

## **The Patent Regulation Board and the Trade Mark Regulation Board**

### **Agenda**

**Thursday 12 December 2024 at 1.00 pm**

Orwell Room, 20 Little Britain, London, EC1A 7DH

1. Apologies
2. Notification of any conflicts of interest

#### **Items for decision/discussion**

3. Minutes of November 2024 meeting and matters arising
  4. IT system and fee collection update (SE) – no paper
  5. Education:
    - a. Update on Education Review and PEB re-accreditation (SG)
    - b. Apprenticeships (SG)
  6. Governance Action Plan (SP/FG) – review of outstanding matters
  7. First Tier Complaints – new LSB requirements (VS)
  8. Complaints update (SE)
  9. CEO's report (FG)
  10. Action Log (FG)
  11. Red Risks (FG)
  12. IPReg Limited – appointment of new Members and adoption of new Articles of Association (FG)
- 
13. Regulatory Statement  
Confirmation that, except where expressly stated, all matters are approved by the Patent Regulation Board and the Trade Mark Regulation Board.

## Board meeting 12<sup>th</sup> December 2024

### Update on review exercises for the re-accreditation of the PEB's foundation certificate and final diploma examinations

#### Agenda item: 5a

**Author:** Sally Gosling, Head of Education Review; [sally.gosling@ipreg.org.uk](mailto:sally.gosling@ipreg.org.uk)

This paper is for noting.

*The covering Board paper will be published. The annex will not be published.*

#### Summary

1. This paper provides the Board with an update on IPReg activity to consider the PEB's foundation certificate (FC) and final diploma (FD) examinations for re-accreditation. It outlines the following:
  - IPReg's communications with the PEB on the review exercises.
  - The review process that is now underway.
  - The approach being taken to managing each exercise in parallel.
  - The intended timeframe for the exercises' completion.

#### Recommendation

2. The Board is invited to note the approach being taken to manage the two review exercises and the intended timeframe for their completion.

#### Risks and mitigations

|                     |   |  |
|---------------------|---|--|
| <b>Financial</b>    | IPReg will partially cover the costs attached to the re-accreditation exercises, given their nature and complexity. | IPReg's appointment of the same independent assessors to undertake both re-accreditation exercises should achieve efficiencies, helping to manage the costs for both itself and the PEB. |
| <b>Legal</b>        | [REDACTED]  | [REDACTED]   |
| <b>Reputational</b> | Conducting the re-accreditation exercises needs to demonstrate  | IPReg intends to remain in regular contact with the PEB throughout the exercises to  |

|                  |  |   |
|------------------|--|---|
|                  | rigour, proportionality and timeliness in line with IPReg’s regulatory functions and responsibilities. This includes to manage potential delays in how the exercises can be conducted and the potential outcome of each exercise.  | seek to ensure their timely smooth-running. It will also seek feedback on the process from all parties, including with a view to this informing areas of focus within its forthcoming education review.   |
| <b>Resources</b> | <p>The exercises will draw on executive resource to manage and oversee arrangements and links with the PEB and its independent assessors.</p> <p>The substance of the review exercise will be undertaken by independent assessors, appointed for this purpose. The high volume of review activity involved in the exercises has been identified.</p> | <p>IPReg’s approach is intended to provide clarity on the process, arrangements and timeframe for the PEB and the independent assessors, such that the exercises can run as smoothly as possible.</p> <p>IPReg’s use of independent assessors draws on external expert resources, as well as upholding the rigour of its re-accreditation approach.</p> |

## Supporting information

### Focus of re-accreditation activity

3. The IPReg executive has progressed arrangements with the PEB to progress the review exercises for the re-accreditation of the FC and FD exams. The two exercises have distinct purposes:
  - The exercise for the FC exams is to consider them for IPReg re-accreditation, in line with IPReg’s periodic (usually five-year) review process.
  - The exercise for the FD exams is to consider how the PEB has addressed the 19 requirements and two recommendations that IPReg attached to its re-accreditation of the exams in 2022.
  
4. The two exercises need to be conducted to enable fulfilment of their distinct purposes and to uphold the rigour and probity of IPReg’s accreditation procedures. IPReg has made arrangements both to achieve this and to co-ordinate the two exercises. This has been done via discussion and consultation with the PEB. The arrangements are designed to seek to ensure the exercises (separately and in combination) are as proportionate and efficient as possible for all parties. Particular arrangements to achieve this include the following:
  - IPReg has appointed the same independent assessors to undertake both review exercises.
  - The timeframes for the two exercises are being co-ordinated, including through partial staggering (see below).
  - It has been acknowledged that there will be overlap between some of the evidence sources that the PEB logically submits for each exercise (e.g. relating to its governance arrangements, quality assurance approach and its policies and processes relating to equality, diversity and inclusion (EDI) issues).
  
5. In support of the re-accreditation exercise for the FD exams, IPReg shared feedback with the PEB on the specimen exams material that it published for comment. IPReg sent its feedback on 28<sup>th</sup> November, just ahead of the PEB’s deadline for comments. The supply of the feedback at this point was intended to be constructive. This included to fit with the PEB’s schedule for finalising

its planned changes to the FD exams and to inform the PEB's preparation of its evidence submission to IPReg on how it has addressed the requirements and recommendations attached to the FD exams' re-accreditation.

6. As part of conducting the review exercises, it is anticipated that it will be helpful for IPReg's independent assessors to meet with representatives of the PEB. This has been discussed with the PEB and independent assessors. It should part of seeking to ensure the reviews' smooth-running and that assessors can request and receive any additional information from the PEB in an efficient way for all parties.
7. The independent assessors will make arrangements with the PEB to meet as they deem necessary, taking account of the following:
  - The most appropriate timing of meeting to fit with the overall timeframe for each exercise and the PEB's capacity and internal schedules.
  - The co-ordination of the two exercises, recognising that some areas of focus are likely to be common across both the FC and FD exams and therefore might most usefully be discussed in a meeting that covers both.
  - Maintaining due distinction between the two exercises and the focus of each one in how a meeting (or meetings) are organised and structured.

#### **Planned timeframe**

8. IPReg has liaised with the PEB to establish the most appropriate timeframes to conduct the re-accreditation exercises for the FC and FD exams. The planned timeframes are outlined below.
  - The PEB submitted its evidence for the review of the FC exams on 2<sup>nd</sup> December, with this shared with IPReg assessors on 3<sup>rd</sup> December for initial review.
  - The PEB intends to submit its evidence submission to IPReg in response to the requirements and recommendations attached to re-accreditation of the FD exams in the week beginning 16<sup>th</sup> December; again, this will be shared with the assessors as soon as received, so that they can begin the review exercise.
  - The review exercise for both the FC and FD exams is due to be completed by the end of February 2025.
9. The planned timeframes do the following:
  - Reflect the respective indicative timeframes for progressing re-accreditation activity for each set of exams that were previously set by IPReg.
  - Take account of the PEB's indicated capacity to engage with each re-accreditation exercise in the context of its operational and developmental activity.
  - Take account of the PEB's indicated internal timeframes for the sign-off of changes to its exams and for preparing for its 2025 exams cycle.
10. If the planned timeframes can be achieved for each set of exams, it should be possible to share an indication of the outcome of each exercise with IPReg's Education Working Group and the Board at their meetings in March 2025. This will be with a view to submitting the formal recommendations for ratification at their respective meetings in April and May 2025 (see **Annex**).

11. Communication between IPReg and the PEB has indicated that the timeframes for conducting each exercise need to be kept under review and may need to be modified and extended. This is particularly to take account of one or more of the following:
- Any delay to the PEB's submission of evidence relating to the FD exams.
  - Any delay to the PEB's submission of additional evidence that IPReg's independent assessors request in order to complete their review activity against IPReg's accreditation requirements for the FC exams and the specific requirements and recommendations attached to the re-accreditation of the FD exams in 2022.
  - The time required by IPReg's independent assessors to undertake a full review of the volume of evidence submitted for each re-accreditation exercise, once they are able to judge this.
  - Any changes to the PEB's capacity to engage with each exercise (and in combination) within the planned timeframe.
12. It has been agreed between IPReg and the PEB that it will be valuable to remain in regular contact throughout the review exercises. This includes to manage the timeframes and to make any adjustments to them, if required, as well as to address any queries relating to process.

Sally Gosling  
IPReg Head of Education Review  
5<sup>th</sup> December 2024

**Board meeting 12<sup>th</sup> December 2024**

**Potential apprenticeship developments**

**Agenda item: 5b**

**Author:** Sally Gosling, Head of Education Review; [sally.gosling@ipreg.org.uk](mailto:sally.gosling@ipreg.org.uk)

**This paper is for discussion/decision.**

***The covering Board paper will be published. The annexes will not be published.***

## **Summary**

1. This paper provides the Board with an overview of potential opportunities afforded by apprenticeships for the professions that IPReg regulates. It has a particular focus on current activity relating to the patent attorney profession.
2. The paper covers the following areas:
  - The role that apprenticeships could potentially play in addressing current barriers to entering the professions and progressing IPReg's diversity action plan.
  - Different approaches and models that could potentially be taken to optimise apprenticeships' utility and value within the patent and trade mark professions.
  - The logic of factoring the potential role of apprenticeships into IPReg's education review.
  - The importance of ensuring IPReg involvement in potential apprenticeship developments contributes to fulfilling its regulatory responsibilities and functions and fits within the parameters of those responsibilities and functions.
  - The potential value of providing a brief statement on IPReg's stance on apprenticeships.
3. The paper acknowledges the uncertain, wider context in which potential apprenticeship developments sit. This includes as the government reviews whether employers can continue to use the apprenticeship levy for their take-up of level 7 apprenticeships and as structural changes to how the apprenticeships agenda is led and managed are progressed.

## **Recommendation**

4. The Board is invited to
  - Consider the apprenticeship developments outlined in the paper and comment on their apparent significance to IPReg's fulfilment of its regulatory role.
  - Approve the recommendation that IPReg remains involved in apprenticeship developments, with a focus on
    - o Advising on how different potential apprenticeship models could fit with IPReg education requirements and eligibility requirements for individual registration.

- Exploring how potential apprenticeship developments can inform IPReg’s education review, including in terms of looking at different models of education and entry routes into the professions and addressing current barriers from equality, diversity and inclusion (EDI) perspectives.
- Engaging in stakeholder collaboration and engagement.

### Risks and mitigations

|                     |  |   |
|---------------------|--|---|
| <b>Financial</b>    | It is not anticipated that current or anticipated apprenticeship developments have short- or medium-term financial implications for IPReg. There could be potential longer-term implications arising changing dynamics in workforce supply and demand, depending on whether and how possible apprenticeship models move forward and how these intersect with IPReg’s individual registration requirements. | This will be kept under active review through IPReg’s engagement with developments.   |
| <b>Legal</b>        | [REDACTED]   | [REDACTED]  |
| <b>Reputational</b> | There is the potential for reputational risk if potential apprenticeship developments either did not fulfil IPReg requirements or were misconstrued as being intended to fulfil them when this would not be appropriate or possible.   | It is important for IPReg to have advisory input to apprenticeship developments from a regulatory perspective to ensure that they do not undermine standards and quality within the professions’ education and that they contribute to enhancing responsiveness to professional practice, service delivery and consumer needs and help to address EDI issues. |
| <b>Resources</b>    | It is not anticipated that IPReg’s involvement in apprenticeship-related activity has short- or medium-term resource implications, beyond executive input to stakeholder meetings and consideration of the topic in IPReg’s education review. If apprenticeships were to be created as new entry routes into either profession, this would have implications for how IPReg enacts its accreditation role.  | This will be kept under active review through IPReg’s engagement with developments.   |

## Supporting information

### Purpose of the paper

5. This paper is designed to support the Board's consideration of the potential opportunities afforded by apprenticeships for the patent attorney and trade mark attorney professions, and the potential implications of different apprenticeship models being adopted. Discussion on these topics sits in the context of potential apprenticeship developments being explored in the patent attorney profession, while it is understood that there is early interest in possible apprenticeship opportunities within the trade mark attorney profession.
6. It therefore seems timely for the Board to review developments to date, potential developments, and how these relate to priority issues for IPReg and enacting its regulatory functions and responsibilities. Possible apprenticeship developments particularly relate to IPReg's education review and addressing current barriers to entry to the professions.

### The current context

7. The design, delivery and take-up of degree and higher education apprenticeships have progressed at pace since 2016. This follows the modernisation and extension of the apprenticeships agenda through implementing the Enterprise Act, 2016. Apprenticeships providing entry routes into regulated professions are now common, with these mostly delivered by the higher education sector at either level 6 or level 7 alongside 'standard' professional education entry routes.
8. In the university sector, a broad range of institutions are involved in degree and higher apprenticeship delivery. This includes Russell Group universities, universities with an established focus on vocational education, and private universities. Some apprenticeships providing routes into regulated professions are also delivered as higher apprenticeship via qualifications with Ofqual recognition. In addition, there has been strong use of apprenticeships (e.g. particularly in healthcare) to support post-registration workforce development at scale and on a multi-professional basis. These developments sit in the context of apprenticeships' design being employer-led, while needing to be informed by prospective education providers and to adhere to relevant regulatory and professional requirements for the profession in question.
9. There is increasing evidence of apprenticeships' value and impact in terms of providing high-quality routes into professions that are responsive to current workforce and service delivery needs. Other benefits include widening participation, strengthening the integration of academic and work-based learning (and therefore theory and practice) within professional education, improving workforce retention, and supporting individuals' professional development and progression. A summary of key aspects of apprenticeship requirements and structures is attached as **Annex A**.
10. At the same time, there is current uncertainty within the apprenticeship development and delivery as the government reviews priorities for skills development. It remains to be resolved whether employers will continue to be able to use the apprenticeship levy to fund their workforce development at level 7, as has been done at increasing scale over recent years. In addition, the current body with responsibility for apprenticeships in England, the Institute for Apprenticeships and Technical Education (IfATE), is due to be integrated into Skills England. This new body is currently in formation. The shift in responsibility for apprenticeships is due to take place early in 2025.



### **Current consideration of apprenticeships within IPReg-regulated professions**

11. Employer-led activity has been underway for some months to consider whether and how an apprenticeship route could be created within the patent attorney profession. A nascent trailblazer group has been formed, supported by input from an IfATE representative. A proposal for an apprenticeship standard to be developed is currently being drafted. It is focused on creating a level 6 apprenticeship that would provide partial qualification to becoming a patent attorney, with the potential apprenticeship route combining apprentices undertaking a STEM degree with meeting IPReg's foundation-level requirements.
12. Current thinking is that those successfully completing the apprenticeship would have the opportunity (subject to this fitting with employer needs) to progress to qualification as a patent attorney via the final diploma (FD) exams. Careful consideration is also being given to how the model could support apprentices to meet the eligibility requirements to sit the European Qualifying Examinations (EQE), recognising the importance of this for meeting professional development, employer, service delivery and consumer needs. Considerations brought to the possible approach so far are outlined in **Annex B**.

### **IPReg involvement in apprenticeship developments to date**

13. The IPReg executive has been involved in the nascent trailblazer group meetings to date, including some smaller meetings convened to consider specific issues. Advice has also been provided on key elements of IPReg's policies and requirements relating to education and eligibility that should inform how a possible apprenticeship is framed. This includes in the context of a possible apprenticeship being focused on partial qualification as a patent attorney, given the importance of ensuring that its design would enable individuals' subsequent progression to qualifying and registering as a patent attorney, rather than inhibiting this opportunity. Relevant materials include IPReg's core regulatory framework and standard operating procedures, competency framework and accreditation handbook. Broader information has also been shared on wider apprenticeship developments, to inform consideration of the issues involved.

### **Potential value of asserting IPReg's position**

14. Apprenticeships provide the prospect of valuable opportunities for the professions regulated by IPReg. This includes to address issues that the Board has identified as high-priority and high-risk. Engagement with apprenticeships also presents complexities, with this being the case for all professions and from both employer and education provider perspectives. Exploring possible ways to address these complexities and to identify possible solutions to optimising apprenticeships' value requires strong levels of collaboration between stakeholders. These include employers, education providers, the regulator and professional bodies, with each stakeholder group having a distinctive role to play.
15. For these reasons, it is suggested that there may be a value in IPReg producing a position statement on apprenticeships. A draft is attached as **Annex C**.

Sally Gosling  
IPReg Head of Education Review  
5<sup>th</sup> December 2024

## Board Meeting 12th December 2024

### Governance and Transparency Working Group (G&TWG) Report

#### Agenda Item: 6

**Author:** Samantha Peters, Chair of the Governance and Transparency Working Group.

#### This paper is for information and discussion

*Annex A, B and C to this Board paper have previously been published.*

#### Summary

1. The IPReg Governance and Transparency Working Group was set up to look at governance and transparency at IPReg. It was formed to identify potential areas of improvement in the light of the organisation's performance in the Well-Led dimension of the Legal Services Board's (LSB) 2021 Performance Assessment.
2. The Working Group carried out a governance review between January and June 2022, and presented its findings to the Board in July 2022, together with a Governance Action Plan with 19 recommendations, which the Board adopted.
3. The purpose of this paper is to revisit the original plan, stimulate discussion on the extent to which it has been achieved, and identify any areas for future consideration. It is noted that the Board received an effectiveness report from its external evaluators in November 2024. This report will not seek to duplicate its recommendations, but rather support the Board to reflect on progress.

#### Recommendation(s)

4. The Board is asked to:
  - Note the contents of this report.
  - Consider and give feedback on the questions set out in Section 15.

#### Risks and mitigations

|                  | <b>Risk</b>   | <b>Mitigation</b>  |
|------------------|---|--|
| <b>Financial</b> | There may be unforeseen costs associated with the continued implementation of activities within the Governance Action Plan. | As far as possible, this work is being accommodated within the current budget. |
| <b>Legal</b>     | [REDACTED]  | [REDACTED]   |

|                     |  |  |
|---------------------|--|--|
| <b>Reputational</b> | Boards which make decisions ineffectively, or in ways that lack transparency, expose their organisations to reputational risk. | This work should assist IPReg with assurance that it is not exposing itself to such risks. |
| <b>Resources</b>    | The main resources currently being expended on this are staff time.  | External support may be sought should internal capacity require it.                        |

## Background

5. The Governance and Transparency Working Group was formed in January 2022. Its members were Victor Olowe, Samantha Peters (the Chair), and Emma Reeve. Its meetings were attended by Fran Gillon, Chief Executive and Shelley Edwards, Head of Registration. The group met monthly from inception, with its last meeting taking place on 23 June 2022.
6. The Working Group's remit included a consideration of the following:
  - *all relevant aspects of the governance arrangements at IPReg, taking into account the LSB's recent Performance Assessment in relation to the Well-Led outcomes.*
  - *all relevant aspects of the transparency arrangements at IPReg, taking into account the LSB's recent Performance Assessment in relation to the Well-Led outcomes.*
  - *the arrangements for the ongoing review of board effectiveness of the IPReg Board.*
  - *wider good practice developments in relation to governance and transparency, which it may be helpful and proportionate to adopt and make relevant recommendations to the Board.*
7. In order to judge IPReg's practice, the Working Group assessed it against a variety of governance codes. It also compared IPReg to other legal services regulators. Benchmarking was undertaken to compare IPREG mechanisms for governance and transparency to those of other regulators in the sector. Additionally, the Group studied LSB Reviews of other regulators' governance arrangements and mined their responses for additional insight. All this informed the Group's understanding of potential governance problems and solutions within the sector.
8. The general overarching conclusions of the Group were that:
  - a) the effectiveness and transparency of IPReg's governance policies and procedures could be enhanced.
  - b) increasing clarity concerning the Board's role, as well as expanding and enhancing its systems and processes for scrutinising and developing itself, would be helpful.
  - c) a consideration of how Board meetings are arranged, to ensure that the Board has the information and support it needs for effective decision-making, would be timely.
  - d) there is an opportunity to enhance the effectiveness and transparency of IPReg's strategic planning and performance management.
  - e) a consideration of IPReg's transparency when engaging and communicating with relevant stakeholders, would also be valuable at this time.
9. A Governance Action Plan, comprising 19 specific recommendations, was produced. Each action was allocated a priority level and timeline to aid delivery. These are detailed below.

9.1. **Short-term Recommendations** - For delivery within six months (July 2022 to December 2022):

- **R1:** Review the items considered at Board meetings to ensure Agendas meet IPReg's current and future strategic and regulatory objectives.
- **R2:** Review the template for Board Meeting papers to ensure that these meet IPReg's current and future strategic and regulatory objectives.
- **R3:** Expand Board minutes to provide detailed reasoning for Board decisions.
- **R13:** Publish the Governance Action plan with Board papers, and report on progress in subsequent Annual Reports and Board meetings
- **R14:** Publish a Publication Policy setting out what IPReg will publish or make available to the public.
- **R 19:** Review the Board's approach to risk and set out its policy and procedures for managing risk in writing.

9.2. **Medium-term Recommendations** – For delivery within six to 12 months (January to June 2023):

- **R4:** Revise the format for the next Strategic Plan to ensure IPReg has strategically articulated objectives, clearly aligned with the LSA 2007, with related performance indicators and measurements.
- **R6:** Develop a cycle of Board Reflection Events which support a culture of reflective practice at this level.
- **R7:** Review Rules of Procedure and Terms of Reference (ToR) for the Board and all its working groups and publish these in the Governance Handbook.
- **R8:** Set out procedures for annual internal individual Board member and Chair appraisals in writing in the Governance Handbook.
- **R15:** Review our use of external expertise in the light of the regulatory arrangements review and consider the potential benefits of using such a system more widely.
- **R17:** Review the scope of the Annual Report, with a view to providing enhanced transparency about how IPReg operates.
- **R18:** Review arrangements for action plans, performance indicators and published policies concerning Equality, Diversity, and Inclusion (EDI).

9.3. **Longer-term Recommendations:** For delivery within 12 to 18 months (from July 2023 to December 2023):

- **R5:** Produce an annual Work Plan/Business Plan, setting out IPReg's objectives and performance indicators for the year, and introduce quarterly reports on this at Board Meetings.
- **R9:** Put in place a process of independent external Board evaluation and set out procedures for this in writing in the Governance Handbook.
- **R10:** Set out IPReg's policy for the recruitment and reappointment of Board members in writing in the Governance Handbook.
- **R11:** Produce a separate written procedure for Handling Complaints or Concerns about Members of the Board.
- **R12:** Consolidate all governance policies and procedures into a single Governance Handbook and publish this on the website.

- **R16:** Develop a written stakeholder engagement strategy setting out how stakeholders' views are obtained and considered by IPReg.

10. The longer-term priorities were not lesser in terms of their importance, but rather items which were best scheduled once other actions had been completed. The Board later moved Recommendation 18 on EDI into longer term planning (12 to 18 months).

## Analysis and Discussion

11. The progress towards meeting Priority 1 short-term actions is as follows.

11.1. **Board Papers:** Board agendas were reviewed, a new format trialled, and changes implemented for 2023 meetings (R1). Board meeting templates papers were also reviewed, with new formats trialled and put in place from December 2022 (R2). Board minutes were expanded with more detailed reasoning for decisions (R3), and an external minute taker has been appointed.

11.2. **Publications and Transparency:** The agreed Governance Action Plan (R13) was published in July 2022, followed by regular reports on progress in Annual Reports and Board meetings. Additionally, a Publication Policy (R14) setting out what IPReg will publish or make available to the public was produced, informed by a review of other regulators' policies, and based on an ICO model policy (R14). This was approved by the Board in December 2022 and published on the website in January 2023. It is also included in the Governance Handbook.

11.3. **Risk Management:** The Board established a Risk Working group (R19), supported by an external advisor (Sayer Vincent) to review its approach to risk and develop written policies and procedures for managing this aspect of its work. The Working Group carried out its review between September 2023 and June 2024 and presented a new risk policy and register to the Board meeting in July 2024. This was approved, with the Board operating the new policy since its September 2024 meeting.

12. The progress on Priority 2 medium term actions is as follows:

12.1. **Strategic Planning:** The Board developed a new strategy in January 2023 and consulted on a new business plan (for 2024) in July 2023 (R4). It is worth the Board reflecting on whether the new format fully addresses the original aspirations set out in recommendation 4.

12.2. **Board Reflection and Expertise:** The Board instituted Board only discussions at its strategy meetings, and now receives a market update from external researchers (R6). It has also held an informal Board dinner. The Board has developed a list of potential speakers at Board meetings (in January 23) and had a speaker at its May 23 meeting on the EQE (R15). It is worth the Board reflecting on whether these steps fully address the original aspirations set out in recommendations 6 and 15.

- 12.3. **Publications and Transparency:** The Rules of Procedure/Terms of Reference (ToR) for the Board were reviewed and published in the new Governance Handbook (R7). ToR for working groups were also revised and approved) by the Board in December 2023. They do not appear in the Governance Handbook but are available on the website. The procedures for annual internal individual Board member and Chair appraisals have been captured in writing in the Governance Handbook (R8). The scope of the Annual Report has been reviewed (R17). A re-design was considered at the March 2023 Board meeting, and a new format published in April 2023 (2022 Annual Report) with new sections such as Board expenses.
13. The Priority 3 longer term actions have been progressed as follows:
- 13.1. **Business Planning:** In respect of an annual Work Plan/Business Plan, setting out IPReg's objectives and performance indicators for the year, with quarterly reports on this at Board meetings (R5), the Board consulted on its new business plan (for 2024) in July 2023. However, it was agreed that the development of performance indicators would develop from the consideration of risk by the Risk Working Group. It is worth the Board reflecting on what is still needed in this area.
- 13.2. **Board Evaluation:** The Board has put place a process of independent external Board evaluation (R9). The first of these took place in October 2004, with a report to the Board on the 7 November 2024. The Board's continued commitment to triennial external independent review is set out in the Governance Handbook.
- 13.3. **Publications and Transparency:** The Board's governance policies and procedures have been reviewed and consolidated into a single Governance Handbook (R12), published on the IPReg website.<sup>1</sup> This includes the policy for the recruitment and reappointment of Board members (R10). A separate written procedure for Handling Complaints or Concerns about Members of the Board was considered by the Board in December 2023 (R11), entitled *IPReg Procedure for Complaints about an IPReg Board Member*. This will be published on the website.
- 13.4. **Engagement and Inclusion:** A stakeholder engagement strategy (R16) setting out how stakeholders' views are obtained and considered by IPReg was discussed by the Board in December 2023 and finalised in March 2024. A review of arrangements for action plans, performance indicators and published policies concerning Equality, Diversity, and Inclusion (R18) was undertaken. A new EDI policy and diversity action plan was approved in January 2024 and the Board now receives six monthly reports on delivery.
14. Full reports of the work undertaken are set out Annexes A, B and C. These have been seen by the Board previously, and are only attached for reference purposes, so the Board may check the detail underpinning specific actions or recommendations should they wish to do so.
15. The Board is asked to reflect on overall progress and consider the three questions:

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<sup>1</sup> <https://ipreg.org.uk/sites/default/files/2024-11/governance-handbook-november-2024-update.pdf>;

- a) Now the Board's governance policies and procedures have been consolidated into a single Governance Handbook, is anything missing (see link in footnote).
- b) Do the formats of the Board's Strategic Plan and Business Plans sufficiently articulate its objectives, performance indicators and measurements. Note the work on performance indicators was expected to follow on after/flow from the activities of the Risk Working Group.
- c) Does the Board now have a culture of reflective practice, supported by an adequate cycle of Board reflection events.
- d) Are there any areas where the Board feel further reflection would be beneficial.

### **Next steps**

16. The Board is asked to consider the above questions, and any areas where further development is need for inclusion in the next appropriate workplan.

### **Supporting information**

#### **Links to strategy and business plan**

17. The Governance Action Plan was incorporated into business plans and budgets in keeping with recommended timelines.

#### **Supporting the regulatory objectives and best regulatory practice**

18. Good governance enables the Board to discharge its objectives effectively and transparently. Improvements to IPReg's governance should support the Board's ability to deliver its regulatory objectives in a manner which is open, transparent, and accountable.

### **Impacts**

19. The main impact of this work lies has been enhancing the governance systems IPReg uses to ensure its decisions are taken undertaken accountably and that it is complying with relevant codes and legal requirements.

### **Communication and engagement**

20. The Governance Action Plan has been published. It has also resulted in enhanced transparency arrangements supported by the Governance Handbook.

### **Equality and diversity**

21. Equality and Diversity was considered as part of the Group's work, and the Governance Action Plan incorporated specific actions for addressing equality and diversity strategy. It has resulted in a new EDI policy and diversity action plan.

## **Evidence/data and assumptions**

22. The Governance Action Plan drew on recognised corporate governance codes in undertaking its work. These included: The UK Corporate Governance Code, the Financial Reporting Council Board Effectiveness Guidance, the UK Charity Governance Code, and the UK Sports Council Governance Code. This exercise informed the Working Group's understanding of current good practice. the Plan also drew on a benchmarking of other regulators, practice within the sector, and research into their performance. this included a consideration of other regulator's publicly available governance documents, and a consideration of other regulator's board papers.



## Board Meeting 12 December 2024

### First Tier Complaints – LSB Requirements, Policy Statement and Statutory Guidance

#### Agenda Item: 7

**Author:** Victoria Swan, Director of Policy ([victoria.swan@ipreg.org.uk](mailto:victoria.swan@ipreg.org.uk))

**This paper is for decision/discussion.**

*Board Paper to be published.*

#### Summary

1. This paper summarises the [S112 Requirements](#), [Policy Statement](#) and [Statutory Guidance](#) relating to First Tier Complaints (FTC) issued by the Legal Services Board (LSB). The requirements apply to clients who can complain to the Legal Ombudsman (broadly, individual consumers, charities/clubs/associations with a turnover of less than £1m and micro businesses). The changes that the LSB requires to the way FTCs are considered are significant and prescriptive. The LSB requires all frontline regulators to be compliant with the provisions by November 2025.
2. The LSB requires frontline regulators to pursue two specific outcomes:
  - (i) the best possible complaints resolution system for legal services users by using information and intelligence gathered from first-tier complaints and second-tier complaints;
  - (ii) a culture of continuous improvement and learning from complaints and feedback to improve legal services.
3. The LSB's expectations are broad in range and look to ensure consumer confidence that a complaint will be dealt with diligently. They include provisions around accessibility, information, specified steps to deal with a complaint, learning, training, and performance monitoring. Regulators will need to be explicit about what action they will take if an authorised person fails to meet their regulatory responsibilities in this area.
4. We will need to issue a consultation early in 2025 and draft and submit a rule change application to the LSB. This paper seeks the Board's views on the approach we should take to the consultation. Our view is that we have very little flexibility in the way we implement the requirements that the LSB has set out. The changes to the way FTCs are considered by firms may result in costs to them; that may serve as a deterrent to providing legal services to individual consumers and small businesses (i.e. those consumers who can complain to the Legal Ombudsman).

#### Recommendation(s)

5. The Board is asked to endorse the approach that we propose to take to the consultation and delegate to the CEO final sign off of the consultation document:
  - a. Set out clearly the rationale that the LSB has provided for the changes;

- b. Explain why we have to make the changes and that we have tried to implement them in a proportionate way. This means inclusion in guidance wherever possible rather than the Core Regulatory Framework. We will also ask for suggestions about other ways to implement them;
- c. Provide in table (or similar format) the LSB’s requirements and the proposed changes to our regulatory arrangements (which we will ask Kingsley Napley to draft);
- d. Ask what the cost of implementing the changes will be and whether that will affect the way the firm or sole trader operates in terms of the clients they provide IP legal services to;
- e. Ask what an appropriate timescale for implementing the changes would be;
- f. Provide an 8-week consultation period to maximise the number of responses.
- g. Explain our approach to CIPA, CITMA and the IP Practice Directors’ Group.

## Risks and mitigations

|                     | Risk   | Mitigation  |
|---------------------|--|---|
| <b>Financial</b>    | Regulated persons and firms to whom these provisions apply will probably need to make changes to their first-tier complaints handling processes. This may introduce a cost for them.   | Where there is any discretion afforded to IPReg as to how to apply we will keep the requirements proportionate. |
| <b>Legal</b>        | [REDACTED]   | We will need to put in place provision for these activities by November 2025 <sup>1</sup> .                     |
| <b>Reputational</b> | All frontline regulators are required to meet the LSB’s expectations in this area, and failure to do so would probably result in reputational damage and possible enforcement action.  |   |
| <b>Resources</b>    | At our 23 May 2024 Relationship Management meeting we asked whether regulators would be required to consult and make a full rule change application to the LSB or whether an exemption direction would be possible given that these are binding requirements. We were informed both a consultation and full rule change application would be required. |   |

## Current IPReg arrangements

- 6. Item 5 of IPReg’s [Core Regulatory Framework](#), implemented in July 2023, covers complaints handling:

5.1 Clients are informed, in writing, at the time of engagement about:

- 5.1.1 their right to complain about your work and associated fees
- 5.1.2 how a complaint can be made and to whom; and

<sup>1</sup> The Policy Statement and Statutory Guidance, issued in mid-May 2024, came with an 18-months completion time.

5.1.3 any right they have to make a complaint to the Legal Ombudsman and when they can make any such complaint.

5.2 If a client has made a complaint about your work or fees, this should be resolved to the client's satisfaction within eight weeks.

5.3 If a complaint cannot be resolved and your complaints procedure has been exhausted, you must:

5.3.1 explain to the client why you cannot settle the complaint; and

5.3.2 inform the client of any right they have to complain to the Legal Ombudsman, the time frame for doing so and provide full contact details to do so.

5.4 Complaints are dealt with promptly, fairly, and free of charge.

7. As part of the annual renewal registration process, we require regulated firms and sole traders to provide us with their FTC data for the preceding calendar year. As in previous years, we will be looking closely at the numbers and themes reported at this year's registration renewal. In the new year, we will be contacting those who reported figures which warrant an element of investigation, such as high volume of complaints compared to firm size, or a large firm repeatedly reporting zero complaints. We are amending two of the FTC reporting themes from 2025 onwards to enable more granular analysis of the data provided. We informed firms of this in early October. No firm has registered an issue with meeting that timeframe.
8. Where the complainant is an individual or small business (see item 10 for the meaning of complainant in this context) who considers that the complaint hasn't be dealt with to their satisfaction within 8 weeks, a complaint can be made to the Legal Ombudsman (LeO). LeO issues monthly updates to all frontline regulators regarding all cases and enquiries involving relevant regulated persons within the last 6 years. LeO has processed only 3 complaints or enquiries in the last 5 years relating to IPReg regulated persons/firms.
9. The general approach to complaints has been discussed at Board a number of times this calendar year. This was as part of the discussions regarding the LSB information request regarding its [Consumer Empowerment Policy Statement](#), the LSB's Regulatory Performance Assessment Information Request, as well as the desktop benchmarking review of the [Consumer Focused Regulation Report](#) of the Legal Services Consumer Panel.

## Legal Services Board – Definition of Complaint

10. Earlier this year, the LSB issued a Policy Statement under [section 49 of the Legal Services Act](#) and Statutory Guidance under [section 112 of the Legal Services Act 2007](#) relating to First-Tier Complaints (FTC). Together these seek for legal services users, and the public more broadly, to have confidence that they can access good quality legal services, effective avenues to raise concerns and have them resolved to their satisfaction.
11. Whilst the [LSB Guidance](#) states that complaints are those made to authorised persons about the legal services they provide, the [LSB Requirements](#) define a complaint as "an oral or written expression of

dissatisfaction, which alleges that the complainant has suffered (or may suffer) financial loss, distress, inconvenience, or other detriment”. A FTC is defined as a “relevant complaint made by a complainant to an authorised person about the services provided by that authorised person”. A complainant “has the meaning given by section 182(2) of the Act, and as prescribed under the scheme rules made by the Office for Legal Complaints under Part 6 of the Act. According to the Office for Legal Complaints Scheme Rules“ a complainant must be one of the following:

- a) an individual;
- b) a business or enterprise that was a micro-enterprise (European Union definition) when it referred the complaint to the authorised person;
- c) a charity that had an annual income net of tax of less than £1 million when it referred the complaint to the authorised person;
- d) a club/association/organisation, the affairs of which are managed by its members/a committee/a committee of its members, that had an annual income net of tax less than £1 million when it referred the complaint to the authorised person;
- e) a trustee of a trust that had an asset value of less than £1 million when it referred the complaint to the authorised person; or
- f) a personal representative or beneficiary of the estate of a person who, before they died, had not referred the complaint to the Legal Ombudsman.

#### New First Tier Complaints Expectations

12. [Section 112 of the Legal Services Act 2007](#) sets out that the regulatory arrangements of approved regulators must make provision requiring each relevant authorised person to establish and maintain procedures for the resolution of relevant complaints, or to participate in, or make arrangements to be subject to, such procedures established and maintained by another person, and to make provision for enforcement of that requirement. The section also enables the LSB to publish its requirements in these areas. It is on this basis that the LSB has issued the new [FTC Requirements](#). These are underpinned by a dedicated [FTC Policy Statement](#) (sets out Outcomes and expectations) and [FTC Guidance](#) relating to First Tier Complaints (FTC). A summary of these follows. Please note that any italicisation is mine, to emphasise whether a provision is mandatory (*must, or should*), drawn from requirements or the statement, or has an element of discretion (*may*) as it is derived from the guidance.

13. Complaints *must*:

- a) be assessed competently, diligently and impartially,
- b) be responded to fairly, consistently and promptly,
- c) be resolved at the earliest opportunity,
- d) communicate promptly to the complainant the outcome of the complaint’s consideration,
- e) where it includes offer of a suitable remedy, should that remedy be accepted, it should be complied with promptly with the remedy.

14. Complaint handling procedures *must*:

- a) be free of charge,
- b) be prominent and accessible,
- c) set out how the complaint will be handled and the steps that will be taken to resolve it, outline the possible outcomes to a complaint, including options should it not be resolved to the

complainant's satisfaction,

- d) enable effective communication in a format(s) reasonably tailored for the client's circumstances, with due regard to their information needs, and making provision for a complaint to be made in a way that is reasonable and accessible to the client,
- e) be documented in writing and available to staff, where relevant,
- f) endorsed by senior management, or there is a person responsible for its implementation, and it is implemented consistently and periodically reviewed.

15. What a client *must* be informed of:

- a) about the authorised person's complaints procedure,
- b) of the client's right to make a complaint to the authorised person about their services,
- c) of how the client may make that complaint, and that after 8 weeks of making that complaint, if they are not satisfied with how that complaint has been resolved, their options, including:
  - of any right to make a second-tier complaint to the Legal Ombudsman,
  - and information available from the Ombudsman on how to make that complaint and full contact details for the Ombudsman,
  - how to make a second-tier complaint and the time-limit within which it must be made
- d) and a)-c) information needs to be provided at the time of engagement on a new matter, or at the earliest appropriate opportunity, at the conclusion of the matter, upon request, and if a complaint is made during the matter<sup>2</sup>.

16. When a complaint is first made: there *must* be a prompt acknowledgement of receipt, provision of clear and comprehensive information about the complaints procedure which will apply and how it will be handled (as at item 15 above), information on who the individual can contact about their complaint and with a timeline for its resolution. Regular progress updates must be provided. The communication must be clear and use plain and appropriate language.

17. Learning and improvement: the authorised person *must* have measures to enable identification of any first-tier complaints issues or risks, including systemic issues/risks, in how it has assessed and sought to resolve complaints and /or in its services and measures to address the issues/risks. Consideration to be given to undertaking appropriate training and provide appropriate support to address any issues/risks.

18. Regulatory arrangements: *must* specify what action, if any, the regulator may take where they have reason to believe there has been non-compliance and it is in the public interest to take such action.

19. Outcomes: the policy statement requires pursuit of specific outcomes (emphasis added):

- (i) the **best possible complaints resolution system** for legal services users by **using information and intelligence gathered** from first-tier complaints and second-tier complaints;
- (ii) **a culture of continuous improvement and learning** from complaints and feedback to improve legal services.

<sup>2</sup> Though paragraph 25 of the Guidance does allow for a small element of discretion "in instances where the time of engagement and conclusion of the matter are very close in time, it may be sufficient to provide this information only once".

In pursuing these outcomes, regulators should take account of relevant guidance and good practice in this space from, for example, the Legal Ombudsman<sup>3</sup>.

20. Evidence expectations of regulators: the LSB sets out several specific expectations as to how regulators *should* capture and use intelligence:

- a) identifying any thematic areas of weakness, recurring issues or trends, or good practice,
- b) identifying any authorised persons with a disproportionate and consistently high number of complaints and/or premature complaints being made to the Legal Ombudsman,
- c) understand, contextualise and publish the timeliness in which the complaints are resolved to the complainant's satisfaction (8 weeks being the gateway point at which a complaint not resolved to satisfaction can be escalated to the Legal Ombudsman), and
- d) consider how regulated persons identify and address risks and using this, whilst considering legal services users with protected characteristics and/or those who are vulnerable.

21. Proportionate and targeted measures to facilitate compliance: regulators to give consideration to:

- a) *Best practice* – for example, by developing guidance and providing case studies,
- b) *Ongoing Competence* – identifying opportunities for ongoing training and development,
- c) *Reviews* – thematic or targeted reviews of recurring issues or trends and implementing measures to address concerns and achieve better consumer outcomes,
- d) *Supervision and Enforcement* – carry out interventions as appropriate and carrying out remedial actions such as training.

22. Complaint mitigations: expect each case to be considered on its own merits and measures to mitigate against risks of complaints being dismissed as vexatious or frivolous when they are not. At the other end of the scale, it is important that complainants are not disadvantaged for having made a complaint (for example, deliberate delays to progressing their case, or subjected to behaviour that is contrary to an authorised person's professional principles).

23. Authorised persons' complaints procedures: regulatory arrangements must require authorised persons to establish and maintain procedures for the resolution of relevant complaints, or to participate in, or make arrangements to be subject to procedures established and maintained by another person.

24. Relevant factors for regulators to take into account: the regulator to collect and analyse FTC data, and to consider relevant Legal Ombudsman guidance, and analysis of second-tier complaints decisions by the Legal Ombudsman. Where relevant/applicable, consider giving regard to FTC guidance and good practice from other relevant organisations such as the Ombudsman Association. Where an authorised person falls within the remit of more than one regulator, and there is a conflict, the regulatory arrangements of the entity regulator prevails.

25. Complaint investigation: an authorised person *may* choose to give explicit reassurance to a complainant that their complaint will be taken seriously, and that the person investigating the complaint has no prior involvement in the complainant's case (where this reasonable and proportionate, and where it isn't, to reassure the complainant that the investigation will be fair). They may also inform the complainant they will not be disadvantaged as a result of making a complaint. Where applicable, a senior individual and/or

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<sup>3</sup> Please note that the Legal Ombudsman has accepted, and is currently investigating, two complaints regarding an IPReg registered attorney or regulated firm in the last 5 years.

senior management having overall responsibility for the complaints handling procedure with relevant staff being made aware of it.

26. 8 weeks: given the Legal Ombudsman gateway timeframe of 8 weeks resolution<sup>4</sup>, regulators *may* wish to use it as a metric for considering the promptness with which a complaint has been made.
27. Accessibility: complaints procedures *should* be prominent, accessible, make clear that there will be no fee for a complaint being made, investigated or resolved. Complaints procedures *should* recognise that people have different needs (for example, disability, neurodiversity, digital exclusion, and vulnerable circumstances). When advising a complainant of broad possible outcome options, it *may* be accompanied by a caveat that they are indicative only. Tailor communications to each client in a format tailored to their circumstance and information needs. This *might* include, where reasonable, complaints information being provided in ways other than in writing (such as diagrams, short clips, animations) and via a range of media (such as electronically and in hard copy). Complaints procedures information on a website *should* be in a prominent location and not require multiple clicks to access. Where not on a website, information *should* be provided an equivalent suitable alternative, for example, readily available at the authorised person's office. A client *should* be enabled to make a complaint in a way, and for a complaint handling outcome to be communicated to them, in a way that is reasonable and accessible to them, which might include options for in writing, by telephone, or video call, and if the latter two, it is good practice to record this. Likely to be useful for consideration to be given to additional vehicles providing relevant information such as a separate leaflet or fact sheet, and/or to use standardised text provided by the regulator. It *might* be helpful to signpost clients and complainants to independent third-party organisations which might be able to offer assistance.
28. Acknowledgment of a complaint: *should* be made within 5 working days, and it could be helpful to liaise with the complainant at the outset of the complaint to establish the parameters of the complaint for both parties and to come to an understanding of the nature of the complaint and whether in principle the resolution sought is within the authorised person's ability to grant. It is important that complainants are aware that they can contact the provider should they have any issues with how their complaint was acknowledged.
29. Plain and appropriate language: the tone used in correspondence *should* be professional, empathetic, taking into account any sensitivities of a particular case or client, and with an apology offered if appropriate. Clear, appropriate and Plain English language *may* help mitigate a potential perception of an imbalance of power between the provider and the client.
30. Valuable source of information: the aim is for authorised persons to harness data that is beneficial to improving complaints handling and, more widely, benefit their business. If authorised persons make clear to clients that they welcome feedback, such as complaints, which might identify areas of strength and weakness in a service, this may instil greater confidence among legal service users that they will be taken seriously. Regulators *may* wish to consider whether authorised persons with no or a very low level of complaints in practice areas that are commonly subject to complaints, might indicate a flaw in their complaints handling processes.

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<sup>4</sup> That being that they can potentially accept a second-tier complaint only when a first-tier complaint has not been resolved to the satisfaction of the complainant within 8 weeks of that complaint first being made.

31. **Enforcement:** if regulators' existing measures for non-compliance with regulatory arrangements are adequate to address any failures to comply with arrangements made under s112 of the Act, these may apply without the need to make any further changes to those arrangements.

## Next steps

34. To raise with CIPA and CITMA the expectations of the LSB's new arrangements and how they will impact upon attorneys. This to be done through the CEOs meeting, as well as providing advance notice of the detail of the consultation.

35. We will issue the consultation in January, with a 8 week<sup>5</sup> consultation period, with a view to making a rule change application to the LSB in Q2 of 2025. We will publish the responses to the consultation, unless the individual respondent has asked us to not do so.

## Supporting information

### Links to strategy and business plan

36. This work is in keeping with the IPReg strategic objective, as set out in our [2025-26 Business Plan](#), to improve consumer knowledge and empowerment among users of IP legal services. This by providing targeted and proportionate information to enable users to make informed choices about their legal adviser.

### Supporting the regulatory objectives and best regulatory practice

37. The LSB is very clear it sees this work as central to the Regulatory Objective 4 Protecting and Promoting the interests of consumers, as well as of benefit to the public interest/confidence. Frontline regulators are required, "in so far as is reasonably practicable, act in a way which is compatible with the regulatory objectives".

### Impacts

37. Available evidence suggests that the most frequent user of intellectual property services is a business, rather than an individual consumer. Nonetheless, there are potentially c250 firms and c110 sole traders which will have to make changes to their FTC processes. This so that they provide the best possible complaints resolution system for individual legal services users as well as promoting a culture of continuous improvement and learning. Whilst some, probably larger, firms, may already have comprehensive FTC processes and procedures, these new provisions may have a significant impact upon smaller firms, which may have to travel further to meet the new requirements.

38. Firms and sole traders are required to report the frequency and themes of their FTCs to IPReg through the annual return renewal process. The 2025-26 annual return exercise will be the first that potentially captures some information on the new arrangements. Given the new arrangements will go live part way through the 2025 calendar year, it will be the 2026-27 annual return exercise which will capture a full picture of any changes being reported as a result of the new arrangements.

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<sup>5</sup> Reflecting the limited scope for IPReg to make any significant changes, given the consultation proposals reflect the LSB's requirements and expectations.



### **Communication and engagement**

39. We will engage with the representative bodies, CIPA and CITMA, in communicating and engaging with the regulated community. We will issue the consultation to the regulated community, the representative bodies, IP Inclusive, and the IP Practice Directors Group.

### **Equality and diversity**

40. Individual consumers of regulated IP legal services should benefit from prominent and accessible first tier complaints procedures, and communications and processes which recognise different circumstance and information needs (the LSB cites disability, neurodiversity, digital exclusion and vulnerable circumstances as examples). The [Guidance](#) suggests this might include, “where reasonable”, complaints information being provided in ways other than in writing, such as diagrams, short clips, animations, and via a range of media, such as electronically and in hard copy. It also suggests giving consideration to communication options such as writing, telephone, video call, a separate leaflet or fact sheet, and/or to use standardised text provided by the regulator and/or it might be helpful to signpost clients and complainants

41. Clear, appropriate and Plain English language may make the process more accessible and help an individual consumer perceive less of an imbalance of power.

### **Evidence/data and assumptions**

42. Complaints statistics for the reporting year ended 31 December 2023, were collected from:

Firms – 248 firms reported on the number of complaints received, with 31 of those firms declaring receipt of one or more complaints (in 2022, 43 of the 246 reporting firms had one or more complaint); and

Sole traders – of the 107 sole traders who provided information to IPReg, none had received complaints (in 2022, 3 of the reporting 105 sole traders had one or more complaint).

It is on this basis that the impact assumption is made at item 38.

43. The most frequently reported complaint theme remained costs (either that the costs were excessive or information provided on them was deficient). In 2022, firms reported 78 complaints relating to cost. In 2023, they reported 60 complaints relating to cost. The [IPReg Core Regulatory Framework](#), which went live in July 2023, introduced new transparency requirements on costs to help consumers to understand the fees they may have to pay. Focus on this issue might have helped firms to improve their approach to providing information which could have led to these reductions. The second and third most frequent complaint themes in 2023 were failure to keep the client informed (32 complaints received) and failure to follow instructions (28 complaints).

44. We review the data provided annually and make direct enquiries with the firm concerned where the information provided suggests it is appropriate to do so. This could be because of the number of complaints reported in each category has significantly increased from previous reports or where firms are collectively reporting high numbers in a particular category.

45. There have been three complaints or enquiries relating to IPReg regulated persons/firms processed by the Legal Ombudsman in the last 5 years.

**Monitoring, Evaluation and Key Metrics**

46. We have arranged for a thematic review of how well the transparency arrangements have been applied. It is anticipated that the report will be brought to the March 2025 meeting of the Board. Should that report identify anything in relation to FTCs that will inform the rule change application, as well as the scheduled thematic review of how well the new FTC arrangements have been applied.

47. We will ask for broader information on FTCs as part of our annual renewal of registration. This currently takes the form of the number of FTCs and their themes. The 2026-27 annual renewal registration will require information on resolution timeliness, and the identification of risks and their mitigation.

48. We will capture and use intelligence regarding:

- a) Identification of any thematic areas of weakness, recurring issues or trends, or good practice,
- b) Identification of any authorised persons with a disproportionate and consistently high number of complaints and/or premature complaints being made to the Legal Ombudsman,
- c) understanding, contextualising and publishing the timeliness in which the complaints are resolved to the complainant's satisfaction, and
- d) how regulated persons identify and address risks and using this, whilst considering legal services users with protected characteristics and/or those who are vulnerable.

## Board Meeting 12 December 2024

### Complaints Update

Agenda Item: 8

Author: Shelley Edwards, Head of Registration (shelley.edwards@ipreg.org.uk 020 7632 7175)

This paper is to note

### Summary

1. This paper is an update on complaints received and processed by IPReg. From 1 July 2023, the complaints process is governed by Chapter 4 of the [Core Regulatory Framework](#) and the Investigation and Disciplinary Requirements [Standard Operating Procedure](#).
2. Annex A contains case-specific updates which are confidential and will not be published.

### Recommendation(s)

3. The Board agrees to note this paper.

### Risks and mitigations

|                     | Risk   | Mitigation  |
|---------------------|--|---|
| <b>Financial</b>    | We have allocated a budget of £35,000 for costs associated with processing complaints and conducting disciplinary hearings. There is a risk that an unanticipated increase in cases will cause us to exceed the budgeted figure  | It is IPReg's policy to seek the external costs incurred in bringing disciplinary cases before a tribunal from the respondent, and recover any debt as appropriate.   |
| <b>Legal</b>        | [REDACTED]   | [REDACTED]  |
| <b>Reputational</b> | There may be a risk to IPReg's reputation if it were considered that IPReg was not conducting its investigation and enforcement process appropriately - pursuing cases with no evidential basis, not taking enforcement action where there is a clear breach of regulatory arrangements, poor decision-making at hearings etc. | IPReg has developed, in conjunction with legal advisers, a comprehensive decision-making policy to underpin its new enforcement and disciplinary procedures which form part of the regulatory arrangements review. A new Joint Disciplinary Panel has recently been appointed following a comprehensive recruitment campaign, and all new members have received training and induction. |

|                  |  |   |
|------------------|--|---|
| <b>Resources</b> | IPReg manages the initial triage and investigation of cases internally, between the Assurance Officer and Head of Registration. There is a risk that a significant increase in cases will outstrip the internal capacity of the team | Analysis of complaints data over the last 6 years shows that whilst the number of complaints received seems to be increasing, IPReg has become more efficient at resolving these cases, resulting in cases being closed more quickly and the number of open cases in any given month holding steady or reducing |
|------------------|--|---|

## Background

- The Board has routinely been updated on Complaints information, including the number of new complaints received and closed per month with a focus on the nature of individual complaints and the anticipated timetable for resolving them. The Board has not, to date, received information about the subject of the complaint due to IPReg’s former disciplinary process which may have resulted in Board members sitting as decision makers on the Complaint Review Committee.
- The Board has indicated it would find it useful to understand how cases are being monitored and advanced, to ensure timeliness of case progression.

## Discussion

- The Board should note the information in this paper.

## Next steps

- The Board should note the information in this paper.

## Supporting information

### Links to strategy and business plan

- The investigation and enforcement of complaints made about regulated persons is an integral part of IPReg’s remit.

### Supporting the regulatory objectives and best regulatory practice

- A robust investigation and enforcement process protects and promotes the public interest by demonstrating that regulated persons who breach any of IPReg’s regulatory arrangements are appropriately investigated and taken through a fair and transparent disciplinary process. IPReg’s process supports the constitutional principle of the rule of law in that justice must be done and be seen to be done in accordance with the principles of natural justice. Publishing decisions about disciplinary matters, protects and promotes the interests of consumers, promotes competition within the regulated community and increases public understanding of their legal rights by allowing consumers to make fully informed choices about their legal representatives. A clear, transparent and proportionate enforcement policy encourages an

independent, strong, diverse and effective legal profession by creating a deterrent to poor practice or professional misconduct.

10. IPReg follows best regulatory practice in the identification, investigation and processing of complaints and disciplinary hearings. Internal decision makers have backgrounds in regulation and professional discipline, and one is a practising solicitor. Members of the [Disciplinary and Interim Orders Tribunal](#) receive regular training on best practice in decision making, and are supported by legal advisers with a regulatory and professional discipline specialism. Best regulatory practice is therefore at the forefront of all decisions across all aspects of investigation and the running of disciplinary hearings.

## Impacts

11. There are no specific impacts on any type of regulated person, consumer or group.

## Monitoring, Evaluation and Key Metrics

12. In addition to headline information reported in this paper, case progression information is reported at every Board meeting in a confidential annex (to ensure ongoing investigations are not prejudiced). The Board has oversight of the number of complaints made, how long they are open, case status, next steps and anticipated timeframes on ongoing investigations. Departures from timescales set out in the Investigation and Disciplinary Requirements [Standard Operating Procedure](#) are reported in the confidential annex.

## Communication and engagement

13. Disciplinary decisions are published on IPReg's website [here](#) and, where applicable, against the name of the attorney or firm on the [online register](#).

## Equality and diversity

14. There are no specific equality and diversity issues.

## Evidence/data and assumptions

### Cases by numbers

As at 5 December 2024

- Total open cases 4
- Cases opened since last meeting 1
- Cases closed since last meeting 0
- Change (from last meeting) +1

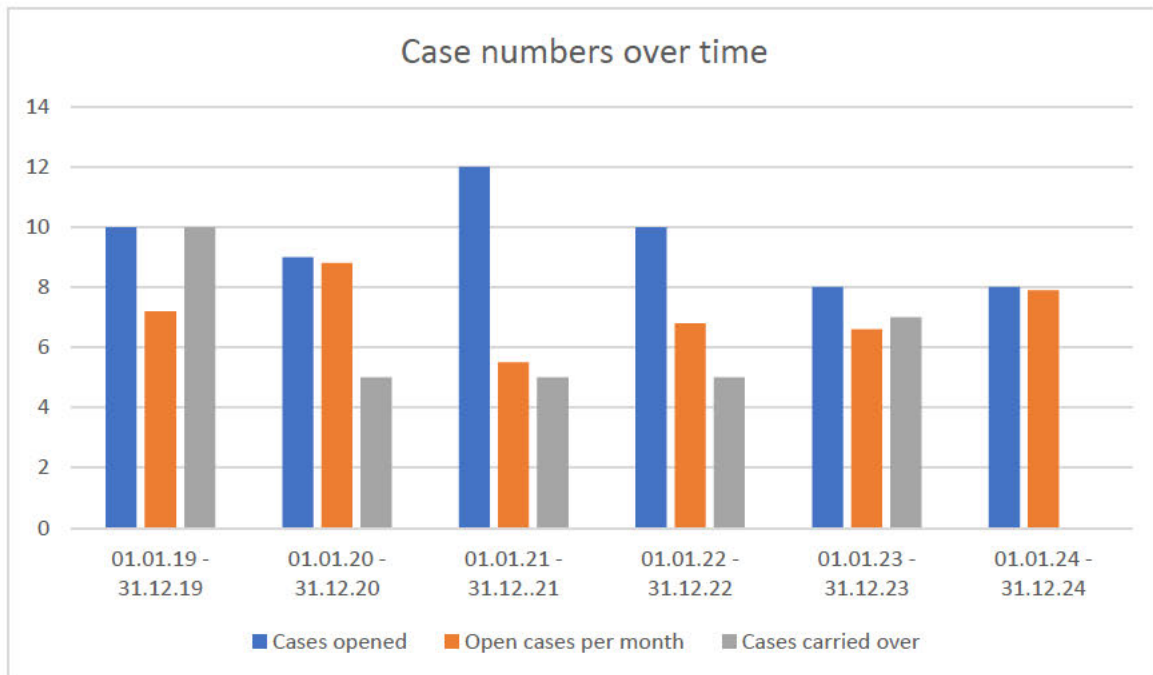
Year to date (from 1 January 2024)

- Total cases received 9
- Total cases closed 13

## Legal Ombudsman

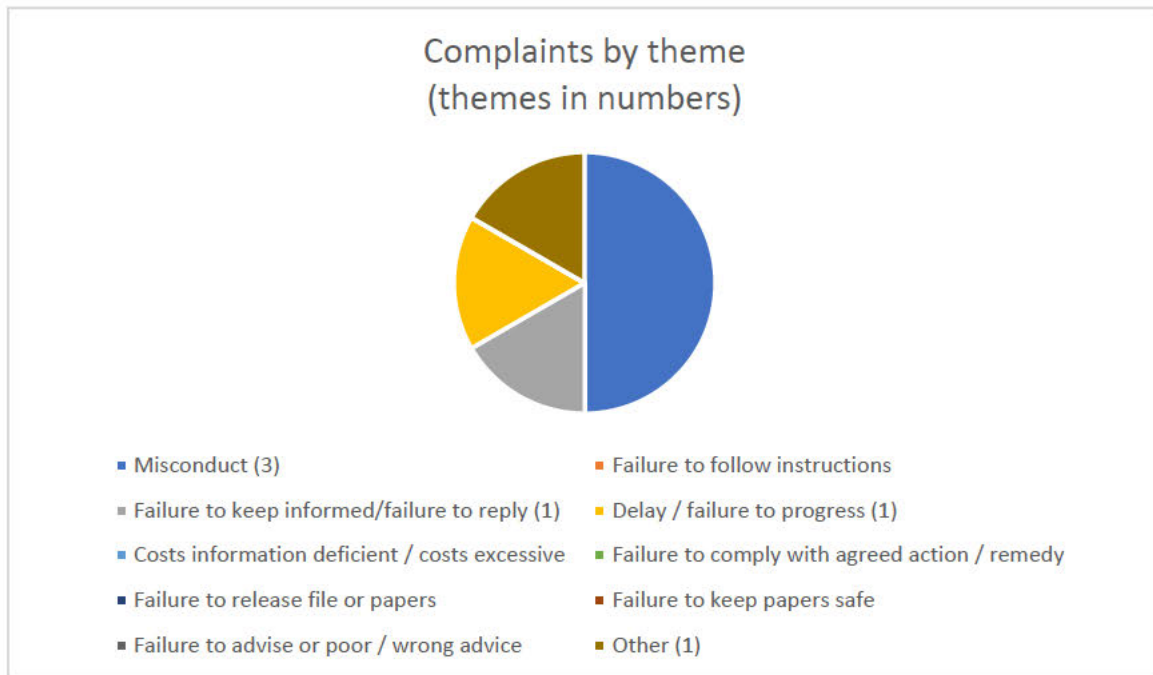
|                                   |                         |
|-----------------------------------|-------------------------|
| Complaints received in last month | 1                       |
| Cases open                        | 2 (28.8.24 and 21.9.24) |
| <b>Timeliness</b>                 |                         |
| Oldest open case                  | 90 weeks                |
| Newest open case                  | 3 weeks                 |
| Mean                              | 45 weeks                |
| Median                            | 43.5 weeks              |

## Analysis and trends (12 month periods)



|  | <b>01.01.19 –<br/>31.12.1<br/>(4 cases<br/>carried<br/>over from<br/>previous<br/>period)</b> | <b>01.01.20 –<br/>31.12.20</b> | <b>01.01.21 –<br/>31.12.21</b> | <b>01.01.22 –<br/>31.12.22</b> | <b>01.01.23 –<br/>31.12.23</b> | <b>01.01.24 -<br/>31.12.24</b> |
|--|---|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| <b>New cases<br/>opened /<br/>received</b>                     | 10  | 9                              | 12                             | 10                             | 11                             | 9                              |
|  |   |                                |                                |                                |                                |                                |
| <b>Total open cases<br/>during period</b>                      | 14  | 19                             | 17                             | 16                             | 17                             | 17                             |
|  |   |                                |                                |                                |                                |                                |
| <b>Overall case<br/>numbers open<br/>per month<br/>(range)</b> | 5 - 9   | 5 - 12                         | 3 – 8                          | 6 - 9                          | 5 - 9                          | 4-10                           |
|  |   |                                |                                |                                |                                |                                |
| <b>Overall case<br/>numbers open<br/>per month (avg)</b>       | 7.2   | 8.8                            | 5.5                            | 6.8                            | 6.3                            | 7.5                            |
|  |   |                                |                                |                                |                                |                                |
| <b>Cases carried<br/>over to next<br/>period</b>               | 10  | 5                              | 5                              | 5                              | 8                              | 4                              |
|  |   |                                |                                |                                |                                |                                |
| <b>Cases<br/>closed/resolved<br/>within 12<br/>weeks*</b>      | 10%   | 44%                            | 50%                            | 50%                            | 60%                            | 53.8%                          |
|  |   |                                |                                |                                |                                |                                |
| <b>Cases<br/>closed/resolved<br/>within 26<br/>weeks*</b>      | 50%   | 50%                            | 58%                            | 60%                            | 70%                            | 61.5%                          |
|  |   |                                |                                |                                |                                |                                |

\*Of cases closed this calendar year

**Open complaints by theme****Misconduct includes:**

- Misappropriation / mismanagement of funds (1 case)
- Unprofessional / inappropriate conduct with a third party (1 case)
- Conviction (1 case)



## Board Meeting 12 December 2024

### CEO report

#### Agenda Item: 9

**Author:** Fran Gillon, CEO ([fran.gillon@ipreg.org.uk](mailto:fran.gillon@ipreg.org.uk))

**This paper is for discussion.**

Annexes A, E and F will be published.

### Summary

1. This report sets out information about IPReg’s activities that are not covered elsewhere in today’s agenda.

### Recommendation(s)

2. The Board is asked to:
  - a. Comment on the draft strategic objectives (see paragraph 4);
  - b. Advise on the approach to Cyber Essentials (see paragraph 17);
  - c. Note this paper.

### Risks and mitigations

|                     | Risk                            | Mitigation |
|---------------------|---------------------------------|------------|
| <b>Financial</b>    | No specific financial risks     | N/A        |
| <b>Legal</b>        | ████████████████████            | ████       |
| <b>Reputational</b> | No specific reputational risks. | N/A        |
| <b>Resources</b>    | No specific resourcing risks    | N/A        |

### Progress on the 2024 Business Plan

3. The Board receives regular updates on our work through the Board papers on specific policy areas and business as usual. One of the suggestions from the governance review was to provide specific updates on progress against the business plan. I have therefore drawn out the main areas of work set out in the 2024/25 plan and updated them – **Annex A**. These are the areas of work over which we have control. I have not included the work involved in responding to the LSB’s consultations and related work, or our business as usual activities.

## Board effectiveness review – follow up actions

4. I met Independent Audit for a follow up discussion on 21 November. They suggested that the:
  - a. re-scoped strategic objectives should be submitted to the January 2025 Board meeting. In the meantime, I attach a first draft for consideration and suggestions (**Annex B**). A final version will be tabled at the January Board meeting;
  - b. changes to the agenda structure, Board papers and CEO report should be implemented from the March Board meeting. This will follow a training morning for the Team on drafting effective Board papers which is being arranged;
  - c. the working group set up to take forward recruitment of a new Chair is due to meet on 6 December. **An oral update will be provided at the meeting.**

## Meetings

### *CIPA and CITMA*

5. The 3 CEOs met on 27 November. They discussed:
  - a. IPReg Chair recruitment process;
  - b. IPReg Limited – new Articles of Association;
  - c. practising fees 2025;
  - d. JAC advert for judicial roles;
  - e. transparency thematic review;
  - f. joint webinar on regulatory matters Q2 2025;
  - g. IPReg education review;
  - h. AI work;
  - i. IPReg Board effectiveness review.
6. The Regulatory Forum meets on the morning of 12 December. **An oral update will be provided at the meeting.**

### *LSB engagement*

- *Relationship management meeting*

7. The meeting on 15 November discussed:
  - a. Regulatory performance
  - b. Updates about LSB activities including requests for IPReg, consultations and LSB publications.
  - c. IPReg feedback from last meeting of its Board
  - d. IPReg applications to the LSB for changes to regulatory arrangements

- e. PCF application - expectations set in the decision notice
- f. Mergers in the UK regulated IP sector;
- g. Transparency thematic review update;
- h. Education review update.

- *LSB consultations*

8. The LSB has published two consultations since our 7 November Board meeting:

- a. On 15 November: consultation on guidance for the new regulatory objective on economic crime. This closes on 7 February 2025;
- b. On December 3: [Business Plan and Budget](#) for 2025/26. This proposes an increase in the levy of 14% (£757k) on the 2024/25 budget. This follows increases of ~ 10% in 2024/25, 9.1% in 2023/24 and 4.6% in 2022/23. The consultation closes on 3 February 2025. The LSB's notification email stated:

*Our draft business plan sets out a proposed programme of work to help deliver a legal services market that better meets society's needs. This programme of work includes the following:*

- *Five priority policy projects: professional ethics and the rule of law; equality, diversity and inclusion; access to justice; disciplinary and enforcement; consumer protection.*
- *How we'll continue to strengthen our direct regulatory oversight of the frontline legal services regulators, to ensure they meet the expected level of performance across the regulatory performance standards.*
- *Our approach to research and evidence-gathering, including an update to the State of Legal Services report we last issued in 2020.*

*The business plan consultation also sets out the financial pressures which exist for the LSB in the forthcoming year – including a necessary office move [estimated costs of £198k in revenue costs and £500k in capital costs] and uncertainty around likely legal spending [increased from £48k to £127k] – which are driving the significant budgetary increase which is proposed.*

### *Correspondence*

9. Nothing to note for this meeting.

### *IP Practice Directors' Group (IPPDG)*

10. Nothing to note for this meeting.

## *Conferences/webinars attended by Team and Board members*

11. None to report.

## **Regulatory Performance**

12. Our report was sent to the LSB following the November Board meeting. A response is expected in February 2025 for factual accuracy checks with the final response from the LSB due in March 2025.

## **Diversity**

13. Following an enquiry from a registrant about the diversity of new entrants to the profession, we asked our research company to undertake some additional analysis. The survey has now been updated and [incorporated into the initial report](#) (see pages 19, 28, 29, 45-47 and 50).

## **Waivers**

14. PII Sandbox – nothing for this meeting.

## **Technology, innovation and artificial intelligence**

15. It is likely that CITMA will arrange a discussion on the use of technology early in the New Year.

## **Cyber**

16. On 21 November, the Team received further training in cyber security from an external consultant.

17. Following a brief discussion at the November Board about Cyber Essentials, I attach advice from our external IT support team on some of the issues raised when we last considered it (**Annex C**).

## **Horizon scanning and research**

18. The External Market Update report is at **Annex D**.

## **Contracts and other expenditure (commercially confidential information about contracts will be redacted)**

19. As agreed at the November Board meeting, I have entered into a contract for £[REDACTED] + VAT with Frontier Economics to conduct the transparency thematic review. We had a project workshop with the Frontier Economics team on 27 November and have weekly project meetings scheduled.

## **Other matters**

### *Legal Services Consumer Panel (LSCP)*

20. Nothing specific for this meeting.

## *Press reports and other published information*

21. A [report](#) in the Gazette about the cost of the LSB's Axiom Ince investigation. It states that the initial budget allocation of £60k rose to a total of £231k including Counsel's costs.
22. An article for the CIPA and CITMA journals by the IPReg Chair is at Annex E.
23. An impact report and case study from In2Science is at Annex F.

**CEO report December 2024 – Annex A – update on 2024/25 business plan**

| Education                        |   |   |  |
|----------------------------------|---|---|--|
| Policy area                      | What we said we'd do  | Timescale   | Progress/plans to date   |
| <b>Overall risk rating = red</b> |   |   |  |
| Barriers to entry                | It is likely that this project will start formally with a Call for Evidence           | Q1 or Q2 of 2024.   | <p>Head of Education Review started on 10 September</p> <p>Detailed project scope considered by EWG on 16 October. Agreed by November 2024 Board. Detailed PID in development.</p> <p>Discussions have taken place with Hook Tangaza on project support for PEB foundation level exam re-accreditation and other aspects of the review</p> |
| Barriers to entry                | Review the Competency Framework - patent  | As part of barriers to entry project  | See above  |
| Barriers to entry                | Review the Competency Framework – trade mark  | Links to work on patent competency framework. Need to ensure consistency where appropriate and also reflect the requirements of the new Core Regulatory Framework | See above  |
| Accreditation recommendations    | Working with providers to ensure that accreditation recommendations are taken forward | As necessary in 2024/25   | PEB – meeting took place on 26 June to discuss approach to implementation of some recommendations. Update on progress considered by EWG  |

|                            |  |                |   |
|----------------------------|--|----------------|---|
|                            |  |                | <p>on 16 October. Report to November 2024 Board.</p> <p>FC and FD reaccreditation timetable received from PEB 15 November. Discussion with assessors (Keith Howick, Hook Tangaza) on 28 November. FC application expected w/e 29 November. FD reaccreditation expected w/c 16 December.</p> |
| New providers              | Working with providers to ensure that online delivery of courses and examinations meets the required standards | During 2024/25 | Discussions were held with one potential entrant in 2023, no further progress to date   |
| New qualification pathways | Working with stakeholders and potential providers to encourage new qualification pathway options               | During 2024/25 | <p>Likely to be included in barriers work.</p> <p>Apprenticeships – further meeting of stakeholders held on 25 September. Report to November Board.</p> <p>Meeting held on 25 November. Report to December Board.</p>   |
| Reaccreditation            | We will continue to undertake reaccreditation assessments (typically every 5 years) of qualification providers | During 2024/25 | <p>Following discussion in May we have developed specifications for the assessors who will evaluate the PEB foundation exams and held discussions with Hook Tangaza – see above.</p> <p>Reaccreditation of Brunel University due Q1 2025. New assessors being sought.</p>                   |

|                               |  |                |  |
|-------------------------------|--|----------------|--|
| Impact of EQE changes         | Consider the outcomes of the European Qualifying Examinations Modernisation Discussions and Proposals and the extent to which any changes impact on our qualification requirements (e.g. in relation to exemptions). | During 2024/25 | EPO approved changes on 20 December 2023. Will be introduced in 2025.<br><br>Discussion with Julia Gwilt on 28 August.<br><br>Approach considered by EWG on 16 October. Report to November Board |
| Review Accreditation Handbook | Start a review of the Accreditation Handbook   | During 2024/25 | Not yet commenced. Links to apprenticeship work and development of what skills, knowledge and behaviours an apprentice needs.  |

| Thematic Reviews                   |   |  |  |
|------------------------------------|---|--|--|
| Policy area                        | What we said we'd do  | Timescale  | Progress/plans to date   |
| <b>Overall risk rating = green</b> |   |  |  |
| Continuing competence              | Conduct random sampling of attorneys' records or other material to assess how well the new requirements have been embedded and identify any barriers to compliance with them. | Q1 or Q2 2024 conduct review<br><br>July 2024 – report to Board on the findings and lessons learned. [NB May Board meeting agreed that this should be considered in September] | Results were considered by the September 2024 Board meeting.<br><br>Final report published in October 2024.  |
| Transparency                       | Develop our approach and conduct the review   | Q2 2024 develop our approach<br>Q3 2024 conduct the review<br>Q4 2024 or Q1 2025 report on findings  | CEO has approached organisations who have had experience with this type of work.<br><br>Two out of four organisations responded. Recommendation to |



|             |   |   |  |
|-------------|---|---|--|
|             |   |   | <p>be made to November Board meeting.</p> <p>Initial workshop held with Frontier Economics on 27 November to agree approach and timelines. Weekly meetings diarised.</p> |
| PII Sandbox | We will monitor closely how the sandbox is working throughout 2024 and report on it in the Annual Report for 2024. A wider thematic review is likely to be conducted in 2025 once the sandbox has been operational for at least 18 months, depending on the nature and extent of applicants and entrants. | 2025 – but depends on nature and extent of entrants |  |

| Building our evidence base         |   |  |                        |
|------------------------------------|---|--|------------------------|
| Policy area                        | What we said we'd do  | Timescale                                  | Progress/plans to date |
| <b>Overall risk rating = green</b> |   |  |                        |
| Data and evidence gathering        | In addition to the data and evidence gathering work that we plan to undertake for the thematic reviews on continuing competence and transparency, we will continue to gather data and evidence about the nature of the IP legal sector. | Ongoing with support from external adviser | Ongoing                |

| Website redevelopment       |  |           |   |
|-----------------------------|--|-----------|---|
| Policy area                 | What we said we'd do                                   | Timescale | Progress/plans to date  |
| Overall risk rating = green |  |           |   |
| Redevelop website           | Move from Drupal 7 to Drupal 10 and associated changes | 2024      | No further update since July 2024 meeting. Status has been changed to green |

| Diversity   |  |                              |   |
|---|--|------------------------------|---|
| Policy area   | What we said we'd do   | Timescale                    | Progress/plans to date                      |
| Overall risk rating = amber – changed to amber from green in October 2024 |  |                              |   |
| Stakeholder engagement  | Develop our approach to data gathering/research with other stakeholders in the IP sector | 2024                         | No further update since May Board meeting   |
| Diversity survey  | We will conduct a diversity survey   | 2024                         | Report to September 2024 Board meeting      |
| Diversity Action Plan   | Review the plan every 6 months <sup>1</sup>  | Next review due in July 2024 | Board agenda item at September 2024 meeting |

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<sup>1</sup> Note that this was not in the Business Plan but was agreed by the Board in January 2024.

# Why diversity matters



Lord Chris Smith, Chair of IPReg

**D**iversity matters. It matters partly because the IP profession should look and feel like the population it serves; that is one of the ways in which consumer confidence is gained and sustained. It matters also because it's important that we secure the very best people to become patent and trade mark attorneys, and no-one should feel excluded by who they are. IPReg's recent diversity survey of registered attorneys, which we first carried out three years ago, has now been completed and assessed; and the results are not only really interesting, but they should give us pause for reflection, and they should also be a spur to action, to see how we can try and help the profession to become even better.

Nearly 40% of registered attorneys took part in this year's survey – marginally, but only marginally, more than last time. Forty per cent participation is pretty good by comparison with many other similar surveys; and the results are statistically significant; but we can and should also aim for a higher participation rate in future. My hope is that gradually, over the years and as the survey becomes more securely established, the percentage will rise.

There are some interesting bits of data that spring out of the survey.

- Trade mark attorneys are more likely to be female, for example; whereas patent attorneys are more likely to be male.
- 13% of respondents declared that they were neurodiverse, almost in line with the assumed national average of 15%.
- 43% of those taking part said that they were part of the first generation in their family to go to university.

- 96% of those surveyed had gone to university; this is of course totally unsurprising in a profession that demands higher-education experience and knowledge.
- 16% indicated that they were relatively new to the IP profession, having joined since 2016.

Most of these statistics, though interesting and significant, do not seem to have changed very much over the past three years.

Perhaps most striking is the result of the question we asked about caring responsibilities. A third of all respondents have caring responsibilities – many for

children, but some for adults and elderly relatives. This was a factor that emerged quite strongly from the last survey; and it prompted us to think very carefully about the need to re-shape the way in which CPD (continuous professional development) is carried out. We made radical changes to our CPD requirements, as part of our overall regulatory

review last year; and part of our thinking arose from the need to consider carefully those who take time out from the profession in order to fulfil caring responsibilities. Ensuring that professional skill and knowledge is appropriate for a return to active engagement in IP is essential, but the requirements must be practical.

The diversity survey tells us a lot about the world of IP professionals. It enables all of us to shape that world better for consumers; and it will help IPReg to create the very best regulatory environment for the future. We will need to continue to make progress.

Chris Smith, October 2024

‘A third of all respondents have caring responsibilities – many for children, but some for adults and elderly relatives.’





**In<sup>2</sup>STEM**

**Impact Report 2024**

**In<sup>2</sup>science<sup>UK</sup>**

# Foreword



“

Welcome to our impact report for the In2STEM 2024 programme.

We are proud to showcase another successful year, having helped empower more students in a single year of In2STEM than ever before. Working alongside our dedicated partners, funders and as a whole In2scienceUK team, we have supported 851 students through In2STEM 2024 and are deeply encouraged by our data showing that participants feel more confident, motivated and knowledgeable about pathways into STEM education and beyond, after taking part in our programme.

Year upon year, we continually see passionate, talented and ambitious students in need of our support. This year we were presented with unforeseen challenges, with riots across the UK causing worry for many of our participants and, in some cases, this affecting their In2STEM placements. It is more important than ever to showcase the value and strength that diversity brings; I invite you to read through our case studies and learn about the inspiring stories of some of the students we supported this year, and what is hopefully the start of their journeys into successful STEM careers.

In August, the In2STEM team was awarded the Athena Prize by the Royal Society, in recognition of our longstanding commitment and proven impact in supporting young people from low socioeconomic backgrounds to pursue STEM careers. I am extremely proud of the In2STEM team's hard work, ensuring we continue to serve our beneficiaries through high quality programme delivery. I also want to thank all of our In2STEM volunteers who dedicate their time as hosts, mentors, workshop facilitators - without our dedicated volunteers, our work would not be possible.

Applications for In2STEM 2025 are now open. We are looking for our In2STEM 2025 students from all backgrounds, regardless of their background.

**Anishta Shegobin**  
*Head of Programme*



# Thank you to our supporters:

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**IPReg** Intellectual Property Regulation Board

 **Mathys & Squire**

**NIHR** | National Institute  
for Health Research

**ohg**  
Omnicom Health Group

**NERC Panorama DTP**  
Training the next generation of environmental scientists



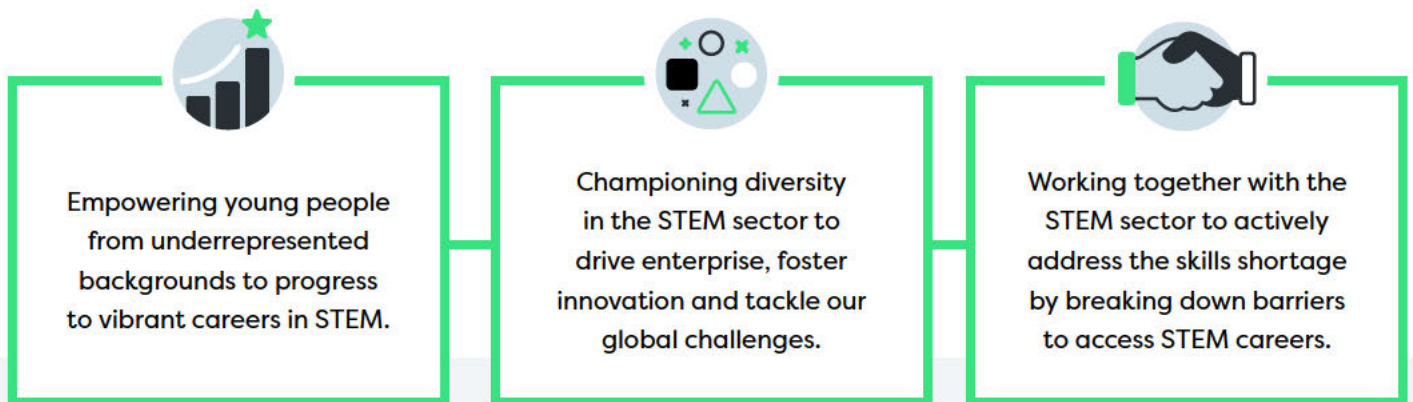
 **Royal Academy  
of Engineering**

**scJohnson**  
A family company  
at work for a better world



# Our Vision

In2scienceUK exists to unlock the potential of young people from low socioeconomic backgrounds and boost diversity and inclusion in the sector, ensuring the UK remains at the forefront of science, technology, engineering and maths (STEM) industries. We aim to achieve this by:



The latest insights from research into the STEM sector demonstrate how much In2scienceUK's work is needed now more than ever.



Only **6% of doctors, 9% of life science professionals and 19% of IT professionals** were from low socioeconomic backgrounds in 2022.<sup>1</sup>



**1 in 3 students** from low-income households progress to university, compared to 1 in 2 of their peers.<sup>2</sup>



Only **57% of teachers** say that their school engages with **STEM employers** annually.<sup>3</sup>



The STEM skills shortage is thought to cost the UK economy an additional **£1.5 billion every year**.<sup>4</sup>



UK STEM graduates can **earn nearly 20% more** than their peers.<sup>5</sup>

<sup>1</sup>Office for National Statistics (2023), [VACS02: Vacancies by Industry - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/vacancies)

<sup>3</sup>EngineeringUK (2024), [Advancing STEM careers provision in England](#)

<sup>2</sup>Fair Education Alliance (2024), [Fair Education in 2024 - Priorities for a new government](#)

<sup>4</sup>STEM Learning (2018), [STEM skills indicator](#)

<sup>5</sup>Korn Ferry Hay Group (2017) Press release: [STEM Still Stealing the Show](#)

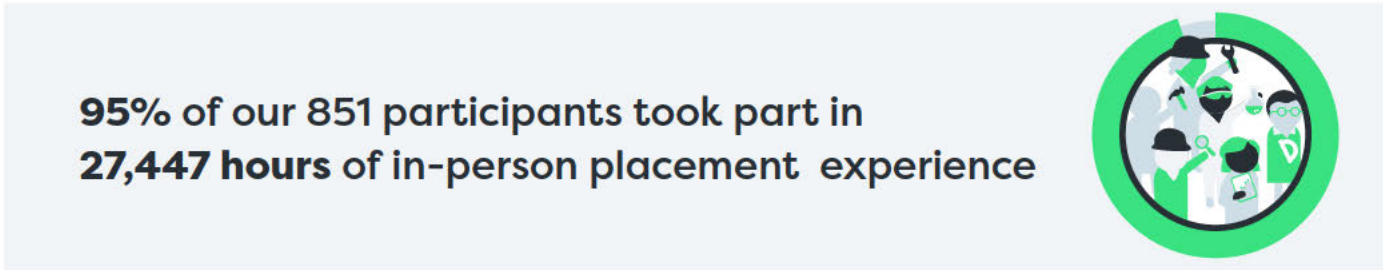


# Programme Overview

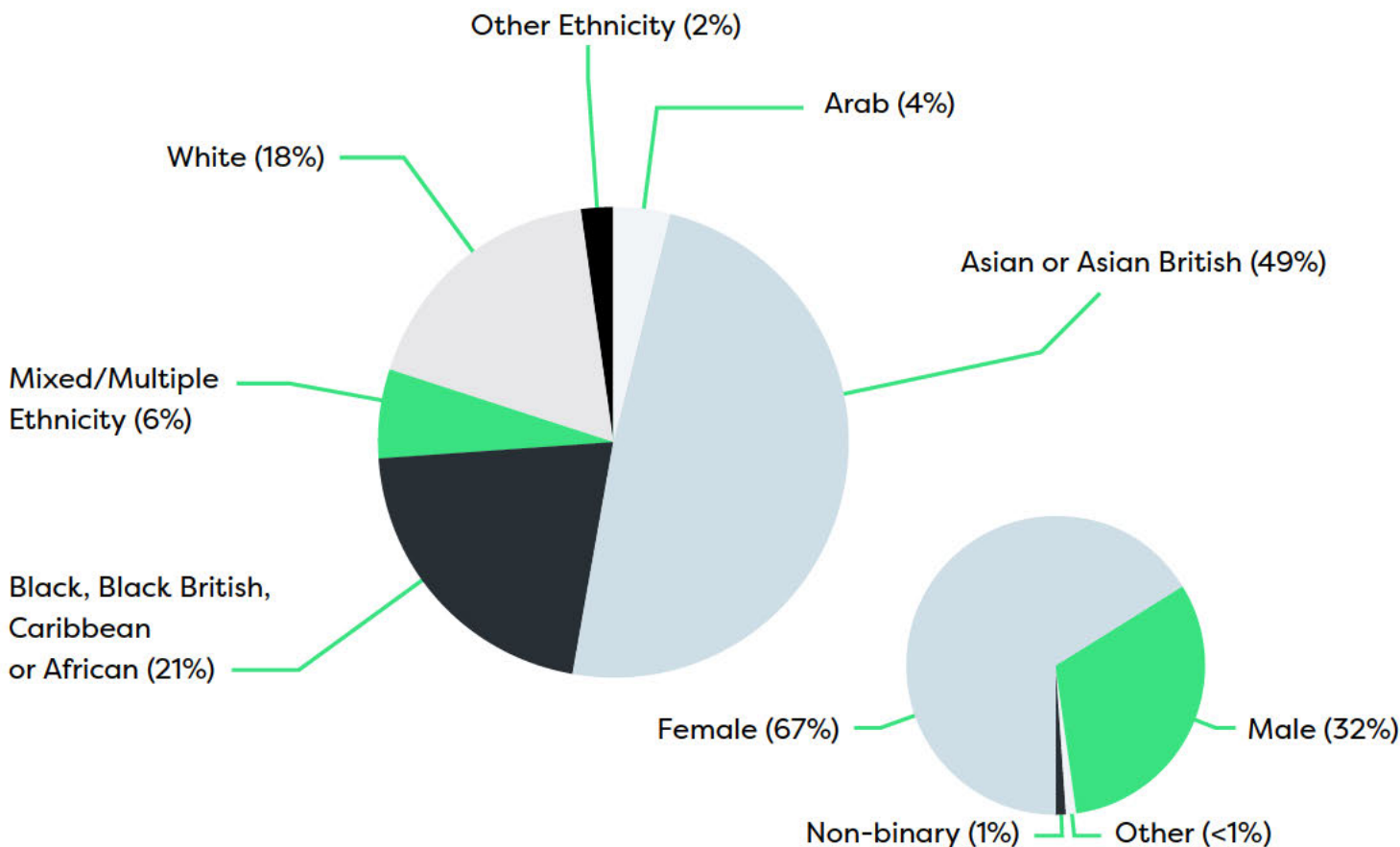
The In2STEM programme supports current year 12 and S5/S6 students from low socioeconomic backgrounds and provides the opportunity to gain real-world work experience at the cutting edge of research and innovation.

We support students to develop the skills, knowledge and confidence they need to progress in their STEM journey, through a range of skills, university and employability workshops, as well as an in-person placement within a commutable distance.

## Our Young People



82% of our young people were from ethnic minorities:





55% were eligible for Free School Meals



76% have parents that do not have university degrees



9% have an Education Health and Care Plan

## Eligibility



52% of participants at some point received Pupil Premium, Education Maintenance Allowance (EMA) or the 16-19 Bursary



2% are care experienced



7% have caring responsibilities

“

In2STEM was really inspiring and helped me think more clearly about my career path. I'm now more interested in pursuing a career in this field... I would 100% recommend joining the In2STEM programme. It's a fantastic opportunity to learn and gain valuable experience in STEM fields.”



# Ainna's Story

Ainna applied to InSTEM because she is interested in STEM and research. Before the programme, she was unsure whether to continue with STEM for her further education and career, as she didn't want to limit her future career options.

In2STEM helped give Ainna further insight into the diverse options available in STEM, and has given her the confidence in her choices on the path she wants to take for her future.

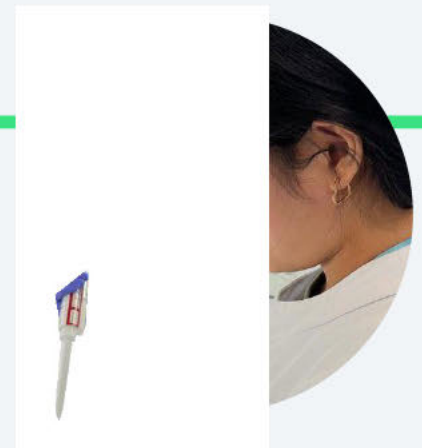
“

In2STEM has allowed me to obtain an in-person placement at Abcam in Cambridge, where I was able to work in labs and perform different experiments that I've only read about. **This experience has just heightened my passion for science.** Apart from in-person placement, I was also able to attend different workshops online where I learned about people's careers, how they got to where they are now and what makes a good scientist. I was able to ask people who have done their PhD, and they were able to give me advice about this as well as advice about the course I want to take. **These online sessions and my placement have played a great part in my decision to continue with a STEM subject at university.**

This experience has been very important to me because it is my first time being in a lab environment, I have learned so many scientific skills as well as key skills that can be applied in any workplace setting, which will help me in the future.

Before this programme, I was not sure whether to continue a career in STEM because, at that time, I thought that finishing a science degree would restrict me, however, after... **I was reassured that my future choices would not be limited as the world of STEM is big, there are a lot of choices and a lot of different routes to take. In2STEM is such a great programme, and I cannot emphasise this enough.** The in-person placement was the highlight of this whole In2STEM programme for me.”

*Ainna - In2STEM participant*



# Our Impact

To evaluate In2STEM's impact, we analysed 698 participant survey responses before and after the programme.



In2STEM works to empower young people from low socioeconomic backgrounds to make informed decisions about their future careers by providing them with:

## Hands-on experience

During the programme, participants gained their exposure to the world of STEM by taking part in activities such as completing an in-person placement, attending workshops, meeting researchers and giving a presentation on what they've learnt.

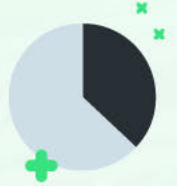
## Knowledge about career success and destinations

Our survey results show that participants gain an understanding of the career pathways available and how to access support on their application and from their university.

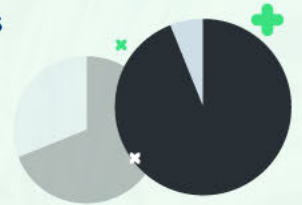
## Confidence that they can pursue a career in STEM

From our participants' responses, we saw an increase in confidence across the board in using scientific evidence to make an argument, professional networking and in accessing the STEM job market.

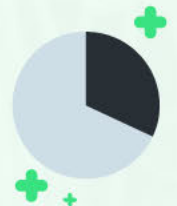
After the programme, there was a **37% increase** in those who participated in research or a science experiment outside of school.



**94% of participants** know what it means to work in STEM, up from 69% prior to the programme.



**32% increase** in those who said they understood the content and structure of a range of STEM degrees and apprenticeships.



**87% now feel confident** introducing themselves to a researcher or STEM professional, which is a 24% increase.



Find in-depth insights into our impact results and analysis [here](#)

# Serina's Story

Serina knew she wanted to go into engineering, but struggled to find practical experience to understand if it was right for her. After her In2STEM experience, Serina has a clearer idea of the options available and is confident that engineering is what she wants to do.

Knowing that engineering will still give her flexibility of choice in the future has reassured Serina and she is now planning to apply for engineering programmes.

“

I didn't know how to find engineering experience. (A friend of mine) told me about In2STEM, which is related to science and engineering, and said I could apply for that.

I've learned a lot ... it was a great learning opportunity. I was surprised by how much I learned in a short time. Engaging with engineers and discussing projects has helped me figure out what I want to do. At the start of the week, I knew I wanted to pursue engineering, but I wasn't sure which field. **Now, after talking with engineers, I have a clearer idea of what I want to specialise in.** I felt reassured when my host talked about the flexibility of a career in engineering ... This made me feel less anxious about my career choice. Previously, I thought choosing a field meant committing to it for life, which made me hesitant.

**This programme cleared things up for me.** I was initially considering applying for a broader range of programmes, but **I've become more certain that I want to focus solely on engineering.** So my plan now is to apply for engineering programmes at both university and through degree apprenticeships.”

**Serina - In2STEM participant**



# Longer Term Impact

To date, the In2STEM programme has supported **5,350 participants**

“

I did my In2STEM placement at UCL where I shadowed a neuroscience PhD student. I was still trying to figure out what I wanted to do so it was an eye opening experience! It was a very hands-on experience that I don't think I would've got anywhere else - it was only a week but it felt longer (in a good way) because I did so much and I'm still in touch with my placement host. I'm currently doing Psychology at Kent University and I'm really enjoying it.”

**Charish** - *In2STEM alumnus*



Below is the longer term impact on 1,760 alumni from the 2020-22 cohorts based on UCAS data\*

Of the 1,760 alumni:



**90%** applied to universities one year after completing In2STEM



**92%** of applications were for STEM degrees



**91%** of applicants applied for higher-tariff universities



**77%** of those with offers received one from a higher-tariff institution



**97%** of those who applied were successfully offered a place.



**84%** accepted university offers, **92%** were for STEM subjects

Find in-depth insights into our impact results and analysis [here](#)

\*Data analysed using UCAS Outreach Evaluator (formerly UCAS Strobe) and UCAS EXACT

These are the three most recent cohorts for which UCAS data was available when this report was published.

# Our Volunteers

Without the support of our volunteers, our mission would not be possible. We are hugely grateful to each and every volunteer who continues to offer their insight, experience and knowledge across STEM to support and inspire our beneficiaries.

Across our In2STEM and In2STEM online programmes this year, we had...

639

total volunteers\*

523

hosts that supported students

These incredible volunteers delivered:

... hours of in-person placement experience provided to participants

£254,898

worth of in-kind support\*\*

“

This experience has been a highlight in my career journey for sure - this has allowed us to pass on skills and knowledge to the next generation, as well as do something meaningful, impactful and fun! I would love to host again it has been so fun and the students are so independent and proactive.”

**Mahfuza Amin - In2STEM volunteer**



\*Hosts, mentors, research course leads and workshop leaders

\*\*From volunteers, including hosts, mentors, course leaders and workshops (approx)

# In2STEM Online

Following a successful trial last year, we offered an online programme pilot for students living in areas where placements are not currently accessible. In place of the in-person placement, we offered participants STEM lectures and mentoring sessions in their subject of interest as part of the programme alongside online workshops.

Our survey results show that participants' motivation and confidence to pursue a career in STEM increased, as well as their sense of belonging in STEM and confidence preparing their UCAS statement.

Next year, we will focus on analysing the results of our trial and pilot to create a plan for future delivery of our online offer.

206 participants were offered support in 4 different subjects:



To evaluate the impact of the In2STEM online programme we analysed 158 participant survey responses before and after the programme. After In2STEM, our data shows:

**First-hand experience of STEM outside of education:**

**34% increase**

in students participating in research or science experiments outside of school.



**Knowledge about career access and destinations:**

**29% increase**

of participants who said they understood the content and structure of a range of STEM degrees and apprenticeships.



**Confidence that they can pursue a career in STEM:**

**80%** felt confident after the programme that there are lots of STEM jobs available with a STEM degree or apprenticeship.

“

As the first person in my family who is considering going to university, I feel very anxious, confused and isolated a lot of the time. I don't have anyone I can reach out to for help. When I came across the In2STEM programme, I felt hope that I would learn something. I learned so much, and more than I ever expected; not only did I learn about STEM, but also tips on finances, student life and mental health. Overall, the In2STEM programme is the perfect student guide for anyone that is going to study a STEM course at university. I thoroughly enjoyed this experience and will definitely be recommending it.”

**Manira - In2STEM online participant**



# Our Programmes

## In<sup>2</sup>research

Our year-long programme complements studies or work and helps to pave the way for postgraduate research degrees and academic careers. The programme includes a funded eight-week placement, mentoring and workshops.

## In<sup>2</sup>careers

The In2careers community provides access to exclusive opportunities, including employability workshops, skills clinics and industry networking.

## Other ways to get involved to create an impact for the future of STEM

### Sponsor

a placement or invest your support across one or all of our programmes to exponentially increase the impact your investment creates in building a brighter future in the STEM sector.

### Mentor

one of our beneficiaries to share your experiences and your passion for STEM, and help ensure the next generation of STEM leaders and innovators reach their full potential.

### Lead

a workshop to share your expertise, skills, and experience to help individuals from underrepresented backgrounds explore the exciting world of STEM.

### Host

a placement opportunity for individuals from underrepresented backgrounds, helping us strengthen diversity in the sector, break down barriers, and nurture innovation for the future of STEM.

Visit [in2scienceuk.org](https://in2scienceuk.org) or email [development@in2scienceuk.org](mailto:development@in2scienceuk.org) and find out how you can get involved today.

# In<sup>2</sup>STEM



## Get in touch:



[development@in2scienceuk.org](mailto:development@in2scienceuk.org)

Follow us on social media:



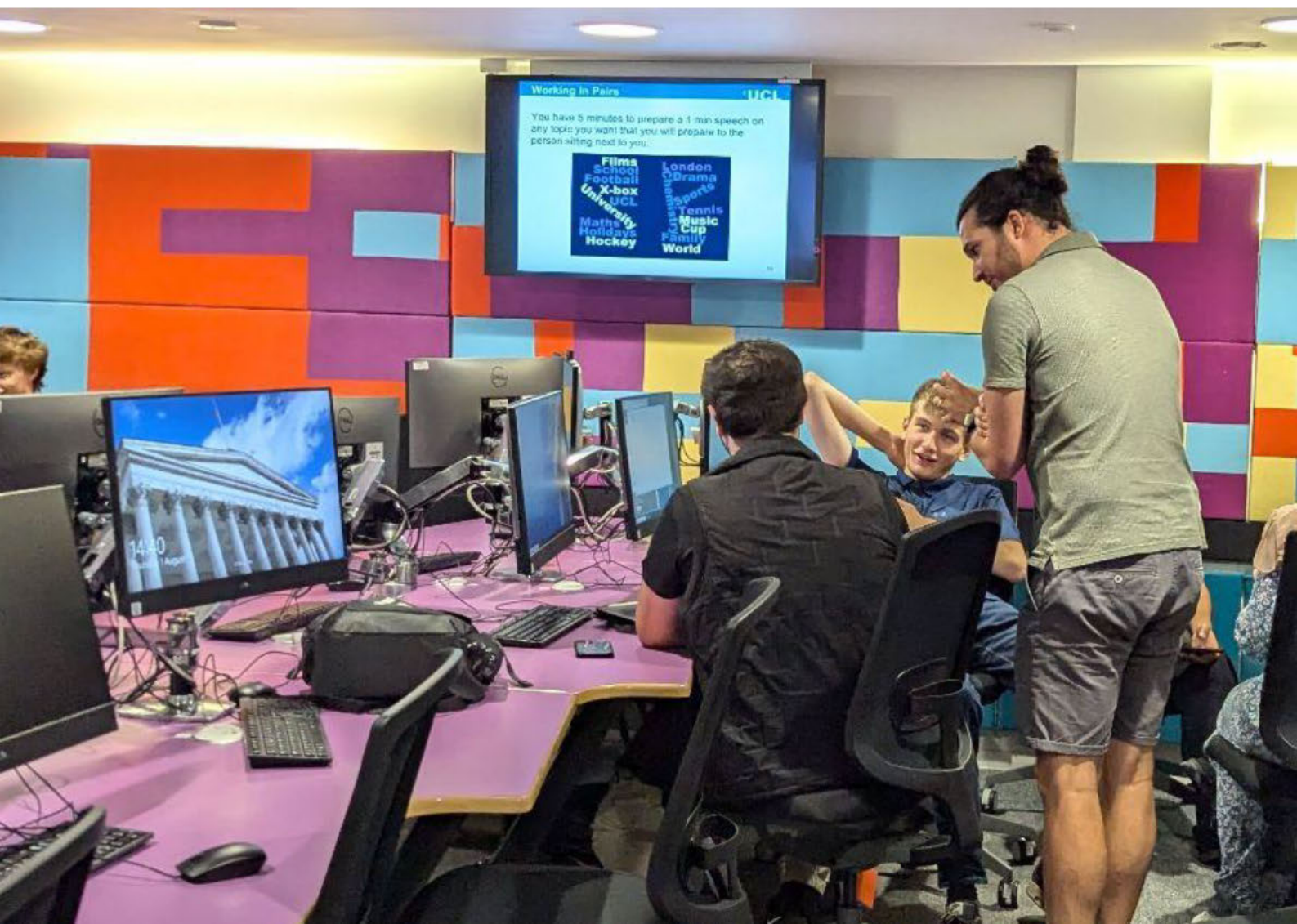
Our registered address is 10 Queen Street Place, London, EC4R 1BE.

In2scienceUK is a registered charity (1164821) and company (07706662) in England and Wales.



**IPReg** | **Case study**  
**2024**

**IPReg** Intellectual Property  
Regulation Board



## Student case study

IPReg Intellectual Property  
Regulation Board

### Charlie's story



My school didn't offer much help, so I found In2STEM through googling placements. I definitely wanted to take that step into engineering and do something hands-on. **Originally, I was torn between aerospace and chemical engineering, but the placement solved it for me... it's been good to find that out now.**

“

During the programme, we've learnt practical skills in terms of conducting experiments safely and the proper procedure to do things. It's been fun just going out and doing stuff, getting to see the university. Labs were probably the highlight and getting to do it yourself. It's been a good mix of practical and some really interesting talks as well.

**It's made me decide what I want to do** and lean towards mechanical rather than chemical engineering. **I think the skills I've learnt will definitely help with my UCAS statement and help with my application to universities.** It shows that I'm interested in exploring this through extracurriculars... **I'm glad I've got this experience and I really hope this is enough.**

Charlie ”

### Hear from the placement host

“

It's very rewarding - we can make a big difference in students' lives. It might just be spending time with them for one week for us but it can make a big difference to them.

It's been rewarding for me and for the organisation, it's a valuable experience.



**Dr Zahra Echresh  
Zadeh**

”

## Are you looking for other ways to make a difference?

Explore our other programmes:



### In<sup>2</sup>research



### In<sup>2</sup>careers

Our year-long programme complements studies or work and helps to pave the way for postgraduate research degrees and careers. The programme includes an eight-week summer research placement, mentoring, workshops and more.

The In2careers community provides access to opportunities including employability workshops and skills clinics, peer mentoring, industry networking and events, work experience and internships.

## Partner with us

to create an impact for the future of STEM and benefit your business:

- **Sponsor** a placement, or invest your support across one or all of our programmes, to exponentially increase the impact your investment creates in building a brighter future in the STEM sector.
- **Mentor** one of our beneficiaries to share your experiences, your passion for STEM, and help ensure the next generation of STEM leaders and innovators reach their full potential.
- **Lead** a workshop to share your expertise, skills, and experience to help individuals from underrepresented backgrounds explore the exciting world of STEM.
- **Host** a placement opportunity for individuals from underrepresented backgrounds, helping us strengthen diversity in the sector, break down barriers, and nurture innovation for the future of STEM.

Visit [in2scienceuk.org](https://in2scienceuk.org) or email [development@in2scienceuk.org](mailto:development@in2scienceuk.org) and find out how you can get involved today.

## IPReg Board Meeting Actions Log - New and Outstanding Actions

### Item 10

#### December 2024 Board meeting

| Date of Meeting in which action arose | Agenda Item   | Action  | Responsibility | Status  | Notes/Update  |
|---------------------------------------|---|---|----------------|---------|---|
| November 2024 Board Meeting           |   |   |                |         |   |
| Nov-24                                | Feedback from Strategy Morning                              | CEO to take forward changes to Board meeting structure and papers           | FG             | Ongoing | Training arranged for 22 January 2025   |
| Nov-24                                | Feedback from Strategy Morning                              | CEO to consider resourcing issues   | FG             | Ongoing |   |
| Nov-24                                | IT System Update  | CEO to expand cyber awareness phishing exercise to include Board members    | FG             | Ongoing |   |
| Nov-24                                | Regulatory Performance Assessment – LSB information request | Director of Policy to finalise the response and submit to the LSB           | VS             | Closed  |   |
| Nov-24                                | Full Risk Register  | CEO to reconsider this risk once the review of resources had been completed | FG             | Open    |   |
| May 2024 Board Meeting                |   |   |                |         |   |
| May-24                                | CEO's Report – Decisions                                    | CEO to write to the LSB on LSA s167   | FG             | Open    | Issue was raised again at the relationship management meeting on 6 September. LSB agreed to reconsider the matter |

IPReg Board Meeting Actions Log - New and Outstanding Actions

|                            |   |   |       |         |  |
|----------------------------|---|---|-------|---------|--|
| March 2024 Board Meeting   |   |   |       |         |  |
| Mar-24                     | Education                               | Education and Diversity Officer to seek someone new to conduct the assessment, with appropriate preparation | FG/SE | Closed  | PEB re-accreditation exercises underway                    |
| January 2024 Board Meeting |   |   |       |         |  |
| Jan-24                     | CEO's Report – New regulatory objective | CEO to consider how to conduct a sectoral risk assessment with external support                             | BN    | Ongoing | Training on ECCTA held on 11 September. BN leading on this |

## Board Meeting 12 December 2024

### Change of Company Members and new Articles of Association

#### Agenda Item: 12

**Author:** Karen Duxbury ([karen.duxbury@ipreg.org.uk](mailto:karen.duxbury@ipreg.org.uk)) and Fran Gillon ([Fran.gillon@ipreg.org.uk](mailto:Fran.gillon@ipreg.org.uk))

#### This paper is for decision.

*This covering Board paper will be published.*

*Annex A to H to this Board paper will not be published. The new Articles will be published on the Companies House website.*

#### Summary

1. The Governance review undertaken in 2023 identified that the Articles of Association (Articles) for the Intellectual Property Regulation Board Limited (**the Company**) were out of date and no longer relevant to the way the Company now operates.
2. The Company is limited by guarantee with no share capital and was originally set up by CIPA and CITMA who were the initial subscribers and remained as members.
3. IPReg engaged Kingsley Napley to assist in the drafting of new Articles. CIPA and CITMA were advised that the Articles were being updated and the Councils of CIPA and CITMA have both decided to resign as members (see **Annex A** and **Annex B**). The proposal is that the current directors of IPReg will become members of the Company, have formally applied to become a member (draft application form at **Annex C**).
4. The proposed new Articles will be formally adopted by the members (see **Annex D**).

#### Recommendation(s)

5. The meeting agrees:
  - a. To table and consider the appointment of the directors (i.e. the current Board members) as new members;
  - b. Accept the resignation of CIPA and CITMA with immediate effect. The Register of Members will be updated accordingly (**Annex E**).
  - c. To circulate the written resolution (**Annex F**) to adopt the new Articles to the new members. The written resolution will be passed when 75% of the members have signed it and this must be completed within 28 days.
  - d. To confirm that the written resolution has passed, and the proposed new Articles have been adopted.
  - e. To authorise the Chair to sign the filing print of the Resolution (**Annex G**) and the Board meeting minute (**Annex H**).



- f. To resolve to file the signed filing print of the resolution (**Annex G**) and the dated Articles at Companies House (**Annex H**).

## Risks and mitigations

|                     | Risk   | Mitigation   |
|---------------------|--|--------------|
| <b>Financial</b>    | There is no specific financial risk  | N/A          |
| <b>Legal</b>        | [REDACTED]   | [REDACTED]   |
| <b>Reputational</b> | This shows IPReg's commitment to good governance and willingness to act as appropriate | New Articles |
| <b>Resources</b>    | Finance Officer and CEO  | N/A          |

## Background

6. The proposed new Articles have been prepared by Kingsley Napley and are drafted with reference to Companies Act, Legal Services Act, IPReg's Governance Handbook (GH) and with our usual practices in mind. The articles are more likely to reference the GH, not duplicate them which allows for some flexibility if changes are made to the GH. The articles are detailed and bland which means that they can remain applicable to a broader set of scenarios than may be relevant at this point.
7. The directors will be appointed as members of the company and their liability is limited to £1 each, being the amount that each member undertakes to contribute to the company in the event of it being wound up while they are a member or within one year after they cease to be a member. The new Articles have provided that the directors will also be the members going forward. We will implement this for the next Board appointments.
8. There are two stages which has been summarised as:
  - a. Change to the members, appointing the new members and then accepting the resignation of the previous members, in this order so there is no point of time where the Company has no members.
  - b. The directors will resolve to circulate the written resolution and the proposed new Articles to the members which will be passed when 75% have signed the resolution and the Articles will be adopted.

The filing note and Board meeting minute covering both parts will be signed and the relevant documents will be filed at Companies House.

## Options

9. Completing the process as outlined, will complete the governance process to adopt more relevant and meaningful Articles. Additionally, as this review had initiated the resignation of CIPA and CITMA as members, it has now changed the structure of the company so that directors will also be the members of the company.

10. Suggested changes to the proposed new Articles should be advised in sufficient time prior to the meeting to enable the proposed new Articles to be amended and re-circulated or failing that, be discussed at the meeting. In the event of the latter, the directors should resolve to
- a. Appoint the directors as the new members and accept the resignation of CIPA and CITMA as members.
  - b. Agree to defer the written resolution to adopt new articles to January Board meeting and to adjust the Board minutes accordingly.

## Discussion

11. To follow the procedure as noted in the paper and the Board meeting subject to point 9 and 10.

## Next steps

12. Provided the entire process as noted is complete the signed filing print of the resolution and the dated Articles of Association will need to be filed at Companies House within 14 days.

## Supporting information

### Links to strategy and business plan

13. N/A

### Supporting the regulatory objectives and best regulatory practice

14. N/A

### Impacts

15. N/A

### Monitoring, Evaluation and Key Metrics

16. N/A

### Communication and engagement

17. N/A

### Equality and diversity

18. N/A

### Evidence/data and assumptions

19. N/A