



12 OLD SQUARE CHAMBERS PUPILLAGE POLICY

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Pupillage Policy and Programme Documents

1. Pupillage

- 1.1 Pupils will be expected to sign a pupillage contract provided at the start of their pupillage and to provide the Clerks with their contact details.
- 1.2 Pupils are not charged any rent by Chambers.
- 1.3 Twelve month pupils will be paid an award of £1000 per month for the first six months of pupillage. In the second six months, if a pupil's receipts are lower than £1000 per month, Chambers guarantees to pay the pupil a sum equal to the difference between the receipts and £1000. If a pupil's receipts exceed £1000 in any one month, the pupil retains the full amount.
- 1.4 Chambers will also reimburse first six pupils for reasonable travel expenses incurred outside zone 4 for the purposes of pupillage, and for any compulsory training courses attended during pupillage.
- 1.5 Pupils are entitled to take ten days leave in each six month period of pupillage, such leave to include public holidays and days when Chambers is closed but be in addition to leave to attend compulsory courses. Requests for leave must be made at least one month in advance.
- 1.6 Chambers uses the Bar Standards Board Common Law Pupillage Checklist. A copy of it will be provided to pupils at the start of their pupillage.
- 1.7 In so far as it is possible, Chambers will try to ensure that pupils will be seated near to their pupil supervisor, particularly during the first six months of pupillage.
- 1.8 Pupils will be required to share desks with tenants and should ensure that they keep their work areas tidy.

- 1.9 Pupils should try to avoid the Clerks' room between the hours of 10am and 6pm when the clerks are at their busiest.
- 1.10 A pigeon hole is allocated to pupils. Briefs, messages and post will be placed in the pigeon hole and this should always be checked upon returning to Chambers.
- 1.11 Pupils should inform the clerks of the dates on which they are unavailable to work.
- 1.12 Chambers expects all pupils to behave in a professional manner that reflects their duties under the Bar Code of Conduct.
- a) Dress smartly at all times, preferably in a suit; and
 - b) Maintain client confidentiality at all times.
- 1.13 Pupils should be vigilant of any actual or potential conflict of interest that may arise whilst carrying out work for members of Chambers. Pupils should make themselves aware of Chambers' 'Chinese Walls' procedure and not carry out work for two members of Chambers if those members are opposing counsel in the same case. Pupils may only do so in exceptional circumstances with the permission of the Head of Chambers.

First 6 month pupils

- 1.14 First six pupils should expect to spend most of their time with their pupil supervisor either in court or Chambers between 9am and 6pm. First six pupils should be prepared to work longer hours when required.
- 1.15 First six pupils will be expected to complete the Common Law Pupillage Checklist and in doing so will undertake paperwork for other members of Chambers. This will be arranged by the pupil supervisor.

Second Six Month Pupils

- 1.16 Second six pupils should expect to spend most of their time in court. When second six pupils are not commuting to or from court, they are expected to be in Chambers until 6pm.
- 1.17 Pupils may be expected to work longer hours than in their first six depending upon their court commitments. Pupils should continue to carry out written work for other members of Chambers.
- 1.18 Any pupils who find themselves struggling with their work commitments should contact their pupil supervisors immediately.
- 1.19 Any pupils covering a case for a member of Chambers or another pupil, should speak that member or pupil about the case, prior to the hearing.
- 1.20 All pupils are required to contact instructing solicitors after finishing in Court. This is to be done via telephone and then faxing or emailing an attendance note.

1.21 Clerks must be informed of the pupils whereabouts and should telephone them once their cases have finished.

1.23 Pupils should place completed and endorsed backsheets and briefs in the billing box in the Clerks' room for billing. Any adjourned or urgent dates (including those within the next 7 days) should be brought to the attention of the Clerks.

1.24 Pupils are advised before going to court, to check with the Clerks to see if LSC funding is in place or has been granted.

1.25 When appearing in the Magistrates' Court must, if necessary, pupils must complete the relevant LSC forms. If in doubt as to the status of LSC funding the position should be checked with the Clerks.

1.26 Pupils are expected to attend court on Saturday mornings as some Magistrates' Courts sit on that day. All pupils should be available via telephone, to be ready to attend court on Saturday morning.

1.27 Pupils are expected to keep a full account of their work, this includes:

- a) type of work;
- b) instructing solicitors; and
- c) the fee paid

This record will be reviewed periodically.

1.28 Pupils are reminded of their responsibilities under the Code of Conduct, with regard to accepting instructions that they have competence and experience to deal with.

2. Recruitment and selection procedure

The Committee will decide each year whether Chambers will enter the Pupillage Portal clearing system.

Advertising

2.1 All pupillage vacancies will be advertised using the pupillages.com website or any other website allocated by the Bar Standards Board in compliance with the Bar Standards Board regulations on advertising.

2.2 Once our advert has been approved, a link to the pupillages.com website containing our advert will appear on chamber's own website.

Selection procedure

2.3 Selection of pupils is decided by way of the pupillage committee ('the committee').

2.4 The pupillage committee includes three members of Chambers. All pupillage applications are analysed by the pupillage committee ('The Committee'). The Committee is made up of three members of the Chambers. The Committee are familiar with the contents of the Equal Opportunities Policy for Chambers and the Selection procedure and criteria. No pupil can be selected without being considered by the Committee.

2.5 The recruitment and selection procedure in all applications are carried out on the basis of merit. When considering whether a person is suitable to be taken on as a pupil the following criteria will be followed:

- a) Communication skills
- b) Qualifications
- c) Ability to do the work
- d) Experience
- e) Personality traits – Motivation and Sociability

The above criteria are reviewed by the committee annually prior to the viewing of any applications.

2.6 The Committee will always strictly adhere to the Chambers Equal Opportunities Policy and will not discriminate in respect of race, colour, gender, marital status, nationality, ethnic or national origins, disability, sexual orientation, age, religion or political persuasion.

2.7 No pupil will be invited to join Chambers unless they have first come through Chambers' selection procedure.

Twelve Month Pupillage and/or Second Six Months Pupillage

2.8 Chambers' policy is to offer one twelve month pupillage, commencing in October/November each year. Chambers will designate sufficient funds to offer one twelve months pupillage each year. In some cases Chambers' may offer a Second Six Months Pupillage if needed. The funding and recruitment procedure are reviewed annually.

2.9 Chambers follow strictly the Bar Council's rules in relation to the funding of pupillages.

2.10 The applicants with the best average marks are invited for interview. The number of applicants invited for interview will vary depending upon the number of pupillages being offered and the quality of the applications. The Committee will determine how many applicants are to be invited to interview each year.

2.12 Applicants will be interviewed by either three members of the Committee or if possible, all members of the Committee.

2.13 The format of the interview(s) will be decided by the Committee each year. There will usually be two rounds.

2.14 The first round will generally be by way of a short interview which may include an advocacy exercise, legal problem, case analysis and/or general questions. The second round will generally be by way of a longer interview which will normally include a more detailed advocacy exercise. For both rounds, candidates may be sent materials in advance of the interview or given materials on arrival in Chambers before the interview.

2.15 In both rounds every interviewee will be scored and/or ranked by each member of the Committee using pre-determined criteria which will include advocacy skills (including preparation, understanding, oral presentation, persuasiveness, and the ability to think on one's feet and respond to questions), as well as the criteria set out in paragraph 2.5 above.

2.16 After the first round, the interviewees with the best average score and/or ranking will be invited back for the second round if the Committee decides a second round is necessary. If a second round is necessary, the Committee will decide the number of candidates who will be invited to attend a second interview.

2.17 The Committee may decide to ask for references at any time during the selection process. Where references are requested, referees will be asked to supply information in relation to the pre-determined selection procedure only.

2.18 At the end of the selection process the Committee may decide not to offer anyone a pupillage.

2.19 If a pupillage is offered, it will be offered to the candidate with the best average score and/or ranking.

2.20 Both successful and unsuccessful candidates are notified immediately of the results of their application.

2.21 Records of all applications and documentation relating to selection decisions are kept for a period of 3 years. The documents retained include the completed application forms and score sheets, and the marks attained at interview.

2.22 The Committee are happy to deal with any queries from unsuccessful candidates relating to the selection process.

Third Six Pupillages

2.23 Chambers advertises from time to time via the Bar Council website.

Mini-pupillages

2.24 These are available to students in 6th forms and in Universities, who wish to spend from 1 to 2 weeks in Chambers with barristers. Applications must be addressed to the Mr John Waith

3. Pupil Supervisors

3.1 Pupil supervisors are selected in accordance with Regulation 35 and Schedule C of the Bar Training Regulations and must be on the register of approved pupil supervisors kept by the Bar

Standards Board, have a current practising certificate, and have regularly practised as a barrister during the previous two years.

3.2 Chambers will endeavor to allocate pupils to pupil supervisors who regularly practise in the areas of law that pupils have expressed a desire to also practise in.

3.3 Ensure that the pupil is well grounded in the rules of conduct and etiquette at the Bar and familiarise themselves with the Equality Code for the Bar, the Pupillage File and the guide to Good Practice in Pupillage.

3.4 Inform pupils of their obligation to complete further training in advocacy, advice to Counsel and accounting methods.

3.5 Ensure that the pupils are given and complete the Common Law Checklist.

3.6 Pupil supervisors must provide pupils with the opportunities to attend Court and also read briefs and draft papers.

3.7 During the second six months of the pupil's pupillage, pupil supervisors are expected to observe the pupil's advocacy and overall performance in court.

3.8 Discuss all the work done by all pupils and give him/her feedback and monitor all work done by second six pupils.

3.9 If pupils are not making satisfactory progress, show them their weaknesses and how they may improve.

3.10 Pupil supervisors will be aware obligation at the end of each period of pupillage to provide the pupil with a certificate complying with Regulation 53(1) and 53(2) of the Consolidated Regulations.

3.11 If pupil supervisors fail to certify a pupil where it is proper to do so, they will be in breach of the guidelines set out in the Code of Conduct.

3.12 Make clear to pupils who have been unable to obtain a relevant certificate the routes open to them.

3.13 Satisfy themselves that Chambers has taken all reasonable steps to ensure that while in Chambers, no pupil is discriminated against on grounds of race, colour, ethnic or national origin, nationality, citizenship, sex, sexual orientation, marital status, disability, religion or political persuasion.

3.14 The Supervisor must ensure that the Pupil notifies the Inns of Court and the Bar Council of the registration of their pupillages and their duration.

4. Allocation of work to pupils

4.1 Pattern of pupillage

Wherever possible, pupils will be allowed opportunities to gain experience in as wide an area of practice as possible. To this end a pupil will be expected to work and attend Court with other members of Chambers, who will be able to assess their work and discuss it with the pupil supervisor.

4.2 Method of distributing work between pupils

The pupil supervisor in conjunction with the Clerks is responsible for the fair distribution of work between pupils.

4.3 The Committee will keep the allocation of work to pupils and their progress in general under regular review.

5. Grievance Procedure

5.1 If a problem arises, the pupil will in the first instance, try to resolve it with his/her supervisor. If this problem cannot be resolved then either party can approach the pupillage committee.

5.2 In the event that a pupil has a complaint about any aspect of their pupillage or they feel that they have been discriminated against, victimised or harassed on the grounds of race, ethnic origin, sex or marital status, religion or political persuasion in contravention of the law of the Code of Conduct, they should in the first instance try to resolve it with his/her supervisor. If this problem cannot be resolved then either party can approach the pupillage committee.

5.3 The Committee is responsible for the investigation of complaints which cannot be resolved informally. Any such complaint (which should be made in writing) will be dealt with in the strictest of confidence so far as is possible and appropriate in the circumstances. The Committee has responsibility for investigating the complaint (with the Head of Chambers) and will deliver a response within 28 days wherever practicable.

5.4 In the event that a complaint is substantiated, a written report will be prepared and the matter will be referred to the Management Board who will take appropriate remedial action.

5.5 Chambers undertakes that no pupil will be victimised or suffer any detriment because of a complaint made in good faith.

5.6 Pupils should contact the Bar Council if necessary for further advice.

6. Tenancy

6.1 Chambers has no policy on how many tenants are recruited in any given year.

6.2 Pupils will be given the opportunity to apply for tenancy with chambers. This is a formal application procedure with members of the committee, including the head of Chambers.

6.3 Pupils will only be selected on the basis of merit.

6.4 If they have not been selected as tenants, Chambers will make efforts to assist them in finding suitable tenancies.

7. Termination of pupillage

7.1 Pupillage may be terminated by:

(a) Agreement between Chambers and the pupil.

(b) Chambers in the event of:

(i) Serious misconduct by the pupil;

(ii) Poor performance by the pupil provided that at least one formal written warning about performance had been given prior to the termination; or

(iii) Persistent absenteeism without reasonable excuse.

(c) One month's notice given in writing by the pupil.

Tenancy and Pupillage Committee

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