

11 November 2016

Consultation Section  
Legal Services Board  
One Kemble Street  
London  
WC2B 4AN

**Consultation: Encouraging a diverse profession (revised guidance)**

Dear Sirs,

Further to the above consultation, we wish to raise the following:

- The proposed new guidance does not differentiate clearly or indeed at all, on the expectations of those approved regulators who regulate individuals and those who regulate entities. Individuals as employees rarely have any control over diversity matters e.g. recruitment and internal policy, which therefore puts those approved regulators who regulate individuals at a disadvantage in achieving “across the board of legal regulation” expectations and outcomes.
- 17(2): We again raise our concern that we are required to identify and implement policy based on flawed data (the diversity survey is voluntary and permits for questions not to be answered).
- 20: Indicates the LSB intention to introduce a “*formal assessment of diversity work*” yet details of this assessment process, with appropriate checks and measures to ensure balance, proportionality and a just and fair outcome do not appear.
- 22: This states the LSB would “*expect regulators to work together and agree a common methodology.*” Would this have been better phrased as the LSB would “*encourage regulators to work together .....*”.

The proposed revised guidance

This document is wholly contradictory. It masquerades as guidance (*"information and advice"*) yet it is a defined set of expectations. Expectations the LSB has stated it will take into account when implementing its proposed new formal assessment process.

Further, it contradicts that said by the LSB under 16 of the consultation paper in that the proposed change seeks to allow approved regulators *"more freedom in determining their own targeted approaches to encouraging the diversity of their respective professions"* as the outcomes section is actually the LSB setting out a more defined approach to be taken.

Yours sincerely,

Lynn Plumbley  
Chief Executive

*CC: Steve Winfield*