

#### **3TG Barristers**

Bridge House, 181 Queen Victoria Street London EC4V 4EG DX: LDE 485

T 020 7353 3102 E clerks@3tg.co.uk

w 3tg.co.uk

### Pupillage Policy - Table of contents

- Section 1 Organisational arrangements
- Section 2 Recruitment of pupils
- Section 3 Equality and Diversity
- Section 4 Pupil Funding
- Section 5 Curriculum and assessment strategy
- Section 6 Mandatory training
- Section 7 Training programme
- Section 8 Supervisors
- Section 9 Induction of pupils into Chambers
- Section 10 Practising Certificates
- Section 11 Flexible Working
- Section 12 Tenancy Applications
- Section 13 Misconduct and Disciplinary
- Section 14 Grievances
- Section 15 Absence from training
- Section 16 Pupil mentor scheme
- Section 17 Probationary Tenancy

# Section 1 - Organisational Arrangements

- The Pupillage Agreement is entered into between Chambers Management Committee (hereafter "Chambers") and the pupil
- Pupillage will be organised and overseen, from recruitment to completion, by the Pupillage Committee within the remit of that committee as defined by Chambers
- The Pupillage Committee will take overall responsibility for ensuring that the training provided by Chambers is in accordance with Chambers Curriculum and Assessment Strategy
- 4. The Pupillage Committee has responsibility to ensure that there are sufficient and appropriate human resources available to provide each pupil with an equal opportunity to develop and demonstrate the competencies set out in the Professional Statement
- 5. The Pupillage Committee has responsibility to draft the Curriculum and Assessment Strategy
- 6. The Pupillage Committee will review the Curriculum and Assessment Strategy annually and make any amendments that are necessary
- 7. The Pupillage Committee will appoint pupil supervisors and will assess the performance of each pupil supervisor in compliance with Chambers Curriculum and Assessment Strategy annually. Supervisors will be appointed taking into account the following:
  - a. Disciplinary record and any ongoing disciplinary proceedings
  - b. Professional experience
  - c. Nature of practice and whether it offers appropriate learning opportunities

- d. The time the individual can devote to a pupil
- e. Their aptitude to create an appropriate learning environment
- f. Their competence to provide effective feedback
- 8. The Pupillage Committee will have responsibility for providing annual in-house training to all pupil supervisors
- 9. The Pupillage Committee will appoint a records officer who has responsibility to ensure that for a period of 5 years the following records are kept:
  - Training records for pupils.
  - Training outcomes for pupils.
  - Training records for pupil supervisors.
  - Training records for recruitment panel members.
  - Recruitment records (advertisements, application process, selection criteria, assessor records).
  - Pupillage agreements.
  - Diversity data for pupils (this might compare applications, interviews offered, pupillage offers made, places taken up and progression to tenancy/employment) and the actions that taken following review of data.
  - Complaints/grievances with the PTO's analysis and action taken.
  - Pupil feedback, analysis and action taken.
  - Policies related to pupillage.
- 10. The Pupillage Committee will review the feedback forms and training records submitted by each pupil annually to ensure the quality of training and assessment being provided

- 11. The Pupillage Committee has responsibility for drafting the curriculum for Chamber's in-house advocacy training programme and the methods by which this training addresses specific learning objectives in accordance with the Curriculum and Assessment Strategy
- 12. The Pupillage Committee will review the assessment records from Chambers in-house advocacy training programme annually to ensure the quality of the training and assessment being provided is in accordance with the Curriculum and Assessment Strategy

### Section 2 – Recruitment of pupils

- 13. The selection process for pupils is set out below. The selection of pupils is made by Chambers' Pupillage Committee and not by any individual member of Chambers
- 14. Pupils are selected strictly on ability with no discrimination on grounds of ethnicity, sex, disability, age or sexual orientation or religion or belief or gender reassignment, pregnancy and maternity, marriage and civil partnership
- 15. All applications for pupillage in Chambers are received through the online pupillage application system 'Pupillage Gateway'
- 16. Each application is anonymised administratively on receipt and then assessed independently by 2 different members of the Pupillage Committee who has received appropriate fair recruitment and selection training in addition to receiving instruction on applying Chambers selection criteria. A copy of the Fair Recruitment guide can be accessed here: https://www.barcouncil.org.uk/resource/fair-recruitment-guide.html

- 17. Chambers has a mandatory requirement that the Applicant has completed an undergraduate degree or equivalent. The subject of the undergraduate degree or the institution at which it was completed are not relevant and therefore not considered as part of the application process
- 18. Thereafter the assessment criteria for the application form are as follows: graded qualifications; evidence of legal experience; advocacy experience; other experience, communication and presentation
- 19. Answers to Chambers set questions are assessed on the following criteria: The extent of insight shown into the realities of life at the Criminal Bar; evidence of the key skills required to be a barrister and clarity of communication; knowledge of Chambers and insight into our areas of practice; answering questions in a clear, logical, structured way
- 20. Assessors also have discretion to award up to 2 bonus points for any matter of credit not directly represented in the criteria set out above. These marks must be properly justified by the assessor
- 21. A portion of the forms received will then be marked by a third member of the Pupillage Committee in order to moderate marks and ensure consistency in marking
- 22. At the conclusion of the process the Head and the Secretary of the Pupillage Committee will identify the Applicants achieving sufficient marks; these Applicants will be offered an interview. This is generally around 25 people but there is flexibility in this number
- 23. Interviews are conducted by a panel comprised of no less than 3 and no more than five members of the Pupillage Committee and/or other members of Chambers who have received the appropriate fair recruitment and selection training. The interviewing panel will, wherever possible, represent a cross-section of Chambers

- 24. The interview will ordinarily consist of a debate style or advocacy exercise with limited preparation time and further questions relating to the content of the pupillage application form. Chambers will make all required reasonable adjustments to this process should any candidate so require; including interview using video conferencing facilities if travel to Chambers is a particular difficulty for whatever reason. The Candidate should raise any such adjustments with the secretary to the Pupillage Committee once invited to interview
- 25. Each Panellist awards each Applicant a points-score taking particular account of the following criteria: the extent to which content demonstrates analysis of subject matter; structure; dealing with interventions; use of language; confidence
- 26. Following the first round of interviews the candidates who score sufficiently to progress will be invited to return for a further interview. The marking scheme and criteria remain as per that set out above
- 27. Following this process the successful applicants will be informed in writing and given7 days to indicate acceptance. If acceptance is not indicated within that time the offerfor pupillage will be revoked without further communication
- 28. Scores are recorded and will be retained for a period of 5 years following the end of the decision-making process
- 29. All applications received through the Pupillage Gateway will be monitored in respect of Equality and Diversity headings and the anonymised data made available by Chambers Data Diversity Officer to Chambers Equality and Diversity Committee for assessment and monitoring analysis
- 30. Any applicant who is unsuccessful at the interview stage of this process is welcome to request feedback on their application; the feedback with be provided within the framework of our marking criteria. The Pupillage Committee will aim to provide this within 14 days of request subject to demand

#### Section 3 – Equality and Diversity

- 31. Chambers has an equality and diversity policy which is in force and by which every Member of Chambers, all pupils and probationary tenants and all staff must comply. The sanctions for failure to do so are set out within the policy. This document should be read in conjunction with that policy
- 32. All advertisements for pupillage in Chambers must make clear that we operate an equality and diversity policy
- 33. An electronic copy of this policy will be made available to all pupils during their induction to Chambers
- 34. Chambers has a designated Equality and Diversity Committee and Diversity Data Officer
- 35. Chambers will monitor the gender and ethnicity of Applicants for pupillage but only following completion of the annual recruitment process. Chambers will not discriminate on the grounds of ethnicity, sex, disability, age, sexual orientation, religion/ belief or gender reassignment, pregnancy and maternity, marriage and civil partnership. Chambers will monitor the same for all individuals who are interviewed and awarded pupillage and probationary tenancy
- 36. All materials related to advertisement for pupillage, application forms, marking forms and interview assessments will be retained for a minimum of 5 years
- 37. The recruitment process and assessment criteria will be reviewed by the Pupillage Committee on an annual basis in order to ensure the entire process is achieving the aim of supporting accessibility to the profession

- 38. There is no separate selection process or criteria for 'probationary tenants' save the requirements that the threshold standards have been met and a practising certificate has been obtained
- 39. At the conclusion of each annual round of recruitment the Pupillage Committee, together with the Equality and Diversity Committee, will review the available information to assess to what extent we have achieved and to what extent we can improve: wide and fair access to training pathways; removing barriers to entry for those who are currently under-represented within the Bar
- 40. Further at the end of each 12-month pupillage the Pupillage Committee, together with the Equality and Diversity Committee, will review the available information to assess to what extent we have achieved and to what extent we can improve: support for pupils to complete their education and training and to achieve the best outcome that they are capable of; support pupils to progress into the profession, the workplace or further study.
- 41. The above reviews will directly contribute to an equality action plan for the next cycle of recruitment and 12-month pupillage in accordance with Chambers Equality and Diversity Policy
- 42. The Pupillage Committee will have responsibility for liaising directly with the Equality and Diversity Committee to ensure these policies are enforced for both pupils and probationary tenants throughout their time in Chambers
- 43. During the second six months of pupillage and any period of probationary tenancy all work will be distributed amongst pupil in accordance with the Equality and Diversity Policy

### Section 4 - Pupil funding

- 44. Pupils will receive guaranteed income and earnings as set by Chambers. They will be no less than the levels set by the BSB in accordance with the National Living Wage Foundations hourly rate recommendations for London.
- 45. The guaranteed income and earnings will be reviewed annually
- 46. The guaranteed income for the 1<sup>st</sup> six months of pupillage will be paid at the beginning of each month. Following transition into 2<sup>nd</sup> six the guaranteed earnings will be paid at the end of each month
- 47. In the practising period of pupillage, the monthly minimum amount will be made up by payments from the PTO and earnings received from practising as a pupil barrister
- 48. Pupils will be reimbursed for travel costs for the portion of travel outside zone 6 where journeys to court begin within zone 6 but finish outside zone 6
- 49. Any payment received for a noting brief completed in the non-practising period of pupillage will not count against guaranteed income and will not be subject to clerks fees
- 50. Payment of fees for any secondment constitutes payment for the purposes of guaranteed earnings

# Section 5 - Curriculum and assessment strategy

51. The Curriculum and Assessment Strategy is to ensure each pupil meets the threshold standard in each of the following competencies: legal knowledge, skills and attributes, advocacy, professional standards, values, characteristics and behaviour, working with others, personal practice management

- 52. The Curriculum and Assessment Strategy is to ensure that each pupil achieves the threshold standards of the core competencies of the Professional Statement during the course of their 12 months of pupillage
- 53. Separate to this specific strategy Chambers will ensure that all pupils have sufficient time and resources to fully prepare for and attend the compulsory courses they are required to attend during pupillage.

### Section 6 – mandatory training

- 54. All pupils must complete the required Advocacy course organised by their Inn of Court prior to the start of second 6. Any pupil who started their Bar Training from 2020 onwards or took a Bar Transfer test after 2021 will also need to take and pass the centralised Ethics examination.
- 55. If a pupil fails to pass the Ethics examination before the end of 12 months pupillage then they will not be invited to apply for tenancy and any contract with Chambers will immediately end at the end of the 12 months on pupillage. Chambers will not extend pupillage in order that this exam be passed and will not support any application for a full practising certificate for candidate who fails to pass the exam in that time.
- 56. The exam can be taken any number of times until it is passed. In the event that the pupil fails to pass on the first 2 attempts, the pupil must fund any retest themselves.
- 57. Chambers will reimburse any travel costs incurred in travelling to and from the testing centre outside of London if there is good reason a testing centre outside of London needs to be used.

### Section 7 - Training programme

- 58. To ensure that the Curriculum and Assessment Strategy is met each pupil must be given the following learning opportunities: monitoring their pupil supervisor; interactions with the clerks; interactions with solicitors; observation in Court; in-house training course; practising drafting; completing work for the pupil supervisor and other barristers in Chambers; practising as a pupil
- 59. For all work completed for the supervisor or any other member of Chambers written feedback must be provided on the standard written feedback form
- 60. This feedback must be fair, clear and constructive in order to ensure that the pupil learns from the exercise
- 61. The pupil must thereafter complete self-reflection of that work to record what they have learnt from the experience and then provide the record to the records officer. They must also separately log their learning progress on their training record
- 62. All feedback provided must be in compliance with Chambers Equality and Diversity Policy. The Pupillage Committee will review feedback forms annually at random to ensure this is the case
- 63. Supervisors must ensure that the individual training they provide to pupils is tailored to achieve the threshold standards for the competencies detailed in the training record in accordance with the Curriculum and Assessment Strategy
- 64. Supervisors must ensure they hold an appraisal meeting with their pupil every 2 months to ensure their training record is being completed as fully and accurately as possible through pupillage in accordance with the Curriculum and Assessment Strategy. At the appraisal meeting the supervisor must ensure: the pupil is demonstrably moving towards achieving the threshold standard; if not identify how the learning strategy can be amended to ensure that the pupil is demonstrably moving towards; in all circumstances identify to the pupil areas that need to be addressed to continue to achieve the threshold standard

- 65. Supplementary to the training provided directly by supervisors, Chambers also operates an in-house advocacy and ethics course. The Pupillage Committee has overall responsibility for organisation and management of Chambers in house advocacy training
- 66. Training sessions will ordinarily take place every 2 weeks during the first six months of pupillage. These sessions will take place outside of ordinary working hours. The training programme is designed to meet the Curriculum and Assessment Strategy; it will incorporate as many of the key competencies as is possible and will meet the following learning objectives as a minimum:
  - a. Have a knowledge and understanding of the key concepts and principles of public and private law. Pupils will have a good understanding of the general principles of law underpinning the legal system of England and Wales, including the implications of EU law, and be able to apply this as necessary
  - b. Have knowledge and understanding of the law and procedure relevant to their area(s) of practice. Pupils will have a good understanding of, and be up-to-date with recent cases and developments in, the area(s) of law in which they practice
  - c. They will have a good understanding of the rules of practice and procedure operating in courts relevant to their area(s) of practice. For example, the rules relating to jurisdiction, evidence, disposals, financial orders and costs. They will understand the processes by which disputes can be resolved outside court, such as arbitration and mediation
  - d. Apply effective analytical and evaluative skills to their work. Pupils will identify the relevant facts of a matter and apply their legal and procedural knowledge to those facts to analyse the issues. They will acquire an understanding of their

client's circumstances, needs, objectives, priorities and constraints. They will use that analysis and understanding to evaluate the available options and communicate them to their client

- e. Provide clear, concise and accurate advice in writing and orally and take responsibility for it. Advice in writing will include written opinions and advising by email. Oral advice will include conducting conferences and advising by telephone. This will also include advising on the need and preparation for trial where an earlier disposal of the case does not occur, and the ability to convey unpalatable advice where necessary
- f. Exercise good English language skills. Pupils will have an effective command of the language and be able to use it appropriately, accurately and fluently so as to handle complex and detailed argumentation. Pupils will use correct English grammar, spelling and punctuation
- g. Exercise good communication skills, through any appropriate medium and with any audience as required in their work. Pupils will be able to choose the appropriate medium of communication, taking into account the message and the audience. Pupils will be aware of and responsive to what others are communicating to them, whether in writing, verbally or non-verbally. Pupils will be able to write with clarity and precision. They will be articulate and able to speak with fluency. Pupils will be able to adapt their language and communication to suit their audience, which may be clients, colleagues and others, from any background
- h. Make sound judgements in their work. Pupils will ensure their judgements are independent, based on a good understanding of the relevant law and evaluation of relevant facts and information, and that any advice they give or decisions they make are reasoned and supported by evidence

- i. Ensure they are fully prepared. Pupils will be familiar with the facts and law applicable to any matter on which they are working, as well as their client's circumstances and goals, so as to be able to supply their client with a good standard of work
- j. Employ effective research skills. Using either paper or electronic media, pupils will be able to recognise and identify relevant legal issues as well as recognise the need to research areas beyond the law that are relevant to their work. They will undertake any research accurately and efficiently. This will involve assessing the quality and relevance of sources, interpreting and evaluating the results of the research and presenting those results clearly and accurately
- k. Draft court and other legal documents which are clear, concise, accurate and written so as to reflect fairly the arguments advanced by both sides. Pupils will be able to draft standard court documents. For example, claim forms, statements of case, witness statements, applications, indictments, orders and appeal documents. They will be able to draft these documents in clear language which focuses on the issues relevant to the case
- I. Draft skeleton arguments which present the relevant facts, law and arguments in a clear, concise and well-structured manner. Pupils will be able to draft skeleton arguments that have clarity of purpose, are of an appropriate length and which comply with any applicable rules. Their arguments will identify the issues and will cite authorities and external materials in an appropriate manner
- m. Have persuasive oral advocacy skills. Pupils will be able to communicate their client's case effectively. They will be able to deliver coherent, well-structured and concise submissions and cite legal authorities and materials appropriately. They will be able to engage appropriately with and maintain an awareness of others in any forum where they represent clients. When delivering submissions and questioning witnesses, they will be able to communicate audibly, using both pace and language that are appropriate to the tribunal.

They will be able to handle witnesses in accordance with the rules of the court. They will ask questions which assist the court, focus on the real issues in the case and avoid the irrelevant. They will listen to the answers and demonstrate appropriate conduct towards the witness

- n. Comply with regulatory requirements set down by the Bar Standards Board, including the Code of Conduct. Pupils will clearly understand a barrister's Core Duties and apply them in all aspects of their work
- o. Know how to conduct themselves appropriately in court. Pupils will know and use the required dress, accepted forms of address, formalities of proceedings and established conventions and customs in each forum where they represent clients
- p. Act with the utmost integrity and independence at all times, in the interests of justice, representing clients with courage, perseverance and fearlessness.
  Pupils will be aware of and recognise the explicit and implicit pressures to behave in any other way and resist those pressures even where to do so may be against their personal interests
- q. Be honest in their dealings with others. Pupils will ensure that they do not communicate in any way anything that they know or ought to know is untrue, incomplete, inaccurate, or likely to be misleading
- r. Adopt a reflective approach to their work, enabling them to correct errors and admit if they have made mistakes. Pupils will continually assess their weaknesses, limitations or knowledge gaps, analysing them accurately and honestly. They will acknowledge these to others if appropriate and learn from the reflective process

- s. Understand and exercise their duty to act in the best interests of their client. Pupils will apply this core barrister's duty in every case except where it conflicts with their duty to the court in the administration of justice
- 67. A record will be made to document the achievement of these objectives and feedback given during the training.
- 68. There may also be opportunities, subject to availability, for pupils to spend periods of time seconded to other organisations during their 12 months. Chambers will ensure that periods on secondment will be consistent with the aim of ensuring the threshold standard.
- 69. Pupils in second 6 should apply to become graded on the CPS advocates panel as soon as is practicable.

# Section 8 – Supervisors

- 70. Pupil supervisors must understand that a failure to comply with this policy will likely result in Chambers accreditation as an PTO being withdrawn by the BSB meaning Chambers will no longer be permitted to take pupils. Everyone who agrees to act as a pupil supervisor must first agree to comply with this policy
- 71. The pupil supervisor must provide a suitable training programme that enables the pupil to meet the competences in the <u>Professional Statement</u> to the threshold standard, in accordance with the Curriculum and Assessment Strategy; and provide all necessary assistance in complying with their regulatory obligations e.g. registering their pupillage with the BSB, applying for any necessary waivers and obtaining a provisional practising certificate.

- 72. The pupil supervisor is expected to undertake full time supervision of their pupil. In the event the supervisor has no professional commitments or cannot undertake the full-time supervision of the pupil for whatever reason the pupil supervisor is required to ensure that the pupil's training is continued with another member of Chambers. If this is a temporary measure, that member of Chambers need not be a pupil supervisor but must be aware of the Curriculum and Assessment Strategy
- 73. The pupil supervisor must ensure that their pupil has each of the following learning opportunities: monitoring the pupil supervisor, interactions with the clerks, interactions with solicitors, observation in Court, in-house advocacy training course, practising drafting, completing work for the pupil supervisor and other barristers in the PTO and practising as a pupil
- 74. The pupil supervisor is required to complete a written feedback report on all work done by their pupil and to ensure that feedback reports are completed by other Members where they have approved that their pupil can work for that Member. These feedback forms must be provided to the pupil in order for them to complete the self-reflection portion of the form
- 75. The pupil supervisor must ensure they give reasonable time and opportunity to their pupil to prepare and attend the in-house advocacy training programme provided by the Pupillage Committee
- 76. The pupil supervisor must be aware that there will be periodic review of the feedback being provided and if this is deemed to be inadequate or otherwise inappropriate the Pupillage Committee will ask that this be rectified. In the event that this is not rectified the Pupillage Committee will require that person to stand down as a supervisor with immediate effect
- 77. During their induction to Chambers pupils will be provided with the training record drafted by the Pupillage Committee to monitor progress and ensure that the threshold standards are met. Supervisors must ensure that the individual training they provide

to pupils is tailored to achieve the threshold standards for the competencies detailed in that training record

- 78. Supervisors must ensure they hold an appraisal meeting with their pupil every 2 months to ensure this record is being completed as fully and accurately as possible through pupillage
- 79. A pupil supervisor must only confirm that the threshold standard of each competency is met if the supervisor is confident that it has been
- 80. Pupil supervisors must ensure that they are properly trained to undertake the role and must complete Chambers in house training annually and separately ensure they are trained in accordance with the outcomes and frequency specified by the Bar Standards Board in the Bar Training Manual
- 81. Pupil supervisors must make themselves available for any necessary third-party training (such as that provided by an Inn of Court). In any event refresher training is mandatory every five years, or after three years if the individual has not been a pupil supervisor during that time. Details of the training available can be found at https://www.barcouncil.org.uk/training-events/training-and-workshops.html
- 82. Pupil supervisors must maintain a written record of their training and ensure that an up to date record of their training is provided to the records officer
- 83. Pupil supervisors must reflect on their competence to act as pupil supervisor as part of the CPD requirements and address this in their CPD form
- 84. Pupil supervisors must understand that Chambers is obliged, if the need arises, to declare an individual as unsuitable to be a pupil supervisor to the Bar Standards Board.This includes if the pupil supervisor does not complete required ongoing training

- 85. Pupil supervisors understand that Chambers must make a check of any disciplinary actions that have been taken against the supervisor and that the supervisor must inform the Pupillage Committee if any disciplinary action is brought against them whilst they are supervising a pupil
- 86. A pupil supervisor must:
- a. Be familiar with the current version of the following BSB documents and the relevant regulatory requirements:
  - The BSB Handbook
  - The Bar Qualification Manual
  - The Authorisation Framework and supporting guidance for pupillage
  - The Professional Statement, Threshold Standard and Competences
  - The Curriculum and Assessment Strategy
- b. Be familiar with and able to apply the Equality and Diversity Rules of the Code of Conduct and the Equality Act
- c. Understand the BSB's administrative procedures for registering pupillage, applying for the Provisional Practising Certificate and Full Practising Certificate
- d. Understand the role of the pupil supervisor
- e. Be familiar with Chambers training plan for pupils and able to apply it, such that pupils are able to meet the competences in the Professional Statement to the threshold standard
- f. Be familiar with Chambers policies, procedures and standard documentation in relation to pupillage, and able to apply them

- g. Understand what makes an effective supervisor, including understanding how pupils learn effectively and being able to assess the learning needs/learning styles of their individual pupils
- h. Understand the time commitment that is required to be effective as a pupil supervisor
- i. Understand the behaviours which constitute unacceptable supervision practices; these include but are not limited to:
  - a. Personal comments and/or jokes about pupils' appearance, race, religion, sex, marital status, background, education, age, weight, etc.
  - b. Exclusion of certain pupils from social events, social media groups, etc.
  - c. Unjustified exclusion of pupils from certain types of work or experience.
  - d. Criticism of Bar Training.
  - e. Unjustified threats to withdraw, extend or not sign off the pupillage.
  - f. Unreasonable expectations of work volume and/or working hours.
- j. Be competent to conduct assessment of their pupils' progress in meeting the required competences and to conduct effective one-to-one appraisal and feedback, and continuing feedback to pupils throughout the duration of the pupillage
- k. Be able to identify and act on their own development needs as an effective pupil supervisor
- I. Be familiar with the Chamber's policies and support mechanisms that enable all pupils to complete their training and support those who experience difficulties
- m. Be able to signpost pupils to where they can find help externally if needed
- n. Be able to apply appropriate policies and support mechanisms that enable all pupils to complete their training and support those who experience difficulties

- o. Be able to create a positive relationship with pupils, such they feel comfortable to speak up without fear of reprisal
- 87. Pupils supervisors must ensure they monitor the levels of work being required of their pupil or probationary tenant and ensure they take all action considered appropriate to remedy any problems with work demands that become apparent

# Section 9 - Induction of pupils into Chambers

- 88. Prior to starting pupillage the Secretary to the Pupillage Committee will ensure that the pupil has provided written confirmation all of the following:
  - That academic and vocational training components have been satisfactorily completed within the 5 year limit
  - That the pupil is a member of an Inn
  - That the pupil has been Called to the Bar
  - Immigration visas have been obtained, where relevant
  - Waivers have been granted by the BSB, where relevant

89. If the pupil fails to provide this documentation the pupillage cannot begin

90. Prior to starting pupillage pupils must apply to the BSB for registration of the pupillage by submitting an application in the form prescribed by the BSB. This must be done 2 weeks prior to the commencement of pupillage 91. Pupils must be given access to all relevant Chambers policies including:

- a. Chambers Constitution
- b. Equality and Diversity Policy
- c. Data Protection Policy
- d. Members & Pupils Privacy Policy
- e. Information Security Procedure, Acceptable Use and Personal Statement email response thereafter to be sent to Kevin Aldridge (Chambers Business Manager) to acknowledge responsibility and awareness of data/information security contained therein
- f. Remote working from home procedure
- g. The Pupillage Policy
- h. The Dignity at Work Policy
- 92. Pupils must ensure and confirm that they have read and understand the obligations that each of the policies places on them. Pupils must ensure that they understand their obligations under Chambers GDPR policies and their individual responsibilities as data controllers
- 93. Pupils must ensure that they are registered with the Information Commissioners Office
- 94. Pupils are encouraged to identify any relevant personal characteristics or other issues that may require a more flexible approach to training to be considered in order that Chambers can make reasonable adjustments to pupillage to address these

- 95. Pupils must be aware of the objective of the Curriculum and Assessment Strategy is to ensure each pupil meets the threshold standard in each of the following competencies: Legal knowledge, skills and attributes; advocacy; professional standards; values, characteristics and behaviour; working with others; personal practice management
- 96. Pupils must be provided with a copy of Chambers Training Record Sheet. Pupils must ensure that they are familiar with the competencies set out in that record sheet and that these must be achieved to the threshold standard within the 12 months of pupillage. It is the pupil's responsibility to ensure they accurately document on that record sheet all learning experiences relevant to each of the necessary competencies in order to demonstrate that they have achieved the threshold standard
- 97. Pupils must be given an electronic copy of Chambers feedback sheet. It is the responsibility of each pupil to complete the self-reflection portion of the feedback sheet and then submit the record form to the records officer to be retained in the pupil's file
- 98. No later than their induction pupils must be informed which member of Chambers will supervise the first 4 months of their pupillage
- 99. Pupils will be supervised by 3 different members of chambers during the 12 months of pupillage. It is the responsibility of the pupil to inform the BSB of the change of pupil supervisor
- 100. Pupils will be provided with a copy of their agreement with Chambers and asked to sign this to confirm their understanding of its contents
- 101. Pupils must ensure that they are aware of and compliant with their tax obligations. Guidance in relation to this can be found at <u>https://www.barcouncilethics.co.uk/documents/taxation-handbook</u>

102. Pupils must register themselves for VAT prior to the start of the practising period of pupillage

### Section 10 – Practising Certificates

- 103. No later than 7 days before they are due to start second six pupils must submit certification to the Bar Standards Board for their provisional practising certificate. They will be required to demonstrate to their supervisor that they achieved sufficient competencies in order to that their pupil supervisor can sign their certification
- 104. If the pupil supervisor declines to sign the certification then the pupil can appeal to the Head of the Pupillage Committee as soon as is possible and no later than 7 days after the pupil is aware of the supervisors' decision
- 105. The Head of the Pupillage committee will refer the matter to the Pupillage Committee and appoint 3 members (the review panel) to consider representations, either orally or in writing, from both the supervisor and the pupil. The Pupillage Committee must also review the pupils hearing record sheet and submitted feedback forms
- 106. The review panel must communicate its decision to the supervisor and the pupil within 48 hours of the representations being received. If the decision is that the certification can properly be signed a new supervisor will be assigned immediately for that purpose and to supervise the pupil for a period of time thereafter as specified by the Pupillage Committee
- 107. An identical procedure to that set out above will apply in the event that a pupil supervisor refuses to sign certification for a full practising certificate on completion of 12 months of pupillage save where the pupil has not been certified because of a failure to pass the ethics examination

#### Section 11 – Flexible working

- 108. Chambers ordinary working hours are 8am to 6pm Monday to Friday. Members of Chambers frequently have to work outside of these hours consistent with their obligations under the Code of Conduct; pupils should expect to have to do the same. In addition, during the 2<sup>nd</sup> six months of pupillages pupils will be required to attend Court hearings on Saturdays and Bank Holidays on a rota basis. Pupils in 2<sup>nd</sup> six are also required to be available work throughout the Christmas period from Christmas Eve to New Years Day
- 109. Chambers understands the important of encouraging and supporting diversity within the legal profession
- 110. Chambers is aware of the importance of compliance with the <u>Equality Act 2010</u> in every policy it drafts and every decision that it makes
- 111. Chambers has a designated Equality and Diversity Committee in order to ensure compliance with the Equality Act 2010.
- 112. Chambers understands that it is important that there must a degree of flexibility for both ourselves as an PTO, supervisors and pupils in how the threshold standards of the professional statement are met over the 12 months of pupillage
- 113. As a Chambers whose members practice predominantly in the field of criminal law it is inevitable that the majority of training will take place at various court centres either with the supervisor or a delegated deputy where the supervisor is not available
- 114. The Pupillage Committee will provide a separate advocacy and procedural training programme that will generally involve sessions approximately every 2 weeks with papers to be delivered electronically but sessions to take place in person within

Chambers ordinarily outside of normal working hours. These sessions have a fluid timetable to cater for the availability and convenience of both the barristers delivering the training and the pupils undertaking it. Each session is fixed on an individual basis rather than to a pre-ordained timetable

- 115. Chambers encourages the use of remote working and technology in so far as that remains consistent with the overall training strategy that pupils meet the threshold standard within 12 months
- 116. Technological support will be provided to each pupil within the means available to Chambers. Chambers does not have the available means to provide each pupil will a laptop computer. Each pupil will have an Outlook account giving access to their emails and diary set up for them as well as a CJSM email account. The use of Outlook ensures pupils have remote access to these systems. Pupils will need to register themselves for access to the Court based CJU wifi system, however, this is free of charge. Pupils will be given access to Chambers legal database subscription which includes access to the relevant practitioner texts each pupil will require to satisfy the threshold standard. Should Chambers amend its subscriptions the pupillage committee will review this policy to ensure that the facilities available remain sufficient to satisfy the threshold standard
- 117. Should a pupil be identified as requiring a greater flexibility in the way in which their training is delivered for their individual circumstances the Pupillage Committee will actively work with them to identify ways to ensure greater flexibility in training that remain consistent with the ultimate objective of ensuring the pupil meets the threshold standard
- 118. Chambers will, as part of its induction process to Chambers, invite pupils to identify any relevant personal characteristics or other issues that may require a more flexible approach to training to be considered

- 119. The Pupillage Committee will annually review both its flexible working policy and any particular initiatives to try achieve flexible working over the previous year to assess where there have been successes and where improvements are required
- 120. Upon application, Chambers may defer the commencement of pupillage of prospective pupils who become pregnant prior to the commencement of pupillage for a period of up to 12 months.
- 121. Prospective pupils with existing childcare commitments may discuss with the Pupillage Committee how their working hours during pupillage can accommodate such commitments and should be advised of their entitlement to flexible working hours in accordance with this policy.
- 122. Pupils who become pregnant during pupillage may defer completion of the remainder of pupillage, subject to the requirements of Part V of the Bar Training Regulations (except with the written permission of the Bar Standards Board: (i) the non-practising period of pupillage must be undertaken for a continuous period of six months (regulation 31); and (ii) the practising period of pupillage must commence within 12 months of completion of the non-practising period and be completed within an overall period of 9 months (regulation 32).
- 123. In the event that an exemption from the Bar Training Regulations is required, the pupil, with the assistance of the pupil's supervisor, shall be responsible for obtaining written permission from the Bar Standards Board.
- 124. Such a deferral shall not affect the overall pupillage award which shall be paid monthly during the period in which the pupil recommences pupillage. In the event of a rise in the pupillage award following deferral the pupil shall be paid at the increased rate.

- 125. In the event of deferral and during the pupil's 'break' period, the pupil's supervisor shall be their point of contact with Chambers.
- 126. Chambers shall accommodate pupils' requests for flexible working hours in order to allow for childcare commitments. Such working hours should be discussed with the pupil's supervisor in order to ensure that the pupil is able to complete the work that is required of him or her.
- 127. The need to work flexible hours for this reason should not, as far as possible, affect the allocation of court work during the practising period of pupillage. Pupils should however be aware of the demands of the court schedule and the necessity for evening and last-minute briefs and should arrange childcare with this in mind wherever possible.
- 128. Pupils should be assured that any need to work flexible hours for reasons of childcare will not in any way affect their prospects of being recruited as a tenant pursuant to the Chambers' policy on recruitment of tenants from pupils.

### Section 12 – applications for tenancy

- 129. Chambers' policy for the selection of tenants from pupils seeks to ensure that all applications are considered on an equal and non-discriminatory basis.
- 130. Applications for tenancy are invited from all pupils nearing completion of pupillage
- 131. Chambers' requires applicants to notify the Tenancy Committee a calendar month before the end of pupillage of their wish to apply for tenancy and at the same

time to provide to the Secretary of the Tenancy Committee a copy of their curriculum vitae along with any unsolicited references or testimonials that the applicant wishes to be considered by the Tenancy Committee. Any offer of tenancy is subject to obtaining a full practising certificate.

- 132. All members of Chambers and Chambers' Senior Clerk will then be contacted by email in order to invite their observations in respect of any or all of the applicants. Any observations submitted by any member of Chambers or by Chambers' Senior Clerk will be considered by the Tenancy Committee.
- 133. Any members of Chambers who have acted in the capacity of Pupil Supervisor will be requested to provide detailed observations to the Tenancy Committee.
- 134. The Tenancy Committee with the assistance of the clerks room will identify a small number of Chambers's solicitors from whom to invite references. Applicants will not contact Chambers's solicitors directly themselves for such references.
- 135. The above feedback will be collated and considered by the Tenancy Committee. Where feedback and references indicate that <u>all</u> candidates in a given year are of an exceptionally high standard the Tenancy Committee may agree that no further consideration (by way of interview etc) is required for <u>any</u> applicant since further assessment would be reasonably expected to simply duplicate the information before the committee.
- 136. In reaching such a conclusion Tenancy Committee will assess the applicants in respect of their legal analysis, advocacy, interpersonal and communication skills, and their motivation or determination to succeed, having regard to the fixed criteria set out below.
- 137. Where however the Tenancy Committee concludes that any candidate in the current year is to be the subject of further consideration by the Tenancy Committee

(by interview or written exercise etc) then that further enquiry shall be made of <u>all</u> candidates.

- 138. If such further enquiry is to be made of <u>all</u> applicants then the tenancy assessment will proceed to a written exercise and an advocacy exercise followed by questions dealing with professional conduct and ethics. A date will be set for the advocacy exercise and the applicants notified of that date and the consequent stage dates ahead of that exercise.
- 139. Instructions for the advocacy exercise will be provided to all applicants 72 hours in advance of the proposed assessment date and all applicants will be seen in alphabetical order (or in such convenient order as the Committee shall determine where there is a practical need to depart from alphabetical order). Instructions for a written exercise will be given to the candidate 14 days before the date of the advocacy assessment. It must be completed and emailed to the Secretary to the Tenancy Committee 7 days before the date of the assessment. The written document will be limited to a prescribed number of words.
- 140. All applicants' performance will be assessed by reference to Chambers' fixed selection criteria. The current criteria are:

### 141. Written exercise

- a. The candidate should demonstrate an ability to identify and to analyse problems succinctly.
- b. The candidate should identify legal issues and support their argument, where appropriate, by reference to relevant authority.

### 142. Advocacy skills

- Length of presentation The Committee will expect the presentation to take no longer than 15 minutes and will mark highly for conciseness, clarity and brevity.
- b. Structure The Committee will expect the presentation to be well crafted and have a logical structure where each argument presented leads naturally to the next, although it is understood that some aspects of the presentation will involve discrete points.
- c. Presentation The Committee will take account of the rigors involved in presenting argument in front of colleagues but will mark highly for a confident, fluent and creative presentation.
- d. Legal content The Committee will expect the presentation to address ALL relevant matters of law accurately. If applicable, knowledge of recent legal decisions and legal decisions not readily found in Archbold or Blackstone will be marked highly. However, unnecessary reference to authorities may be marked down by the Committee.
- e. Persuasiveness The committee expects the presentation to be persuasive both in terms of its content and the manner in which the candidate articulates arguments. The committee does not expect the presentation to be an exercise whereby scripted submissions are simply read out by the candidate. Such submissions are always to the detriment of fluency. Candidates may, however, benefit from the use of bullet points for reference during the presentation.
- 143. Interpersonal skills applicants should be aware throughout their pupillage that a successful criminal barrister requires an ability to communicate effectively and courteously with all of those involved in the criminal justice system including clients, solicitors, Chambers' clerks, court staff and other barristers. It is the practice of the Committee to look at such reviews as a whole rather than treating any individual response as determinative. In assessing the candidate's performance at this second stage the Committee can have further regard to the applicant's interpersonal skills as revealed by the whole of the feedback received.

- 144. Motivation/Determination to succeed The Committee will mark highly if the reviews reveal consistent hard work and application during pupillage.
- 145. Where the Tenancy Committee has offered all applicants tenancy on the strength of the reviews then the collated reviews and a record of the decision to offer all applicants a tenancy will be retained for a minimum of two years. Where the Tenancy Committee has required a second stage assessment then the assessment of each applicant by each member of the Tenancy Committee will be recorded and retained for a minimum of two years.
- 146. All decisions in respect of applicants for tenancy will be made by the Tenancy Committee. No member of chambers shall have the right to veto any Applicant.
- 147. Applicants will be notified of the decision of the Tenancy Committee on the same day as the interview takes place, save where the Tenancy Committee requires more time to reach a decision, in which case the Tenancy Committee will notify the Applicant or Applicants when a decision is likely to be reached.
- 148. All members of the Tenancy Committee have received appropriate training in fair selection and recruitment procedures and have been instructed in respect of chambers' fixed selection criteria.
- 149. Chambers will not discriminate on the grounds of age, disability, sex, gender reassignment, race, religion or belief, sexual orientation, marriage and civil partnership and pregnancy and maternity.

Section 13 – Misconduct and Disciplinary Policy

150. This section must be read in conjunction with rC66 to rC69 of the Bar Code of Conduct. Under these regulations, if a complaint is one of serious misconduct which

there are reasonable grounds to believe has been committed by a member of the Bar, Chambers has a duty to report this to the BSB

- 151. Chambers is entitled to withdraw the pupillage prior to its commencement and to terminate the pupillage during the year with immediate effect at any time if:
  - a. A pupil commits a serious breach of the BSB Handbook;
  - A pupil is guilty of a serious or persistent breach of Chambers' policies, procedures or codes of conduct;
  - A pupil is convicted of a criminal offence (other than an offence under any road traffic legislation in the UK or elsewhere for which a fine or non-custodial penalty is imposed);
  - A pupil fails to meet the minimum attendance or other regulatory requirements of the BSB for commencing or completing the non-practising or practising periods of pupillage training;
  - e. A pupil, during the practising period of pupillage, ceases to hold a valid practising certificate;
  - f. A pupils actions or omissions (whether or not in the course of the pupillage) bring or are such as to risk bringing the name or reputation of Chambers or its members into disrepute or to prejudice the interest of Chambers;
  - g. A pupils immigration status means they cease to be eligible to undertake or complete the pupillage.
- 152. Misconduct that can result in disciplinary action being taken against a pupil is (1) any breach of any of the requirements set out in Chambers policies (2) any breach of the written agreement between the pupil and Chambers (3) improper use of social media, including making any reference to any legal case in they the pupil, their

supervisor or any Members of Chambers is involved in (4) any disciplinary finding by the BSB

- 153. Any issue of misconduct (which do not fall under chambers definition of harassment) that are considered to be minor in nature by the pupil's supervisor should in the first instance be dealt with by the pupil supervisor by way of words of guidance. Such incidents must still be reported to the Pupillage Committee by the supervisor
- 154. Should the pupil supervisor consider that words of guidance are insufficient for the level of misconduct the matter can be referred to the Pupillage Committee who, subject to review of the conduct, may issue written guidance (provided the conduct does not fall under chambers definition of harassment)
- 155. If the conduct falls within Chambers definition of harassment that the misconduct will be dealt with through Chambers complaints procedure
- 156. Harassment is any form of unwanted conduct, which has the aim, or effect of diminishing a person's dignity or creating a humiliating or offensive environment for that person. The essence of all harassment is that it is unwelcome conduct, which is offensive to the recipient. The test is a subjective one and the fact that one person may be able to ignore or deal comfortably with certain behaviour does not mean that it is acceptable if directed at another.
- 157. Chambers prohibits any behaviour which causes offence or distress to another and which is perceived by that person as relating to or arising from his/her ethnicity, age, religion/belief, sex, sexual orientation, disability or gender reassignment which constitutes less favourable treatment on such grounds. Harassment may take a variety of forms and includes behaviour which is unwanted by the recipient and perceived as threatening or which causes a hostile or threatening working environment
- 158. The following are examples of behaviour, which may amount to harassment: physical assault, including sexual assault; demands for sexual favours in return for

career advancement; unnecessary physical contact; exclusion from social networks and activities; isolation; bullying; compromising suggestions or invitations; suggestive remarks or looks; display of offensive materials, including on computer screen; tasteless jokes or verbal abuse; offensive remarks or ridicule

- 159. Disciplinary and or remedial action (as defined at 'Formal Complaints Resolution (Harassment)' at paragraph 5) will be taken against any member or employee of chambers found to have harassed a colleague or other person in the conduct of their work.
- 160. Chambers is committed to providing a supportive environment in which to resolve problems of harassment and has put in place a number of options of resolving problems. A non-adversarial approach will be adopted.
- 161. When an incident of harassment occurs, the recipient should communicate their disapproval and objections immediately to the harasser, if they feel able to do so, and request the harasser to stop.
- 162. If the harasser does not stop or if the recipient is uncomfortable about addressing the harasser directly, he or she should bring their concerns to the attention of the Chambers Equality and Diversity Officer or member of the Management Committee who will provide advice or support as requested and will undertake any investigation necessary to resolve the matter, speedily and in confidence.
- 163. Where the person subject to harassment does not wish to pursue the informal resolution options or has exhausted such options, they may make a formal complaint which should be made to the Management Committee of Chambers. All such complaints will be promptly investigated.
- 164. A formal complaint should be made in writing. Within one week of the receipt of the complaint an investigation of the allegation will commence and will completed within 14 days of commencement, unless there are good reasons for delay.

- 165. Investigations should be conducted in accordance with standards of natural justice. Where appropriate two members of chambers Management Committee will direct investigation. All parties to the complaint should be permitted to be accompanied by another member of chambers or pupil at any hearing
- 166. Where two members of the Management Committee are not available, then up to two members of chambers, not directly involved in the complaint, will undertake the investigation.
- 167. If the allegation of harassment is upheld, the individual against whom the finding is made can appeal to the Head of Chambers and the Management Committee in writing. The appeal hearing will be heard within 14 days of the notice of appeal being made, unless there are good reasons for delay which must be communicated to the individual concerned. The individual against whom the finding has been made has the right to be represented at any appeal hearing.
- 168. If the allegation of harassment is upheld at the conclusion of any appeal hearing, appropriate remedial actions will be taken by the Head of Chambers in conjunction with the Management Committee.
- 169. This may include any of the following: formal apology; counselling; written warning; change of work assignment; suspension or discharge of the pupil; referral to Professional Conduct Committee (PCC)
- 170. In the event of suspension or discharge of the pupil 48 hours notice will be given
- 171. In addition, to the sanction that may be imposed on a member or an employee by chambers as part of a complaint resolution, members of chambers who engage in harassment may be liable for damages in the event of a civil lawsuit or may face

further sanctions imposed by the Bar Council's Professional Conduct and Complaints Committee, or, in a very serious case, criminal sanctions.

172. The individual against whom the finding is made will be referred to the Bar Standards Board (if a member of the Bar), the Institute of Barristers Clerks (if an employee who has membership of the IBC) or the appropriate authority if he/she wishes to pursue the matter further.

#### Section 14 – Grievances

- 173. This section must be read in conjunction with rC66 to rC69 of the Bar Code of Conduct. Under these regulations, if a complaint is one of serious misconduct which there are reasonable grounds to believe has been committed by a member of the Bar, Chambers has a duty to report this to the BSB
- 174. Any member, employee, pupil or mini-pupil in chambers has the right to bring to the attention of an appropriate person any behaviour, which they consider to be contrary to the harassment policy, irrespective of whether they are the recipients of the harassment. A member or employee of chambers who witnesses behaviour, which they consider contravenes the harassment policy, should take immediate action to indicate that such behaviour is unacceptable as failure to do so could be interpreted as condoning such behaviour
- 175. Chambers recognise that a recipient of harassment may find it difficult to come forward with a complaint and they understand that recipients and alleged harassers may be particularly concerned about confidentiality and the effect that a complaint

may have on career advancement. To protect the interests of the complainant, the person complained against, and any others who may report or be witnesses to incidents of harassment, confidentiality will be maintained throughout any investigatory process to the extent that this is practical and appropriate under the circumstances. However, Chambers have a duty to ensure that harassment does not re-occur. All records of complaints, including notes to meetings, interviews, results of investigations and other relevant material will be kept confidential by Chambers except where disclosure is required for disciplinary or other remedial processes.

- 176. Chambers is committed to ensuring that no one who brings forward a harassment concern in good faith is subject to any form of reprisal. Any victimisation of a complainant, witness or anyone else involved in the investigation of a complaint will be viewed as a disciplinary matter. The raising of such a complaint will not have any adverse consequences for the complainant, particularly in relation to tenancy and promotion decisions.
- 177. Pupils are encouraged to discuss any grievances which they may have during their pupillage with their Pupil Supervisors.
- 178. In some cases, this may not be possible or appropriate and the pupil should then approach chambers Equality and Diversity Committee, member of the Management Committee or the Head of the Pupillage Committee. If resolution of the complaint is not possible, the pupil should set out the complaint in writing to the Head of Chambers for investigation

- 179. If a pupil perceives that their Pupil Supervisor has not resolved their concern satisfactorily then the matter should be raised with the Head of the Pupillage Committee. In the event that the Pupillage Committee is unable to assist then the matter will be referred to Chambers Equality and Diversity Committee and the Management Committee of Chambers.
- 180. If a matter is so referred, a meeting will be held, if a pupil requires it, between the pupil, Chambers Equality and Diversity Officer and two members of the Management Committee
- 181. In the case that there is still no satisfactory resolution a pupil may make a formal complaint to the Bar Council or seek confidential guidance from it
- 182. A confidential record of any concern raised by a pupil with the Pupillage Committee will be kept by the Pupillage Committee

### Section 15 - Absence from training

183. Pupils are entitled to 20 working days holiday during pupillage. All holiday bookings must be made in writing with both the pupil supervisor and the clerks at least 14 days before the holiday is due to commence and must not be made such as to create a clash with pre-existing professional commitments. Pupils must not take more than 10 consecutive working days as holiday without prior permission of their pupil supervisor.

- 184. If you have to be absent from work for any reason you should inform your supervisor during the first six months of pupillage, your supervisor and the Senior Clerk (or in his absence the Deputy Senior Clerk) during second six the reason for your absence. If it is not possible for you to make personal contact, you should arrange for someone to do so for you before 9.30am on the day of absence. Thereafter, you should keep your supervisor (in first six); your supervisor and the Senior Clerk or Deputy Senior Clerk (in second six) informed on a daily basis, wherever possible
- 185. For periods of absence by reason of mental or physical incapacity of seven days or less you will be expected to sign a certificate yourself giving the reason for your absence. Guaranteed income and earnings will continue to be paid during any periods of absence due to illness where self-certification has been completed
- 186. If you have to be absent because of mental or physical incapacity for more than seven calendar days you must, on or before the eighth calendar day, give or arrange to be received by your supervisor, a medical certificate showing why you are absent. After that you must provide a certificate to cover any subsequent period of absence. Guaranteed income and earnings will continue to be paid during any periods of absence due to illness where medical notes are provided
- 187. Chambers reserves the right to treat repeated periods of absence of less than seven days as misconduct.
- 188. It is for Chambers and pupil supervisor to determine the impact of longer periods of leave (for example due to illness or bereavement) on the training programme and whether the period of pupillage should be extended to enable the pupil to meet the competences in the Professional Statement

- 189. If the pupillage is to be extended, Chambers must notify the BSB of the new date that the pupil will be completing pupillage by completing the specified form
- 190. Where pupillage is extended, the supervisor must set clear and measurable objectives as to what is expected of the pupil during the extended period
- 191. Pupils must apply to the BSB for dispensation if they need to take a substantial break from pupillage and extending the pupillage would not be appropriate in the circumstances
- 192. Maternity/paternity leave arrangements should follow the Chambers parental leave policy and individual parental leave arrangements should be discussed with the Chambers as soon as practicable

# Section 16 – Pupil mentor scheme

- 193. Prior to commencement of pupillage each pupil will be assigned a pupil mentor
- 194. The pupil mentor will be a member of Chambers who took tenancy within the last 3 years
- 195. The role of the pupil mentor is not in any way to adopt any of the responsibilities of the pupil supervisor but to offer additional professional support and pastoral care to the pupil as and when required

- 196. Mentors will be appointed for the 12 month period of pupillage and will be chosen from a pool of suitably qualified volunteers
- 197. Pupil mentors must act in compliance with the policy at all times

# Section 17 – probationary tenancy

- 198. Probationary tenancies will be administered by the Pupillage Committee
- 199. Probationary tenants will be appointed a supervisor who will act as a de facto pupillage supervisor would have done during the previous 3<sup>rd</sup> six pupillage system. The Pupillage Committee's policy on pupil supervisors will apply equally to those supervising probationary tenants
- 200. Probationary tenants must ensure they obtain their own insurance cover fromBMIF for legal services offered in self-employed practice

Date	Version	Author	Reason
2 <sup>nd</sup> September 2021	2.0	Simon Gledhill	Amendments in respect of GDPR documents
25 <sup>th</sup> April 2022	3.0	Simon Gledhill	Amendments in respect of centralised ethics exam
21 <sup>st</sup> June 2022	4.0	Simon Gledhill	Amendment in respect of supervisors monitoring pupils work levels
3 <sup>rd</sup> September 2022	5.0	Simon Gledhill	Amendment to paragraph 177

27 <sup>th</sup> January 2023	6.0	Simon Gledhill	Amendment to paragraph 109
25 <sup>th</sup> May 2023	7.0	Simon Gledhill	Amendment to probationary tenancy section and addition of relevant sections of the parental leave policy into the flexible working section
15 <sup>th</sup> December 2023	8.0	Simon Gledhill	Amendments to tenancy applications, noting brief and probationary tenancy sections