

## **Express Solicitors – Pupillage Policy**

### **Introduction**

Established in 2000, Express Solicitors is an award-winning law firm. Based in Manchester, the business serves clients nationwide and covers all areas of personal injury, including employer's liability, serious injuries, clinical negligence, occupier's and public liability, road traffic accidents, and industrial disease.

The firm is constituted as a Limited Company and is an Alternative Business Structure as of April 2014 (previously a legal disciplinary practice). Its administration is undertaken from its Resolution House address: 311-319 Palatine Road, Northenden. The owners of the firm are James Maxey and Daniel Slade.

The Advocacy department is comprised of barristers, advocates (individuals who have completed the academic and vocational components of education and training for the Bar, but not the pupillage/work-based component) and a clerk. Both the Advocacy department and the Pupillage Committee is led by Nyssa Crorie.

Pupillage is essentially the work-based learning component of the pathway to qualifying and practising as a barrister.

Express Solicitors supports and adheres to the Bar Code of Conduct, the Equality and Diversity Code and the Pupillage Funding and Advertising Requirements.

### **Pupillage – In Summary**

1. Express Solicitors will offer at least one pupillage per year, with an aim to offer more. The Chief Executive Officer will make a decision as to the exact number of pupillages on offer prior to advertisement.
2. The minimum annual salary on offer will be £26,500.
3. Expenses associated with pupillage, e.g., travel, accommodation, and reasonable expenses in attending mandatory courses for the first time, will be paid for by the firm.
4. Pupils will be provided with IT equipment, e.g., a laptop for their exclusive use.
5. Pupils will be provided with the Staff Handbook and Advocacy Department Handbook on their first day of employment.

### **Equality and Diversity**

6. Express Solicitors is an equal opportunities employer, committed to its obligations under the Bar Standards Board Rules and the Equality Act 2010. Equal opportunity is at the forefront of both the recruitment process and pupillage itself. Pupils will be selected on merit, irrespective of sex, race, age, disability, sexual orientation, nationality, gender reassignment, pregnancy, political persuasion, religion, or belief. Reasonable adjustments will be made for disabled candidates.
7. Express Solicitors' full equality and diversity policy can be found in the Staff Handbook.

### **Recruitment Process**

8. The Pupillage Committee is responsible for pupillage recruitment.

9. All pupillages will be advertised via the pupillage gateway.
10. Applications will be considered by at least one member of the Pupillage Committee, with successful applicants invited to interview.
11. It is envisaged that only one round of interviews will be required. However, where the Pupillage Committee deems it necessary to do so, a second round of interviews will be conducted.
12. All candidates invited to interview will be required to undertake a short advocacy exercise as part of the process. The remainder of the interview will consist of questions from the panel.
13. During the recruitment process, the Pupillage Committee will be looking for candidates to demonstrate:
  - a) Academic excellence (a minimum of a 2:1 at degree level and a Very Competent for the vocational stage of training, save for where exceptional extenuating circumstances can be demonstrated)
  - b) High-quality advocacy skills
  - c) Analytical ability
  - d) A commitment to a career at the employed bar
  - e) Interpersonal skills and temperament
  - f) Relevant experience and skills
14. Successful candidates will be subject to credential checks and will be required to provide proof of academic and professional qualifications before an offer is finalised. Candidates will be required to provide evidence of their membership of an Inn of Court and the right to work in the United Kingdom.
15. Unsuccessful candidates will be notified as soon as possible.

## **Pupillage Composition**

### *Structure*

16. The pupillage programme at Express Solicitors has been designed to produce barristers that have the key knowledge, skills and attributes set out in the Bar Standards Board ("BSB") Professional Statement for Barristers. These standards are viewed as minimum standards and pupils are expected to exceed them.
17. Pupillages will be 12 months in duration. The firm will consider requests for BSB-authorised pupillage reductions on a case-by-case basis. In any event, where such requests are provisionally accepted at the outset, candidates must still satisfy their Pupil Supervisor(s) that they have met the necessary expectations for the completion of pupillage within the reduced period.
18. Pupils will have the opportunity to split their working time equally between the office and home<sup>1</sup>, although it will be possible to solely work from the office if a pupil does not wish or is not able to work from home. In addition, pupils at all stages of their training

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<sup>1</sup> Working from home is a discretionary benefit and will be subject to the mandatory minimum requirements as set out in the Staff Handbook.

will be required to attend various courts across England and Wales for shadowing purposes or for their own work.

19. The standard working hours will be 08:30m to 5:30pm Monday to Thursday, and 08:30am to 5:00pm on Friday. Substantial efforts will be made to ensure that pupils are not required to work outside of these hours, however the nature of pupillage may necessitate doing so, i.e., due to the need to attend court. Express Solicitors is open to individual requests for flexible working arrangements.
20. Pupils will be entitled to a minimum of 23 days of annual leave within a 12-month pupillage period (applied pro rata for reduced pupillage periods), in addition to Bank Holidays. However, 3 of the 23 days must be used during the firm's annual period of closure between Christmas and New Year.
21. If a pupil is unable to work due to ill health, they must comply with the firm's mandatory sickness and absence policy (as set out in the Staff Handbook). In **addition**, the pupil must notify their Pupil Supervisor(s) and the Advocacy Clerk as soon as practicable.

### *Training*

22. The following documents will comprise the pupil's training record:
  - a) Pupillage checklist
  - b) Pupillage diary
  - c) Work diary (Outlook calendar)
  - d) Written work feedback forms
  - e) Pupillage training courses record
23. Upon commencing employment with Express Solicitors, pupils will participate in an induction week, the timetable for which will be provided on their first day. During the induction week, pupils can expect the following:
  - a) HR induction
  - b) IT induction and training
  - c) Introductions, meet and greets, etc.
  - d) Unconscious Bias and Equality and Diversity training
  - e) Training in respect of the firm's systems and policies
  - f) Receipt of the Staff Handbook and the Advocacy Department Handbook
24. At the start of pupillage pupils will conduct an initial discussion with their Pupil Supervisor(s) to identify the objectives and particular training needs of the pupil. The pupillage checklist will be tailored to the needs of the pupil following this discussion. The pupil will be taken through the Professional Statement for Barristers and the standards expected. The day to the day activities of pupils will be determined by the clerking team and the Pupil Supervisors and will vary depending on their practice as well as any identified training needs.
25. During the first six months of pupillage, pupils will shadow their Pupil Supervisor(s) as well as other barristers and/or advocates. Shadowing will be tailored to the training needs identified at the initial discussion and to the pupillage checklist. If approved to do so by their Pupil Supervisor(s) and the Bar Standards Board, first six pupils may also be able to undertake their own advocacy in accordance with the limited rights of audience afforded to a solicitor's clerk.

26. Subject to satisfactory completion of the first six months, and with the approval of their Pupil Supervisor(s), during their second six months pupils will take on their own work. There will be a strong emphasis on gaining practical advocacy experience during the second six and pupils can expect to be in court most days.
27. Pupils will have access to Express Solicitors' Learning Management System ("LMS") which contains a wealth of online learning material.

#### *Assessment*

28. Pupils are encouraged to take ownership of their own development. Self-assessment and taking responsibility for one's own professional competency is a key aspect of life at the Bar.
29. Pupils are required to maintain their training record documentation and to comply with the specific responsibilities outlined at paragraphs 35 to 41 below.
30. Pupils and the work they produce will regularly be informally critically appraised by their Pupil Supervisor(s) against the Professional Statement.
31. Pupil Supervisors will not endorse any pupil's application for either a provisional or a full practising certificate if they are not entirely satisfied that the pupil has met and exceeded the required standards.
32. During the course of pupillage, pupils will have to complete 4 assessed pieces of written work, after which pupils will be provided with a formal feedback sheet to form part of their training record. Pupils should not take a different approach to assessments than they do to any other piece of work they are asked to perform; every task should be performed to the best of the pupil's ability. To reflect this, pupils will not be told in advance what work is to constitute a formal assessment.
33. Advocacy skills will be developed on a daily basis through shadowing, exercises and gaining experience in court. There is no formal advocacy assessment, but if a pupil is deemed not to be meeting a sufficient standard by the end of the first six, their Pupil Supervisor(s) will not endorse a provisional practising certificate.
34. Each pupil will be required to meet with their Pupil Supervisor(s) for a formal review 3 times during a 12 month pupillage, equating to a review approximately every 4 months (applied pro rata for any reductions in the pupillage period). At each review, pupils will be assessed against the Professional Statement and will be provided with a written form to reflect this assessment, as well as points to improve upon, to form part of their training record. These reviews will also be an opportunity for pupils to give feedback to their Pupil Supervisor(s), and to request that greater or lesser focus be placed on any particular training need.

#### **The Pupil's Responsibilities**

35. Pupils are required to maintain the confidentiality of the firm's (and their client's) affairs.
36. Pupils are required to comply with all of Express Solicitors' policies and procedures, including but not limited to the Staff Handbook, Pupillage Policy, and Advocacy Department Handbook.

37. Each pupil should ensure that they familiarise themselves with the requirements for pupillage and duly comply with the same. In particular, pupils must:
- a) Provide all necessary records to Express Solicitors, including evidence of academic qualifications, membership of an Inn of Court and the right to work in the United Kingdom.
  - b) Ensure that they are called to the Bar by the requisite stage of their training.
  - c) Register the pupillage with the Bar Standards Board prior to the commencement of pupillage.
  - d) Upon successful completion of the non-practising period, ensure that the Pupil Supervisor(s) signs the form declaring satisfactory completion of the non-practising period and submit it to the Bar Standards Board.
  - e) Upon successful completion of the practising period, ensure that the Pupil Supervisor(s) signs the form declaring satisfactory completion of the practising period and submit it to the Bar Standards Board.
  - f) Identify any mandatory training courses they are required to attend and make arrangements to enrol onto and attend the same. Pupils will be expected to pass any such courses or examinations on the first attempt. Any request for the use of paid working hours or reasonable expenses to prepare for or attend a course/examination for a further attempt will be considered on a case-by-case basis.
  - g) Ensure that they maintain their training record documents.
38. Pupils must keep a pupillage diary via the firm's case management system, so as to not only record shadowing experiences and work done, but also to reflect upon the learning points gained from experience during pupillage. This diary is not intended to act as a record of every piece of work done, however the pupil should be mindful of the need to establish that the Competences outlined in the Professional Statement for Barristers have been met. The pupillage diary is used as a reference point for this. The diary will be accessible by the Pupil Supervisor(s).
39. The pupil, in conjunction with the clerking team, must ensure that their Outlook diary contains a complete and accurate record of their own work (both oral advocacy and written) as well as all shadowing work.
40. It is expected that pupils will act with honesty and integrity at all times and uphold the values and ethos of Express Solicitors. Pupils are expected to achieve and maintain the standards of work and conduct which would be expected of a member of the Bar and to comply with:
- a) The Bar Standards Board's Bar Qualification Manual; and
  - b) The Core Duties and Conduct Rules set out in the Bar Standard's Board's Handbook
41. In the event that the Head of Pupillage deems any pupil to have failed to comply with paragraph 40 above, they will duly notify the Bar Standards Board accordingly.

### **Pupil Supervisors**

42. Pupil Supervisors will be responsible for the day-to-day training and development of their pupil as well as endorsing that pupil's applications for a provisional and full practising certificate at the appropriate times.
43. All Pupil Supervisors are trained in accordance with the outcomes and frequency specified by the Bar Standards Board.

### **Post-Pupillage Employment**

44. All pupils are recruited with a view to being offered a position as an employed barrister upon completion of pupillage. This is not, however, guaranteed.
45. Approximately 2 months prior to the completion of pupillage, the Managing Partner will consider whether to offer a pupil permanent employment as a qualified barrister in light of the recommendations of the relevant Pupil Supervisor(s), the Advocacy department, and feedback from within the firm. This decision will take into account all available material, including the training record documents. Any action required on the part of the pupil to address any concerns about the above will be communicated to the pupil at this time and they will have an opportunity to respond. This decision will also take into account the needs of the business.
46. Where the decision is made not to make an offer of permanent employment as a qualified barrister to the pupil, Express Solicitors is committed to assisting such pupils with the next step in their career. Examples of such assistance might include:
  - a) Provision of suitable references, where appropriate
  - b) Advice and guidance
  - c) Exceptionally, and only where appropriate, the offer of a 'third six' pupillage whereby pupils are retained for a further six months under the same principles as the practising period.

### **Complaints and Grievances**

47. Pupils are encouraged to raise any issues or concerns with their Pupil Supervisor(s) at first instance. Pupils are also encouraged to approach any other member of the senior management team on an informal basis (e.g., Head of Pupillage, Partner, Managing Partner).
48. In the event any issue or concern remains unresolved, the firm's grievance and disciplinary procedure can be found within the Staff Handbook.