

## **PUPILLAGE POLICY**

### **INTRODUCTION**

For many years the reputation of Bank House Chambers (Chambers) has been maintained and enhanced through the high calibre of new tenants who have successfully completed their pupillage within Chambers.

To continue this progress requires the selection of pupils who can demonstrate the necessary aptitude and potential for a successful career at the Bar. Bank House Chambers are committed to providing the best possible training to develop the skills, knowledge, integrity and experience to achieve this.

Whilst no guarantee can be given that a pupil will be offered tenancy upon completion of their pupillage, investment by Chambers, at an early stage, by ensuring a pupil is educated to the highest standard will only serve to enhance Chambers' standing in the future.

All applications for pupillage are considered solely on merit and in accordance with our policies protecting equality, diversity and the highest standards of propriety.

### **OBLIGATIONS AND TERMS**

1. Chambers' is Bank House Chambers based at Old Bank House, 3 Hartshead, Sheffield S1 2EL (see Chambers' website for details: [www.bankhousechambers.co.uk](http://www.bankhousechambers.co.uk)).
2. Bank House Chambers is committed to Fair Recruitment and selection including equality and diversity.
3. We look to recruit pupils that will carry forward our core values of excellence, service and integrity.
4. Bank House Chambers administers pupillage in accordance with the requirements of the Bar Standards Board Handbook, the Bar Qualification Manual, and the Equality & Diversity Rules.
5. Bank House Chambers seeks to select and recruit pupils fairly. Chambers seeks to ensure the following:
  - a. upholding our Equality & Diversity policy;
  - b. a well-defined selection procedure;
  - c. all pupils are funded in accordance with the Bar Qualification Manual;
  - d. a training programme based upon the Professional Statement for Barristers;
  - e. the fair distribution of work between pupils;
  - f. complying with pupillage monitoring requirements.
6. Chambers offers pupillage or work-based component – learning to be a barrister 'on the job'.
7. Chambers aims to offer *up to* two twelve-month pupillages per year.
8. All pupillages at Bank House Chambers are advertised in accordance with the bar standards board requirement on the pupillage Gateway.
9. In accordance with the Bar Qualification Manual, pupillage provides work-based training in legal work under supervision. Pupils build on prior learning and experience, as set out in the

BSB's **Curriculum and Assessment Strategy**, in order to demonstrate (as a minimum) the competences to the threshold standard in the **Professional Statement**.

10. Pupillage is an essential component of training for the Bar. You must complete this component of training in order to be authorised to practise as a barrister.
11. The primary purpose of pupillage is for pupils to develop and build on the knowledge, skills and experience previously acquired and to gain first-hand experience in a work-based environment.
12. Pupillage is divided into a non-practising period and a practising period.
13. The normal duration of pupillage is 12 months.
14. Our Pupillage is designed to allow our Pupils to exceed the requirements of the threshold Standard and Competences contained in the Professional Statement for Barrister.
15. We aim for our pupils to have achieved a thorough understanding of all of the competences within the Professional Statement as set out in the Professional Statement for Barristers. This can be found on the BSB website.
16. In summary the competences include:
  - a. Barristers distinctive characteristics, including legal knowledge, skills attributes;
  - b. Practical knowledge skills and attributes;
  - c. Advocacy – written and oral, Professional standards;
  - d. Personal Values and Characteristics, including behaviours;
  - e. Working with others including those at work and lay individuals;
  - f. Management of Practice, personally and at work; and
  - g. professional compliance work.
17. Chambers offers pupillage awards in line with the bar standards board, the minimum amount currently £18,884 per annum.
18. The pupillage award is made up of:
  - a. "First six Award"
  - b. Guaranteed earnings in the second six
19. The First Six Award is half of the pupillage award paid during the non-practising period of pupillage ("first six") in six equal monthly payments (the specified amount). That amount is £1,574 per month. These sums will be paid on the last working day of the month.
20. For the avoidance of doubt, during the non-practising / first six months of pupillage the pupil will receive a total First Six Award of £9,442, but paid in six instalments.
21. Travelling Expenses in first six period. In addition, pupils will also be reimbursed for reasonable travel expenses incurred during first six non-practising period when a pupil is not travelling into Chambers or travelling with their pupil supervisor.
22. During second six, our pupils are 'on their feet' and earning their own fees from their own work.
23. Chambers provides Guaranteed Earnings the in Second Six of a minimum monthly income of £1,574. This will be paid each month.
24. Expenses during second six. During this period, Chambers will also pay to our pupils such further sums as may be necessary to reimburse expenses incurred by them only on; i) Travel

- for the purposes of second six pupillage during that month, but *excluding* any expenses incurred for travel for purposes of practice as a barrister, i.e., for work for which pupils will receive fees and ii) Attendance during that month at courses which pupils are required to attend as part of their pupillage.
25. During the first six months / non practising pupillage, pupils are not charged any chambers rent or levy, nor are they required to contribute towards chambers' other administrative costs undertaken in the course of their pupillage.
  26. The pupillage award or remuneration during pupillage is paid to pupils in lieu of payment for any individual item of work.
  27. During the practising period of pupillage, ("second six" months) pupils may be required to pay chambers rent or levy at half (50%) of the full tenant levy on fees paid over and above the guaranteed earnings.
  28. The Pupillage Committee will have general responsibility for pupillage matters in Chambers.
  29. The Pupillage Committee will comprise of no fewer than four Members of Chambers.
  30. These will be: The Pupillage Officer (as defined below); A recruitment officer (for recruitment other than pupillage); The Equality and Diversity (E&D) Officer; A suitably qualified and trained Pupil Supervisor.
  31. The members of the Pupillage Committee are appointed by members of Chambers at a general meeting and reports to the Management Committee.
  32. The Head of Chambers will appoint one member of the Pupillage Committee to chair, and the chair will automatically become Chambers' Pupillage Officer.
  33. The Pupillage Officer will have responsibility for overseeing the Pupillage recruitment process.
  34. The Pupillage Committee's duties include: Recruitment of pupils and their induction into Chambers; Monitoring of pupils and the completion of checklists; and providing an annual report to the Management Committee.
  35. The responsibility for any individual pupil in Chambers is that of the pupil's supervisor.
  36. Where discussions or decisions are to take place concerning current pupils in Chambers, the relevant pupil supervisor shall provide a written or oral contribution or, when requested to do so by the Pupillage Committee, attend the relevant pupillage committee meeting or meetings, either in person or by video/telephone.
  37. The Senior Clerk will be invited to provide input and may be invited to attend Pupillage Committee meetings.
  38. The decisions of the Pupillage Committee are taken by simple majority vote. All members of the Committee and all members of Chambers involved in the selection panels will have read the Bar Council's Fair Recruitment Guide and attended any required training.
  39. Pupillage vacancies and the finance available are advertised on the Pupillage Gateway.
  40. The timetable for processing applications is included within any advertisements and will adhere to the mandatory BSB Pupillage Gateway timetable.

41. Applications being made from Chambers' website must be completed by way of the Pupillage Application Form.
42. All applications will be acknowledged within 28 days by Chambers, and applicants are informed of any decision taken upon their application as soon as is reasonably possible thereafter.
43. All applications will be considered by two members of Chambers (at least one of which shall be a member of the Pupillage Committee) who use the criteria set out in appendix A.5.1. The two members considering the same applications will form a 'selection pair'. Before the members begin this activity, they will attend a meeting with the Pupillage Officer to discuss the fair recruitment and selection guide and also the specific selection criteria to ensure that each member is able to apply the criteria consistently.
44. The members considering the applications will receive a copy of each of their allotted application forms with names, addresses, gender, ethnic origin and age details blanked over and a blank scoresheet to enable them to score the application against the pre-determined criteria as described above.
45. Each member of the selection pair scores each application independently of the other. Each selection pair will then meet to discuss and agree on their top scoring candidates by way of discussion around any differences in scoring. For the 2023 selection, the preliminary qualifying score to attain the next level is 11 out of a possible 15 points and so the selection pairs must discuss all applications where at least one of the member assessors has awarded 10 points.
46. The Pupillage Officer co-ordinates the scores from each selection pair and the determined number of applicants with the highest scores overall are taken to the next round.
47. Dependent on numbers, the next round will consist of one of the following approaches:
  - a. If there are 12 or less applicants achieving the qualifying score of 11 (preliminary view but will be no higher than 13), then all will be invited to interview;
  - b. If there are 13 or more applicants achieving the qualifying score the next round will be a paper exercise before then leading to a third and final stage of an interview.
48. Applicants will be notified that they are through to the next round and asked to confirm they have received that notification within a set time period to be confirmed once the timetable is set (but to be at least 48 hours).
49. Following the expiration of the notification period above, each applicant will be asked by email to answer at least 1 but no more than 2 further written questions (see appendix A.5.2 for question options and scoring– all candidates will be asked the same question(s)). The decision on whether it is 1 or 2 questions will rest with the pupillage officer and will be based on number of qualifying applications.
50. Each applicant will be asked to email their answers to Chambers within a set deadline. The deadline will be set to allow times for the next round but will be at least 48 hours and no longer than 7 days.
51. The scores for this round will be added to the scores from the first round (sifting) and the total scores will then be considered to enable the applicants with the highest scores (at least 8) to progress to the interview stage. The interview panel must consist of at least 3 members of Chambers, all of which will have read the Bar Council Fair Recruitment Guide and the additional Diversity in recruitment information supplied by the Pupillage Officer.
52. The Pupillage Officer will appoint the interviewing panel from the Members of Chambers who will interview all the applicants in any one year (unless there are exceptional unforeseen circumstances).

53. Each member of the interviewing panel is provided in advance with a copy of each application form (and any submissions from the paper exercise, where appropriate) along with the Pupillage Interview Score Sheet at Appendix A.5.3.
54. Applicants will be notified of the names of the interview panel and other information as set out at the top of A.5.3. There will be flexibility as to date/time interviews are being carried out to ensure that applicants from diverse backgrounds can attend and that final exams are taken into consideration, to reduce the inevitable stress and pressures on applicants – this may include weekend, evening or early morning interviews.
55. The interviewing panel will discuss and agree the interview format, including allocation of questions. They will also discuss the guideline for scoring as set out in A.5.3 before the round of interviews begin.
56. Interviewees will be asked to prepare a 5-minute presentation to be made at the start of the interview. If there has not been a paper round, then the presentation will be the applicant's choice of either/or both of the two questions set out at A.5.2 and scored in accordance with A.5.3. If there has been a paper round, then the presentation will be on themselves and why they would be a good pupil and scored in accordance with A.5.3.
57. Applicants can expect to be asked about themselves and some questions relating to core competencies as set out in A.5.3. Each interview lasts for approximately 30 minutes.
58. Members of the interviewing panel will use the score sheet (A.5.3) to mark candidates during the interview. Previous scoring on the written application (and paper round where relevant) is disregarded at this point and the scoring starts afresh in accordance with A.5.3.
59. Each applicant is encouraged to ask questions of the panel at the end.
60. The Pupillage Officer will then co-ordinate the scores and the applicant with the highest score (by adding all 3 panel members scores together thereby giving an overall score out of 90) is offered a pupillage.
61. Any potential offer of pupillage is discussed with the Management Committee to confirm formal approval (this may be done by telephone or virtual meeting outside of the usual meeting).
62. Any offer of pupillage made by Chambers is conditional upon the potential pupil having completed the vocational training component within the 5-year limit (and having passed the vocational course prior to the offered date of commencement of pupillage); being a member of an Inn; having been Called to the Bar; Immigration visas have been obtained, where relevant; Waivers have been granted by the BSB, where relevant.
63. Notification will be made in accordance with the BSB guidelines.
64. At each of the above stages, those candidates who are unsuccessful will be notified promptly.
65. Requests for constructive feedback from applicants will be answered as soon as reasonably practicable by a member of the selection pairs or interviewing panel.
66. In the event references are requested, the referee shall be asked to supply information that relates strictly to the selection criteria. Referees should be directed as to the selection criteria being applied and the type of information which is being sought from them. References are only used in the final checks on the selected candidate but may not be sought.

67. Selection monitoring data is analysed by the Chamber's Equality and Diversity Officer after each recruitment exercise. The analysis will include applications received, candidates short-listed, candidates successful at interviews and will test the data against Chambers' commitment to Equality and Diversity.
68. The pupil must register his/ her pupillage, and any material change such as a change of supervisor with the BSB.
69. The pupil's working hours will, ordinarily, be 9am – 5.30pm. It will be necessary, from time-to-time, to start earlier than 9am or finish later than 6.30pm.
70. During the practising period of pupillage, pupils may be required to be available to go to court on Saturdays and Bank Holidays.
71. Pupils must be available to be contactable by telephone on Friday evenings/nights and on Saturdays so that they can be instructed to go to court on Saturday if necessary.
72. The BSB states that pupils should take no more than 'two weeks' leave' in each period of pupillage. ie. 10 days in the first six and 10 days in the second six. This does not include bank holidays.
73. For longer periods of absence, it would be necessary to apply to the BSB for dispensation from the regulations.
74. The pupil should discuss with their pupil supervisor and the Senior Clerk request for annual leave. The Head of Pupillage should also be informed.
75. The pupil should give reasonable notice (no less than 14 days) of a request for annual leave.
76. If the pupil is sick, the pupil, must in the first instance immediately notify their pupil supervisor and the clerks by email / telephone / text message.
77. If the pupil were to have excessive sick days in any six-month period of pupillage, the pupillage may need to be extended by the period of absence.
78. Pupillage at Bankhouse Chambers focuses on the knowledge, skills, and attributes that are required for practice on day one of authorisation as described in the Professional Statement, including the Threshold standard and competences.
79. Pupils will develop an understanding of and appreciation of the operation and practice of the rules of conduct and etiquette at the bar.
80. Pupils must pass the Advocacy Training Court provided by Circuit.
81. Pupils will be given sufficient time to prepare for their compulsory courses.
82. Pupils will observe conferences, and negotiations.
83. Pupils will be expected to develop their writing and drafting skills.
84. Pupils will be expected to develop in confidence and advance their written and oral advocacy skills.
85. Pupils are expected to maintain a 'pupillage diary' identifying the tasks that they have carried out within the competencies of the Professional Statement.

86. Additional 'in-house' training will be provided to the pupil and assessed with feed back being given.
87. Pupils are required to attend all compulsory courses during their pupillage.
88. Pupils are responsible for organising their attendance at all compulsory training and courses.
89. Pupils are expected to discuss directly with their supervisors the courses they intend to attend.
90. The cost of attending a compulsory course undertaken during pupillage will be met by Chambers.
91. Chambers will continue to refer to the BSB's pupillage checklists alongside the Professional Statement.
92. It is the responsibility of the pupil to ensure they continue to discuss with their supervisors the checklist and the Professional Statement.
93. In the event a pupil has a complaint they will be referred to chambers complaints policy.
94. Pupils shall abide by Chambers' Data Protection policies.
95. Pupils are expected to conduct themselves professionally and courteously at all times and in accordance with the BSB Handbook and the Bar Qualification Manual.
96. Pupils shall preserve the confidentiality of every client's affairs.
97. The pupils shall ensure that their pupillage is registered with the BSB on all relevant forms.
98. The pupil must notify the BSB of any material change in their pupillage arrangements including the change of pupil supervisor.
99. When attending Court, the pupil is expected to take care to ensure that they arrive at the appropriate court at the appropriate time.
100. Pupils should not take papers or books out of Chambers without the prior permission of their pupil supervisor.
101. Pupils will be required to carry out work for other members of Chambers when required to do so.
102. The pupil is not permitted to carry out any work for any other member of chambers without that member of chambers having first obtained the permission from the pupil's supervisor.
103. Pupils are expected at all times to wear appropriate Court dress when working in chambers or attending court.
104. Pupils are referred to the BSB guidance on social media use and Chambers' Policy.
105. The obligations and functions of Pupil Supervisors are set out in the BSB Handbook and the Bar Qualification Manual.
106. The role of the pupil supervisor is to provide the pupil with suitable training that enables them to meet the competences in the Professional Statement.

107. Pupil Supervisors at Bankhouse Chambers shall be at least 7 years call and must have practised for at least five years and have a current practising certificate and insured with the BMIF.
108. The allocation of pupil supervisors to a pupil shall be determined by the Head of Pupillage in consultation with the pupil supervisor.
109. Not all supervisors are always available to supervise a pupil. The supervisor shall:
- a. ensure that he or she is on the register of approved pupil supervisors.
  - b. Take steps to ensure the pupil has the opportunity to work for a wide cross-section of Chambers.
  - c. Have a copy of the BSB Professional Statement and will refer to it, have discussions with the pupil to ensure that the pupil carries out work and attends hearings in accordance with its requirements.
  - d. Ensure the pupil has an understanding and appreciation of the operation in practice of rules of conduct and etiquette at the Bar;
  - e. Ensure the pupil has sufficient practical experience of advocacy to be able to prepare and present a case competently.
  - f. Ensure the pupil has gained sufficient practical experience of conferences and negotiation to be able to conduct the same competently.
  - g. Ensure the pupil has sufficient ability in conducting legal research.
  - h. Ensure the pupil has achieved the BSB standard for drafting, paperwork and legal research
110. There shall be regular appraisals between the pupil and the supervisor as to the pupil's performance. Where there are weaknesses in the pupil's performance, further support will be given by the supervisor. The appraisals are also an opportunity for the pupil to assess and reflect upon their own performance.
111. A written record should be kept of the meetings and appraisals between the pupil and their supervisor.
112. At the end of the non-practising period of pupillage, the Pupil must submit a certificate from their Pupil Supervisor to the BSB certifying that the non- practising period has been satisfactorily completed.
113. If there is reason to believe the pupil will not meet the required competences within the professional statement, the pupil and the supervisor should approach the Head of Pupillage who will convene a meeting. The meeting will be chaired by the Head of Pupillage. The supervisor and the pupil shall attend. In addition it is anticipated that the Head of Chambers may also attend that meeting.
114. In the event that a pupil is not signed off as having completed either period of pupillage, the pupil may lodge an appeal in writing to the Head of Pupillage or Head of Chambers, who shall consider the appeal with the pupillage committee and whose decision shall be final.
115. If a pupil who wishes to apply to Bank House Chambers for tenancy, they should make a written application in writing to the Head of Chambers. The application shall not be made less than 8 weeks before the end of the second six period.
116. The application shall contain the feedback sheets provided to the pupil during the course of their pupillage and evidence demonstrating a commitment to Chambers.
117. The exact procedure for tenancy applications shall be a matter for the Tenancy Committee

118. The decision to offer tenancy is made by Chambers. The decision for taking on a pupil at the end of tenancy shall be voted upon by the members of Chambers. A pupil will need to have support from at least 70% of members of chambers for a tenancy to be offered.

119. For those pupils not offered tenancy, Chambers will provide assistance in finding opportunities elsewhere. References will be supplied upon request.

**MONITORING AND REVIEW OF POLICY**

120. This Policy was previously adopted on 25<sup>th</sup> August 2021, this Policy is now being submitted for review and adoption to the Management Committee following a period of 3 months' review no later than 31<sup>st</sup> January 2023.

121. This Policy will be reviewed in no less than 2 (two) years' time.

122. This Policy is reviewed and managed by Chambers' appointed Pupillage Officer, Chris Aspinall who has the responsibility for the regular monitoring, review and amendment of the Bar Council and BSB Handbook rules and codes relating to the Pupillage ensuring the Policy is maintained and kept up to date for Chambers'.

123. The Pupillage Officer will report to the Management Committee for their approval and adoption any amendments of this Policy and any other related policies, privacy notices and processes (see Appendix A.0).

124. If any individuals have any questions regarding this Policy, please contact Chris Aspinall (c.aspinall@bankhousechambers.co.uk).

**SIGNED BY:**

CHRIS ASPINALL ..... DATE: .....

**SIGNED ON BEHALF OF CHAMBERS BY PO:**

GURDIAL SINGH: ..... DATE .....

**SIGNED ON BEHALF OF MANAGEMENT COMMITTEE**

Latest Review: January 2023