

PUPILLAGE POLICY

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1 Recruitment

1.1 General information

1.1.1 St Pauls Chambers is committed to:

1.1.1.1 Advertising all pupillage vacancies in accordance with:

a) the requirements as to equality and diversity, stipulated in the Code of Conduct (rC110 to rC112) contained within Part 2 (the “Code of Conduct”) of the BSB Handbook (the “BSB Handbook”); and

b) the requirements and guidance as to advertising, as set out and referred to in Part 4C of the BSB Bar Qualification Manual.

1.1.1.2 considering all applications for pupillage fairly;

1.1.1.3 establishing and following well-defined selection procedures;

1.1.1.4 ensuring that all pupils are funded in accordance with the Pupillage Funding Rules set out in the Code of Conduct (rC113 to rC118);

1.1.1.5 following a written training programme;

1.1.1.6 ensuring that such work as is available during pupillage is distributed fairly between all pupils; and

1.1.1.7 not discriminating against any pupil or applicant for pupillage on grounds of race, colour, ethnic or national origin, nationality, citizenship, sex, gender reassignment, disability, marital or civil partnership status, sexual orientation, religion or belief, age, pregnancy or maternity, or political

persuasion. Chambers has appointed an Equality and Diversity Officer, and has in place a written Equality and Diversity Policy, together with a written implementation plan, setting out the policy adopted by Chambers in relation to the equality and diversity requirements contained within the Code of Conduct.

1.2 Pupillages offered

1.2.1 Up to two 12-month pupillages will be offered in each year. The number of pupillages on offer each year is to be determined by recommendation of the Pupillage Committee. The Head of Chambers must approve the recommendation, which will be communicated to applications in the advertisement placed on the Pupillage Gateway.

1.2.2 Third six pupillages arise rarely at St Pauls Chambers. Third six pupillages fall outside the Pupillage Gateway scheme. St Pauls Chambers will follow the Bar Council's Best Practice Guidelines in respect of any third six pupillage. Any opportunities will be advertised on the St Pauls Chambers website and on the Bar Council's third six vacancies page. The selection procedures and criteria are likely to be similar to those adopted for Pupillage Gateway candidates and will be indicated in the relevant advertisement.

1.2.3 St Pauls Chambers does not offer sponsored or unfunded pupillages.

1.3 The Pupillage Committee

1.3.1 The Pupillage Committee will be made up of at least seven members of Chambers (appointed by the Management Committee).

1.3.2 The Pupillage Committee will be diverse and will represent a range of seniority and include at least one member of each gender. The members of the Pupillage Committee will be listed on the St Pauls Chambers website.

1.3.3 The Pupillage Committee is responsible for all aspects of the recruitment of pupils to St Pauls Chambers and the pastoral care, support and training of the pupils during their pupillage. In particular, the Pupillage Committee will be responsible for:

- (1) making recommendations to the Management Committee about the number of pupillages to be offered each year;
- (2) advertising the pupillages offered at least (a) on the St Pauls Chambers Website; and (b) via the Pupillage Gateway;
- (3) registering the available pupillages with the Pupillage Gateway;
- (4) arranging and conducting the recruitment process in accordance with this policy

1.4 Applications

1.4.1 St Pauls Chambers is a member of the Pupillage Gateway. All applications to St Pauls Chambers for 12-month pupillages must be made via the Pupillage Gateway. Applicants are advised to consult the Pupillage Gateway website for full details of the scheme and the pupillage(s) on offer from year to year. It is the responsibility of any applicant to ensure that his/her application complies with all relevant rules and deadlines.

1.5 The Recruitment of Pupils

1.5.1 St Pauls Chambers seeks to ensure that the selection procedure for pupils works in as fair, transparent, informed and objective a way as possible. St Pauls Chambers recruits its pupils through fair and open competition on the basis of merit.

1.6 Selection criteria

1.6.1 Selection decisions and criteria will be taken by the Pupillage Committee as a whole.

1.6.2 Candidates for pupillage will be assessed on their ability to demonstrate the following skills and competencies (whether on their application form and/or during the recruitment process):

(1) Academic and intellectual ability

All barristers must possess a very high intellectual ability. Principally, applicants will demonstrate this by their historic performance in academic study. In addition, applicants should demonstrate intellectual rigour, having the ability to grasp complex information and identify the key issues quickly and effectively.

(2) Advocacy, analytical and communication skills

This competency may be demonstrated or supported by a candidate's previous relevant experience or achievement, including in activities such as mooting, debating, public speaking and written work, and in any relevant work experience (legal or otherwise). During the selection process, applicants should be articulate, clear and cogent. They should be able to present and develop a line of argument, and to respond appropriately when questioned or challenged. Applicants should demonstrate the ability to present information in a structured way that is coherent, clear, relevant and intelligible by different audiences.

Candidates should be able to absorb details; perceive inadequacies, inconsistencies and inaccuracies in information presented to them; appreciate different perspectives; and develop new solutions. Applicants should be able to use intellectual ability appropriately and, where necessary, tempered by common sense and pragmatism, to form sensible and pragmatic judgements on and solutions to issues presented to them.

(3) Potential as a barrister at St Pauls Chambers

Applicants should demonstrate that they have acquired skills and knowledge relevant to St Pauls Chamber's specialist practice areas through study and/or experience. Recognising that applicants may have had a limited opportunity to acquire such skills and/or knowledge, applicants can satisfy this competence if they demonstrate an ability and interest in acquiring these skills. Applicants should demonstrate a strong motivation and the necessary dedication and determination to succeed in a career at the Bar, and the ability to use knowledge appropriately and effectively. In so far as possible, applicants should ensure that on their application forms they have provided evidence that they possess the qualities of independence, integrity and reliability, all of which are essential for a career as a barrister.

2 Pupillage

2.1 Roles and duties of Pupil Supervisors

2.1.1 The formal obligations and functions of pupil supervisors are summarised in rules Part 4B of the Bar Qualification Manual. St Pauls Chambers is committed to ensuring that our pupil supervisors comply with these responsibilities.

2.1.2 Pupil supervisors are practising members of St Pauls Chambers:

- a) who have received appropriate training;
- b) whose practice is and has been their primary occupation for at least the last two years;
- c) whose principle place of work is at St Pauls Chambers

2.1.3 Pupil Supervisors may only supervise one pupil at a time unless they have the permission of the BSB.

2.1.4 Pupil supervisors will be familiar with the current version of the following BSB documents and the relevant regulatory requirements:

- (1) The BSB Handbook
- (2) The Bar Qualification Manual
- (3) The Authorisation Framework and supporting guidance for pupillage
- (4) The Professional Statement, Threshold Standard and Competences
- (5) The Curriculum and Assessment Strategy

They will:

- (1) be familiar with and able to apply the Equality and Diversity Rules of the Code of Conduct and the Equality Act;
- (2) understand the BSB's administrative procedures for registering pupillage, applying for the Provisional Practising Certificate and Full Practising Certificate;
- (3) understand the role of pupil supervisor; and
- (4) be familiar with St Pauls Chambers' Training Programme, policies, procedures and documentation in relation to pupillage.

2.1.5 Pupil supervisors will satisfy themselves that all reasonable steps are taken to ensure that no pupil is discriminated against, or harassed, on the grounds of race, colour, ethnic or national origin, nationality, citizenship, sex, sexual orientation, gender reassignment, pregnancy or maternity, marital or civil partnership status, disability, religion or belief, age or political persuasion.

2.1.6 During the second-six months, the pupil supervisors will review the distribution of work to pupils to ensure that the pupils are given a fair and equal access to all opportunities that are offered to pupils during pupillage. Prompt remedial action will be taken where required. If the pupil feels that s/he is not being offered equal access to opportunities s/he should raise the issue in accordance with the procedure set out at paragraph 2.11.

2.2 Before Starting Pupillage

2.2.1 A letter will be sent to pupils (at the latest during the month of September of the year they are starting) with St Pauls Chamber's Written Pupillage Agreement notifying them of details of their pupillage including the date their pupillage will start and an outline of what they can expect on their first day.

2.2.2 The Written Pupillage Agreement contains details of St Pauls Chamber's policies applicable to the pupil, and St Pauls Chamber's written Training Programme. The Written Pupillage Agreement must be agreed and signed prior to commencement of the pupillage. Each pupil must register his/her pupillage with the BSB in accordance with the BSB Handbook, before the pupillage commences.

2.3 The First Day

2.3.1 On a pupil's first day his or her first pupil supervisor will have an introductory talk with him or her about practice and pupillage generally. The supervisor will also introduce the pupil to the clerks and staff and other people at St Pauls Chambers who are associated with pupillage. There will be an opportunity to discuss what is expected of a pupil during pupillage

2.4 Structure

2.4.1 The appointed Pupil Supervisor has the duty of overall supervision of a pupil during their pupillage, however the pupil can also expect to work with other Members of Chambers of varying seniority, specialism and gender.

2.4.2 The Pupil Supervisor will be responsible for encouraging the pupil to undertake work for other Members of Chambers, and any requests to do so will be made through the Pupil Supervisor.

2.4.3 During the first six months pupils will assist their Pupil Supervisor, and other Members of Chambers where required, with the preparation of court work, conferences and general research.

2.4.4 During the second six months of pupillage, the pupil will conduct their own work (with assistance from the pupil supervisor where necessary).

2.4.5 If the pupil is not doing their own work, they will be expected to accompany their Pupil Supervisor or other Members of Chambers.

2.5 Pupillage Award and Travel Expenses

2.5.1 The pupillage award will be made up of two parts: an award payable in the first six months, guaranteed earnings in the second six months.

2.5.2 The pupillage award will be determined each by the Pupillage Committee, in consultation with the Finance Committee and the Head of Chambers. The award will be advertised at the time of publication of the Pupillage Gateway.

2.5.3 The pupillage award will be paid as follows:

2.5.3.1 In the month prior to pupillage commencing a proportion of the overall award will be payable.

2.5.3.2 In the first six months, the pupillage award is to be paid on the last working day of each month.

2.5.3.3 In the second six months, in the event that the pupil does not receive fees totalling the guaranteed earnings, Chambers will pay the shortfall to ensure the pupil receives the guaranteed earnings. Any such additional payment to be made by Chambers is to be paid in the week following the completion of a full month's work (i.e. if the pupil begins work on 2nd October, the guaranteed earnings will be payable in the week following 2nd November).

2.5.4 Pupils retain any earnings received during their practicing second six without any deductions for Chambers contributions.

2.5.5 If any pupil is experiencing financial hardship, then s/he can ask the Head of the Pupillage Committee for an advance of any instalment of the pupillage award (including before starting pupillage).

2.5.6 St Pauls Chambers will meet the cost of all travel expenses incurred by the pupil in the first six months.

2.6 Normal Hours and Holidays

2.6.1 During the first six months of pupillage, the pupil is generally expected to work between the hours of 8.30am and 5.30pm. Such timings are subject to the expectations of the supervisor. Since barristers do not work fixed hours, the pattern of the working day is something which each pupil should discuss and agree with his or her pupil supervisor.

2.6.2 Each pupil will be allowed and is expected to take two weeks (i.e. 10 working days) holiday per 6-month period ("Holiday Entitlement"). This figure does not include statutory holidays or any other periods where:

- a) St Pauls Chambers is closed
- b) The pupil's supervisor (or, if unavailable, the Head of the Pupillage Committee) has given his/her prior permission; pr
- c) The pupil is unable to work as a result of illness

2.6.3 St Pauls Chambers is flexible about the timing of holidays, but this is something that a pupil should discuss with his or her pupil supervisor to see if there are any particular periods (such as when the pupil supervisor will be involved in a trial which may be of particular interest) when it would be desirable for the pupil not to be away from Chambers. The pupil must agree in advance with

his/her supervisor the dates on which s/he intends to take any period of Holiday Entitlement.

- 2.6.4 Consistent with St Pauls Chamber's commitment to equality and diversity, we encourage and support any request for modifications to a pupil's working arrangements to accommodate any particular needs or issues that a pupil might have.

2.7 Confidentiality

- 2.7.1 It is essential that all confidential documentation and information to which a pupil has access during the course of his/her pupillage is respected and protected. Each pupil has an obligation to ensure that s/he does nothing to compromise the confidentiality of that information (save as s/he is required to do so by law). **In particular, pupils must not remove any papers or other confidential material from St Pauls Chambers (for example to work at home) without the express permission of their supervisor and/or any other member of St Pauls Chambers for whom they are doing the work concerned.** In addition, and of particular relevance to pupils:

- 2.7.1.1 If they are given confidential documents to take down to court or to a conference they must protect and maintain the confidentiality of those documents, which includes not reading those documents in circumstances where they could be overseen by other persons (which includes on public transport in particular), and **pupils must not leave the papers unattended in any circumstances.**

- 2.7.2 These confidentiality obligations and requirements also extend to all emails and electronically stored and processed information. Pupils must ensure that

they comply with St Pauls Chamber's Members IT equipment policy and GDPR Policy.

2.7.3 Any breach of confidentiality by a pupil during pupillage is likely to lead to termination of the pupillage by St Pauls Chambers. The obligations of confidence set out in this section extend beyond the end of the pupil's pupillage.

2.8 Anti-harassment policy

2.8.1 St Pauls Chambers is committed to ensuring that Chambers is an environment free from all forms of harassment and bullying. St Pauls Chambers complies with the Equality Act 2010 and has instituted an Anti-Harassment Policy in accordance the requirements of the BSB Handbook.

2.8.2 **St Pauls Chambers does not tolerate any form of harassment or bullying, whether in the form of sexual harassment or any other form of discrimination.** Pupils will be provided with a copy of St Pauls Chambers Anti-Harassment Policy at the outset of their pupillage and should make themselves familiar with the provisions set out within that document.

2.9 Compulsory Courses

2.9.1 The pupil supervisor will ensure that the pupil has sufficient time to attend and prepare for all such training courses s/he is required to attend during pupillage. If the pupil does not pass any of these courses and the pupil supervisor is informed of the problems with the pupil's performance, s/he will encourage the pupil to retake the course and, where possible, will, in conjunction with the Pupillage and/or Recruitment Committees, identify and provide such extra support as is needed.

2.9.2 St Pauls Chambers will meet the cost of one sitting of any compulsory examination that the pupil is required to take. The pupil must meet the costs of any repeat sitting of the same examination.

2.10 Monitoring, Feedback and Assessment during Pupillage

2.10.1 St Pauls Chambers has the following procedures for providing pupils with an objective assessment of their progress at regular intervals throughout pupillage:

2.10.1.1 Pupil supervisors will review and discuss his/her pupil's work with them, and provide feedback about progress to their pupil on a regular basis.

2.10.1.2 Where it deems it appropriate and/or necessary, the Pupillage Committee will set assessed exercises for the pupils ("the formal assessments"), as follows:

- a) In the first six, a piece of written work
- b) In the first six, up to three advocacy exercises
- c) In the second six, up to two advocacy exercises

2.10.1.3 The Pupillage Committee will:

- a) at regular intervals (and at least once in each six-month period), ask all pupil supervisors to report in writing on their pupils' work to date; and
- b) prior to making any decision regarding tenancy, ask all members of St Pauls Chambers to provide observations on any work done by the pupils for that member of St Pauls Chambers.

2.10.2 The pupil's supervisor will, at the end of the non-practising period of pupillage and at the end of the practising period of pupillage, consider the Professional Statement Threshold Standard and Competences, discuss the same with the pupil and consult with any prior pupil supervisor in order to assess the pupil's performance against the competences in the Professional Statement.

2.10.3 If the pupil supervisor is satisfied that it is appropriate to do so the pupil supervisor will then complete the appropriate BSB Certificate of Satisfactory Completion. At the end of the practising period that will include the pupil supervisor's declaration that the pupil has met the requirements specified in the Professional Statement and meets the Threshold Standard.

2.11 Support during Pupillage and Complaints Procedure

2.11.1 The well-being and pastoral care of pupils during pupillage will be the responsibility of the Pupillage Committee together with the Wellbeing Committee. A member of the Pupillage Committee will aim to have at least one meeting with the pupil(s) during each period of six months to provide support and guidance and to help with any problems. A pupil should always raise any issues of concern during pupillage with his/her pupil supervisor and/or the Pupillage Committee.

2.11.2 If a pupil has a complaint about pupillage and/or his/her pupil supervisor, which cannot be resolved through discussion with the pupil supervisor, then the complaint should be referred to the Head of the Pupillage Committee, or if s/he is not available, one of the other members of the Committee.

2.11.3 Further detail about how to raise a complaint or grievance, whether arising from pupillage or more generally, is set out in St Paul's Chambers Complaints

and Grievance Policy, a copy of which will be provided to each pupil at the commencement of pupillage.

2.12 Offer of Tenancy

2.12.1 The members of St Pauls Chambers will consider the recommendation of the Pupillage Committee and decide, in accordance with St Pauls Chamber's Constitution, whether the relevant pupil should be offered a tenancy. We aim to take this decision in around June each year.

2.12.2 If it is clear that a pupil will not be invited to remain in St Pauls Chambers at the end of the pupillage, s/he will be informed of this as soon as possible so that s/he can begin to make alternative arrangements.

2.12.3 We will offer reasonable assistance to any pupil who is not considered a suitable candidate for tenancy (for example by offering advice on third six pupillages and other legal career opportunities, and by providing references etc.).