



Appendix 5 – Pupillage Policy

1. Introduction

This policy sets out how Chambers will recruit pupils, the funding of pupillage and the structure of pupillage. This policy takes into account the Future Bar Training Regulations that came into force for all pupillages commencing on or after 1 September 2019.

2. Recruitment Committee

Chambers has a Recruitment Committee which examines applications to Chambers for pupillages and membership of Chambers.

The Recruitment Committee consists of the Management Committee and at least four other Members of Chambers appointed annually by a majority vote of a General Meeting. The Head of the Recruitment Committee is appointed by the Management Committee and at present is Nicholas Kennan.

The Head of the Recruitment Committee reports to the Management Committee at Management Committee meetings as and when required.

3. Number and Type of Pupillages Offered

We offer up to three 12-month funded pupillages each year. The number of pupils sought in each application period will be determined by the Management Committee after consultation with the Head of the Recruitment Committee, clerking teams and heads of each practice team.

The Management Committee will also determine whether Chambers requires a pupil or pupils in specific practice areas (crime, family or civil) or whether general common law pupillages are to be offered.

Where two or more pupils are taken on within the same academic year at one of our offices, Chambers may in its sole discretion stagger the start date. The precise dates are flexible and will be determined to suit Chambers' needs and resources and after consultation with the prospective pupil.

Vacancies are published on the Pupillage Gateway website. The published notice will specify the practice area in which the pupillage is to be offered if it will not be a common law one, and will also set out in broad terms the person specification criteria by which candidates will be assessed. A full Person Specification for Pupils is available on Chambers' website.

4. Funding of Pupillage

Each pupil will receive an award determined each year taking into account the Living Wage Foundation's calculation. Half of which is by way of guaranteed earnings during the second six months. During the second six, if a pupil's gross receipts (less any VAT) in a calendar month are below the amount of guaranteed earnings, Chambers will pay to that pupil the difference between that figure and the gross amount received (less any VAT) that month. That sum will be paid during the first week of the following month. Any such sums are not liable to recoupment.

Chambers pays for pupils to undertake mandatory training courses during the pupil's non-practising period.

Pupils are not required to pay any levy to Chambers during either part of their pupillage.

Chambers will pay pupils' reasonable travel expenses providing the travel is not for the purpose of practice as a Barrister, ie for work which the pupil will receive a fee for in their second six. Whilst the pupil is in their first six, Chambers will pay for travel incurred by the pupil each month, minus the difference between the minimum award and our award, providing it is for travel not to the pupil's principle place of pupillage or Courts in that location.

Reasonable travel expenses could include travel required in the course of pupillage off circuit from the pupil's principle place of pupillage. However, this does not include from home to the principal place of pupillage. Requests for travel expenses should be made to the Chambers Manager.

5. Structure of Pupillage

A pupil is assigned a pupil supervisor who will have completed the relevant pupil supervisor course and who will oversee the pupil's pupillage. If a pupil is undertaking a pupillage within a specific practice group, that pupil will have a single pupil supervisor from within that group. If a pupil is undertaking a general common law pupillage, the first six may be split between various members of Chambers from different practice areas but there will be one pupil supervisor for the second six.

Throughout the first six, but in particular in the fifth and sixth months, pupils will spend time with junior members of Chambers, observing work at the more junior level in readiness for second six.

If a general common law pupillage is being undertaken, the allocation of pupil supervisors will, as far as possible, take account of the particular interests of the candidate. Allocation will be determined by the Recruitment Committee.

6. Pupil Supervisors

All pupil supervisors are approved by and registered with their Inns and have undergone induction and/or refresher training organised by the Inns in accordance with the Bar Training Rules. All pupil supervisors will have completed the pupil supervisor training every five years or after three years if they have not supervised a pupil in the intervening time

8. The Pupillage Year

Before pupils start in Chambers, their pupil supervisor will contact them to introduce themselves and make arrangements for their arrival. If possible, the pupil supervisor will meet the pupil in advance of the start date of pupillage.

At the beginning of pupillage, pupil supervisors will discuss with the pupil what the pupil supervisor and Chambers expect in terms of their working hours, daily duties, and going to court and will be given the pupil statement setting out the same. They will introduce the pupil to the clerks and other members of Chambers. Chambers will ensure that each pupil has access to the Chambers network, online-resources and a Chambers email address.

Pupil supervisors will ensure that pupils have a copy of the Bar Council Pupillage Handbook and the Chambers pupillage checklist(s). Throughout pupillage, pupil supervisors will ensure that the pupillage checklist(s) are being filled in, discuss with pupils any gaps and suggest means of filling them. At the end of the first six and second six months, pupil supervisors will ensure that the fully completed checklist is given to the Head of the Recruitment Committee and Chambers Manager for the pupil's personnel file.

Pupils are required to keep a diary detailing the work they undertake cross referenced with the checklist.

The precise working day for the pupil will vary and will depend on the supervisor's commitments, but in general terms pupils can expect a day that begins at 9.00am and ends at around 6.00pm, with a break for lunch in the middle of the day. When not in court with a supervisor, or in their own right during second six, pupils are expected to spend time in Chambers or at least inform their pupil supervisor where they will be.

We provide pupils with stationery. Pupils are allowed to make and receive private telephone calls, within reason. Pupils may use Chambers' computers, which are located in the library, or their own equipment. Occasional use for personal matters is allowed but should be kept to a reasonable level.

Pupils will be provided with a copy of and are expected to abide by Chambers' Data Management and General Data Protection policies.

Pupils must not discuss confidential information about cases that they are involved with or have seen or any commercially sensitive information about Chambers except with other members of Chambers or staff subject to the Code of Conduct. That prohibition includes orally, in writing, on social media or by any other electronic means.

Pupils are encouraged and enabled to go and see work being undertaken by other members of Chambers or undertake paperwork for other tenants, subject to the direction of individual pupil supervisors.

Pupils may take up to four weeks' holiday during the pupillage year in addition to statutory UK holidays. Such holiday dates are to be agreed in advance with the pupil supervisor and Head of the Recruitment Committee. Not more than 2 weeks should be taken during the first six months.

If a pupil is unable to attend as required for a period in excess of 2 weeks due to illness or other incapacity, the pupillage may be extended. If a pupil is unable to fulfil the requirements of pupillage for a period in excess of 4 weeks, through illness, incapacity or for any other reason, the Recruitment Committee will review the position and the pupillage and second six income guarantee may be suspended.

9. The Second Six

No pupil will be sent to court with rights of audience until he or she has been appropriately certified by the Bar Standards Board, and the Chambers Manager has a copy of the documentation.

Pupils are encouraged to discuss their own work with any member of Chambers but especially with their supervisor.

The clerks are instructed to notify the Head of the Recruitment Committee of any feedback they are aware of in respect of a pupil's court work.

The clerks distribute work equitably between the pupils as and when it becomes available, subject to specific requests by solicitors.

Any issues raised by the clerks as to the quality of work will be discussed as soon as possible with the pupil by their pupil supervisor or a member of the Recruitment Committee. Should further training or advice be required, this will be provided for the pupil as soon as can be arranged (and, in exceptional circumstances, the pupil may be required to cease outside work until this can be undertaken). At all times the emphasis will be on providing support and guidance for the pupil. Where the pupil is unhappy about this decision, he or she may invoke the Chambers Grievance Procedure for Pupils, set out in the statement given to pupils when they start.

As with members of Chambers, the clerks negotiate fees with solicitors. All fees are negotiated, collected and "chased" in the same way as tenants' fees.

10. Assessment During Pupillage

Pupillages are assessed in line with the Threshold Standard and Competences specified in the Professional Statement for Barristers.

To assess whether the pupil is meeting the competencies required as set out in the Professional Statement, the pupil supervisor will meet with the pupil at the end of each month to review their work, discuss progress and provide feedback. The supervisor will review the pupil's checklist(s) and discuss any gaps. A written record form will be completed of those reviews and a copy will be provided to the Head of the Recruitment Committee and Chambers Manager for the personnel file.

During the year, each pupil will be asked to write at least one paper for Chambers as a whole on recent developments in an area of law relevant to their pupillage. If an opportunity arises, the pupil

will be asked to present that paper as a talk for solicitors. Pupils will also be expected, as far as possible, to engage with networking and social events put on by Chambers for those who instruct.

At the end of the first six months of pupillage and again prior to tenancy decisions, each pupil supervisor will prepare a report on the progress of their pupil. Pupils will be invited to respond in writing to those reports. The reports will address the criteria set out in the Person Specification for Pupils and the Threshold Standard and Competencies specified in the Professional Statement for Barristers.

11. Decisions as to Tenancy

Each pupil who wishes to apply for tenancy will do so in writing to the Head of Chambers no earlier than 3 months but no less than 2 months before they are due to complete pupillage.

The decision whether to offer tenancy to a pupil is taken by the Recruitment Committee following representations and comments invited from all members of Chambers in writing prior to the decision to recommend full tenancy is made.

The Recruitment Committee will consider whether the applicant has the potential to become a successful Barrister within Chambers, as well as the availability of work both immediately and in the foreseeable future.

Once the Recruitment Committee have come to a decision on the pupil's application for tenancy a recommendation to all of Chambers is made. In order for a pupil's application to be rejected, no less than 1/7th of the membership must object within 7 days.

Sometimes Chambers wishes to see more of a pupil before making a decision. In those circumstances, the pupil concerned may be offered a further period of practising pupillage of up to 6 months. If a pupil is not recruited as a tenant in Chambers and is not offered a further period of practising pupillage, then he or she should leave on the last day of pupillage unless permission to remain in Chambers has been requested from the Recruitment Committee and granted. Such leave to remain will not extend beyond a maximum of 3 months.

Where a pupil has not been offered tenancy by Chambers, the Recruitment Committee will provide such advice and practical help as it can reasonably give, to seek to ensure that every pupil is able to continue with a career as a practising barrister.