

PUPILLAGE POLICY
2020

PUPILLAGE POLICY

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1. INTRODUCTION

Selborne Chambers (“**Chambers**”) runs and implements an equal opportunities pupillage policy. This starts with the process for selecting pupils, and ends with the process for recruiting pupils as tenants. Chambers will do everything reasonably practicable to ensure that: (i) proper arrangements are made, and processes used, for dealing with pupils and pupillage; and (ii) the affairs of Chambers are conducted in a manner which is fair and equitable for all pupils. Chambers is committed to the fair and equal selection of pupils. No person who has not come through the Chambers’ selection procedure will be accepted as a pupil for a funded pupillage in Chambers.

2. PUPILLAGE ADMINISTRATION

Pupillage will be administered and managed by the Head of Pupillage (“**the HoP**”) designated from time to time, whose responsibilities will include (when necessary) forming a committee to perform the tasks herein.

The HoP’s principal administrative duties will be:

- (a) To ensure that the administration of pupillage runs smoothly and that proper records of applications are kept in accordance with data protection provisions.
- (b) To review on an annual basis Chambers’ Pupillage Policy and other pupillage documentation.
- (c) To ensure that comprehensive and up-to-date information about pupillage appears on Chambers’ website.
- (d) To ensure that all Bar Standards Board regulations and guidance relating to good practice in pupillage are at least met, and if possible, exceeded.
- (e) To ensure that funded pupillages on offer by Chambers have been properly advertised.
- (f) To oversee the fair selection process of pupils (including mini-pupils).
- (g) To ensure that the policies set out in this Pupillage Policy are adhered to, and that each pupil supervisor is provided with a copy.

3. PUPILLAGES ON OFFER

Chambers aims to offer annually at least one funded pupillage, but may offer up to two if warranted by Chambers’ needs. Chambers will take a 3rd Six pupil if work requirements so demand. Chambers hopes that, at the end of pupillage, and following a formal application by its pupil, the pupil will be taken on as a tenant. Past years have demonstrated a very good record of Chambers recruiting straight from its pupils.

Chambers will not offer a pupillage if it considers that it has not received any applications of a sufficiently high standard or its recruitment strategy has no requirement for a pupil.

4. PUPILLAGE RECRUITMENT PROCEDURE

Selborne Chambers is not a member of the Pupillage Gateway.

4.1. Advertisement

All funded pupillages will be advertised on Chambers' website and in accordance with the timetable adopted by Pupillage Gateway.

Advertisements shall state a closing date by which time applications must be received, or will refer to Chambers' website where full particulars will be provided.

4.2. Recruitment requirements

Chambers is committed to ensuring that the opportunity to undertake pupillage is open to all with merit and ability, regardless of race, ethnic or national origin, gender, sexual orientation, marital status, civil partnership, age, religion, belief, political persuasion or disability. As regards disability, we will make reasonable adjustments to the application process for disabled applicants.

Chambers is looking for candidates with proven intellectual ability and with a character that will fit in and work well within Chambers and the aptitude to succeed in independent practice at the Bar.

During recruitment, consideration will be given to all of a candidate's circumstances, including the criteria listed below. In addition, feedback from any mini-pupillage undertaken in Chambers will be taken into account. The criteria (in no particular order) are:

- (a) Intellectual qualities, including in particular the ability to analyse complex information, identify the material points.
- (b) Skills in articulation in oral and written communications and argument, including persuasiveness and confidence and the ability to adjust to suit the occasion.
- (c) Motivation and commitment to the relevant practice areas to be found in Chambers and relevant experience of them such as mini-pupillages and the necessary drive and determination to succeed in a career at the Bar.
- (d) Character and suitability to Chambers' working environment including integrity, commercial awareness, relationship skills and diplomacy.

4.3. Initial consideration of applications

Applications to Chambers shall be by completion of Chambers' application form. Each completed application form shall be independently read and considered by at least two members of Chambers, who shall have regard to the criteria set out at paragraph 4.2 above. No application shall be rejected unless at least two members of Chambers, having read the application, reach the same conclusion. In the event of disagreement, a third member will assess the application and his or her decision will prevail.

4.4. Interviews

A short-list will be drawn up for interview. Those selected for interview shall be invited to attend before a panel of no fewer than three barrister members. Unless considered unnecessary by Chambers, a second (or at Chambers' absolute discretion, a third) round of interviews shall be held before a final choice of pupils is made.

Candidates will be advised on the structure of an interview on Chambers' website, or in advance of an interview in the event that the structure differs from that which is stated on the website.

Each member of every selection panel shall (if possible) be trained in fair recruitment and selection processes, made aware of the contents of this Pupillage Policy. Each recruitment panel will seek to agree a standardised scoring procedure before the start of interviews. It is hoped that this will make the process as fair as possible.

Similar questions shall be posed to each candidate. Interviewees may be given a legal problem question 20 minutes prior to their interview. This may be discussed at the discretion of the interview panel and is intended to provide a level playing field. It also allows the panel to listen to the candidate and for the candidate to display individuality and originality.

5. FUNDING OF PUPILLAGE

Chambers is aware of the Pupillage Funding and Advertising Requirements 2003 issued by the Bar Council (Annex R to the Code of Conduct). The level of pupillage funding will be kept under annual review by Chambers.

5.1. Standard Pupillage Funding

The pupillage award for pupillages commencing in September 2020 is £60,000, of which £15,000 comprises a cash-flow guarantee. This means that: (i) we will pay you the full £60,000 during the course of your pupillage (adjusted if necessary to take into account early drawdown – see below); but (ii) from receipts in respect of work carried out during the 2nd six months of pupillage (whenever received), you will be obliged to repay Chambers up to £15,000. In recent years, our 2nd six pupils have earned in excess of that figure. Chambers does not charge pupils rent on 2nd six receipts.

At Chambers' sole discretion, up to £20,000 of your pupillage award may be drawn down in the twelve months prior to commencement of pupillage. In the event that (for whatever reason) you do not commence your pupillage on the agreed start date, any sums drawn down in accordance with this clause are automatically repayable by you to us.

3rd six pupils are not funded by Chambers and 3rd six pupils' billings attract Chambers expenses at 11%.

5.2. Travelling Expenses

The pupillage funding is intended to include a sum sufficient to cover all of the pupil's travelling expenses when accompanying their pupil supervisor or other members of Chambers to and from court and conferences.

Where work is undertaken outside of London, the clerks will endeavour to ensure that fees payable for pupils undertaking work in their own right will include a reasonable sum for travelling costs,.

5.3. Compulsory Courses and Professional Development

Chambers will meet the cost of pupils attending compulsory courses which must be undertaken during the pupillage year.

While not required to be completed during pupillage, Chambers will encourage and pay for its pupils to undertake the Forensic Accounting Course during the 1st Six months so as to avoid the pupil losing earning potential in the 2nd Six or early years of practice when completing the course.

In addition, Chambers will pay for its 12-month pupils to attend the Chancery Bar Association annual conference.

6. PATTERN OF PUPILLAGE

6.1. Pupil Supervisors

All 12-month pupillages are general Chancery pupillages. During the course of each six months, the pupil will, where possible, spend three months with two different pupil supervisors depending on the availability of pupil supervisors.

6.2. General Induction

At the commencement of pupillage, all pupils will receive an induction to Chambers given by a junior within five years of call. The induction will include introducing the pupil to members of Chambers, administrative staff and the facilities of Chambers. A copy of the Pupillage Policy will also be provided (if the pupil has not already been provided with one).

In addition, during the first week in Chambers and at the start of each three-month period of the pupillage, we will arrange a meeting for our pupil(s) with the HoP to answer any further queries and to ensure that pupillage has begun or is running smoothly.

6.3. Work of the Pupil

As a pupil in Chambers, you will be required at all times:

- (a) To carry out and complete in a timely and diligent fashion any written or other work assigned to you by your pupil supervisor(s), the clerks or other members of Chambers.
- (b) To comply with our rules, policies and procedures in force from time to time.
- (c) To comply with the rules and requirements of the Code of Conduct of the Bar of England and Wales, the Bar Standards Board Handbook and the Bar Training Regulations (taking into account any amendment, extension, or re-enactment of the same).

You may be required to undertake other duties from time to time as we may reasonably require and examples of typical duties are at Schedule A hereto.

Generally, pupils will shadow and assist their pupil supervisors and any other members of Chambers with the express approval of their pupil supervisor. Pupils will also attend Court in their own right in the 2nd six at the discretion, and under the supervision, of their pupil supervisor.

During the course of pupillage, pupils will be moved to different rooms to ensure that they get to know as wide a range of members of Chambers as possible and pupils are also encouraged to do work for all members of Chambers. At least one 3-month period will be in Chambers' annex.

6.4. Hours of Work

A pupil's hours of work are not fixed and, consistently with practice as a self-employed barrister, you will be expected to dedicate such time to your work as the task demands. The hours of your pupillage will also vary according to the habits of your pupil supervisor, who will inform you of the hours that he or she expects for you to be in Chambers. However, typical hours might be between 08.45 and 18.15.

If your actual hours are unusually long as a result of the proper performance of your duties, no remuneration in addition to your pupillage award will be paid. Selborne Chambers however aims for its members, pupils and staff to maintain a healthy work/life balance and to achieve a family-friendly working environment.

6.5. Holidays

Under the Working Time Regulations, pupils are entitled to two weeks' holiday in each six months as of right. In addition you are entitled to take the usual public holidays in England and Wales. Chambers' funding continues during these periods of holiday. Any additional holiday period is entirely at the discretion of Chambers and must be discussed and approved in advance with the pupil supervisor and the Senior Clerk and will necessitate (pursuant to Bar Standards Board Regulations) prior approval from the Bar Standards Board to extend pupillage for that period.

You shall give at least 3 weeks' notice of any proposed holiday dates and these must be agreed by your pupil supervisor at the time. We may require you to take holiday on specific days as notified to you.

Unauthorised and unexplained absence by the pupil will be considered misconduct on the pupil's part, thus rendering the pupil liable to repay any pupillage award paid to date.

6.6. Chancery and Property Bar Associations

Chambers expects its pupils to attend lectures and seminars offered by the Chancery and Property Bar Associations. Often these are held outside normal working hours. Attendance is seen as important for the professional development of pupils and assists our pupils in meeting members of other chambers who work in our fields of practice.

7. OBLIGATIONS OF PUPIL SUPERVISORS

The pupil supervisor will treat pupils with courtesy and respect at all times and ensure that other members of Chambers and administrative staff do likewise.

7.1. Obligations at the start of Pupillage

At the start of any pupillage in Chambers (1st, 2nd or 3rd six), the pupil supervisor will (so far as reasonably practicable):

- (a) Ensure that the pupil has been introduced to other members of Chambers, the clerks and our facilities.
- (b) Provide the pupil with suitable working conditions, including a desk to work from and a place for storage of books etc.
- (c) Ensure that the pupil has internet and email connections through Chambers' server.
- (d) Advise on Chambers' grievance procedure and be available as a first point of contact for the pupil.
- (e) Explain their work practices and patterns.

7.2. Obligations during Pupillage

During Pupillage, the pupil supervisor will (so far as reasonably practicable):

- (a) Identify with the pupil the various checklists that need to be complied with for successful completion of the pupillage;
- (b) Ensure that the pupil is exposed to and adequately instructed in the conduct of all matters and procedures set out in the Pupillage Checklist;
- (c) Allow the pupil to read their papers (except where confidentiality issues arise), pleadings and documents and be prepared to discuss them;
- (d) Arrange for pupils to have contact with and do work for other members of Chambers;
- (e) Ensure that the pupil can observe them and other members of Chambers in Court;
- (f) Guide the pupil in respect of the Code of Conduct and etiquette at the Bar, including dress code;
- (g) Answer questions and give guidance to pupils when appropriate;
- (h) Endeavour to restrict the performance of administrative duties by the pupil to a reasonable minimum;
- (i) Ensure that the Chambers' policy is being complied with, in particular the pupillage funding requirements.
- (j) Be a primary port of call for the pupil's grievances.

7.3 Assessment and records

In order to ensure that our pupil(s) gain the best learning experience during pupillage, the pupillage supervisor will (so far as reasonably practicable):

- (a) Provide constructive feedback on written and other work completed by the pupil on an ad hoc basis. This will involve sitting down with the pupil to discuss a piece of work
- (b) Formally assess the pupil at the end of each three months of pupillage and meet with the pupil to discuss successes and opportunity areas. In order to do so, pupil supervisors may complete a standard Pupillage Appraisal Form in the form annexed.

7.4. Obligations in respect of a pupil's own work in 2nd and 3rd Six

When a pupil is undertaking work on his/her own account, the pupil supervisor will (so far as reasonably practicable):

- (a) Supervise and help the pupil in matters in which they have been instructed/briefed.
- (b) Advise the pupil on practical matters such as VAT and Data Protection registration, working with the clerks, fee collection, devilling, client care procedures and continuing expectations of pupil supervisor's work.

7.5. Obligations towards and at the end of Pupillage

At the end of pupillage, the pupil supervisor will (so far as reasonably practicable):

- (a) Advise on the tenancy prospects at Chambers.
- (b) Where appropriate, offer career guidance.
- (c) Sign the requisite Certificates at the end of the period of pupillage (assuming that it is proper so to do).

8. DISTRIBUTION OF WORK IN 2ND SIX

Chambers considers it of crucial importance that its pupils do as much work in their own right during their 2nd Six as possible. We believe this is one of the best ways for a pupil to develop practice skills quickly (advocacy, client handling skills, drafting orders, preparing skeletons, time management) while under the watchful eye of a pupil supervisor.

8.1. Allocation of Work

During 2nd (and 3rd) Six, work will be distributed to pupils with the following in mind:

- (a) The availability of work.
- (b) The pupil's perceived ability and progress having regard to feedback from members of Chambers (whose cases a pupil may have covered) and solicitors.
- (c) Any specific views of a pupil supervisor and the clerks.
- (d) Chambers' Fair Distribution of Work Policy (available on request).

Assessment of a pupil's readiness to conduct different types of hearing is the sole responsibility and remit of the Senior Clerk. We believe that he is best placed and best informed to be able to make this assessment, in liaison with pupil supervisors.

8.2. Two or more pupils

The clerks will have regard to Chambers' Fair Distribution to Work policy in the allocation of work. They will, so far as possible, endeavour that work available for pupils is distributed evenly among them.

9. CHECK-LISTS

Chambers considers the Chancery Bar checklist to provide important skills guidance for all pupils undertaking pupillage in Chambers. It is recommended that pupils complete such part of the checklist as they are able, every 3 months at the end of their time sitting with each supervisor.

Pupils will not be certified as having completed their pupillage until the list has been finally discussed, signed and handed to their Pupil Supervisor. In addition, the submission of signed and completed checklists is a compulsory part of any tenancy application the pupil may make to these Chambers.

10. ADVOCACY TRAINING

During pupillage advocacy training is paramount. We expect our pupils to take part in any advocacy training offered by their Inn. Chambers will allow the pupil time to prepare for any advocacy courses so as to ensure that he/she gains the most from the experience.

Additionally, during the 1st six months our pupils will undertake in-house advocacy training in order to prepare them for the types of hearing that are commonly encountered in 2nd Six and the early years of practice at the Chancery Bar.

11. MENTORING

Each pupil will be provided with a mentor who is a member of Chambers. The purpose of the mentor is to enable pupils to discuss openly and in confidence any matters about which they may feel unable or uneasy to discuss with their pupil supervisor or other members of Chambers.

12. RECRUITMENT OF JUNIOR TENANTS

Selborne Chambers recruits its 12-month pupils with a view to finding exceptional junior tenants for the future. However, it does not guarantee a tenancy at the conclusion of pupillages and neither are pupils required to apply for tenancy vacancy that is made available.

12.1. Date for Tenancy Decisions

Chambers appreciates that in the event that it chooses not to recruit a pupil to junior tenancy, that pupil needs as much time as possible to apply for 3rd Six pupillages and tenancy vacancies in other sets. With this in mind, we intend to make our recruitment decision by July in the year of the pupillage. We hope that this will provide the pupil with ample time to apply to other sets before the summer vacation. We believe that this coordinates our decision making with that in other Chancery Chambers.

Junior tenancies are awarded on an equal and non-discriminatory basis in accordance with the Bar Standard Board's Equality Code. Junior tenancies are offered according to merit and the availability of work.

12.2 Application Process: Internal Candidates

In the event that Chambers considers that there is a vacancy for a junior tenancy, a formal application for tenancy will be invited from the pupil(s) by a date set by Chambers.

Each application for a tenancy will be considered on its merits by Chambers as a whole. In the event that there is not unanimity amongst Chambers in relation to a pupil's application for tenancy, Chambers may call a general meeting for further discussion. Chambers' decision on an application for tenancy will be made as soon as reasonably possible.

12.3 Application Process: External Candidates

In the event that Chambers considers it necessary, any vacancy for a junior tenancy may be advertised and applications from external candidates invited. The same principles and criteria that apply to internal candidates will apply to external candidates.

12.4 Successful Candidates

An offer of tenancy shall be subject to the pupil obtaining a full practising certificate.

13. HOLDING OVER AFTER PUPILLAGE

If a pupil fails to obtain a tenancy or 3rd six-month pupillage, they will be able to complete pupillage in Chambers. Member of Chambers will assist (as best as they are able) the pupil to secure a place in other chambers. The pupil will be afforded full and unrestricted

access to all Chambers' facilities (including clerking facilities) without discrimination during that period.

At the absolute discretion of Chambers, a pupil may be able to squat for up to 4 weeks after the completion of a 12-month or 3rd six pupillage. Squatters will be expected to arrange their own professional insurance and Data Protection registration and continue to pay a contribution to Chambers' expenses.

14. GRIEVANCES

Chambers' Complaints Procedure applies to pupils. At first instance, however, a pupil is encouraged to informally voice any concern they may have with another member of Chambers, such as a supervisor or the Head of Pupillage.

15. CONFIDENTIAL INFORMATION

You shall not use or disclose to any person either during or at any time after your pupillage any confidential information about the business or affairs of Chambers, or about any other matters which may come to your knowledge in the course of your pupillage.

This restriction does not apply to use or disclosure that has been authorised by Chambers or is required by law.

16. CHAMBERS' PROPERTY

All documents, manuals, hardware and software and door keys, provided for your use by Chambers, and any data (including passwords) or documents (including copies) produced, maintained or stored on Chambers' computer systems or other electronic equipment (including mobile phones), remain the property of Chambers.

Any Chambers' property in your possession and any original or copy documents obtained by you in the course of your pupillage shall be returned to us at any time on request.

17. TERMINATION

We shall be entitled to terminate your pupillage at any time without notice if you commit a serious breach (or repeated breaches) of the pupil's duties referred to in Clause 6.3 above.

In the event that a pupillage is determined by Selborne Chambers, no pupillage award will be payable after the date of termination. This will be calculated on a pro-rata basis and may include the pupil returning to Chambers a proportion of any sum paid to him/her during the Bar Vocational year. In the case of termination as a result of a serious breach of the duties referred to in Clause 6.3 above, the whole Award will be repayable.

18. CHANGES TO YOUR TERMS OF YOUR PUPILLAGE

We reserve the right to make reasonable changes to any of your terms of your pupillage. You will be notified in writing of any change as soon as possible and in any event within one month of the change.

TYPICAL PUPIL DUTIES

- Provide Chambers with up-to-date contact details at all times;
- Attend Chambers during pupillage hours and be available on the telephone from 8.30am;
- Provide a laptop computer (or a desk-top, if appropriate) for the pupil's own use on which to prepare written work/ access emails etc;
- Accompany his/her pupil supervisor to court and conferences and become involved in the preparation and presentation of documents and cases;
- Attend court in good time and maintain regular contact with Chambers;
- Conduct themselves appropriately in court, conference and around Chambers generally;
- Keep a detailed note of hearings and conferences;
- Undertake written work and research at the suggestion of the pupil supervisor;
- Maintain client confidentiality and general discretion throughout pupillage;
- Be available for work during a 2nd Six-month pupillage;
- Occasionally perform administrative duties, including photocopying;
- Complete the necessary checklists and maintain pupillage file;
- Attend compulsory courses and any other course or conference deemed important by Chambers for professional development;
- Assist in maintaining Chambers' library and keep the library area in a tidy condition.

PUPIL APPRAISAL FORM

We need your feedback about the work the pupil has done for you since arriving in Chambers. Please take the time to provide feedback on any work that the pupil has done for you to date. It should not take very long. Please complete one of these forms for each significant piece of work that the pupil does for you and return it to the Head of Pupillage.

PUPIL: _____

BARRISTER: _____

BRIEF DESCRIPTION OF WORK (e.g. Advice, Statement of Case, Legal Research)

1. LEGAL RESEARCH SKILLS AND LEGAL ANALYSIS

(e.g. the thoroughness of the legal research carried out by the pupil, and/or his/her legal analysis.)

2. STRUCTURING OF ARGUMENTS

3. WRITTEN / ORAL POWERS OF EXPRESSION
(e.g. precision, persuasiveness, conciseness, and command of good English.)

4. CLIENT HANDLING

5. WHAT DID THE PUPIL DO BEST?

6. WHAT NEEDS IMPROVEMENT?

7. GENERAL COMMENTS

SIGNED:

DATED:

selborne
CHAMBERS