and arranging practice management seminars on both new areas of interest and updates on existing matters (for example, an ongoing priority area which has been a real focus over the past year and will continue to be so over the next year is income monitoring and fair distribution of work). The fair allocation of work is key to improving diversity in the profession. Similarly, policy work relating to remuneration and legal practice, including issues focused on access to justice across a range of areas of law, court reform and technological modernisation, and the administration of justice, fall under this permitted purpose.

29. This work supports our strategic aim to support a sustainable, inclusive and resilient profession, by supporting barristers, chambers and alternative business models with practice management disciplines in the interests of statutory and regulatory compliance, making the profession more resilient. It is in the public interest for the Bar to be a resilient profession.

30. In addition to the work outlined above, our policy work in relation to the Bar's ethical standards and obligations, which includes management and provision of the Ethical Enquiries Service, also falls under this permitted purpose. As well as maintaining an up-to-date and growing online ethics guidance resource (www.barcouncilethics.co.uk), a team of Ethics Advisers respond to some five thousand telephone and email enquiries from barristers each year. We also deliver seminars to support barristers in understanding their ethical obligations, on the topics of common ethics issues when practising at the Bar. Our approach is to highlight new aspects of ethics but also areas which may have developed, so that barristers can fully understand how their ethical obligations are evolving. We also carry out targeted research on ethics at the Bar so that we can develop our work to meet the Bar's needs. Ethical compliance at the Bar is taken seriously and is seen as a key aspect of any barrister's practice. Barristers demonstrate an enthusiasm to keep abreast of ethical developments, a central pillar of the profession's duties to the public.

31. This work supports our strategic aim to support a sustainable, inclusive and resilient profession, by providing services, guidance, information and training to maintain and raise professional standards, and striving to ensure that the work of the Bar remains committed to the highest ethical standards.

32. Permitted Purpose 51c - participation in law reform and related legislative process law reform, legal practice and permitted purpose 51e - the promotion of the protection by law of human rights and fundamental freedoms law reform

33. Our work allocated to these permitted purposes covers a broad range of issues including civil, family, and criminal justice and other areas of law. Aspects of our research work are allocated to this permitted purpose so that we may inform the legislative and law reform process from a firm evidence base. It is firmly in the public interest for law reform in this jurisdiction to be well informed. We also include a proportion of our European work under this purpose since the European Union has a significant and ongoing programme of law reform which we both monitor and comment on, where appropriate.

34. Much of our law reform work relates to monitoring and responding to consultations that impact on the administration of justice. This includes working on matters covering a broad range of legislative matters, contributing to the Law Commission's programmes of law reform and raising awareness of current law reform issues through events such as our annual law reform lecture. An example of an ongoing area of law reform work relates to Strategic Lawsuits Against Public Participation, which is likely to continue until such time as a legislative solution to this issue is identified. We draft briefings for members of Parliament in relation to a broad range of bills so that we can assist Parliamentarians at all stages of a bill's journey and offer suggested drafting amendments as required. An example of an ongoing piece of work in this area is the Courts and Tribunals Bill which seeks to change aspects of how criminal justice is administered in England and Wales. It is very much in the public interest that the Bar Council assists Parliamentarians to identify the advantages and possible pitfalls of bills which relate to the administration of justice.

35. This work supports our strategic aim of championing the rule of law and access to justice for all.

36. Permitted purpose 51d - the provision of applicable persons of legal services or reserved legal services, immigration advice or immigration services to the public free of charge

37. We have a Pro Bono and Social Responsibility stream of work which involves leading work in promoting pro bono work in particular, by liaising with pro bono charities and organisations involved in promoting access to justice. We support Advocate (formerly the Bar Pro Bono Unit) which provides a vital service to people who would otherwise have no access to justice.

38. This work supports our strategic aim to champion, protect and promote the rule of law, and championing access to justice for all.

39. Permitted purpose 51f - promotion of relations between the approved regulator and national or international bodies, governments or the legal professions of other jurisdictions

40. We carry out a wide range of international engagements liaising with national, regional and global level organisations including, for example, the Commonwealth Lawyers Association and the International Bar Association. We also work closely with the legal professions and, as appropriate, governments of other jurisdictions across the world. A key aspect of our work under this permitted purpose is to support and promote the rule of law internationally and the development of the standards of the legal profession at the international level, bearing in mind that these also have an impact on the practice of our own profession. We seek to share best practice and knowledge with colleagues based in other jurisdictions but also to learn from them so that their experiences can help influence and improve the delivery of justice and rule of law in this jurisdiction. This work supports our strategic aim of championing the rule of law. Respecting and indeed promoting the rule of law is a key aspect

of our work, and it is in the public interest that we promote a predictable, fair, and safe society where everyone plays by and is subject to the same rules.

PRACTISING CERTIFICATE FEE 2026/27: CONSULTATION

Bar Standards Board programme of activity (authored by the BSB)

41. This has been a challenging time for the BSB as we entered into Voluntary Undertakings with the Legal Services Board because of concerns about our performance. At the same time, we recognise that our operating costs have also increased. Relationships with the profession and wider stakeholders have not been where we would want them to be. We are now turning a corner. For example, our Contact and Assessment Team is now on track to exceed its timeliness KPI, we have just launched a TQL moratorium and changes to the Enforcement Regulations come into effect early next year. We are working hard to strengthen relationships, including with the Bar Council.

42. We recognise that we cannot continue to ask for an ever-increasing budget. We stated publicly when consulting on the Bar Standards Board's 2025/26 budget that 2025/26 and 2026/27 would be the peak years of spending. We will honour that commitment, despite increased workload and inflationary pressures. In short, the Bar Standards Board's share of the PCF will reduce in 2027/28 for the first time in several years. We have reduced our budget by 3% and will also absorb inflationary pressures of 3.5%. Together with other operational changes, for example TQL changes, we assess that this represents a real terms reduction of approximately 10%.

43. As is required of us under the Legal Services Act, we will continue to take a proportionate, risk-based and targeted approach, using these resources responsibly and focusing our efforts where they can have the greatest impact in protecting and promoting the public interest.

44. We have recently introduced a new approach to performance management, focused on clear outcomes for both the BSB and the wider sector. These outcomes are detailed in this document. This will help us assess not only how effectively we deliver our work, but also the difference that work makes in supporting our regulatory objectives. We will continue to develop and refine how we measure our performance against these outcomes, strengthening our understanding of how our regulatory activities contribute to the public interest.

45. As we stated last year, we are about to enter the second year of a period of stabilisation and performance improvement, where our priorities continue to be:

- Building a high performing regulator: delivering core regulatory operations quickly and economically with no detriment to existing high standards of decision-making and, in the process, meeting the voluntary undertakings entered into with the Legal Services Board in July 2025. This will mean:
    - Achieving our KPIs for our enforcement process;

- Implementing changes to our processes for transferring qualified lawyers, enabling us to focus on processing efficiently applications from those who will genuinely practise in England and Wales;
- Developing a new target operating model for the future reform of the BSB.

The outcomes we seek to achieve are that:

- Regulatory decisions are high-quality, timely and risk-based.
- The organisation has the capability, resilience and expertise to deliver effective regulation.
- Our Resources are used efficiently, effectively and in the public interest.

This benefits the public and consumers in the following ways:

- Greater protection of the public and consumers through the timely identification and management of risks raised through authorisations, individual concerns and investigations.
- Ensuring high standards are supported by effective regulation that incentivises correct practice and deters misconduct.
- Promoting public confidence in the profession and its regulation by ensuring issues about Barristers and associated entities will be taken seriously, investigated fairly and addressed appropriately.
- Improving value for money, thereby reducing the cost of regulation over time (leading to fewer costs being passed on to clients.)

- Improving culture in the profession: working with the profession and other stakeholders to ensure that proper standards are upheld at the Bar. This will mean:
  - Continuing to collaborate with the Commissioner for Conduct to tackle bullying, harassment and sexual harassment at the Bar. This will build on the protocol that has been established and the working arrangements that we are currently piloting (we expect these arrangements to become permanent, subject to the agreement of the LSB.) We will continue to support this work through proactive supervision and enforcement, where appropriate;
  - Implementing a new model, design and delivery plan for the future of the BSB Handbook, which drives growth, improves culture and reduces complexity; and

- Developing and implementing a strategy to review our approach to education and training at the Bar.

The outcomes we seek to achieve are that:

- Barrister workplaces are safe and respectful, with robust systems to prevent and tackle bullying, harassment and other misconduct.
- Access, progression and reward within the profession are fair and appropriate.
- The education and training system is fair, sustainable and aligned to future workforce needs.

This benefits consumer and the public in the following ways:

- Quality advocacy and legal services are delivered by Barristers who are effectively trained, supported and motivated to succeed.
- An effective consumer experience is delivered by a professional culture that promotes compassion, safety and respect.
- Attracting and retaining a profession that reflects the diversity of the society it serves.

- Shaping a well-functioning market for barrister services that supports growth: continuing to improve our understanding of the barrister market and tailoring our regulation in a proportionate way to the risks and context that the end users of barristers' services face. This includes:
    - Understanding how the market operates and ensuring that consumers are appropriately protected within it. This will initially draw on the analysis that we have undertaken this year into the public access and entity regulation regimes;
    - Increased safe adoption of appropriate new technologies within the profession and by the BSB.

The outcomes we seek to achieve are that:

- The public has confidence in the Barrister profession.
- The market for Barrister services is effective, supports access, and is responsive to changing needs.
- Barristers adopt and use technology responsibly and competently in their practice.

This benefits consumer and the public in the following ways:

- Greater trust in the Barrister profession, with confidence that competent, ethical and reliable Barrister services will be available if needed.
- Better access to high-quality advocacy, advice and other legal services provided by a Barrister, through a competitive and effective market for Barristers services.
- Efficient, safe and innovative legal services provided by Barristers who responsibly adopt technology and innovation.

-

How the BSB functions support the regulatory objectives and strategic priorities

This programme of work will be taken forward through the BSB's functions and associated budgetary provision as follows.

Supervision (7% of budget)

46. The Supervision function has responsibility for the BSB's risk-based regulation of chambers, BSB authorised entities, individual barristers and authorised training providers. It includes supervision of activities such as pupillage, the transparency rules, equality and diversity compliance, anti-money laundering and bullying and harassment. In doing so, supervision work protects consumers and promotes the diversity, independence and standards of the profession.

47. The BSB's Supervision work is central to the development of its strategic priorities. The relationships the BSB has with its regulated communities through its proactive supervision provides evidence to support innovation and the use of technology by barristers and helps target regulation where it is needed. It enables the BSB to understand how work is allocated within chambers, how standards of practice are maintained and how governance and decision making within chambers are undertaken. Supervision is key to our response to the Harman Report.

48. Supervision supports a range of outcomes that benefit the public and consumers, but a particular priority in the coming year will likely be to support

- Quality advocacy and legal services delivered by Barristers who are effectively trained, supported and motivated to succeed
- Effective consumer experience delivered by a professional culture that promotes compassion, safety and respect

Examinations (8% of budget)

49. The BSB's Examinations Team is responsible for the setting and marking of two assessments during the vocational component of Bar Training (Civil Litigation and Criminal Litigation) and of Professional Ethics during the pupillage component. The budget is set to ensure that we have sufficient resources to commission question-writers, and to engage standard setters, markers and those who provide quality assurance scrutiny. We also resource the Centralised Examinations Board which provides appropriate oversight and confirms final marks. And we budget for services from ARC printers and couriers, and for Surpass, which provides the digital platform for delivery of the Professional Ethics exam plus a question banking and authoring solution.

50. Examinations support the outcome that the public and consumers of quality advocacy and legal services are delivered by Barristers who are effectively trained, supported and motivated to succeed.

Authorisations (9% of budget)

51. The BSB's Authorisations Team is responsible for the authorisation of Bar and Pupillage Training Providers, and for assessing applications for waivers and exemptions from Bar training and practising requirements.

52. The budget allocated to the BSB's authorisation functions will ensure the timely, high quality and consistent assessment of authorisation decisions. In doing so it gives consumers and others confidence in the service the BSB provides and confidence that barristers are subject to rigorous assessment before entering the profession. The authorisation of chambers and entities as providers of pupillage training, as well as the development of new pathways for entry to the profession such as apprenticeships, helps ensure a good supply of new entrants to the profession and encourages diversity.

53. We are currently addressing a significant backlog in the volume of applications from overseas lawyers for waivers from our qualification rules. Against a backdrop of increased workload, the BSB has recently implemented a moratorium on transferring qualified lawyer applications. The intention is to take forward actions which will seek to focus future processes and rules on those who will practise in England and Wales. Currently, many applications are from overseas and the evidence suggests that many will never practise in the jurisdiction. Since launching the moratorium, we have also launched a revised approach to the English Language requirement. It is too soon to say, but it is likely this will see a reduction in both existing and future applications, which in turn will reduce fee income to the BSB, which will need to be modelled. During the moratorium we will only be accepting applications where there is evidence of an offer of pupillage with an authorised pupillage training provider, and/or an offer of tenancy or employment for which the applicant requires a practising certificate for the Bar of England and Wales.

54. Authorisations support the following outcomes that benefit the public and consumers:

- Ensuring high standards are supported by effective regulation that incentivises correct practice and deters misconduct

- Greater protection of the public and consumers through the timely identification and management of risks raised through authorisations, individual concerns and investigations

Regulatory Enforcement (35% of budget)

55. This Department takes action to enforce professional standards where these are breached and where enforcement is necessary for the protection of the public and/or as a deterrent to unprofessional behaviour. The department is responsible for the end-to-end enforcement process, which is the most significant component of our budget. Since last year, the number of reports has increased by 29% and evidence suggests that increased use of AI is leading to longer and more complex reports. We have therefore invested new resource to ensure we continue to make progress against our KPIs. We are also reviewing all of our end to end processes to ensure they are working as efficiently and effectively as possible.

56. The Contact and Assessment function is responsible for assessing reports about the conduct of barristers and for taking initial decisions on whether the report identifies a potential breach of the BSB Handbook that requires further investigation.

57. The Investigations and Enforcement Team includes the full range of the BSB's enforcement work from investigation through to disciplinary action and any associated work such as appeals, interim suspension and fitness to practise cases. Accordingly, the function protects the public interest, the rule of law and the interests of consumers, while also contributing to a strong and diverse profession and to upholding the professional principles.

58. Regulatory enforcement supports the following outcomes that benefit the public and consumers:

- Greater protection of the public and consumers through the timely identification and management of risks raised through authorisations, individual concerns and investigations
- Ensuring high standards are supported by effective regulation that incentivises correct practice and deters misconduct
- Promoting public confidence in the profession and its regulation by ensuring issues about Barristers and associated entities will be taken seriously, investigated fairly and addressed appropriately

Strategy, Policy and Insight (13% of budget)

59. Drawing on enhanced data, intelligence and research, the Department identifies future and current risks to the public interest, as defined by the Regulatory Objectives, and develops timely strategies to mitigate those risks and to seize opportunities. It owns our Handbook and Code of Conduct and leads on updating them. The Department leads on diversity at the Bar.

60. The Regulatory Risk and Insights Team produces analysis, handles intelligence and conducts research on both the regulated sector and the organisation itself, to

support effective decision-making. For the BSB itself, it supports our understanding of organisational performance and operations, for instance casework, operational capacity and wider business intelligence work. For the wider sector, it identifies risks to the public interest at the Bar and works with the Board and Senior Leadership Team to prioritise them. This forms the basis of the BSB's strategic priorities as an organisation. The function also monitors the available evidence in relation to developments in the market and the BSB's response, managing its Risk Framework and regularly reporting to the Board. This ensures that the BSB is regularly evaluating any new evidence and reviewing its priorities. As such, the BSB's regulatory risk work takes account of all of the regulatory objectives, and by working with the Board to establish a risk tolerance and relative priority, guides how the BSB promotes the regulatory objectives. Its work also applies across all strategic themes and contributes expertise to a range of projects that are established in response to the risks that have been identified (for example, to the BSB's proposed first data and intelligence strategy.)

61. The Equality function promotes equal access to, and diversity within, the profession, working in partnership with stakeholders. It also promotes the interests of diverse and vulnerable consumers across the work of the BSB. It commissions research, undertakes consultation and stakeholder engagement, conducts training and assists with embedding good practice in equality impact assessment across the organisation to ensure that equality and diversity issues are properly taken into account. This function's top priority for the next year continues to be responding to the Harman recommendations. As such, the function contributes to encouraging an independent, strong, diverse and effective legal profession and to improving access to justice by considering the needs of a diverse range of consumers and working with the profession and others to eliminate barriers to access.

62. The Policy function draws on evidence of risk to the regulatory objectives to identify projects and programmes that will address those risks and evaluates the impact of those projects. Specifically:

• by reviewing the BSB's Code of Conduct and related regulatory arrangements, the function promotes all regulatory objectives, but particularly: the public interest; the rule of law; the interests of consumers; and the professional principles;

• by working with the other regulators on a range of projects relating to innovation and technology, the function promotes in particular: competition; the interests of end-users; and access to justice;

• by working on assuring competence, the function particularly promotes the interests of the users of barristers' services and the professional principles.

SPI supports a range of outcomes that benefit the public and consumers, but particular priority in the coming year will likely be to support the following:

- Quality advocacy and legal services delivered by Barristers who are effectively trained, supported and motivated to succeed

- Effective consumer experience delivered by a professional culture that promotes compassion, safety and respect
- Greater protection of the public and consumers through the timely identification and management of risks raised through authorisations, individual concerns and investigations

Director General's Office and Board (15% of budget)

63. The DG and Board provide leadership to, and support the governance of, the organisation. The Office holds the budget for developing the future operating model, business planning and change, communications and governance. In doing so, it supports the delivery of all outcomes identified above.

People and culture (4% of budget)

64. This Department will ensure that the Bar Standards Board's people are engaged and empowered, are motivated by compelling and relevant values and work within a diverse, inclusive and agile culture.

65. The People function leads work to define a culture and values for the Bar Standards Board appropriate to an independent regulator and to put in place the policies for the recruitment, remuneration, retention and development of its people which will sustain BSB's self-confidence and ability to deliver. In doing so, it supports the delivery of all outcomes identified above.

Legal and Information Management (9% of budget)

66. This Department owns legal risks arising from the delivery of our regulatory functions, handles litigation, provides legal advice to the organisation, develops decision-making policies and guidance and oversees and supports knowledge management systems. The department also leads on compliance with our statutory information law responsibilities. In doing so, it supports the delivery of all outcomes identified above.

Regulatory performance

67. The BSB must comply with regulatory performance standards set by its oversight regulator, the Legal Services Board. The need to do so, as well as to demonstrate effective performance to our other stakeholders, has been at the heart of our recent planning.

68. We have recently introduced a new approach to performance management, focused on clear outcomes for both the BSB and the wider sector. This performance framework is called Atlas, and seeks to help us assess not only how effectively we deliver our work, but also the difference that work makes in supporting our regulatory objectives. We will continue to develop and refine how we measure our performance against these outcomes, strengthening our understanding of how our regulatory activities contribute to the public interest.

69. The BSB will regularly update the LSB on progress and will continue to be accountable to the LSB under its Performance Assessment Framework and through delivery of the voluntary undertakings entered into in July 2025. Improving performance remains a key priority for the BSB over the next year, and this will be overseen by the Performance and Strategic Planning Committee and by the Board itself.

Assessing and evaluating benefits

70. The Bar Standards Board assesses the benefits of regulatory interventions primarily through its well-developed analysis of regulatory risks (see above) which draws on evidence from a range of sources, including: the reports received by BSB; intelligence provided by the Legal Ombudsman and Bar Mutual Insurance; feedback from stakeholders; and the BSB's own programmes of research and data gathering. The BSB then tests its assessment of risks and opportunities by consulting stakeholders.

71. The majority of strategic interventions are taken forward within a framework that defines the benefits sought from the intervention in terms of the regulatory objectives and sets out, and manages, the associated risks to the realisation of those objectives. As such, there will be an evaluation of the impact of projects after a period of implementation has passed. Such impacts are therefore not reported on annually, but depending on the timescales for the individual project.

INCOME (REGULATORY AND NON-REGULATORY)

Table 15

Total Income	27/28 £000's	26/27 £000's	Change £000's	% Change
PCF Income	28,911	27,119	1,791	6.60%
PCF Entity Fees	163	137	26	18.6%
Non PCF Income	6,810	6,426	384	5.97%
	35,883	33,683	2,201	6.53%

72. Total income is budgeted to be £35.9m This represents a 6.5% increase on the amount budgeted in 2026/27 of £33.68m.

- PCF income has increased by £1.8m this includes natural growth of 3.1% and an increase in the PCF fee of 3.5% raising the PCF total to £28.9m.

Changes in Non-PCF income:

Table 16

Non PCF Income	27/28 £000's	26/27 £000's	Change £000's	% Change
Bar Council (Commercial, BRF, Inns sub)	2,818	2,564	255	9.93%
BSB (Regulatory income)	3,560	3,365	195	5.79%
RGP (Bank Interest)	432	497	(65)	13.15%
	6,810	6,426	384	5.97%

73. Non-PCF income will increase by 5.9%% £384k.

- BRF income has been budgeted to remain static at £1.44m.
- The net combined Representation, Policy and Services (RPS) income is forecast to increase by £255k. This is driven by increased visa income, new partnership arrangements and additional training and events throughout the year.
- Corporate income has reduced by £65k. This reflects the estimated change in how Input VAT is processed in the new Finance System.
- Regulatory income is expected to increase by £195k mainly due to the inflationary uplift in AETO's fees.

NEXT STEPS

74. We welcome views from the profession on the planned budget for 2027/28 and the proposal to increase PCF and invite you to consider the questions below.

Please use the following link to give your feedback via the online form: https://r1.dotdigital-pages.com/p/4CGD-17OV/practising-certificate-fee-and-budget-consultation-202728

75. The consultation will close at 5pm on Monday 4 January 2027.

Consultation questions

1. Do you agree with the General Council of the Bar's proposal to increase the practising certificate fee (PCF) for 2027/28 as detailed in the consultation document?

2. Do you agree that the PCF for 2027/28 represents value for money?

3. Are you adversely impacted by the level of the practising fee due to a protected characteristic under the Equality Act 2010 (such as age, disability or sex) or due to your individual practising arrangements? If so, please tell us why and how we could meet your needs. Do you agree with our initial equality impact analysis (EIA) of the practising fee (see Annex A) and the EIA of the entities fees (see Annex C)?

4. Do you agree with the proposed changes to the entities fees as detailed in Annex B?

5. Do you have any other comments regarding the PCF or the General Council of the Bar budget for 2027/28?

Contact : pcfconsultation@barcouncil.org.uk

Jim Morris CB DSO
Chief Executive, The General Council of the Bar

ANNEX A

EQUALITY IMPACT ANALYSIS

EQUALITY IMPACT ANALYSIS (EIA)

Date of Assessment	• *11/11/2026*
Assessor Name & Job Title	• *Richard Cullen (Director of Finance) / Sam Mercer (Head of Policy: E&D and CSR).*
Name of Policy/Function to be Assessed	• *PCF 2027/28*
Aim/Purpose of Policy	1. *This year there will be an increase to the annual PCF, broadly in line with current inflation 3.5%. To deliver, we are proposing that the % increase be applied to all bands. As always aim is for the PCF charge to reflect the ability to pay.*

Band	Current	3.5% Increase	2027 Fee
Band 1: £0 - £40,000	£124	£4	£128
Band 2: £40,001 - £60,000	£329	£12	£341
Band 3: £60,001 - £90,000	£660	£23	£683
Band 4: £90,001 - £150,000	£1,200	£42	£1,242
Band 5: £150,001 - £240,000	£1,823	£64	£1,887
Band 6: £240,001 - £350,000	£2,472	£87	£2,559
Band 7: £350,001 - £500,000	£2,642	£92	£2,734
Band 8: £500,001 - £750,000	£3,342	£117	£3,459
Band 9: £750,001 - £1,000,000	£3,535	£124	£3,659
Band 10: £1,000,001 - £1,500,000	£4,009	£140	£4,149
Band 11: £1,500,001 - £2,000,000	£4,243	£149	£4,392
Band 12: £2,000,001 and over	£4,711	£165	£4,876

2. *The PCF is charged annually as part of the Authorisation to Practice process. On an annual basis barristers confirm they are fit to practise and pay an annual practising fee (PCF)*

   - *The fee provides the necessary funds for permitted purposes provided by the regulatory body (BSB) and the representative body (Bar Council)*
   - *It benefits the legal profession and society as a whole to have an appropriately funded regulator and representative body ensuring standards are improved and maintained and the benefits and needs of the profession are articulated to the wider society.*
   - *The intention is that barristers pay an annual fee based on ability to pay.*

1. Evidence

What evidence will you use to assess impact on equality?
• *We have completed an in-depth analysis of barristers over each income band with protected characteristics across the last four years.* • *There will be a 3.5% increase for Band 1. The increase will amount to £4. Band 2 will increase by 3.5% and this will amount to £12. Band 1 and 2 contain the greatest % of women with 49% and 55% respectively. Band 1 and 2 contain the greatest % of people from an ethnic background(both 22%). Band 1,2 and 3 contain the largest % of people with disabilities being*

9%, 9% and 10%. Each of these bands pay a lower amount than would be the case if they paid a flat fee.

- *Band 12 contains 81% white males and the lowest proportion of women (10%), ethnic minorities 13% and there are 2% with declared disabilities.*

Band	Current	3.5% Increase	2027 Fee	Income band Median	PCF as a % of Median	(Subsidy) / Supplement
Band 1: £0 - £40,000	£124	£4	£128	£ 24,002	0.53%	(1,424)
Band 2: £40,001 - £60,000	£329	£12	£341	£ 52,000	0.66%	(1,211)
Band 3: £60,001 - £90,000	£660	£23	£683	£ 75,603	0.90%	(869)
Band 4: £90,001 - £150,000	£1,200	£42	£1,242	£ 119,989	1.04%	(310)
Band 5: £150,001 - £240,000	£1,823	£64	£1,887	£ 186,742	1.01%	335
Band 6: £240,001 - £350,000	£2,472	£87	£2,559	£ 286,062	0.89%	1,007
Band 7: £350,001 - £500,000	£2,642	£92	£2,734	£ 414,131	0.66%	1,182
Band 8: £500,001 - £750,000	£3,342	£117	£3,459	£ 603,840	0.57%	1,907
Band 9: £750,001 - £1,000,000	£3,535	£124	£3,659	£ 850,000	0.43%	2,107
Band 10: £1,000,001 - £1,500,000	£4,009	£140	£4,149	£ 1,220,893	0.34%	2,597
Band 11: £1,500,001 - £2,000,000	£4,243	£149	£4,392	£ 1,717,877	0.26%	2,840
Band 12: £2,000,001 and over	£4,711	£165	£4,876	£ 2,797,907	0.17%	3,324

- *The above table compares the level of PCF paid by each of the income bands (mid point and top of band). This shows some variability across the income bands none are more than 1% of the income amounts. This data should not be viewed in isolation as in order to ensure that the burden to pay the PCF is reflective of the ability to pay, those on the lower income bands pay less than the flat fee (the flat fee would be £1,552 per barrister) and consequently those on the higher income bands pay more than the flat fee.*

2. Impact on Equality

Consider whether the evidence listed above shows the potential for differential impact, either adverse or positive, for different groups. If there are negative impacts, explain how you will attempt to mitigate these. Mitigating actions can be described in more detail in your Action Plan (Section 4).

- *All groups will be able to access the PCF in the normal way.*

Will people from all groups be able to access the service; will there be any barriers for certain groups?

• *Policy is based on ability to pay and should not discriminate unlawfully or provide any indirect discrimination.* • *Band 1 will be widened to £40k to take account of inflation.*	
Race	• *As there is no significant change to the policy of PCF based on ability to pay there is not expected to be any negative impact in this area.* • *Band 1 and 2 has the highest proportion of barristers from an ethnic minority background.* • *The data analysis showed that in band one income had increased over the last four years at a faster pace than the PCF fee*
Gender	• *As there is no significant change to the policy of PCF based on ability to pay there is not expected to be any negative impact in this area.* • *The proportion of women in each income band increased over the four years data reviewed.*
Disability	• *As there is no significant change to the policy of PCF based on ability to pay there is not expected to be any negative impact in this area.* • *The proportion of barristers identifying as disabled has remained stable over the period.*
Age	• *As there is no significant change to the policy of PCF based on ability to pay there is not expected to be any negative impact in this area.*
Sexual Orientation	• *As there is no significant change to the policy of PCF based on ability to pay there is not expected to be any negative impact in this area.*
Religion/Belief	• *As there is no significant change to the policy of PCF based on ability to pay there is not expected to be any negative impact in this area.*

Gender Reassignment	• *As there is no significant change to the policy of PCF based on ability to pay there is not expected to be any negative impact in this area.*
Pregnancy/ Maternity	• *As there is no significant change to the policy of PCF based on ability to pay there is not expected to be any negative impact in this area.* • *Includes PCF holidays and discounts to support return to work*
Marriage and Civil Partnership	• *Not applicable*
Other Identified Groups	*As there is no significant change to the policy of PCF based on ability to pay there is not expected to be any negative impact in this area*

How does the policy advance equality of opportunity?
• *The policy promotes payment of the PCF based on ability to pay with those earning the most paying proportionately higher fees*

How does the policy promote good relations between different groups?
It is generally thought that those who earn more (and have benefited from a well regulated profession) should shoulder a greater burden for supporting the profession than those who earn less or are at the start of their careers.

3. Summary of Analysis

Now you have considered the potential impacts on equality, what action are you taking? (Mark 'X' next to one option and give a reason for your decision)

a. No change to the policy (no impacts identified)	Your analysis demonstrates that the policy is robust and the evidence shows no potential for discrimination. You have taken all appropriate steps to advance equality and foster good relations between groups.	X
b. Continue the policy (impacts identified)	Continue with the proposal, despite any adverse impacts, provided it is not unlawfully discriminatory and is justified.	
c. Adjust the policy and continue	Take steps to remove barriers, mitigate impacts or better advance equality before continuing with the policy.	
d. Stop and remove the policy	There are adverse effects that are not justified and cannot be mitigated. The policy is unlawfully discriminatory.	
Reason for decision: *It is not anticipated that there will be any negative effects from these changes to PCF. An analysis of the data post AtP has been taken and there was no evidence of negative impacts for those with protected characteristics.*		

4. Action Plan for Improvement

Give an outline of the key actions that need taking based on any challenges, gaps and opportunities you have identified. Include here any action to address negative equality impacts or data gaps.			
Action Required	Desired Outcome	Person Responsible	Timescale
Analysis of the AtP results for impact on equality	*Evidence to support the assumptions*	*Paul Martyn / Richard Cullen*	*Post AtP end of March 2027*

ANNEX B

Non-PCF authorisation fees

Note: Fees have increased by inflation for 27/28

	26/27	26/27	26/27	26/27	Inflation	27/28	27/28	27/28	27/28
Authorised Bodies - Size of Body	**Application Fee**	**Authorisation Fee**	**Total Cost**	**Renewal Fee**	**3.5%**	**Application Fee**	**Authorisation Fee**	**Total Cost**	**Renewal Fee**
Single Person	£360	£457	£818	£506		£373	£473	£846	£524
2-5 Person	£1,005	£1,213	£2,218	£1,386		£1,040	£1,255	£2,295	£1,435
6-15 (Simple)*	£1,386	£1,663	£3,049	£2,010		£1,435	£1,721	£3,156	£2,080
6-15 (Complex)*	£1,871	£2,218	£4,089	£2,772		£1,937	£2,295	£4,232	£2,869
15+ Person	£2,703	£3,188	£5,891	£4,019		£2,797	£3,299	£6,097	£4,160

	26/27	26/27	26/27	26/27	Inflation	27/28	27/28	27/28	27/28
Licensed Bodies (ABS) - Size of Body	**Application Fee**	**Authorisation Fee**	**Total Cost**	**Renewal Fee**	**3.5%**	**Application Fee**	**Authorisation Fee**	**Total Cost**	**Renewal Fee**
2-5 Person	2,009	1,638	3,647	2,374		2,080	1,695	3,775	2,457
6-15 Person	3,406	2,787	6,194	4,026		3,526	2,885	6,410	4,167
15+ Person	4,886	3,991	8,878	5,774		5,057	4,131	9,188	5,976

ANNEX C

Equality Impact Assessment (EIA) – Authorisation to practise (entity fees)

Date of Assessment	16/11/2026
Assessor Name & Job Title	Ewen Macleod, Director of Strategy, Policy and Insights and Rebecca Thomas, Head of Equality and Access to Justice
Name of Policy/Function to be Assessed	Authorisation to practise – entity fees
Aim/Purpose of Policy	We are proposing to increase all entity fees in line with inflation and the general practising certificate fee for barristers (3.5%).

4. Evidence

What evidence will you use to assess impact on equality?
As non-natural persons, entities do not have protected characteristics. This section therefore uses BSB's data to consider the extent to which the current cohort of barristers practising within entities appears more diverse than the wider barrister population and therefore the likely impact of the proposed fee rise on different groups. *Demographic Data* Ethnicity data is limited, as it covers barristers within BSB entities only and does not capture the full workforce within entities or client-level outcomes. Of the data available, there are 183 barristers recorded within BSB-authorised entities. Of these: • 105 (57.4%) are White; • 31 (16.9%) are Asian / Asian British; • 6 (3.3%) are Black / African / Caribbean / Black British; • 7 (3.8%) are Mixed / multiple ethnic groups; • 3 (1.6%) are from another ethnic group; • 12 (6.6%) preferred not to say; and • 19 (10.4%) had no ethnicity information recorded.

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On that basis, at least a quarter (25.6%) of barristers within BSB-authorised entities are from a minority ethnic background, with 17% either preferring not to state their ethnicity or not having this information recorded.

In comparison to the wider barrister population i.e., outside of BSB-entities: it is noteworthy that Asian / Asian British barristers make up 8% of the profession and this percentage is more than double within BSB-entities. The figures are largely the same both within and outside of BSB-entities for the other minority ethnicities with 3% of Barristers outside BSB-entities being Black / African / Caribbean / Black British and 1% being from another ethnic group. Although the percentage of Asian / Asian British barristers within BSB authorised entities is substantially higher than those found in the general population, it must be noted that the dataset is relatively small.

The age profile of barristers within BSB authorised entities appears older than that of the wider barrister population. No barristers within BSB authorised entities are recorded as being under 25, which is also the case for the wider barrister population. Only 3.3% are aged 25-34, compared with 17% in the wider population, and 16.9% are aged 35-44, compared with 24% more widely. By contrast, the largest age group within BSB authorised entities is 45-54 (38.8%, compared with 23% in the wider population), followed by 55-64 (28.9%, compared with 19%). Those aged 65+ make up 2.7% of the BSB authorised entity cohort, compared with 7% of the wider population. 9.3% of barristers within BSB authorised entities either preferred not to disclose their age or had no age information recoded, compared with 10% of the wider population.

The gender profile of barristers within BSB authorised entities appears more heavily male than the wider barrister population. Within BSB authorised entities, 73.2% are recorded as male, compared with 56% in the wider population, while 21.9% are recorded as female, compared with 40% more widely. A further 3.8% within BSB-authorised entities preferred not to say, compared with 2% in the wider population. No barristers within BSB authorised entities are recorded as non-binary, which is consistent with the wider population data provided, whilst only 1% within entities selected the option ‘different term’, compared to none in the wider population.

The disability profile of barristers within BSB authorised entities appears broadly similar to that of the wider barrister population, albeit with a higher level of non-disclosure or missing information. Within entities, 10 barristers (5.5%) are recorded as having declared a disability, compared to 6.3% in the wider barrister population. 109 barristers (59.6%) within entities are recorded as not having declared a disability, compared with 58.9% more widely. A materially larger proportion within entities fall within the combined ‘prefer not to say / no information’ category, at 64 barristers (35%), compared with 34.7% in the wider population. The figures therefore do not suggest that declared disability is markedly higher within BSB authorised entities than in the wider population. However, the relatively high level of missing and undisclosed information, as well as the smaller sample size available, also means that the data should be treated with caution.

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5. Impact on Equality

Consider whether the evidence listed above shows the potential for differential impact, either adverse or positive, for different groups. If there are negative impacts, explain how you will attempt to mitigate these. Mitigating actions can be described in more detail in your Action Plan (Section 4).

Consider:

- Will people from all groups be able to access the service; will there be any barriers for certain groups?
- Could any part of the policy discriminate unlawfully; is there evidence of indirect discrimination?
- Are there changes proposed in related policy areas? Changes in one policy area can have a small impact, but the cumulative effect of changes in related areas could have significant impact.
- Think about the BSB/BC as a whole; another team may be already carrying out activities which can help to mitigate negative impacts.
- Could unconscious bias have a significant impact?
- Don't leave any box blank; if there will be no impact on a particular group then explain why.

Race	Asian / Asian British barristers are more likely to be represented in entities (16.9% of barristers in entities, as opposed to 8% in the wider profession, albeit numbers are quite small in entities). Indirect discrimination may occur where a provision, criterion or practice is applied equally. However, indirect discrimination can be objectively justified if it is a proportionate means of achieving a legitimate aim. The purpose of the authorisation of entities is to maintain/uphold standards and ensure that only authorised entities, meeting those standards, deliver services to an appropriate level. This therefore protects and promotes the public interest and other regulatory objectives. As such, the entity fees are a regulatory requirement and hence are a legitimate aim. However, any indirect impact is mitigated by the fact that the entity fees are increasing in line with the main PCF and inflation. Similar increases in the past have not led to evidence of detrimental impacts on this group. We will monitor whether the fee increase acts as a disincentive for entities to continue to practise or if there is a marked decline in the proportion of ethnic minority barristers within entities over time and assess the drivers for any decline.
Sex	Within BSB authorised entities, 73.2% of barristers are recorded as male, compared with 56% in the wider population, while 21.9% are recorded as female, compared with 40% more widely. Indirect discrimination may occur where a provision, criterion or practice is applied equally. However, indirect discrimination can be objectively justified if it is a proportionate means of achieving a legitimate aim. The purpose of the authorisation of entities is to maintain/uphold standards and ensure that only authorised entities, meeting those standards, deliver services to an appropriate level. This therefore protects and promotes the public interest and other regulatory objectives. As such, the entity fees are a regulatory requirement and hence are a legitimate aim. However, any indirect impact is mitigated by the fact that the entity fees are increasing in line with the

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	main PCF and inflation. Similar increases in the past have not led to evidence of detrimental impacts on this group. We will monitor whether the fee increase acts as a disincentive for entities to continue to practise.
Disability	The disability profile of barristers within BSB authorised entities appears broadly similar to that of the wider barrister population, albeit with a higher level of non-disclosure or missing information. We therefore have no evidence to suggest either an adverse or positive impact in relation to disability.
Age	The age profile of barristers within BSB authorised entities appears older than that of the wider barrister population. Indirect discrimination may occur where a provision, criterion or practice is applied equally. However, indirect discrimination can be objectively justified if it is a proportionate means of achieving a legitimate aim. The purpose of the authorisation of entities is to maintain/uphold standards and ensure that only authorised entities, meeting those standards, deliver services to an appropriate level. This therefore protects and promotes the public interest and other regulatory objectives. As such, the entity fees are a regulatory requirement and hence are a legitimate aim. However, any indirect impact is mitigated by the fact that the entity fees are increasing in line with the main PCF and inflation. Similar increases in the past have not led to evidence of detrimental impacts on this group. We will monitor whether the fee increase acts as a disincentive for entities to continue to practise.
Sexual Orientation	We do not have any evidence which suggests this policy will have an adverse, or a positive impact in relation to sexual orientation.
Religion/Belief	We do not have any evidence which suggests this policy will have an adverse, or a positive impact in relation to religion/belief.
Gender Reassignment	We do not have any evidence which suggests this policy will have an adverse, or a positive impact in relation to gender reassignment.
Pregnancy/ Maternity	We do not have any evidence which suggests this policy will have an adverse, or a positive impact in relation to pregnancy/maternity.
Marriage and Civil Partnership	We do not have any evidence which suggests this policy will have an adverse, or a positive impact in relation to marriage or civil partnership.
Other Identified Groups	N/A

How does the policy advance equality of opportunity?

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A tiered approach to entity fees ensures more equitable outcomes, by varying the fee by size and complexity of the entity. This is consistent with the approach taken in previous years. An increase limited to inflation also limits the impact across all groups.

How does the policy promote good relations between different groups?
This policy will be applied equally across all groups.

6. Summary of Analysis

Now you have considered the potential impacts on equality, what action are you taking? (Mark 'X' next to one option and give a reason for your decision)		
e. No change to the policy (no impacts identified)	Your analysis demonstrates that the policy is robust and the evidence shows no potential for discrimination. You have taken all appropriate steps to advance equality and foster good relations between groups.	X
f. Continue the policy (impacts identified)	Continue with the proposal, despite any adverse impacts, provided it is not unlawfully discriminatory and is justified.	
g. Adjust the policy and continue	Take steps to remove barriers, mitigate impacts or better advance equality before continuing with the policy.	
h. Stop and remove the policy	There are adverse effects that are not justified and cannot be mitigated. The policy is unlawfully discriminatory.	
Reason for decision: The fee increase is being applied uniformly across the profession, and is rising only in line with inflation. To the extent that any indirect impacts may apply in relation to certain groups, these are justified as a legitimate aim, as discussed above.		

5. Action Plan for Improvement

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Give an outline of the key actions that need taking based on any challenges, gaps and opportunities you have identified. Include here any action to address negative equality impacts or data gaps.			
Action Required	Desired Outcome	Person Responsible	Timescale
Include EIA in PCF consultation	Feedback on possible equality impacts	Rebecca Thomas	January 2027

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