

## **Schedule of matters reserved to the Board**

### **1 Regulation and control**

- 1.1 Approving the delegation of any of the Board's powers to the Chief Executive<sup>1</sup>.
- 1.2 Approving the Board's own rules of procedure<sup>2</sup>.
- 1.3 Approving all proposed expenditure above £250k.
- 1.4 Approving bids for expenditure above the authorised limits to Ministry of Justice.
- 1.5 Approving the instigation or defence of legal proceedings (including actions for judicial review).
- 1.6 Approving the minutes of Board meetings.

### **2 Appointments**

- 2.1 Appointing and dismissing Committees and Subcommittees<sup>3</sup>.
- 2.2 Approving the Terms of Reference of Committees and Subcommittees<sup>4</sup>.
- 2.3 Appointing, dismissing and consenting to the terms and conditions of service of the Chief Executive<sup>5</sup>.
- 2.4 Approving the Terms of Reference of the Consumer Panel.
- 2.5 Appointing, removing and approving the terms and conditions of appointment of the Chairman and Members of the Consumer Panel<sup>6</sup>.
- 2.6 Appointing, removing and approving the terms and conditions of appointment of the Chairman and Members of the Office of Legal Complaints (**OLC**)<sup>7</sup>.
- 2.7 Appointing, dismissing and approving the remuneration of the internal auditor.

### **3 Strategy, business plan and budget**

- 3.1 Approving LSB's strategy.
- 3.2 Approving LSB's business plan (including the budget as considered by the Audit and Risk Committee).

### **4 Risk management**

- 4.1 Approving LSB's strategy and procedures for the management of risk.
- 4.2 Approving LSB's Corporate Risk Register.
- 4.3 Approving LSB's strategy and procedures for the management of health and safety.

### **5 Operational decisions**

- 5.1 Approving LSB's research strategy and annual plan.
- 5.2 Approving in principle the policy content of draft (pre- and post-) consultation documents.
- 5.3 Approving in principle the proposed response to an external consultation.
- 5.4 Approving the instigation of formal enforcement action.

- 5.5 Approving the content and exact form and words of rules (including Statutory Instruments) that must or may be made under the Act, including in relation to the Levy.
- 5.6 Approving recommendations to the Lord Chancellor about:
  - a) obtaining the Lord Chancellor's consent to rules (including Statutory Instruments) that must or may be made under the Act,
  - b) the addition or the removal of a reserved legal activity<sup>8</sup>,
  - c) the designation or the cancellation of a designation as an Approved Regulator<sup>9</sup> and/or a Licensing Authority<sup>10</sup>,
  - d) the modification of the functions of an Approved Regulator<sup>11</sup>,
  - e) the ending of the transitional period<sup>12</sup>,
  - f) the ending of transitional protection for non-commercial bodies<sup>13</sup>,
  - g) the establishment of an appellate body<sup>14</sup>,
  - h) the carrying on of a reserved legal activity<sup>15</sup>,
  - i) the designation of the Board as an Approved Regulator<sup>16</sup>, or
  - j) exempt persons<sup>17</sup>.
- 5.7 Approving the process for considering requests to alter the regulatory arrangements of Approved Regulators.
- 5.8 Approving policy statements (including variations)<sup>18</sup>.
- 5.9 Approving Guidance (including variations)<sup>19</sup>.
- 5.10 Agreeing to impose, and the amount of, a financial penalty.
- 5.11 Approving Solicitors Disciplinary Tribunal's annual budget.
- 5.12 Approving the practising fees of Approved Regulators.

## **6 Consumer Panel**

- 6.1 Endorsing the Consumer Panel's annual work programme.
- 6.2 Considering any representations made to it by the Consumer Panel<sup>20</sup>.
- 6.3 Approving any notice setting out the reason(s) for its disagreement with any representations made to it by the Consumer Panel<sup>21</sup>.
- 6.4 Requesting and considering advice or research from the Consumer Panel<sup>22</sup>.

## **7 Office for Legal Complaints**

- 7.1 Approving OLC's annual budget<sup>23</sup>.
- 7.2 Considering and presenting OLC's annual report to the Lord Chancellor<sup>24</sup>.
- 7.3 Considering and presenting OLC's statement of accounts to the Lord Chancellor and the Comptroller and Auditor General<sup>25</sup>.
- 7.4 Directing OLC to prepare and to give LSB a report in respect of any OLC function<sup>26</sup>.
- 7.5 Approving OLC performance targets (including directing OLC to set performance targets)<sup>27</sup>.
- 7.6 Approving recommendations made under s130 of the Act to the Lord Chancellor (in respect of Orders under s128 of the Act)<sup>28</sup>.
- 7.7 Approving recommendations made under s139 of the Act to the Lord Chancellor (in respect of limitation on value of directions under the Ombudsman Scheme)<sup>29</sup>.
- 7.8 Consenting to OLC's Scheme Rules (including directing OLC to modify its Scheme Rules)<sup>30</sup>.

## 8 Financial and performance reporting arrangements

- 8.1 Appraising continuously LSB's affairs by means of the receipt of reports as it sees fit from Committees, Subcommittees and LSB colleagues.
- 8.2 Overseeing the effective executive management of LSB.
- 8.3 Approving the LSB Management Statement and Financial Memorandum / Framework Agreement.
- 8.4 Approving LSB's annual report<sup>31</sup>.
- 8.5 Approving and presenting LSB's statement of accounts to the Lord Chancellor and the Comptroller and Auditor General<sup>32</sup>.
- 8.6 Approving LSB's Finance Regulations and finance policies (including in respect of expenses and corporate gifts and hospitality).
- 8.7 Approving LSB performance targets.

Approved by the Board on 29 June 2010.

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<sup>1</sup> Paragraph 23 of Schedule 1 to Legal Services Act 2007 ('the Act').

<sup>2</sup> *Ibid.*, para. 21.

<sup>3</sup> *Ibid.*, para. 20.

<sup>4</sup> *Ibid.*, para 21.

<sup>5</sup> *Ibid.*, para 13 and 15-16.

<sup>6</sup> The Chairman and Members of the Consumer Panel are appointed and may be removed only with the approval of the Lord Chancellor (*Ibid.*, section 8).

<sup>7</sup> The Chairman of the OLC is appointed and may be removed only with the approval of the Lord Chancellor and the Members of the OLC are appointed any may be removed only after consultation with the Chairman of the OLC (*Ibid.*, Schd. 15, para. 1 and 8).

<sup>8</sup> *Ibid.*, ss. 24 and 26.

<sup>9</sup> *Ibid.*, s20, Schd. 4 and s45.

<sup>10</sup> *Ibid.*, s74, Schd. 10 and s76.

<sup>11</sup> *Ibid.*, s69.

<sup>12</sup> *Ibid.*, Schd. 5, Part 2.

<sup>13</sup> *Ibid.*, s23.

<sup>14</sup> *Ibid.*, s80.

<sup>15</sup> *Ibid.*, s15.

<sup>16</sup> *Ibid.*, s62.

<sup>17</sup> *Ibid.*, Schd. 3, para. 9.

<sup>18</sup> *Ibid.*, s49.

<sup>19</sup> *Ibid.*, s162.

<sup>20</sup> *Ibid.*, s10.

<sup>21</sup> *Ibid.*, s10.

<sup>22</sup> *Ibid.*, s11.

<sup>23</sup> *Ibid.*, Schd. 15, para. 23.

<sup>24</sup> *Ibid.*, s118.

<sup>25</sup> *Ibid.*, Schd. 15, para. 26.

<sup>26</sup> *Ibid.*, s120.

<sup>27</sup> *Ibid.*, s121.

<sup>28</sup> *Ibid.*, s130.

<sup>29</sup> *Ibid.*, s139.

<sup>30</sup> *Ibid.*, ss155-156.

<sup>31</sup> *Ibid.*, s6.

<sup>32</sup> *Ibid.*, Schd. 1, para. 25.