



## **PUPILLAGE POLICY**

**2024**

### **Introduction**

1. College Chambers (“Chambers”) is a BSB approved AETO.
2. Chambers is a long-standing and well known set of chambers in Southampton and the South Coast region which began in 1989. It has trained pupils from the start with the aim of inviting the pupils to become tenants subject to successfully completing pupillage. Chambers growth has always been focused on the selection and training of pupils.
3. Chambers has always been committed to fair recruitment and selection including equality, diversity and inclusion in terms of recruitment and training.
4. We aim to recruit pupils that will carry forward our core values of excellence, service and integrity.
5. Chambers administers pupillage in accordance with the requirements of the Bar Standards Board (“BSB”) Handbook, the Bar Qualification Manual (“BQM”), and the Bar Council’s Fair Recruitment Guide and the Equality Act 2010 (“the 2010 Act”).
6. Chambers will select and recruit pupils fairly. Chambers will ensure the following:
  - a. upholding our quality & diversity policy and the provisions of the Equality Act 2010 and the requirements of the Bar Standard Board (“BSB”).
  - b. a well-defined selection procedure which is fair and transparent.

- c. all pupils are funded in accordance with the BMQ.
  - d. a training programme based upon the Professional Statement for barristers;
  - e. the fair distribution of work for practising pupils; and
  - f. complying with pupillage monitoring requirements.
7. Chambers welcomes applications from all applicants. Chambers is committed to ensuring that access to training for the Bar is open to all on an equal basis.
  8. Under the Bar Qualification Rules, the three stages of education and training have been reclassified as:
    - a. **Academic component** – gaining knowledge of the law itself.
    - b. **Vocational component** – acquiring the core skills of a barrister, such as advocacy.
    - c. **Pupillage or work-based learning component** – learning to be a barrister ‘on the job’.
  9. Detailed guidance on each of the components of training may be found in **Part 2** of the BQM.
  10. There are four approved pathways came into effect to satisfy the individual components of training for the Bar. Chambers offers the work-based learning component or pupillage.

### **Number of Pupillages**

11. Chambers aims to offer *up to* **two** twelve-month pupillages per year. One pupillage would usually start in the Autumn / October. The other pupillage would usually start in the April / Spring.
12. Whilst Chambers aims to offer *up to* **two** pupillages in one calendar year, it may be in one calendar year, the Pupillage Committee considers there is a need to consider and offer additional pupillages.

13. All pupillages at Chambers are advertised in accordance with the BSB mandatory requirements on the Pupillage Gateway at [www.pupillagegateway.com](http://www.pupillagegateway.com).

### **Overview and Professional Statement and Threshold Standards and Competencies**

14. In accordance with the BQM, pupillage provides work-based training in legal work under supervision. Pupils build on prior learning and experience, as set out in the BSB's **Curriculum and Assessment Strategy**, in order to demonstrate (as a minimum) the competences to the threshold standard in the **Professional Statement**.
15. Pupillage is an essential component of training for the Bar. A pupil must complete this component of training in order to be authorised to practise as a barrister.
16. The primary purpose of pupillage is for pupils to develop and build on the knowledge, skills and experience previously acquired and to gain first-hand experience in a work-based environment.
17. Pupillage is divided into a non-practising period and a practising period.
18. The normal duration of pupillage is 12 months (or part-time equivalent). This is the minimum subject to any waivers or exemptions which Chambers will consider. We do not advertise for non-practising-only pupillages.
19. The duration of pupillage may be extended to up to 24 months:
  - a. if an application is made to and approved by the BSB under the Authorisation Framework; and
  - b. Chambers applies to the BSB and demonstrates to the BSB, when seeking authorisation, why the proposed arrangement is appropriate.
20. Any change in the duration of the training programme or change in timing for applying for the Provisional Practising Certificate that was previously authorised by us must be notified to the Authorisations Team ([authorisations@barstandardsboard.org.uk](mailto:authorisations@barstandardsboard.org.uk)) as a material change.

21. Our pupillage programme is designed to allow our pupils to exceed the requirements of the threshold Standard and Competences contained in the Professional Statement for Barristers.
22. We aim for our pupils to have achieved a thorough understanding of all of the competences within the Professional Statement as set out in the Professional Statement for Barristers. This can be found on the BSB website.  
<https://www.barstandardsboard.org.uk/uploads/assets/a4556161-bd81-448d-874d40f3baaf8fe2/bsbprofessionalstatementandcompetences2016.pdf>
23. In summary, the competences include:
  - a. barristers’ distinctive characteristics, including legal knowledge, skills attributes;
  - b. practical knowledge skills and attributes;
  - c. advocacy – written and oral, Professional standards;
  - d. personal values and characteristics, including behaviours;
  - e. working with others including those at work and lay individuals; and
  - f. management of practice, personally and at work, and professional compliance work.
24. To date, all of our pupils have successfully qualified at the end of their twelve-month pupillage with us.
25. Over the last five years, of the six pupils who have qualified with us, all have been invited to apply for tenancy. Of those who applied, all have been successful and invited to become tenants at Chambers.

### **Pupillage Funding**

26. Chambers offers “**pupillage awards**” in line with the BSB for Chambers **outside of London**.

27. The **pupillage award** is no less than the minimum amount specified by the BSB at the present time. For pupillage commencing on or after 1<sup>st</sup> January 2024, the minimum amount of the **pupillage award** is **£21,060per annum**.
28. The **pupillage award** at Chambers made up of -
- a. non-practising pupillage award (“the Award”) followed by
  - b. guaranteed earnings in the practising pupillage period (“Guaranteed Earnings”).

### ***Non-practising pupillage award***

29. From January 2024, **the Award** is half of the total pupillage award paid during the non-practising period of pupillage (in the first 6 month of pupillage) in six equal monthly payments (the specified amount). That amount with effect from 1 January 2024 was £1,755 per month. This will be subject to any variation as required by the BSB for 2025. These sums will be paid to the pupil by electronic transfer on at the start of each month.
30. Therefore, for the avoidance of doubt, during the non-practising pupillage from 1 January 2024, the pupil will receive an **Award** of £10,530 but paid in six equal instalments of £1,755 per month.

### ***Travelling Expenses during non-practising pupillage***

31. In addition, pupils will also be reimbursed for reasonable travel expenses incurred during the non-practising period when a pupil is not travelling into Chambers or travelling with their pupil supervisor. Documentary evidence of the expenses is required at the end of each month. An advance “float” of £1,000 is provided to the pupil at the start of pupillage.

### ***Guaranteed Earnings in the practising pupillage***

32. During the practising pupillage, our pupils will be earning their **own fees** from **their own work**.

33. Chambers provides **Guaranteed Earnings during the practising pupillage period** of a **minimum** monthly income in accordance with the BSB requirement. With effect from 1 January 2023, the Guaranteed Earnings are £1,755 per month. This will be paid at the start of each month. This will be paid by electronic transfer.
34. The Guaranteed Earnings during the practising pupillage period is paid to pupils in lieu of fees received by the pupil for any work undertaken as a practising pupil. In the event of the pupil's fees received during the practising pupillage being greater than the Guaranteed Earnings, the pupil will repay to Chambers the Guaranteed Earnings received within a term of 28 days from the end of the practising pupillage or such period as agreed in writing between the pupil the Head of Chambers and/or the Head of Pupillage.

***Expenses during the practising pupillage period***

35. During the practising pupillage period, Chambers will also pay to our pupils such further sums as may be necessary to reimburse reasonable expenses incurred by them only on:
- a. Travel for the purposes of pupillage during that month with another member of chambers, **but excluding any expenses incurred for travel for purposes of practice as a barrister, i.e., for work for which pupils will receive fees.**
  - b. Attendance during that month at courses which pupils are required to attend as part of their pupillage; less
    - i. Such amount, if any, as pupils may receive during that month from practice as a barrister; and less
    - ii. Such amounts, if any, that pupils may have received during the preceding months of their practising pupillage from their practice as a barrister, save to the extent that the amount paid to them in respect of any such month was less than the total of the sums at (a) and (b) above.
  - c. The cost of attending events held by or attended by Chambers to which pupils are expected or requested to attend.

- d. Documentary evidence is required of the expenditure to be provided with an excel expenses form at the end of each month.
36. Chambers operates and runs its pupillage scheme in accordance with the BSB Handbook and the BQM.
- a. See BQM Part 2 C2.3.9 for further details see:
  - b. <https://www.barstandardsboard.org.uk/training-qualification/barqualification-manual/part-2-for-students-pupils--transferring-lawyers/c2-responsibilities-of-aetos.html>.
  - c. <https://www.barstandardsboard.org.uk/for-barristers/bsb-handbook-and-code-guidance/the-bsb-handbook.html>.
  - d. <https://www.barstandardsboard.org.uk/training-qualification/bar-qualification-manual.html>.

### ***Chambers' expenses and charges***

37. During the non-practising pupillage, pupils are not charged any chambers expenses or charges nor are they required to contribute towards photocopying or chambers' other administrative costs undertaken in the course of their non-practising pupillage save for current levy of 13.4% in respect of fees of any noting briefs undertaking during this period.
38. During the practising pupillage period, pupils are required to pay to Chambers a reduced levy as a Chambers expenses contribution, currently at a rate of 13.4% on **all gross fees received** by the pupil (including for example any noting briefs). Such levy will be collected by Chambers during the practising period of pupillage on monthly basis.
39. For the avoidance of doubt, in the event that the pupil does not become a tenant at Chambers, the current levy of 13.4% will continue to be charged on all fees collected by Chambers for the pupil.
40. In the event that a pupil leaves chambers during pupillage or at the conclusion of practising pupillage period, any work done through Chambers shall be billed and

collected through Chambers and the current levy of 13.4% will remain payable on fees collected.

41. The current levy of 13.4% may change from time to time in accordance with Chambers' budget reviews.

### ***Noting Briefs***

42. If a pupil undertakes a noting brief during the non-practising pupillage period, they will be required to pay to Chambers the current levy 13.4% on those fees if they are collected by Chambers during the non-practising or practising pupillage periods.

### **Heads of Pupillage**

43. Chambers have Heads of Pupillage, currently Carol Davies and Millie Elliott. They are responsible for dealing with Chambers' requirements and authorisation as an AETO, pupillage recruitment process, pupillage arrangements and the support of pupils generally throughout pupillage. They also ensure pupil supervisors are suitably allocated and that their training is up to date.
44. Chambers currently has 7 pupil supervisors who are trained and experienced. They are all committed to providing full and extensive training to our pupils.
45. All members of Chambers dealing with pupillage supervision and administration will have received training in Equality, Diversity & Inclusion ("ED&I") and Fair Recruitment & Selection and must keep themselves abreast of developments in this area. The Senior Clerk and the staff in Chambers are trained also in terms of ED&I and fair selection of work.

### **Selection Criteria**

46. College Chambers aims to ensure that pupillage is open to all candidates including transferring qualified lawyers, those with any BSB waivers and those seeking extended part-time pupillages.



47. The selection for pupillage is based upon merit, ability and potential.
48. We are looking for pupils with good academic ability with the character and personality who we believe will thrive within the ethos of Chambers.
49. Pupillage Application Criteria is set out in Schedule One and Schedule Two at the end of this document.

### **Procedure for Pupillage Applications**

50. Whilst Chambers advertises all its pupillages via the BSB Pupillage Gateway - [www.pupillagegateway.com](http://www.pupillagegateway.com), and in accordance with the mandatory requirements of the BSB, Chambers does not accept applications through the Pupillage Gateway or use the Gateway for the administration of the pupillage application process. Applications are sent to the Heads of Pupillage directly.
51. Applications for pupillage are currently made via a standard form provided by Chambers. The form is in accordance with the BSB Pupillage Gateway process. The application form is available on Chambers' website.
52. The application process is currently via e-mail.

### **Selection of Applicants**

53. Initial selection of interview candidates is undertaken after "blind sifting" all applications. There is a process of redacting applications to avoid potential discrimination or unconscious bias.
54. The Head of Pupillage will convene a selection panel to undertake the first round of interviews. The selection panel will conduct the process of considering the applications using the Criteria in Schedule one a shortlisting the candidates for interviews.

55. Except in unforeseen and exceptional circumstances, the person with lead responsibility for the selection panel and at least one member of the selection panel (who may be the same person) will have received recent and appropriate training in anti-discrimination, fair recruitment, and selection processes.
56. Save in exceptional circumstances, every member of all selection panels must be trained in anti-discrimination, fair recruitment, and selection processes. The recruitment and selection processes use objective and fair criteria.
57. All applications will be read and seen by at least three members of the Chambers.
58. No application is rejected unless at least two members of Chambers have reached the same conclusion; any discrepancies/disagreements are passed to the Head of Pupillage whose decision will prevail.

#### **First-round interviews**

59. A shortlist will be drawn up from all applications of those who are to be invited for a first-round interview.
60. Interviews are normally held on weekday evenings. Interviews are held in person but they may be held “virtually” if there are good reasons or a need to provide reasonable adjustments.
61. All applicants and interviewees will be directed to view this Policy upon applying for pupillage.
62. Chambers will **not cover expenses** for candidates to attend for any interviews.
63. Those who are invited for a first-round interview will be informed of the date and time of their interview.
64. Due to work commitments of members of Chambers, it is not normally possible to set the date for the first-round interviews more than 21 days in advance.

65. The first-round interview will usually last no more than 20 – 30 minutes.
66. Due to work commitments of the individual members of the interview panel, it is intended that, save in exceptional circumstances *all* first round interviews take place within a 7-day period. This is to ensure that the interview process is carried out in accordance with the BSB mandatory timetable.
67. It will not normally be possible to accommodate requests from interviewees with regards to alternative time and date of interviews save for reasonable adjustments for equality, diversity and inclusion purposes. Any requests for reasonable adjustments should be made in writing at the time of submitting application forms.
68. Panel members for interviews will include a cross-section of members in Chambers. Every effort will be made to ensure that there will be two members who sit on all first-round interviews and the second-round interviews. However, this may not always be possible due to work and personal commitments of the panel members.
69. Candidates should arrive at Chambers at least 15 minutes prior to their first-round interview.
70. No detailed knowledge or preparation of the law is essential for the first-round interviews. The interview panel will ask all applicants the same set of questions.
71. The first-round interview questions will usually consist of 4 – 8 questions. The same pool of 4 – 8 questions will be asked of all interviewees. All candidates will be scored in respect of the same criteria.
72. Following this first round interview, successful applicants will be invited for a second-round interview.

**Second round interview:**

73. The second-round interview stage is normally held on one weekday only.
74. The interview will consist of a whole day assessment in Chambers.
75. Detailed instructions for the second-round interview stage will be sent out to the candidates within a reasonable time of the assessment day.
76. Second round interviewees will be required to attend Chambers from 8.30am until at least 18.00.
77. Candidates will be invited to sign a confidentiality agreement at the start of the second-round interview.
78. Candidates will be asked to undertake at least two pieces of work.
  - a. Drafting and completing piece of written work within the time allocated.
  - b. Prepare and carry out an advocacy exercise.
  - c. An ethical question may also be posed during the day.
79. The advocacy exercise will take the form of a mock hearing with members of the interview panel playing the role of Judge.
80. Following the advocacy exercise, applicants may be asked some additional questions in order that the interviewing panel may gain more of an understanding of the candidate.
81. Chambers will provide a buffet lunch for the candidates. Members of Chambers or the clerks may join the candidates for lunch. This is not part of the interview process but it enables the candidates to meet members and staff.
82. The advocacy exercise will usually commence in the afternoon after lunch.

83. By the end of the second-round assessment day, candidates will need to email their written work to the Head of the Pupillage within a specified timescale to be provided.

#### **Notification of outcome of interview**

84. The candidates will **not** be notified of the outcome of the interview on the day.
85. Notification will be made in accordance with the BSB guidelines and in accordance with the Pupillage Gateway mandatory timetable.
86. Successful applicants will be notified in writing/ email and will be asked to respond to the offer in writing as soon within the Pupillage Gateway timetable.
87. A reserve list may be created. Those on the reserve list will be notified in writing after the appropriate time in line with the Pupillage Gateway timetable.

#### **Offers of Pupillage**

88. A formal offer of pupillage will be sent via email to the successful candidate.
89. The offer of pupillage and its acceptance will give rise to a legally binding contract for education and training ('the Pupillage Agreement').
90. The terms of the Pupillage Agreement between the pupil and Chambers will be set out in the pupillage offer letter.
91. If a pupillage is accepted, the applicant must withdraw any other pending application with other chambers.
92. Evidence of all relevant education credentials will be required before pupillage is commenced.

### **Start of Pupillage**

93. An induction visit for the pupil will be made available in the weeks before the start of pupillage. This will give an opportunity for the pupil to meet the Heads of Pupillage, the first pupil supervisor, other members of Chambers, the Senior Clerk and the staff. The pupil will also have an opportunity to see Chambers and its facilities.
94. The pupil will be provided with Chambers' Pupillage Agreement to be signed along with Chambers booklet as to new starters which will provide practical information as to being a pupil in Chambers.
95. The pupil will be provided with Chambers' policies.
96. The pupil may have at least three different pupil supervisors during a 12-month period. The first pupil supervisor will be identified in advance of the start of pupillage for the purpose of registering the pupillage with the BSB.
97. The pupil must register his/ her pupillage, and any material change such as a change of supervisor with the BSB.
98. The pupil's working hours will, ordinarily, be 8.30am – 6.30pm. It will be necessary, from time-to-time, to start earlier than 8.30am or finish later than 6.30pm.
99. During the practising pupillage period, pupils may be required to be available to attend to court on Saturdays and Bank Holidays.
100. Pupils must be available to be contactable by telephone on Friday evenings/nights and on Saturdays so that they can be instructed to go to court on Saturday if necessary.

### **Annual leave**

101. The BSB states that pupils should take no more than two weeks' leave in each period of pupillage of 12 months. i.e., 10 days in the non-practising pupillage and 10 days in the practising pupillage. This does not include Bank Holidays (England & Wales).
102. For longer periods of absence, it would be necessary to apply to the BSB for dispensation from the regulations.
103. The pupil should discuss with their pupil supervisor and the Senior Clerk their request for annual leave. The Heads of Pupillage should also be informed.
104. The pupil should give reasonable notice (no less than 14 days) of a request for annual leave.

#### **Absence through illness**

105. If the pupil is sick, the pupil must in the first instance **immediately** notify their pupil supervisor and the clerks by email / telephone / text message.
106. If the pupil were to have excessive sick days in any six-month period of pupillage, the pupillage may need to be extended by the period of absence or such period to ensure that the pupil will be able to fully meet the requirements of the Professional Statement and the threshold standard and competencies as set out by the BSB.

#### **Pupillage Training**

107. Pupillage at Chambers focuses on the knowledge, skills, and attributes that are required for practice on day one of authorisation as described in the Professional Statement, including the Threshold Standard and Competencies.
108. Pupils must pass the advocacy training course provided by their Inn or Circuit and any other compulsory courses that may be required by the BSB. Pupils will be given sufficient time to prepared for their compulsory courses.

109. During pupillage, unless exempt, pupils must pass the Professional Ethics assessment as required by the BSB.

110. During pupillage, pupils will:

- a. develop an understanding of and appreciation of the operation and practice of the rules of conduct and etiquette at the Bar;
- b. observe conferences and mediations and negotiations;
- c. undertake paperwork and be expected to develop their writing and drafting skills;
- d. be expected to develop in confidence and advance their written and oral advocacy skills; and
- e. observe court hearings along with their pupil supervisor or other members of Chambers.
- f. observe mediations, arbitrations, tribunal hearings.

111. Pupils are expected to maintain written or electronic records identifying the tasks that they have carried out within the competencies of the Professional Statement.

112. Additional ‘in-house’ training may be provided to the pupil. This can be tailored specifically for the pupil’s needs.

113. The pupil shall discuss with their pupil supervisor (or if appropriate with the Heads of Pupillage or the Head of Chambers) the training they have undertaken.

#### **BSB - Authorisation Framework - Principle of Flexibility**

114. Pursuant to 26 of the BSB Authorisation Framework, Chambers takes into account the principle of flexibility as follows:

- a. Chambers’ pupillages are usually offered for either October or the April, such commencement dates may accommodate a pupil’s pre-pupillage /pre-training commitments.
- b. Chambers may, at the discretion of the Heads of Pupillage and the pupil supervisor, allow pupils to work remotely, if appropriate. However, the



expectation is for the pupils to attend Chambers when not in court or conferences elsewhere.

- c. Whilst all pupillages advertised are for 12 months, it is accepted that there may be occasions when a pupillage might be undertaken on a part-time basis. A written application should be made to the Head of Chambers prior to accepting the offer of pupillage setting out why the pupillage should be undertaken part time. The request will be considered with 14 days by the Pupillage Committee and a response provided forthwith. It is accepted that such applications are made on a fact specific, case by case basis. Chambers will assess any such an application on the availability of resources including pupil supervisors, staffing, funding, work available in the projected second 6 months of training.
- d. Chambers usually offers pupils the opportunity to have three pupil supervisors during a full 12-month pupillage. The Head of Pupillage may allocate a supervisor based upon a general preference expressed by a candidate but also upon the availability of pupil supervisors at that time.

### **Compulsory courses**

- 115. Pupils are required to attend all compulsory courses during their pupillage and in accordance with the BQM.
- 116. Pupils are responsible for organising their attendance at all compulsory training and courses.
- 117. Pupils are expected to discuss directly with their supervisors the courses they intend to attend.
- 118. The cost of attending a compulsory course undertaken during pupillage will be met by Chambers.
- 119. Pupils should discuss the method of payment of the courses directly with the Chambers administrator.

120. Chambers will normally pay the reasonable travelling expenses for attending the compulsory courses.

### **Pupillage assessment**

121. It is the responsibility of the pupil to ensure they continue to discuss with their supervisors the requirements of the Professional Statement and their progress in meeting the threshold standards and competencies.
122. The supervisor will undertake assessments, provide guidance and support to the pupil in accordance with the requirements and guidance provided by the BSB and the BQM.

### **Complaints**

123. The pupil will be referred to the Chambers' Complaint policy.
124. In addition, if the pupil wishes to make a complaint about training that they have received or the person providing the same, such complaint shall be made in writing to the Heads of Pupillage or to the BSB.

### **Data Protection and GDPR**

125. Pupils shall abide by GDPR legislation and Chambers' Data Protection and GDPR policies in place at all times.
126. Pupils will be required to promptly undertake GDPR training as provided by and paid for by Chambers in respect of pupils.
127. Pupils will be required to sign appropriate data sharing agreements as requested by Chambers, supervisors, and members of Chambers.
128. Pupils as data processors will be assisted in preparing a Privacy Policy for themselves.

### **Pupils' conduct and behaviour in pupillage**

129. Pupils are expected to conduct themselves professionally and courteously at all times and in accordance with the BSB Handbook and the BQM, in Chambers, in court and other venues.
130. Pupils shall preserve the confidentiality of every client's affairs.
131. Pupils shall ensure that their pupillage is registered with the BSB on all relevant forms with the assistance and support of the supervisor and/ or Head of Pupillage.
132. Pupil must notify the BSB of any material change in their pupillage arrangements including the change of pupil supervisor.
133. When attending court, the pupil is expected to take care to ensure that they arrive at the appropriate court at the appropriate time.
134. Pupils should not take papers, briefs or members or Chambers texts out of Chambers without the prior permission of their pupil supervisor and confirmation of measures taken to reduce or eliminate risks in terms of breaches of confidentiality and GDPR.
135. Pupils will be required to carry out work for other members of Chambers when required to do so. However, pupils should not be asked to carry out any work for any other member of Chambers without that member of Chambers having first obtained the permission from the pupil's supervisor. Any concerns by a pupil as to requests for work to be done for another member of Chambers should discuss with the relevant pupil supervisor or the Heads of Pupillage.

### **Presentation and attire**

136. Pupils are expected at all times to be appropriately attired when working in Chambers or attending court, conferences etc.

137. Pupils in their practising pupillage will be expected to have their own court clothing including wigs and gowns.

138. Pupils may be required to attend court at very short notice requiring appropriate attire.

### **Social Events**

139. Pupils may be expected to attend and participate in Chambers' social events.

140. Pupils may choose to attend events hosted by other local professionals.

141. Pupils are expected to conduct themselves professionally at all times during such events. It is an opportunity for the pupils to meet other members of Chambers and to network with professional clients.

### **Social Media**

142. Pupils are referred to the BSB guidance on social media use  
<https://www.barstandardsboard.org.uk/uploads/assets/c7cea537-53f8-42a8-9f6d8ef1832a7db9/Social-Media.pdf>.

143. Pupils must also be conscious of the rules on "holding out" and therefore should not describe themselves as a "barrister" on any social media.

144. Pupils should use their judgment appropriate in using social media, both in their personal capacity and as a pupil of Chambers. Pupils must ensure that their all their social media contributions do not affect adversely the reputation of Chambers or any members or staff of Chambers.

### **Mobile Phones**

145. Pupils will be expected to use their own mobile phone during their pupillage.

146. Except for reasonable requirements and emergency purposes, pupils should not make unnecessary personal calls or messages during working hours.

### **Electronic equipment and stationery**

147. Chambers does not provide pupils with a laptop/computer or such other electronic equipment. It is the responsibility of the pupil to ensure they have adequate computing facilities during the pupillage which will have appropriate security and encryption at all times.
148. Pupils will need to provide their own stationery but counsel's blue notebooks will be provided by Chambers at all times.
149. Printing facilities are also available for pupils in Chambers.

### **Pupil supervisors**

150. The obligations and functions of pupil supervisors are set out in the BSB Handbook and the Bar Qualification Manual. Supervisors at Chambers will comply with the requirements of the BSB and the BQM and will adhere to the guidance and good practice at all times.
151. The role of the pupil supervisor is to provide the pupil with suitable training that enables them to meet the competences as set out in the Professional Statement.
152. Pupil supervisors at Chambers shall have a current practising certificate and insured with the BMIF. Chambers shall ensure that the proposed supervisor is fit to carry out the duties specified below, and they have undertaken training as specified below.
153. The allocation of pupil supervisors to a pupil shall be determined by the Head of Pupillage in consultation with the pupil supervisor.
154. Not all supervisors are always available to supervise a pupil. During a pupil supervisor's leave or non-working days, they will ensure that the pupil will be provided

with appropriate work or be allocated to another pupil supervisor or member of Chambers as appropriate.

155. The supervisor shall:

- a. Ensure that he or she has undertaken relevant training to meet the outcomes specified by the BSB for a pupil supervisor (ideally the training offered by the Inns or Western Circuit).
- b. He or she will undertake refresher training at least every five years, (or at least every three years if they have not had a pupil in that time).
- c. The supervisor will undertake regular training in relation to GDPR and in equality, diversity and inclusion.
- d. Take steps to ensure the pupil has the opportunity for work for a wide cross-section of members of Chambers.
- e. Have a copy of the BSB Professional Statement and will refer to it in discussions with the pupil to ensure that the pupil carries out work and attends hearings in accordance with its requirements.
- f. Ensure the pupil with an understanding and appreciation of the operation in practice of BSB Handbook and the code of conduct and etiquette at the Bar.
- g. Ensure the pupil has sufficient practical experience of advocacy to be able to prepare and present a case competently.
- h. Ensure the pupil has gained sufficient practical experience of conferences and negotiation to be able to conduct the same competently.
- i. Ensure the pupil has sufficient ability in conducting legal research; and
- j. Ensure the pupil has achieved the BSB standard for drafting, paperwork and legal research.

156. There shall be regular appraisals between the pupil and the supervisor as to the pupil's performance. Where there are weaknesses in the pupil's performance, those weaknesses shall be identified and discussed with the pupil and further support will be given by the supervisor as appropriate. The appraisals are also an opportunity for the pupil to assess and reflect upon their own performance.

157. A written record will be kept by the pupil supervisor of the meetings and appraisals between the pupil and their supervisor.
158. The pupil supervisor will provide a report at the end of the four-month period in training a pupil and provide it to -
- a. the next pupil supervisor as appropriate;
  - b. to the Heads of Pupillage,
  - c. to the Senior Clerk; an
  - d. to members of Chambers.
159. If the supervisor will be away from Chambers for an extended period of time, the supervisor will make arrangements for the pupil to spend time with another supervisor in consultation with the Heads of Pupillage.
160. If the pupil fails to satisfy the competences within the Professional statement, the supervisor must not sign off the pupil as having completed that stage of the pupillage.
161. At the end of the non-practising period of pupillage, the pupil must submit a certificate from their supervisor to the BSB certifying that the non- practising period has been satisfactorily completed.
162. At the end of their working period of pupillage the Pupil must apply for the confirmation of full qualification letter and a full practising certificate on the satisfactory completion of their pupillage.
163. If there is reason to believe that the pupil will not meet the competences within the professional statement, the pupil and the supervisor should approach the Heads of Pupillage who will convene a meeting to discuss the issues and how they can be addressed. The meeting will be chaired by the Heads of Pupillage. The supervisor and the pupil shall attend. In addition, it is anticipated that the Head of Chambers may also attend that meeting.

164. In the event that a pupil is not signed off as having completed the either period of pupillage, the pupil may lodge an appeal in writing to the Heads of Pupillage or Head of Chambers, who shall consider the appeal and whose decision shall be final.
165. An application for extension of the practising pupillage will be considered in accordance with the guidance and requirements of the BSB and the BQM.

### **Applying for Tenancy from Pupillage at College Chambers**

166. If a pupil wishes to apply to Chambers for tenancy, they should make a written application in writing addressed to the Head of Chambers.
167. The application shall not be made less than 8 weeks before the end of the practising pupillage.
168. If the pupil who is considering applying for tenancy with Chambers wishes to have further information regarding the financial commitments to Chambers such as rent structure, they may discuss such matters with their pupil supervisor and/or the Head of Pupillage.
169. The application for tenancy shall contain the feedback sheets provided to the pupil during the course of their pupillage and any evidence of the work done during pupillage. The pupil will need to demonstrate a commitment to Chambers.
170. Any change in the procedure for tenancy applications shall be a matter for the Management Committee and shall be communicated to the pupil before they make the application.
171. The decision to offer tenancy is made by Chambers at either an Extraordinary General Meeting (“EGM”) or the Annual General Meeting (“AGM”). The decision for taking on a pupil at the end of tenancy shall be voted upon by the members of Chambers.



172. A pupil will need to have the support of three quarters of Chambers' members for a tenancy to be offered.
173. For those pupils not offered tenancy, Chambers will provide assistance in finding opportunities elsewhere. Such assistance may include discussions with members of chambers and/ or the Senior Clerk regarding other sets or other opportunities available.
174. References may be supplied upon request.
175. Applications for an extension of the practising pupillage are only entertained on a case-by-case basis and in accordance with the guidance of the BSB and the BQM.

#### **PROTOCOL FOR DEALING WITH PUPIL MISCONDUCT OR SERIOUS MISCONDUCT**

176. Rule C66 provides that *"you must report to the BSB if you have reasonable grounds to believe that there has been serious misconduct by a barrister"*.
177. There is a difference between misconduct and serious misconduct (the latter must be reported to the BSB).

#### **MISCONDUCT NOT AMOUNTING TO SERIOUS MISCONDUCT –**

178. In the first instance, if it is believed that there has been misconduct by a pupil, this will be reported immediately to the pupil's supervisor and the head of pupillage. The pupil supervisor and the head of pupillage will discuss the issue and determine whether the pupil should be spoken to by just the supervisor or the supervisor and the Heads of pupillage. A written record will be taken of the discussions with the pupil.
179. Following the discussions, appropriate action will be considered and if necessary, taken within chambers to deal with the misconduct and ensure that it does not happen again, e.g., thought must be given to supplying the pupil with a written warning, or perhaps simply asking them to amend their behaviour moving forward.

180. If action is taken with regards to the pupil's misconduct, the supervisor and /or the Heads of pupillage should email the Head of Chambers making them aware of what has happened /alleged to have happened.

**MISCONDUCT OF SUCH A NATURE THAT THERE ARE REASONABLE GROUNDS TO BELIEVE THAT THE MISCONDUCT COMPLAINED OF IS SERIOUS MISCONDUCT FOR THE PURPOSES OF RULE C66.**

181. In the first instance, if it is believed that there has been SERIOUS misconduct by a pupil, this will be reported immediately to the pupil's supervisor, the Heads of Pupillage and the Head of Chambers. The pupil supervisor, the Heads of Pupillage and the Head of Chambers will discuss the issue and determine whether the pupil should be spoken to by just the supervisor and Heads of Pupillage, or the supervisor, the Heads of Pupillage and Head of Chambers.
182. A written record will be taken of the discussions with the pupil.
183. Following the discussions, appropriate action will be considered and if necessary, taken within Chambers to deal with the misconduct and ensure that it does not happen again, e.g., thought must be given to supplying the pupil with a written warning, or even suspending or terminating the pupillage.
184. In addition, if there are reasonable grounds to believe that such conduct amounts to serious misconduct for the purposes of Rule C66, then it is the responsibility of the Head of Chambers to make an urgent referral to the BSB.

**DATED: January 2024**

**Updated January 2024**

**(Neil Maton interim Head of Pupillage)**

## SCHEDULE ONE

### Criteria for assessing pupillage applications on paper.

| Category                 | Marks |
|--------------------------|-------|
| Intellectual Ability     | 0 – 5 |
| Responsibility           | 0 – 5 |
| Advocacy                 | 0 – 5 |
| Temperament & Motivation | 0 - 4 |
| Interpersonal skills     | 0 – 5 |
| Presentation on paper    | 0- 5  |

## SCHEDULE TWO

### Criteria for assessing the candidate in interview.

| Category                                       | Marks |
|------------------------------------------------|-------|
| Intellectual ability                           | 0 – 5 |
| Confidence and maturity                        | 0 – 5 |
| Clarity of thought / expression                | 0 – 5 |
| Commitment to the Profession                   | 0 - 5 |
| Resilience / ability to perform under pressure | 0 – 5 |
| Analytical ability                             | 0 - 5 |
| Oral Advocacy / Impact                         | 0 - 5 |

### SCHEDULE THREE

Pupillage Feedback sheets

Please request copies from the Heads of Pupillage