

IPReg’s 2026 business plan and budget: IP Inclusive consultation response



1 Introduction

These submissions are made by the IP Inclusive initiative, in response to IPReg’s 16 July 2025 consultation on its 2026 business plan, budget and practising fees proposals.

They are made on behalf of the UK-based IP professionals – including many registered patent and trade mark attorneys – who support IP Inclusive in its efforts to improve equality, diversity, inclusion and wellbeing across the UK’s IP sector.

2 The draft 2026 business plan

2.1 General comments

As in previous years, we are pleased to see that equality, diversity and inclusion (EDI) continue to play a key part in IPReg’s proposed 2026 plans, in particular through its education-, training- and qualification-related activities.

In general, we support any measures that improve access to the patent and trade mark professions – in particular for people from less advantaged backgrounds and/or other currently under-represented groups – as well as those that help ensure equality of opportunity for people wishing to enter, and progress in, the professions. Such measures will help improve diversity at all levels and in all parts of the professions. They will therefore have a positive impact both on the regulated community and on the clients that it serves. See the comments in our responses to IPReg’s 2023 and 2024 business plan and budget consultations¹.

We also applaud the work being done to gather data about the diversity of the professions to inform IPReg’s decision making: see our comments at 2.3 below.

As a more general point, we are pleased that “funding diversity initiatives” remains one of IPReg’s anticipated main areas of work. Increasing diversity is, we believe, beneficial for both the patent and trade mark professions and their clients, as well as being one of the regulatory objectives under the Legal Services Act 2007. We remain ready to work with IPReg on its EDI-related projects, alongside our own ongoing efforts to improve diversity in the IP professions.

¹ See <https://ipinclusive.org.uk/wp-content/uploads/2023/08/230818-ipreg-2024-budget-consultation-ip-inclusive-response.pdf> and <https://ipinclusive.org.uk/wp-content/uploads/2024/08/240823-ipreg-2025-budget-consultation-ip-inclusive-response.pdf>

2.2 The Education Review

We are pleased to see that IPReg plans to review the educational framework that underpins qualification as a patent and/or trade mark attorney. It is important that the two professions and their regulator work together to ensure that framework is fit for purpose and that it does not introduce inappropriate barriers to entry or otherwise limit diversity among new recruits. We approve IPReg’s plans to work with stakeholders and potential providers to encourage new qualification pathways, including apprenticeships.

We are particularly pleased to see that the review is to include an independent equality impact assessment of the resulting policy proposals. We believe it is vital to ensure that both existing and new qualification pathways are as accessible as possible and do not introduce any unnecessary barriers to entry or impediments that could disadvantage particular groups.

In a similar vein, we urge IPReg, in its planned work on the accreditation of qualification providers, to ensure that all accredited providers offer accessible training and assessment systems. Those systems should offer reasonable adjustments for people who need them (in particular disabled and neurodivergent candidates, and those who are parents, expectant parents or carers). They should also offer an inclusive range of qualification pathways where feasible.

IP Inclusive stands ready to help IPReg with any aspects of its Education Review that are relevant to EDI and accessibility.

2.3 Diversity data gathering

“Continuing to build our evidence base about the IP sector” remains one of the anticipated main areas of work in IPReg’s proposed 2026 business plan, and we are pleased to see that this includes conducting a fresh diversity survey next year.

We are grateful to IPReg for conducting its 2024 diversity survey and for publishing a prompt and helpful report on the results. We believe such data is crucial for informing IPReg’s activities and policies, and are pleased to see it has helped shape the Equality Impact Assessment (EIA) for the proposed 2026 practising fee increase (see 5 below). We also believe the results of IPReg’s diversity surveys have value as benchmarks for businesses and membership bodies in the patent and trade mark professions, as indeed they do for IP Inclusive.

We remain of the view that for the patent and trade mark professions, it is the regulator that is best placed to gather this data and to provide accurate diversity benchmarks for its registrants, their businesses, their clients and other legal sector regulators. It is also important that IPReg itself has up-to-date evidence, in order to evaluate the impact of its EDI-related regulatory arrangements and target future EDI initiatives more effectively. We wholeheartedly support this aspect of IPReg’s 2026 plans and will be delighted to help promote the next survey and the subsequent report.

2.4 Diversity initiatives

We applaud IPReg’s continuing support for diversity initiatives, especially in the current climate where such work is being undermined from several angles. We believe it is important that the

patent and trade mark professions continue to work to improve diversity, inclusivity and accessibility in the face of external pressures, to ensure they can attract and retain high quality professionals and provide a high quality service to their clients. We also believe that at times like this, the work of cross-sector initiatives such as IP Inclusive, and the support of higher-level entities such as regulators and membership bodies, is more important than ever. See our comments at 3 below.

We are pleased to see that IPReg plans to use its work on diversity to inform its education workstreams, with a view to widening participation and progression in the regulated professions. We agree that this should contribute to the shaping of training and qualification routes and of the opportunities available to both new and potential recruits.

We are also pleased that IPReg plans to continue to work with, and contribute to, cross-sector work on EDI. We recognise that there is much to learn on this front, not just from individuals and businesses within the IP sector but also from the wider legal sector. This will help us improve the way we design, implement and evaluate EDI-improving interventions. We agree that such collaborations will help create an independent, strong, diverse and effective legal profession.

3 The proposed 2026 budget

We are pleased to see the inclusion, in the proposed 2026 budget, of an increased allowance of £21,000 for supporting diversity initiatives in the regulated community, underpinned by the continuing £20,000 diversity initiatives reserve. We understand this is in addition to the £11,000 set aside in the budget for “diversity research and survey”.

We have very much appreciated and thank IPReg for using some of its previous diversity budgets to support IP Inclusive. This has allowed us to continue our work to promote EDI and wellbeing in the UK’s IP sector – a sector which embraces not only IPReg’s regulated community but also the other IP professionals who work alongside them for the benefit of their clients.

Due to social, economic and political developments both in the UK and elsewhere, we believe that 2026 could be a challenging year for IP sector businesses in terms of their commitment to EDI-related activities. This in turn has the potential to impact on overall diversity and accessibility levels in the sector, and thus on the wellbeing of the professionals that work here. At times like this, it is more important than ever that sector-wide initiatives such as IP Inclusive remain strong, that we continue to champion diversity and inclusion for the good of the sector as a whole, and that we remain available not only to focus the efforts of individual businesses, but also to support IP professionals in under-represented or otherwise marginalised groups.

We therefore very much hope that IPReg will continue to help fund IP Inclusive during 2026, and indeed that it will feel able to raise the level of financial support it provides for our increasingly important cross-sector EDI work.

In general, IP Inclusive – in particular through its communities² and Careers in Ideas outreach campaign³ and their respective contacts – would welcome the opportunity to work with IPReg to ensure that the 2026 diversity budget is appropriately spent on projects that will have a positive impact on EDI in the patent and trade mark professions.

We would also like to thank IPReg for its help in promoting and where appropriate participating in IP Inclusive’s work, and in sharing relevant information and experiences.

4 The proposed 2026 practising fees

We have no comments on IPReg’s proposed increase to the practising fees in 2026, other than those given at 5.2 and 5.3 below regarding the availability of (a) the discretionary waiver in cases of hardship (the continuance of which we welcome) and (b) the “not in active practice” fee category (the scope of which we would like to see clarified). We believe these two measures help increase inclusivity in the regulated professions, enabling them to embrace and nurture a wider range of people, and in turn contribute to the sector’s independence, strength, diversity and effectiveness.

5 The equality impact assessment (EIA)

5.1 The evidence base

We are delighted that this year’s EIA is based on up-to-date diversity data from IPReg’s 2024 survey.

We would however urge caution in the presentation of the survey results in the EIA. The data gathered does not necessarily reflect proportions of *the patent and trade mark professions* that fall into particular diversity categories; it simply tells the proportions of *survey respondents* that do. People in minority groups often tend to be over-represented among respondents to a diversity-related survey. We believe the figures regarding, for example, race, religion and disability should be clarified in this respect. It would be helpful to include, in the EIA, a reference to the response rates and error margins that are quoted in the published survey report.

We very much agree with IPReg’s comment, in the section on race, that “...the diversity data shows the importance of increasing access to the professions that our work on education will support.” As stated at 2.2 above, we believe that work should help improve diversity within the regulated professions.

5.2 The discretionary fee waiver

We are pleased that the discretionary fee waiver will remain in place. Its scope appears to be sufficiently broad to encompass professionals who – for example because of a disability or caring (including parenting) responsibility – are still able to work to at least some extent but are

² See <https://ipinclusive.org.uk/community/>

³ See <https://ipinclusive.org.uk/careers-in-ideas/>

nevertheless suffering financial hardship and finding practising fee levels problematic. Subject to the comments below, we see this as a sensible and proportionate way for a regulator of IPReg's size to guard against detrimental effects on specific groups, in particular those for which it has relatively little statistically significant data.

5.3 Availability of the “not in active practice” fee category

It is also encouraging to see that IPReg will accept applications for moving to the “not in active practice” fee paying category from attorneys who are on adoption or parental leave as well as from those on maternity leave.

We presume this category is also available to attorneys whose capacity to practise is affected by a temporary disability, illness or caring responsibility, and would welcome IPReg's confirmation of that in the EIA and the Practice Fee Regulations. We believe it would help reduce negative impacts in the context of two of the protected characteristics: disability and gender.

With regard to the impact on gender, people who identify as women are still proportionately more likely to be carers and more likely to reduce their working hours to provide unpaid care⁴. Women may also experience menopause-related conditions that temporarily affect their working arrangements. Both of these often happen at times of their lives when they occupy more senior roles, which is where the gender imbalance seems to be at its greatest in the patent and trade mark professions.

An obvious, and proportionate, way to address any unfair disadvantage to members of the regulated community who are temporarily disabled, or who are carers, would be to ensure the scope of the “not in active practice” category accommodates these registrants. This could significantly increase diversity within the sector and also help the two professions to retain experienced and valuable practitioners who might otherwise be inclined to leave the register.

As a longer-term measure, we urge IPReg to consider setting a lower level of practising fee for attorneys who work part-time (for example, fewer than a specified number of hours a week). This too would reduce the risk of disadvantage to disabled people, carers, parents and – at least in the present cultural climate – those who identify as women.

6 About IP Inclusive

IP Inclusive is an association of individuals and organisations who share a commitment to improving equality, diversity, inclusion and wellbeing throughout the UK's IP professions. Its founding organisations were the Chartered Institute of Patent Attorneys (CIPA), the Chartered Institute of Trade Mark Attorneys (CITMA), the IP Federation and The UK Association of the International

⁴ See, for example, <https://www.carersuk.org/press-releases/international-women-s-day-2024-10-facts-about-women-who-are-unpaid-carers/>, and the 2021 ONS census data at <https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/socialcare/articles/unpaidcarebyagesexanddeprivationenglandandwales/census2021>

Federation of Intellectual Property Attorneys (FICPI-UK), with active support and involvement from the UK Intellectual Property Office. The founding organisations do not have any ownership or control of IP Inclusive.

Our supporters span the IP-related professions and include patent and trade mark attorneys and paralegals, their business support colleagues, IP solicitors and barristers, and other professionals who work in or with intellectual property. Many CIPA and CITMA members are actively involved in the initiative, as are their organisations, which support us as Charter signatories and/or donors.

Our work, which is overseen by the governing body IP Inclusive Management⁵, includes:

- A voluntary best practice Equality, Diversity and Inclusion Charter⁶, which currently has 154 signatories from across the IP professions, and an associated “Senior Leaders’ Pledge”⁷.
- The “Careers in Ideas”³ campaign, which works to raise awareness of, and improve access to, IP-related careers in order to diversify the pool from which the professions recruit.
- Networking and support “communities”² for under-represented groups and their allies, which currently include our Women in IP community; IP & ME for professionals from minority ethnic backgrounds; IP Ability for disabled and neurodivergent professionals and for carers; IPause for professionals affected by the (peri)menopause; IP Futures for early- to mid-career professionals; and IP Out for LGBTQ+ professionals.
- EDI- and wellbeing-related resources, training, news and information, which we disseminate through our website, events and regular updates to our supporters⁸.

Our Lead Executive Officer Andrea Brewster is a Chartered Patent Attorney, a former CIPA Council member and President, and now an honorary member of CIPA. In the past she has served on the Institute’s Education and Business Practice Committees. She is regulated by IPReg but not currently in active practice.

For more information about IP Inclusive, please visit our website at <https://ipinclusive.org.uk/>, or email contact@ipinclusive.org.uk.

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⁵ See <https://ipinclusive.org.uk/ip-inclusive-management/>

⁶ See <https://ipinclusive.org.uk/about/our-charter/>

⁷ See <https://ipinclusive.org.uk/the-ip-inclusive-senior-leaders-pledge/>

⁸ See <https://ipinclusive.org.uk/resources/>, <https://ipinclusive.org.uk/newsandfeatures/>, <https://ipinclusive.org.uk/events/> and <https://ipinclusive.org.uk/stay-in-touch/>