



XXIV OLD BUILDINGS

CHAMBERS OF ELSPETH TALBOT RICE KC

POLICY DOCUMENT

On Pupillage and Recruitment

GENERAL

1. This Pupillage and Recruitment Policy will be in place for pupils commencing pupillage in and after October 2023. However the Policy may be updated and changed by Chambers at any time for pupils starting after that date. The current version is available on our website.
2. This Policy covers the following matters:
 - A. Selection of pupillage applicants for interview
 - B. First Round Interview
 - C. Second Stage
 - D. Pupillage: structure, funding and the responsibilities of pupil supervisors
 - E. Internal monitoring and complaints procedures
 - F. Recruitment of new tenants

All pupils will be given a copy of this Policy together with the Pupils' Introduction document and Chambers' Grievance Procedure on commencement of pupillage in Chambers. Further copies of these documents will be made available to any pupil who so requests of the Pupillage Co-ordinator or his pupil supervisor.

2. Chambers is and has always been committed to equality of opportunity regardless of age, race, colour, ethnic or national origin, nationality, citizenship, sex, gender re-assignment,

LONDON XXIV Old Buildings, Lincoln's Inn, London WC2A 3UP **DX** LDE 307 **T** +44(0)20 7691 2424

GENEVA XXIV Old Buildings, 16 rue de Candolle, 1205 Geneva, Switzerland **T** +41 (0)22 328 1313

clerks@xxiv.co.uk | www.xxiv.co.uk

sexual orientation, disability, marital or civil partnership status, pregnancy / maternity, religion or belief in all aspects of its recruitment processes.

3. All pupil supervisors will keep themselves informed of our Pupillage and Recruitment Policy as well as the contents of the General Chancery Checklist previously prescribed by the Bar Council and now updated by the Chancery Bar Association (“**the Specialist Pupillage Checklist: Chancery**”), the BSB’s Bar Qualification Manual, the Guidelines for Pupil Supervisors and the Pupils’ Introduction document.
4. Chambers will ensure that there is in existence at all times a pupillage committee (“**the Pupillage Committee**”) comprising at least 9 members of Chambers, at least 5 of whom shall be at least 5 years call and, if practicable, at least 3 of whom shall be active pupil supervisors. The Pupillage Committee will be responsible for ensuring the implementation of the Pupillage and Recruitment Policies.
5. The Pupillage Committee will have a Chair who must have been in private practice in England and Wales for at least 15 years. A barrister member of the Pupillage Committee of at least 10 years in private practice in England and Wales will from time to time be appointed by the Pupillage Committee (“**the Pupillage Co-ordinator**”) and in default of appointment the Pupillage Co-ordinator will be the senior active pupil supervisor member of the Pupillage Committee who is not the Chair.
6. The Pupillage Co-ordinator and Chambers Diversity Data Officer (“**DDO**”) are variously responsible for ensuring that Chambers keeps the records in relation to pupillage as required by the Bar Council and BSB. The records relating to pupillage selection as presently required and the periods of time for which they are kept are:
 - Documents relating to selection decisions (kept securely for five years). These documents are kept securely and are confidential to Chambers, subject to the provisions of the BSB Handbook and the UK GDPR and the Data Protection Act 2018. Documents used for equality monitoring are not used or seen by the Pupillage Committee during the selection procedure. The diversity monitoring data is, at the earliest possible stage, given to our DDO, who is not permitted

to sit on the Pupillage Committee, and the DDO anonymises the diversity data. Following the completion of the selection procedure, the DDO supplies the anonymised data to the Pupillage Committee in the form of an anonymised spreadsheet for the purpose of review. Once diversity data has been anonymised, the diversity data records used to compile the anonymised spreadsheet are securely destroyed.

- Equality monitoring data as required from time to time by the BSB Handbook relating to all applicants (so far as provided by the applicants on request). This data is collected, retained, monitored, reviewed and destroyed in accordance with our Diversity Data Policy. The data is periodically analysed, broken down by, at least, race, disability and gender and we regularly investigate the reasons for any disparities in that data and consider and take appropriate remedial action.
 - We retain a list of all applications for pupillage with a record of how they were disposed of: *rejected without interview; invited for interview but did not attend; rejected after interview; rejected after second stage; offered pupillage*, broken down by reference to at least, the stated race, disability and gender of each applicant (so far as provided by them on request).
 - The documents recording the scores and results of the selection procedures.
7. Chambers currently seeks up to three funded 12-month pupillages each year. Chambers endeavours to recruit all of its pupils as new junior tenants every year, provided they demonstrate that they are of sufficient ability during the course of their pupillage. Chambers reserves the right to terminate any pupillage (i) after 6 months in the event that the pupil has not attained, and is in our view unlikely to attain, the standard to be expected of a junior tenant in Chambers, and (ii) at any time in the event of serious misconduct.

A: SELECTION OF PUPILLAGE APPLICANTS FOR INTERVIEW

8. Chambers invites applications for pupillage directly, and not through the Bar Council's admissions and clearing house scheme (the Pupillage Gateway). Chambers advertises for pupils on its website, at pupillage fairs and in various publications including the Bar Council's Chambers and Pupillage Awards Booklet (and the Pupillage Gateway website). Applications should be made in accordance with the procedure specified on our website, in the period indicated. Late applications are only accepted if there are received in exceptional mitigating circumstances.
9. Applicants will be contacted by email unless they have indicated a wish to be contacted by some other method on their application form. It is for applicants to ensure that they can receive emails from us at all times, within a reasonable time, whilst their applications are being considered.
10. All applicants will be invited to undertake an online aptitude test which will focus on verbal reasoning. Details on how to take the test will be provided to applicants following the deadline for applications. All applicants will be expected to complete the test within a few days of the deadline for applications and must be available to do so.
11. The applicants who perform well below average on the aptitude test will be eliminated.
12. The applications of all other applicants will be considered on paper by at least 2 members of the Pupillage Committee who will select the applicants to be invited for a First Round Interview, subject to a maximum of 40 total First Round candidates, based upon the following selection criteria:
 - Academic qualifications achieved during tertiary education (NB it is unlikely that candidates with lower than a 1st or 2:1 class degree, or equivalent will be invited to a First Round Interview unless they have explained any significant and exceptional mitigating factors on their application form). Postgraduate law qualifications in areas relevant to Chambers' practice will be taken into account, but we take limited account of multiple tertiary qualifications and of predicted grades of courses not yet completed (except in the case of those in the final year of a first undergraduate law degree

course). We do not take into account any grade already achieved on the BPTC or other vocational courses.

- A demonstrated commitment to the law, and to practice as a barrister in the areas in which Chambers specialise.
- Demonstration of the ability to advocate or argue persuasively.
- Score in the aptitude test.

13. The applicants will be judged at this stage on their paper application and score on the aptitude test only and not any knowledge which the members might have of the applicant from, for example, mini-pupillages, prior applications or personal knowledge.

14. Due to the very high number of applications received by Chambers it is not administratively feasible for Chambers to provide written reasons to any applicant not invited to a First Round Interview.

B: FIRST ROUND INTERVIEWS

15. Every candidate invited to the First Round Interview will have to provide a covering letter and a full CV a few days before the Interview. Please note that the application form will not be before the First Round Interview panel, so any relevant information must be expressly set out in the covering letter or CV.

16. The First Round Interview will be conducted by a panel comprising at least 2 members of the Pupillage Committee and may take place in the late afternoon, early evening or on a Saturday. It will rarely be possible to re-schedule interviews for the interviewee's convenience but we do our best to accommodate applicants' preferences and commitments.

17. The interviews will be structured and last for approximately 20 minutes. All interviews will be held at Chambers, or locally to Chambers in the event of lack of space in Chambers, and will be conducted in person (absent public health guidance or rules that prevent Chambers hosting interviews in person).

18. When all candidates have been interviewed, we will select the best 12 candidates to advance to the Second Stage.
19. The following objective criteria will be applied in deciding which candidates are invited to the Second Stage. All members of the Pupillage Committee will be aware of these criteria and asked to grade candidates by reference to them:
- *Academic achievement (as to which see paragraph 12 above)*
 - *Ability to communicate orally, clearly and persuasively*
 - *Strength of commitment to the law and to practice as a barrister generally and in the areas in which Chambers specialises*
 - *Experience in public speaking and advocacy*
 - *Strength of character, self-motivation and drive as required for a career in self-employed practice at the Bar*

C: SECOND STAGE

20. The Second Stage will comprise a full day, probably a Saturday, in Chambers (or a location near Chambers) to which all 12 remaining candidates will be invited (absent public health guidance or rules that prevent Chambers hosting the full day in person). As this Stage is interactive, it will rarely be possible to progress the application of any candidate unable to attend.
21. All candidates will be invited to (i) conduct an exercise in oral advocacy or persuasion, (ii) take part in a group discussion exercise and (iii) produce a piece of unseen written work. Candidates will also be given talks about Chambers, its work and its culture from present members and pupils.
22. Candidate may be required to carry out a second aptitude test based upon verbal or other reasoning to verify the results from the first test.

23. The decision as to whom Chambers will make offers of pupillage will be taken by the Pupillage Committee.

24. The following objective criteria will be applied in deciding to which candidates pupillage should be offered. All members of the Pupillage Committee will be aware of these criteria and asked to grade candidates by reference to them:

- *Academic achievement (as to which see paragraph 12 above)*
- *Ability to absorb, assimilate and analyse information skilfully, as demonstrated during the selection procedure*
- *Ability to communicate clearly and persuasively (both orally and in writing), as demonstrated during the selection procedure*
- *Strength of commitment to the law and to practice as a barrister generally and in the areas in which Chambers specialises*
- *Experience and skill demonstrated during the selection process in public speaking and advocacy*
- *Inter-personal skills as demonstrated during the selection procedure, and particularly skill in dealing with a range of people tactfully, proportionately, flexibly and appropriately under pressure*
- *Strength of character, self-motivation and drive as required for a career in self-employed practice at the Bar*

25. All candidates will be informed as soon as practicable of the outcome of the process. Any candidate who is unsuccessful at the Second Stage will be given individual feedback should they desire it.

26. All offers of pupillage are conditional on the candidate passing the whole of the Bar Professional Training Course at the first attempt and, if applicable, any earlier requisite legal academic course. They are also conditional on the provision of satisfactory evidence that, by the commencement of pupillage (or such other date as may be agreed in writing between the applicant and Chambers):

- a. The academic and vocational training components required by the BSB will have been satisfactorily completed within the 5 year limit.
- b. The candidate is a member of one of the Inns of Court.
- c. The candidate has been Called to the Bar.
- d. Any necessary immigration visas or similar authorisations have been obtained (if required).
- e. Any necessary waivers have been granted by the BSB (if required).

D: PUPILLAGE: STRUCTURE, FUNDING AND THE RESPONSIBILITIES OF PUPIL SUPERVISORS

General

- 27. Pupillages in Chambers last for 12 months each.
- 28. Chambers normally offers three 12 month pupillages running from the start of the legal year in October. Prior to commencing pupillage, each pupil will be provided with a written agreement that meets the required outcomes specified by the BSB from time to time.
- 29. During the 12 month pupillage, a pupil will normally spend periods of 3 months with 4 different pupil supervisors. Chambers aims to ensure that its pupils gain a wide experience of all Chambers' main areas of work in the course of the year. In addition the pupil will be given the opportunity to spend time with junior members of Chambers who are appearing in cases typically encountered by our junior tenants. Chambers maintains a roster of potential pupil supervisors in accordance with the relevant schedule to this policy. Pupil supervisors are allocated by the Pupillage Co-ordinator. Pupils will be notified of the name of their first pupil supervisor before starting pupillage.
- 30. Pupils will usually sit in the pupil supervisor's room.

Work

31. Pupillage is a period in which pupils are given the opportunity to acquire legal knowledge and practical skills for practice at the Chancery Bar by “shadowing” their pupil supervisors.

31.1. Chambers work: Pupils are expected to read their pupil supervisor’s papers and write opinions, draft statements of case, skeleton arguments and other documents as if the pupil had received the papers in his own right. Pupils will attend their pupil supervisor’s conferences and take a note of what is discussed. Pupils can also expect to undertake legal research for their pupil supervisors and others.

31.2. Court work: When the pupil supervisor is in court, pupils will normally be expected to attend court (unless out of London) with the pupil supervisor in order to observe and learn advocacy skills, court behaviour, negotiation, dealing with clients, solicitors and opponents including litigants in person.

31.3. General: Pupils can expect to be involved in the overall preparation of their pupil supervisor’s cases; this may sometimes mean being asked to assist with photocopying, sorting of documents, filing, fetching books. These are tasks which every barrister, however senior, will have to do in the course of self-employed practice at the Bar. However, pupils will not (except in special circumstances and with their pupil supervisor’s consent) be expected to undertake such tasks for the clerks or other members of Chambers and pupil supervisors will not allow menial tasks to overshadow the real purpose of pupillage as a period of training.

32. It is up to the pupil supervisor whether to ask a pupil to accompany them to court outside London, in which case the pupil supervisor should make the arrangements and meet the travelling expenses. Pupils are not expected to accompany pupil supervisors on matters which involve being away overnight or longer.

33. The nature of the work in Chambers and the fact that the emphasis of pupillage is on training makes it unlikely that there will be work for pupils during their second 6 months of pupillage.

34. A new Bar Qualification Manual has come into effect from September 2019. Chambers is now an approved Authorised Education and Training Organisation (AETO) (having previously been authorised as a Pupillage Training Organisation (PTO)). Whereas previously the focus during pupillage – from a regulatory perspective – was principally on satisfaction of pupillage checklists, now the focus is principally on development of the knowledge, skills and attributes expected of barristers and set out in the [Professional Statement for Barristers](#). We aim to ensure that all of our pupils will have achieved all of the Professional Statement Competences set out in the BSB’s Professional Statement for Barristers by the completion of their training with us. There is no longer any requirement for pupils to complete a checklist. Nevertheless Chambers considers that [the General Chancery Checklist](#) previously prescribed by the Bar Council – as updated by the Chancery Bar Association – continues to be useful and asks all pupils to complete it. All pupils should ensure that they obtain a copy of [the Checklist](#) from the Chancery Bar Association.
35. All pupils should also keep a pupillage diary, identifying concisely each of the tasks that they have carried out during pupillage and the features of the Professional Statement for Barristers to which they consider (having liaised as appropriate with their supervisor) the task to be relevant.
36. Pupils must keep all information and knowledge acquired from reading papers, attending conferences, discussing cases in Chambers and attending private court hearings absolutely confidential, except where the pupil supervisor confirms otherwise. Pupils must be familiar with their duties and in particular with those addressed by the Bar Standards Board Handbook.
37. Pupils will be provided with the Pupils’ Introduction Document, this Policy Document and the Grievance Procedure prior to or at the start of their pupillages. In addition they should raise and discuss with their pupil supervisors the mechanics of pupillage as well as their expectations and wishes during pupillage, including such matters as:
- Hours of work and time keeping

- Use of Chambers' and pupil supervisor's facilities including telephones, photocopiers, post, books and electronic research facilities
- Email addresses and communications
- Use of computers and printers – the production of work
- Security and administrative arrangements in Chambers
- The clerks and the clerks' room, other administrative staff in Chambers, how to address the staff and members of Chambers
- Confidentiality of matters discussed and read in Chambers, both client-related and internal
- Feedback and assessment of work
- Pupil supervisors' absence from Chambers
- Conduct at conferences/meetings and in Court
- Dress code and Chambers social events
- Payment of pupillage award
- Courses that it is compulsory to undertake before the end of any part of pupillage, namely (i) the advocacy course (which must be undertaken with one of the Inns of Court before completion of the non-practising part of pupillage), and (ii) the professional ethics examination
- Holidays

38. Pupils should not do work for other members of Chambers without the pupil supervisor's prior approval. All members of Chambers know that they should not ask any pupil to undertake any work for them without checking with the pupil's supervisor. The pupil supervisor will decide whether the pupil has the time to do such work. In deciding, pupil supervisors will take into account pupils' interests in having other members see their work but also current workload and commitments.

39. The Pupillage Co-ordinator and DDO are responsible for ensuring that Chambers keeps the various records in relation to pupillage as required by the BSB Handbook, the Bar Council and BSB. The records presently required in relation to our pupils, and the periods of time for which they are kept are:

- Chambers retains documents recording the result of a tenancy selection process for at least 5 years after any decision is made.
- A copy of the forms that will be produced comprising each pupil's training records and training outcomes is kept for 5 years after completion of their pupillage.
- All documents relating to pupils are kept securely and are confidential to Chambers, subject to the provisions of the BSB Handbook, the UK GDPR and the Data Protection Act 2018. Documents used for equality monitoring are not used or seen by the Pupillage Committee during the selection procedure. The diversity monitoring data is given to our DDO, who is not permitted to sit on the Pupillage Committee, and it is thereafter controlled by the DDO until its destruction.

40. Chambers will keep equality monitoring data as required from time to time by the BSB Handbook relating to our pupils (so far as provided by the pupils on request). This data is collected, published (suitably anonymised), retained, monitored, reviewed and destroyed in accordance with our Diversity Data Policy. The data is periodically analysed, broken down by, at least, race, disability and gender and we regularly investigate the reasons for any disparities in that data and consider and take appropriate remedial action.

Funding

41. The three 12-month pupillages are funded. Chambers announces the level of funding for the forthcoming year in its advertisement for pupillage and on its website. Awards are made on the basis that they are in lieu of any remuneration (such as devilling fees) which

a pupil might otherwise expect to receive from his pupil supervisor or other members of Chambers. Pupils are not paid anything towards their travel costs save as set out in paragraph 32 above.

Pupil supervisors

42. The role and duties of a pupil supervisor include the following¹:

- 42.1. They should ensure that their pupil is well grounded in the rules of conduct and the etiquette of the Bar;
- 42.2. They should ensure that their pupil has a copy of the Checklist, discuss it with their pupil and then ensure that their pupil sees as wide a range of the work listed therein as possible, both with their supervisor and with other members of Chambers. They should ensure that their pupil completes the Checklist conscientiously and accurately;
- 42.3. They should assist and encourage their pupil to keep a pupillage diary that assists with satisfactory monitoring of progress towards achieving the requirements of the BSB's Professional Statement for Barristers;
- 42.4. They should require their pupil to read their papers and to draft statements of case, opinions and other relevant and useful documents. They should require their pupil to accompany them to court on every possible occasion so that the pupil has every opportunity to gain such experience as is appropriate for a person commencing practice in the type of work done by the pupil supervisor and in any event so as to enable the pupil to complete the Checklist;
- 42.5. They should take all reasonable steps to enable their pupil to see work done by junior members of chambers;

¹ Based on the Guidance for Pupil Supervisors issued by the Pupillage Board of the Bar Standards Board – about which all pupil supervisors will be aware. Pupil Supervisors will also, of course, follow the applicable provisions of the BSB Handbook and the Bar Qualification Manual.

- 42.6. They should require their pupil to attend every possible conference with them, or at least sufficient conferences to enable their pupil to obtain experience in how to conduct a conference;
- 42.7. They should encourage a relationship between the supervisor, their Chambers colleagues and their pupil whereby their pupil is encouraged to discuss problems and receive information on matters relating to practice and etiquette;
- 42.8. They must, if it is proper to do so, provide for their pupil the appropriate certificate required by the pupil pursuant to the BSB Handbook and the Bar Qualification Manual at the end of each relevant period of pupillage or take the necessary steps to ensure that some other person entitled by the BSB Handbook and the Bar Qualification Manual to sign such a certificate does so;
- 42.9. They must ensure that their pupil does not undertake any reserved legal activities without having first applied for and obtained a Provisional Practising Certificate, and shall extend all reasonable assistance for the purposes of such an application;
- 42.10. They must familiarise themselves with the Bar Standards Board Guidance for pupil supervisors, the Equality Code, and any other guidance relating to pupillage issued by the Bar Council and Bar Standards Board from time to time.
- 42.11. They must prepare a pupillage report in accordance with the format prescribed by the Pupillage Co-Ordinator in advance of each formal review, as referred to at paragraphs 44-45 below.
- 42.12. They must report any dishonesty or other unprofessional behaviour to the Pupillage Co-ordinator when it happens and provide specific confirmation as to whether there has been any dishonest or otherwise unprofessional behaviour in the pupillage reports they prepare. In the event that the pupil supervisor or the Pupillage Co-ordinator becomes aware of any serious misconduct by a pupil (including dishonesty) they must also report it to the BSB immediately in accordance with, and subject to, rr.C66-C68 of the BSB Handbook.

Feedback on work/monitoring of progress

43. On a day to day basis, it is the job of the pupil supervisor to monitor the pupil's progress, to consider and assess work done by the pupil and to provide feedback on work done and the pupil's progress generally.
44. A more formal review will take place roughly every six weeks, and, therefore, as near as possible to the halfway point, and the end of, each pupil's first, second and third quarter in Chambers. The primary purpose of the review will be to help the pupil to achieve as much as possible in pupillage by considering what he has done to date, identifying any gaps in types of work seen or done, identifying any problems and discussing progress (with appropriate reference to the Professional Statement for Barristers and the Bar Qualification Manual). A further review will take place at the end of the pupillage if but only if requested by the pupil within 3 months of the end of the pupillage.
45. The formal reviews will be organised by the Pupillage Co-ordinator and will take the form of (1) a discussion between (a) the pupil supervisor and (b) the Chairman of the Pupillage Committee and/or the Pupillage Co-ordinator and (2) a discussion between (a) the pupil and (b) the Chairman of the Pupillage Committee and/or the Pupillage Co-ordinator. A written record of the review will be made and kept by the Pupillage Co-ordinator (which will not be shown to the pupil without the pupil supervisor's consent). The Pupillage Co-ordinator will raise with the pupil any points or matters of concern arising out of the discussion with the pupil supervisor and vice versa as they think necessary or desirable.

Certification of the completion of the non-practising and practising periods of pupillage

46. Upon satisfactory completion of the non-practising period of pupillage, the relevant pupil supervisor (i.e. the supervisor to whom the pupil has been allocated at the time when the non-practising period of pupillage has been completed) shall complete a certificate of satisfactory completion of non-practising pupillage so that it can be submitted to the BSB. If the relevant pupil supervisor is not satisfied that a pupil has satisfactorily completed the

non-practising period of pupillage then (subject to the appeal procedure set out at paragraph 48 below) he must not complete the relevant certificate.

47. Upon satisfactory completion of the practising period of pupillage, the relevant pupil supervisor (i.e. the supervisor to whom the pupil has been allocated at the time when the practising period of pupillage has been completed) shall complete a certificate of satisfactory completion of practising pupillage so that it can be submitted to the BSB. If the relevant pupil supervisor is not satisfied that a pupil has satisfactorily completed the practising period of pupillage then (subject to the appeal procedure set out at paragraph 48 below) he must not complete the relevant certificate.

48. If a pupil wishes to appeal against the refusal of the relevant pupil supervisor not to complete a certificate of satisfactory completion of non-practising pupillage or a certificate of satisfactory completion of practising pupillage then the pupil shall have a right of appeal in accordance with the following procedure:

- (a) The pupil may appeal the relevant pupil supervisor's decision to the Chairman of the Pupillage Committee and the Chairman of the Management Committee ("the appeal panel") (save that if either of them is also the relevant pupil supervisor then the Head of Chambers shall nominate a member of at least 15 years' call to act in place of the relevant pupil supervisor).
- (b) The appeal panel shall promptly and fairly consider the appeal, taking into account all information which the appeal panel reasonably considers is relevant to the determination of the appeal, but no final decision shall be made in respect of the appeal unless and until both the pupil and the pupil supervisor have been given an opportunity to make representations.
- (c) After considering the appeal, the appeal panel may either dismiss the appeal or allow the appeal. If the appeal is allowed then the appeal panel shall direct the pupil supervisor to complete, and the pupil supervisor shall complete, the relevant certificate.

E: INTERNAL MONITORING AND COMPLAINTS PROCEDURE

49. The Pupillage Committee and, on a day to day basis, the Pupillage Co-ordinator, is responsible for organising and supervising pupillages; and for ensuring that pupils meet their own regulatory and legal obligations (including ensuring that, on satisfactory completion of pupillage, pupils apply for a Confirmation of Full Qualification Letter and a Full Practising Certificate).
50. Pupils should feel free to raise any questions, worries or other matters (whether trivial or serious) about any aspect of pupillage with the pupil supervisor or, if they prefer, with the Pupillage Co-ordinator, who will deal with it in confidence (unless the pupil agrees otherwise). In the event that the Pupillage Co-ordinator is the pupil's pupil supervisor, the pupil may raise such matters with any other member of the Pupillage Committee.
51. Any grievance or complaint may be raised or pursued with the Heads of Chambers or the Chambers Grievance Officers pursuant to the Chambers' Grievance Policy in force from time to time. The Grievance Policy adopted at present is appended to this Policy Document. Chambers has two Grievance Officers, one male and one female.

F: RECRUITMENT OF NEW TENANTS

52. This section of the Policy document sets out Chambers' policy on recruiting junior tenants.
53. Chambers' general policy is (work and space permitting) to recruit each year with effect from 1 October. We usually take, on average, at least one or two junior tenants each year although we have taken on all of our pupils, and if there is insufficient work available or no suitable candidate we will not recruit at all. We are pre-disposed to recruit from our own pupils and will consider, at least initially, all pupils who have been in Chambers in the preceding year. It is extremely rare for us to advertise to recruit new starter tenants from outside our pool of pupils.
54. There are two elements to recruitment: deciding whether to recruit at all (subject to there being one or more candidates of suitable calibre), and deciding who to recruit.

55. The decision whether or not to recruit will usually be made at the Chambers AGM which takes place in the spring of each year. Pupils will be notified of the decision and, if the decision is to recruit, of the selection date and selection procedure. The selection date will normally be around the end of June or early July.
56. We endeavour to ensure, and pride ourselves that our selection procedure is objective and as fair as possible.
57. If the decision is to recruit from our own pupils, there will be the following elements in the process:
- 57.1. Performance in pupillage as assessed by pupil supervisors in the form of written reports to the Pupillage Co-ordinator. The reports may be circulated to other members of the Pupillage Committee and members of Chambers but will otherwise be confidential. Chambers will also take account of the views of other members of Chambers with whom the pupil has undertaken any work.
- 57.2. Chambers may decide, and usually does decide, in a general meeting that it has sufficient information to be able to offer a pupil a tenancy, or to conclude that the pupil is not deserving of such an offer, on the basis of these reports and views alone.
- 57.3. However Chambers may also, if it wishes, set a written test and/or an advocacy exercise and/or interview any pupil or pupils before deciding whether to make any offer of tenancy
- 57.3.1. A written test is likely to require a piece of written work to be produced within about a week. It may involve the preparation of papers for an application upon which the pupil will be asked to appear as part of an advocacy exercise.
- 57.3.2. The pupil may be required to attend on a mock application as an exercise in advocacy.
- 57.3.3. Any written work or advocacy exercise will be assessed by at least 2 members (neither of whom should be the present or a past pupil supervisor of any of the candidates), and one of whom (unless impracticable) should be a member of the

Pupillage Committee and the other not. The same panel will assess the written work and advocacy exercise carried out by any and all pupils.

57.3.4. Any interview of the pupil/s will be conducted by the two assessing members together, unless impracticable, with the Pupillage Co-ordinator (whether or not they were or are any pupil's supervisor) and a silk.

57.4. The Pupillage Co-ordinator reports to the Pupillage Committee and to Chambers on pupils, taking into account (a) the written reports of the pupil supervisors, (b) individual views and feedback from other members on work done for them and (c) the views of the members involved in assessing any written test, any advocacy exercise and any interview as part of the above process.

57.5. The Pupillage Committee makes a recommendation to Chambers as to which, if any, pupils to offer a tenancy but the decision as to who should be taken on is made at a Chambers general meeting. In making its recommendation, the Pupillage Committee will always give the most weight to the pupil supervisors' reports and their views of the pupils whom they have supervised. In making its decision, Chambers will also give the most weight to the pupil supervisors' reports and their views of the pupils whom they have supervised.

58. Candidates will be informed as soon as possible after a decision is made and unsuccessful candidates will be given feedback, if requested, on the selection process (although the written reports produced will remain confidential to Chambers). If they are pupils in Chambers, they will be welcome to complete their pupillage (if they wish) and assisted as far as possible in finding further pupillage or a tenancy elsewhere or pursuing other career options. Pupil supervisors and Chambers make every effort to assist good candidates who are not offered tenancy in Chambers find somewhere to continue their careers. However, save in exceptional circumstances and only with the agreement of the Pupillage Committee and the Chambers Management Committee, pupils cannot remain in Chambers after completion of their second 6 months pupillage.

59. Those offered tenancy can, if they accept the offer, expect to earn substantially more than their pupillage award during the first full year of practice, as our starter tenants invariably have.

SUPERVISORS

1. Chambers will maintain a roster of approved pupil supervisors from its members of chambers (**Roster**). Pupils will only be allocated to those members of chambers who are on the Roster.
2. The initial Roster from October 2021 will comprise all members of chambers who have previously been approved by their Inn as a pupil supervisor, and who have had a pupil in the last 5 years.
3. Further members of chambers will be added to the Roster by the Pupillage Co-ordinator insofar as:
 - a. they have been in practice for six years (whether full-time or otherwise, provided that a prospective pupil supervisor has acquired experience in advisory work, Court advocacy, written advocacy, practice development, identifying ethical issues in practice (including confident application of the BSB Handbook) and experience of working with a range of instructing solicitors) save for exceptional circumstances;
 - b. they have undertaken, and successfully completed, a pupil supervisor training course conducted by one of the Inns of Court, or other suitable training organisation approved in writing in advance, ("**formal training**");
 - c. they are familiar with the BSB Handbook, the Bar Qualification Manual, the Authorisation Framework and supporting guidance for pupillage, the Professional Statement, Threshold Standard and Competences, and the Curriculum and Assessment Strategy;
 - d. they are considered to be suitable and competent to act as a pupil supervisor and be appointed to the Roster (taking account of the nature of practice of the prospective pupil supervisor, the time the prospective pupil supervisor can devote to the pupil, prospective pupil supervisor's aptitude for creating an appropriate training environment, and their competence in providing effective feedback); and
 - e. they have confirmed their disciplinary record on the Barristers' Register to the Pupillage Co-ordinator and any other matter that may make them unsuitable to be a pupil supervisor.

4. Prospective pupil supervisors are also encouraged to self-reflect on their own skills and supplement the above mandatory training with other courses and/or other areas of study including those specifically offered to the Bar (for example by the Bar Council) and those tailored to general management skills.
5. The date of a supervisor's formal training will be recorded on the Roster.
6. Members on the Roster must undertake the formal training;
 - a. every three years, if they have not had a pupil in that time; or
 - b. every five years, if they had had a pupil at that time.
7. In order to ensure training compliance,
 - a. the most recent dates of any assigned pupil will be entered into the Roster;
 - b. the Roster, being maintained on Microsoft Excel or other similar software, will automatically calculate when the next training specified in paragraph 14 must occur.
8. Members on the Roster are obliged to undertake formal training in accordance with the Roster and report their dates of training to the Pupillage Committee.
9. Members on the Roster are also encouraged to self-reflect on their own skills and supplement the above mandatory training with other courses and/or other areas of study including those specifically offered to the Bar (for example by the Bar Council) and those tailored to general management skills.
10. Members on the Roster must inform the pupillage committee of change to their disciplinary record on the Barristers' Register to the Pupillage Co-ordinator or any other matter that may make them unsuitable to be a pupil supervisor.
11. The Pupillage Committee will annually consider the Roster. In doing so, the Pupillage Committee will assess if
 - a. any member requires further training to address under-developed skills that may be identified;
 - b. any member should be removed from the Roster;

- c. there is a likely a change (e.g. parental leave) that will prevent the pupil supervisor from taking a pupil for a likely definite period of time and not assign pupils to them for that period, but retain the member on the Roster;
 - d. recognise a change that prevents the pupil supervisor from taking a pupil for an indefinite period of time, and, remove the member from the Roster.
- 12. When annually considering the Roster, the pupillage committee will consider each member's practice, time to devote to a pupil, aptitude to create an appropriate learning environment, and competence to provide effective feedback.

GRIEVANCE PROCEDURE FOR PUPILS AND MINI PUPILS²

1. Discrimination, victimisation and harassment policy:

Chambers' policy is as follows:

- (1) In this policy all terms which are defined in the BSB Handbook carry the same meaning as in the Handbook.
- (2) Chambers is committed to providing an environment in which all members of Chambers, staff, pupils, mini-pupils, clients and visitors are treated with dignity and in conformity with the BSB Handbook.
- (3) Any breach of the expectations of the BSB Handbook by any member of Chambers, pupil or member of staff is a valid ground for complaint under this Procedure.
- (4) In particular harassment will not be tolerated or condoned in Chambers; pupils and mini-pupils have a right to complain if it occurs.
- (5) A written copy of this policy will be provided to every new pupil. It will also be available on our website.

2. Investigation of complaints:

There are two Grievance Officers, one of male gender and one of female gender. Pupils will be informed at the commencement of their pupillage who the present Grievance Officers are, and may at any time ask their pupil supervisor, the Pupillage Co-ordinator or any other member of Chambers who presently holds those positions. Mini-pupils can ask any member of Chambers who the Grievance Officers are.

² In this Grievance Procedure document, and for convenience only, the masculine should be read as referring also to the feminine

3. Procedure:

(1) If a pupil or mini-pupil (“the complainant”) has any complaint or grievance about any aspect of his work or against any other member of staff or of Chambers or any pupil or mini pupil (“the relevant person”) they may raise it at any time in accordance with the following rules:

- (a) The complainant may raise the matter with the Head of Chambers, or a Grievance Officer of his choice.
- (b) The matter shall be dealt with as far as possible by two members independent from the complaint or the events giving rise to it (“the investigating members”) who shall be either (i) the person with whom the complaint was initially raised and a Grievance Officer of his choice or (ii) (if the complaint was initially raised with a Grievance Officer) the two Grievance Officers. If the person with whom the complaint was initially raised or a Grievance Officer is unable or unwilling to act as investigating member in relation to the complaint, the Head of Chambers shall appoint another member or members, of not less than 15 years call, to act.
- (c) The investigating members shall promptly and fairly investigate the complaint. At any hearing to consider the complaint, and at any appeal, the complainant and the relevant person may attend and be represented or supported by another member. No final decision or report under sub-paragraph (d) will be made by the investigating members unless and until the relevant person has been given the opportunity of being heard or making representations.
- (d) On conclusion of their investigation, the investigating members shall report their conclusions in writing to the complainant, the relevant person and the Head of Chambers (who shall keep a copy thereof). If and to the extent that the complaint or grievance is found on investigation to be justified, the Head of Chambers (or one of them in the absence of the other) will take appropriate action to ensure that it is redressed. Such action may include the following:

- (i) in the case of serious misconduct, immediate suspension or dismissal (in the case of a pupil or mini-pupil) or recommending dismissal or suspension or expulsion (in the case of a member of staff or member of Chambers);
 - (ii) otherwise, an initial warning from an appropriate person (with or without a requirement for an apology and/or undertaking not to repeat the conduct as considered appropriate) which will be noted and maintained in force for 6 months;
 - (iii) further misconduct of any kind within that 6 month period may in the case of a pupil only result in dismissal or in the case of a member of staff or a member of Chambers warrant a further warning which will be noted and maintained in force for the following 12 months; any further misconduct in the 12 month period may merit a further warning to be noted and maintained for a further 12 month period or if considered appropriate may result in a recommendation for dismissal, suspension or expulsion.
- (e) If the complaint or grievance is against the Head of Chambers, the function of the Head of Chambers under sub paragraph (d) above shall be delegated a member of Chambers of not less than 15 years call nominated by the Management Committee.

(2) Appeals:

If any complainant or relevant person is dissatisfied with any aspect of or any matters connected with the manner in which a complaint or grievance has been dealt with, they may appeal (not more than once) to the Management Committee (which for this purpose shall not include any person who has been an investigating member for that complaint or grievance or who was the subject of the complaint or grievance)