

## **PUPILLAGE POLICY**

### **Introduction**

1. Chambers attaches great importance to the recruitment and training of pupils. It is the aim of Chambers to select individuals who will contribute positively to our environment and to our reputation.
2. This document sets out Chambers' pupillage policy. It may be amended as and when required by the Head of Chambers. It also conforms with the current training standards and requirements specified by the BSB's Pupillage Handbook and Equality and Diversity Rules.

### **General Policy**

3. Chambers operates an equal opportunities policy in its selection of pupils. No applicant for pupillage will be discriminated against due to their race, sex, pregnancy and maternity, gender reassignment, sexual orientation, marriage and civil partnership, disability, age, religion or belief. Race encompasses colour, ethnic or national origin and nationality.
4. Chambers will select pupils from all applicants whose applications are received by the prescribed closing date.
5. In compliance with chapter 4.3 of the Equality Code for the Bar and the Objectivity Principle in chapter 1 of the Fair Recruitment Guide, pupils will normally be accepted only if they have gone through Chambers' selection procedure. The only possible exception will relate to sponsored pupils. The BSB forbids Chambers to offer unfunded pupilages, unless exemption is granted for a particular case.
6. Acceptance of Chambers is dependent upon accreditation by the BSB as an Approved Education and Training Organisation ("AETO")

### **Application Procedure**

7. Chambers will normally offer one 12-month pupillage beginning in October each year.
8. The deadline for applications for pupillage will be advertised on the Pupillage Gateway and Chambers' website.
9. In order to assist Fraser Chambers in meeting its commitments to equality of opportunity, we invite applicants to complete the Equal Opportunities Monitoring Form and submit it with their application. Any information contained within the form will be kept confidential. The completion of that form is entirely voluntary and whether an applicant submits the Monitoring Form will have no bearing on the outcome of the application.

### **Pupillage Award**

10. Each pupil will be awarded a grant. The level of award for any given year will be published on Chambers' website and will be notified to applicants at interview. The award is paid as follows:
  - a. The first half of the award is paid by six equal instalments monthly in arrears during the first six months.

- b. The remaining half is paid during the second six months pupillage by instalments monthly in arrears.
11. Chambers will discuss the details of payment as part of the induction session for new pupils.

### **Review**

12. A review will be conducted as often as is necessary to fulfill its functions and at least three times per year. The review has responsibility for:-
  - a. The recruitment process, short-listing process, interviews and selection;
  - b. Allocation of pupil supervisors and introduction to Chambers;
  - c. Ensuring that pupils are properly supervised and provided with regular feedback. The tenancy selection process;
  - d. Reviewing the pupillage year and making improvements where necessary.

### **Selection Procedure**

13. Each application will be considered and candidates will then be selected for a first interview using the following selection criteria:
  - Intellectual achievement.
  - Effective Communication.
  - Advocacy Skills.
  - Motivation/Commitment.
14. Chambers will normally hold two rounds of interviews. In both rounds all selected candidates will be interviewed.
15. The first-round interview will usually last about 10-15 minutes and will be a short and structured interview designed to measure the selection criteria set out above.
16. Candidates successful in the first round of interviews will be invited to a second interview. The second-round interview may include an advocacy exercise to measure the selection criteria set out above.
17. At both the first- and second-round interviews all interviewees will be assessed using the selection criteria set out above and a standardised scoring procedure.
18. All application and selection documents will be kept by Chambers for a period of three months.

### **Offers**

19. Offers of pupillage will be made in writing by the Head of Chambers and will state the amount of the award offered, together with the period for which pupillage is offered, and the period, usually 14 days, within which the offer must be accepted or refused. This period may be extended at the discretion of the Head of Chambers.

### **Complaints**

20. Any applicants (whether invited to interview or not) who are dissatisfied with their treatment may complain in writing to the Head of Chambers, who will consider the complaint and will take any action deemed necessary. Whether or not they invoke this procedure, applicants may also use any other complaints process provided by the Bar Council or other relevant body.

## **Commencement of pupillage**

21. Pupillage is not valid until it has been registered with the Bar Standards Board. Pupillage will normally commence on 1<sup>st</sup> October of each year.
22. Pupils should receive a file directly from the Bar Council. This file includes forms for any change in pupillage arrangements, duties of pupils, financial matters, training and other relevant information. A pupil who has not received this information within a month of commencing pupillage should contact the Bar Council directly.
23. The pupil should consult regularly with their supervisor over progress and action points.

## **Induction**

24. All pupils will be given an induction at the start of their first six months. Chambers will cover pupillage, the organisation of Chambers, policy documents, H&S, security, swipe cards, keys, and other practical arrangements.
25. There will be a short induction session with the Chambers Director at the beginning of the first six and an in-depth induction at the end of the first six prior to practice.

## **The Role and Duties of Pupils in Chambers**

26. A pupil's primary role in Chambers is to learn. All pupils are expected to familiarise themselves with their pupil supervisor's practice, produce their own attempts at opinions and pleadings, research points of law and generally shadow their pupil supervisor.
27. A pupil is required to maintain and respect the confidentiality of all Chambers' clients' affairs.
28. Pupils will attend court, conferences and negotiations with their supervisor. If a hearing or conference takes place some distance out of London, a pupil is not required to accompany their supervisor unless expressly requested to do so. When accompanying a supervisor or any other barrister at court, conference or negotiation, a pupil should not contribute unless expressly invited to do so by the barrister. The barrister will be happy to answer all questions after the hearing/conference.
29. Normal working hours are between 0900 and 1800. Pupils are not usually expected to work outside these hours although it may sometimes be necessary for them to do so. Pupils in their second six months will be expected to work the required hours necessary to ensure that they are fully prepared to represent their clients at court.
30. Pupils sit in their supervisor's room, if this is where their supervisor sits. Pupils will also be expected to make use of the Inn libraries.
31. Pupils must attend all training organised and all mandatory training courses. Pupils must also make sure that all required forms related to the progress and completion of pupillage are signed and sent off as appropriate.
32. Pupils will be permitted to attend any mandatory training courses for which they may enrol during their pupillage.
33. Pupils are entitled to two weeks' leave in each six-month period of their pupillage. All leave should be arranged with the consent of their supervisor.

## **Role and Duties of Pupil Supervisors**

34. The Head of Chambers will allocate the pupils to a supervisor to ensure that each pupil gains experience of all Chambers' practice areas.
35. Supervisors will ensure that their pupils may do written work.

36. The supervisor will write a short report on each of their pupils at the end of the pupil's time with them. The report will contain the supervisor's assessment of the pupil's written work, both advice and pleadings, and an assessment of their potential as an advocate.
37. At regular intervals the supervisor will discuss informally with the pupil his or her progress to date and indicate any areas that may require further work.

### **Structure of Pupillage**

38. Pupils will accompany members of chambers to court and conferences, where such a case will be relevant to the pupil's training, where the case is particularly interesting or unusual, or it would otherwise be of benefit for a pupil to attend the hearing.
39. Pupils will be expected to produce written work and research.
40. The Lex system is used to record all work undertaken in the second six months of pupillage, together with earnings.
41. In the second six months of pupillage, pupils are not required to pay either a fixed-rate contribution or a percentage contribution to Chambers.

### **Mandatory External Pupillage Courses**

42. All registered pupils will be sent information from the BSB about the mandatory pupillage courses, currently the pupillage advocacy course, the practice management course and the forensic accounting course.
43. Chambers will not cover the cost of mandatory pupillage courses undertaken during pupillage.

### **Assessment**

44. Towards the end of each six months the Head of Chambers will obtain reports on pupils' progress from all other persons likely to have relevant information on the pupils' performance.
45. Based on this material, the Head of Chambers will assess the pupils' progress to date and make a short note of their assessment. They will also discuss the assessment with each pupil, identifying where appropriate any areas in which improvements might be made.

### **Grievance Procedure**

46. The following paragraphs set out the procedure which will be adopted in the event of a pupil wishing to pursue a complaint or grievance in respect of any aspect of their pupillage. This procedure is intended to mirror the grievance procedure open to any member of Chambers wishing to pursue a grievance.
47. At any stage of the grievance procedure, the pupil may be accompanied by a colleague of their choice.
48. Grievances will be dealt with, insofar as the investigation process allows, in the strictest confidence and without fear of recrimination, intimidation, harassment or anxiety that the raising of a grievance will be likely to hinder the pupil's prospects of obtaining a tenancy at the completion of their pupillage.

### **Informal process**

49. A grievance should be raised, in the first instance, with the pupil's supervisor, who will take any action that they consider necessary or appropriate and record it in writing. In the event that the grievance concerns a matter relating to the supervisor, then the pupil should raise

that complaint with the Chambers Director, who will take whatever action they consider necessary or appropriate and will record it in writing.

### **Formal process: Stage 1**

50. Where the grievance is not or cannot be resolved at the informal level, or if the pupil continues to feel aggrieved, they should write to the Head of Chambers within seven days of notification of the outcome of the informal review into the grievance. The pupil should indicate that the formal process is being invoked, should outline the grounds for the grievance and should explain why they remain dissatisfied with the outcome of the first level of investigation, and how they would seek to have the grievance resolved.
51. The Head of Chambers will carry out a full investigation into the grievance and will decide whether to uphold the grievance or reject it. They should provide their decision in writing within seven (exceptionally fourteen) working days of receipt of the letter from the pupil concerned.

### **Formal process: Stage 2**

52. If the grievance is still not resolved, or if the pupil still considers they have not been fairly treated, the pupil may appeal by letter to the Head of Chambers within seven working days of being notified of the outcome of Stage 1. The letter setting out the intention to appeal should be addressed to the Head of Chambers, should indicate that the second stage of the formal process is being invoked and should outline the reason(s) for the appeal, the redress which is sought and the reason why the pupil is or remains dissatisfied with the decision of the Head of Chambers and/or the decision at the first stage.
53. In the event of a grievance being referred to the Head of Chambers, the Head of the Compliance Committee will arrange for a panel of the Head of Chambers and Chambers Director to investigate the grievance giving rise to the appeal. Having fully investigated the grievance, the Panel will inform the pupil, in writing, of its decision within seven working days of the appeal being received.

### **Complaint about a pupil**

54. If a complaint is received about a pupil, this will be handled in line with the internal complaint procedure and the disciplinary procedure, which is to be provided to all new pupils.

### **Third Six Months**

55. Following successful completion of the 12 months of pupillage, Chambers will consider whether each pupil should be offered tenancy, not offered tenancy or offered a third six.

### **Tenancies**

56. Tenancy selection will be made by the Head of Chambers. The decision will be based on all the material available to it and will include the following:
  - a. Supervisors' reports assessing the pupil's written work, and their potential as an advocate.
  - b. Feedback from the Chambers Director.
  - c. Any feedback from solicitors and lay clients.