

PALLANT

CHAMBERS

PALLANT CHAMBERS' PUPILLAGE AND RECRUITMENT POLICY

GENERAL

1. This Pupillage and Recruitment Policy ("the Policy") applies to any pupillages from 17st September 2024.
2. The Policy does not cover third-six pupillage.
3. The Policy may be updated and amended by Chambers' Management Committee at any time. This policy will be reviewed at least every 12 months.

APPLICATIONS FOR PUPILLAGE

Advertising

4. Chambers shall advertise any pupillage vacancy on the Pupillage Gateway and on Chambers' website.
5. Chambers may additionally advertise any vacancies at pupillage fairs, in suitable publications, and via social media.

Application process

6. Chambers is not a member of the Pupillage Gateway, and applications should be made in accordance with any advert.
7. Late applications shall only be accepted in exceptional circumstances.
8. The application process shall be supervised and administered by the Head of Recruitment. The Head of Recruitment may be assisted by Pupillage Administrators or other persons co-opted by the Head of Recruitment. The Head of Recruitment shall organise the membership of the Recruitment Panels.

Assessment of applications

9. Chambers will treat all applications for pupillage in strictest confidence, and in accordance with

the Policy, the Bar Council's Fair Recruitment Guide, Chambers' Equality and Diversity Policy, and Chambers' data protection obligations.

10. Chambers is, and has always been, committed to equality of opportunity regardless of age, race, colour, ethnic or national origin, nationality, citizenship, sex, gender re-assignment, sexual orientation, disability, marital or civil partnership status, pregnancy/maternity, religion or belief in all aspects of its recruitment processes.
11. At all stages of the recruitment process, candidates shall be marked in the following competencies:
 - a. Intellectual Ability;
 - b. Communication and inter-personal skills;
 - c. Advocacy (i.e. the ability to construct and express persuasive arguments both orally and in writing); and
 - d. Suitability for Chambers.
12. The essential criteria for each of the aforementioned competencies are:
 - a. For intellectual ability; a First or 2:1 at degree level and at least 3 B's at A-level (or equivalent), unless there are material and evidenced extenuating circumstances. In addition, candidates must demonstrate a reasonable level of competence in analysing information, identifying key issues, and reaching sound conclusions.
 - b. For communication and inter-personal skills; good communication in both written and verbal mediums, an ability to reasonably quickly build trust and confidence with others while maintaining an appropriate balance of professionalism and approachability, and the ability to reasonably adapt one's language and communication depending on the circumstances.
 - c. For advocacy; the ability to build strong, logical and persuasive cases for various points of view regardless of their own perspective, and the ability to deliver such cases with confidence and impact.
 - d. For suitability for Chambers; an interest in Pallant Chambers' practice, commitment to a career as a Barrister, and a reasonable understanding of what a career at Pallant Chambers is likely to look and feel like.
13. At each stage of the recruitment process, candidates will be awarded marks in the competencies

set out at paragraph 11 above, measured against the essential criteria set out at paragraph 12 above. Final marks in each competence shall be agreed by the relevant Recruitment Panel assessing a candidate at each individual stage. The available marks are:

- a. 0, if a candidate has not satisfactorily met the essential criteria for a competency in any area.
 - b. 1, if a candidate has satisfactorily met the essential criteria in some areas, but not in most areas, and/or is only likely to fully meet the essential criteria with significant additional training and guidance.
 - c. 2, if a candidate has satisfactorily met the essential criteria in most areas and is likely to fully meet the essential criteria with minimal additional training and guidance. A candidate who has obtained a 2:2 at degree level with material and evidenced extenuating circumstances will often be awarded this mark for Intellectual Ability at the paper consideration stage, subject to the other contents of their application which may increase or decrease their overall mark.
 - d. 3, if a candidate has fully met the essential criteria.
14. All applications will be considered on paper by at least 2 practicing members of Chambers, who will select the applicants to be invited to a first round interview.
 15. At the paper consideration stage, all applications shall be anonymized and, where reasonably possible without causing excessive workload, other socio-economic indicators such as school and university names shall be removed.
 16. Unsuccessful applicants shall be notified.

Communication with candidates and interview arrangements

17. Communication with candidates shall ordinarily be by email, unless a different method of communication is requested on their application form.
18. It is for candidates to make suitable arrangements to attend or partake in any interview, including any technological requirements such as use of video conferencing software.
19. It will rarely be possible to re-schedule interviews, but Chambers will try to accommodate any reasonable requests.

First Round Interviews

20. First round interviews will be conducted by a panel of at least 2 practicing members of

Chambers.

21. First round interviews may be held during office hours, in the evening or at the weekend.
22. First round interviews may be held in person or remotely, using video conferencing software.
23. Candidates will be advised of the general format of the first round interview in advance.
24. Chambers shall notify all unsuccessful first round interview candidates. Feedback will not be given as a matter of course. Subject to the availability and workload of the Recruitment Panels and/or Head of Recruitment, individual feedback may be given upon specific request.

Second round interviews

25. Successful first round interview candidates will be invited to a second round interview.
26. Second round interviews will be conducted by a panel of at least 3 practicing members of Chambers.
27. Second round interviews may take place during office hours, in the early evening or at the weekend.
28. Second round interviews may be held in person or remotely, using video conferencing software.
29. Candidates will be advised of the general format of the second round interview in advance. Candidates can expect to be asked to complete an assessed written exercise before the second round interview, and to undertake a conferencing and/or advocacy exercise at the second round interview.
30. Successful candidates at second round interview will be advised whether they have been offered pupillage or, as necessary, the next stage of the recruitment process, such as the offer of an assessed mini-pupillage.
31. Chambers shall notify all unsuccessful second round interview candidates. Feedback will not be given as a matter of course. Subject to the availability and workload of the Recruitment Panels and/or Head of Recruitment, individual feedback may be given upon specific request.

Variation of application process

32. The application process outlined above may be varied by Chambers. Candidates will be informed of any changes which affect their application.

Offers of pupillage

33. Any offer of pupillage is conditional on a candidate passing any outstanding legal training (whether academic or vocational) at the first attempt, and on receiving two satisfactory academic or professional references.
34. Any offer of pupillage will be on terms offered in the pupillage contract.

Pupillage award

35. Chambers will advertise the band of any pupillage award on the Pupillage Gateway.
36. The pupillage award offered will be specified in the offer letter.

STRUCTURE OF PUPILLAGE

General

37. Pupils shall be given access to this Policy, together with Chambers' Equality and Diversity Policy, GDPR Policy, Complaints Policy, and Wellbeing Policy, prior to commencement of their pupillage.
38. Chambers' Diversity Data Officer ("DDO") is responsible for ensuring that Chambers keeps records in relation to pupillage as required by the Bar Council and BSB.
39. Subject to satisfactory progress (unless otherwise agreed with the pupil and the BSB):
 - a. Pupillage lasts for 12 months;
 - b. Pupillage is divided into a non-practicing first-six months and a practising second-six months.
40. Pupils are expected to keep a pupillage diary, identifying concisely each of the tasks that they have carried out during pupillage and the features of the Professional Statement for Barristers to which they consider (having liaised as appropriate with their supervisor) the task to be relevant.
41. Pupils must keep all information and knowledge acquired from reading papers, attending conferences, discussing cases in Chambers and attending private court hearings absolutely confidential, except where the pupil supervisor confirms otherwise. Pupils must be familiar with their duties of confidentiality and in particular with those addressed by the Bar Standards Board Handbook.
42. Pupils may be invited to attend and to contribute to Chambers' internal and external events.
43. Pupils are expected to conduct themselves professionally and courteously at all times during

pupillage.

Pupil supervisors

44. Pupil supervisors are allocated by the Management Committee.
45. Pupils will be notified of the name of their first pupil supervisor before starting pupillage.
46. Pupils will usually sit in their pupil supervisor's room.
47. Where pandemic safety measures prevent a pupil and/or their supervisor from attending Chambers in person, the pupil supervisor will use their best endeavours to ensure that they have regular contact with the pupil by phone and/or video conferencing.
48. Pupils may have one pupil supervisor or several pupil supervisors throughout their pupillage, subject to the availability of pupil supervisors, the interests and progress of the pupil, Chambers' workload, and the views of the Management Committee.
49. Pupil supervisors must keep themselves informed of Chambers' Pupillage and Recruitment Policy as well as the contents of the General Pupillage Checklist, relevant Specialist Checklists, the Professional Statement, the BSB's Bar Qualification Manual, the Guidelines for Pupil Supervisors, Pallant Chambers' Equality and Diversity Policy and any relevant regulatory or professional requirements and guidance.
50. Pupil supervisors are responsible for monitoring progress, and shall consider, assess, and provide feedback on work completed by pupils.
51. During second six pupillage, pupil supervisors shall liaise with Chambers' clerking team to ensure the appropriate allocation of work.
52. A formal review shall take place within 6 weeks of the start of pupillage, and no less than bi-monthly thereafter.
53. The purpose of the reviews is to provide feedback, to identify strengths and weaknesses, any gaps in knowledge, type of work experienced, and any other issues arising.
54. Reviews shall involve the pupil and their pupil supervisor, and may also involve the Senior Clerk and any other member of Chambers the supervisor considers appropriate.

First-six

55. The first six months of pupillage shall be non-practicing.
56. Pupils are given the opportunity to acquire legal knowledge and practical skills for practice at

the Bar by “shadowing” their pupil supervisors.

57. Pupils are expected to read their pupil supervisor’s papers and prepare case summaries, opinions, draft statements of case, skeleton arguments, orders and other documents as if the pupil had received the papers in their own right.
58. Pupils will attend their pupil supervisor’s conferences and take a note of what is discussed.
59. Pupils will normally be expected to attend court with their pupil supervisor in order to take notes, observe and learn advocacy skills, court behaviour, negotiation, dealing with clients, solicitors and opponents including litigants in person.
60. Pupils can expect to be involved in the overall preparation of their pupil supervisor’s cases; this may sometimes mean being asked to assist with photocopying, sorting of documents, filing, fetching books, and so on.
61. Pupils may accept a noting brief during the first six if authorised by their pupillage supervisor.
62. Chambers reserves the right to seek to extend the non-practising first-six period of pupillage for such period as it considers necessary if, in Chambers’ view, the pupil has not reached the required standard or completed the necessary courses and training to practice as a second-six pupil.

Second-six

63. On the satisfactory completion of first-six months of pupillage, including any compulsory courses or training, pupils may commence the practicing second-six months of pupillage.
64. Second-six pupils are given the opportunity to put into practice the legal knowledge and practical skills learned during first-six. They can expect to draft all necessary paperwork for their court appearances, to attend court on behalf of their clients, and to undertake paperwork in their own right.
65. Second-six pupils will be expected to comply with all the requirements of the BSB Handbook and The Professional Statement, and manage their cases appropriately and to the required standard expected of junior tenants.
66. Pupils are expected to continue to seek advice and guidance from their pupil supervisor and other members of Chambers throughout the second-six.
67. All paperwork produced by the pupil shall be checked by their pupil supervisor, or another member of Chambers as agreed between the pupil supervisor, pupil and senior clerk, before it

is sent to professional clients.

68. Chambers reserves the right to seek to extend the practicing period of second-six pupillage in the event that, in Chambers' view, a pupil has not reached the necessary standard and completed the necessary courses and training to be certified as competent to enter independent practice.

Work for other members of Chambers

69. With the approval of their pupil supervisor, pupils may shadow other members of Chambers and complete work for other members of Chambers.
70. The pupil supervisor will have regard to whether the pupil has the time to shadow the member or complete work for the member, and whether this is appropriate with regard to their current workload, interests, training, progress, and other commitments.

Hours of work and timekeeping

71. Pupils are generally expected to be in Chambers (either Southampton or Chichester office) from 8.45am to 6.00pm unless they are in court shadowing their supervisor or another member of Chambers.
72. Where pandemic safety measures prevent a pupil from attending Chambers in person the pupil is expected to keep the working hours set out above.
73. Pupils should discuss with their supervisor the time they are expected to meet at court, if not travelling to court together.
74. At the end of the court day pupils are expected to return to Chambers unless they would not arrive back in Chambers until after 6.00pm.
75. During the second-six, pupils should always telephone the clerks and their supervisor on completion of their case before returning to Chambers or home.
76. Throughout pupillage, pupils may be required to work outside office hours and at weekends.
77. Pupils may be required, at the discretion of their Pupil Supervisor and the Senior Clerk, to fill out timesheets to record how their working hours are spent day-to-day and/or breaking down time spent on individual pieces of work; for example how long they are spending on considering legal papers, conducting legal research, planning out their drafting, actually drafting paperwork, and editing their work for final submission.

Email addresses and communications

78. Pupils are provided with their own Chambers' email address.
79. All emails which relate to the pupil or their supervisors work should be sent from the pupils Chambers' email address.
80. Under no circumstances should any email containing any case information be sent from a private email address.

Illness/injury etc.

81. In the event of illness or injury or any other matter that prevents the pupil from attending Chambers or court during their first six, they must inform their pupil supervisor and a member of the clerking team at the earliest opportunity; this can be done by email or text message.
82. In the event of illness or injury or any other matter that prevents the pupil attend court on a matter in which they are directly instructed during their second six, they must telephone their pupil supervisor and/or the Senior Clerk immediately so alternative arrangements can be made. In these circumstances it is the pupil's obligation to make sure that they have successfully communicated that they are unavailable. An unacknowledged telephone message, text or email is not considered successful communication.
83. In the event of an injury or period of ill health or other matter which prevents the pupil participating in their pupillage, Chambers may seek to extend or postpone the pupillage.

Papers

84. Pupils must not remove sets of papers from Chambers without the permission of their pupil supervisor.
85. Any papers removed from Chambers for a court hearing the next day must be kept secure overnight, not left in any area to which others have access, and returned to Chambers as soon as the hearing is completed. Pupils are encouraged to work electronically and use e-bundles where available.

Data security

86. Papers must be stored in accordance with data protection legislation.
87. All electronic devices (including mobile phones) which the pupil may use for Chambers' emails or to store e-bundles and papers must have adequate security settings.
88. Pupils are expected to familiarise themselves with barristers' obligations under data protection law and their own data protection obligations as pupils. Pupils are expected to familiarise

themselves with the ICO website and the guidance available on the ICO website. Pupil Supervisors will support pupils in carrying out this research.

89. Pupils are required to inform the Senior Clerk and their Pupil Supervisor if they become aware of any potential data breach arising as a consequence of their handling or control of any personal data as soon as reasonably possible. Pupils will be required to take every reasonable step to mitigate any such data breach and shall be supported by their Pupil Supervisor and the Senior Clerk in taking such steps.

Dress code

90. Pupils are expected to wear appropriate court attire whether working in Chambers, attending court in person or remotely. Pupils are encouraged to discuss any queries they may have about appropriate clothing with their pupil supervisor.

Holidays

91. Pupils are entitled to 20 days' annual leave after they have been in pupillage for 13 weeks. This does not include Bank Holidays but does include any period when Chambers may be closed. 10 days should be taken during the non-practising 6 months and 10 days during the practising 6 months. Any period of leave longer than this in either period has to be made up by an equivalent extra period at the end of that particular part of pupillage.
92. Holiday time must be agreed in advance between the pupil and the pupil supervisor, and in the practising 6 month period must also be discussed with the Senior Clerk.

Bank Holidays

93. Pupils are sometimes expected to be available to cover emergency hearings on Bank Holidays. This will be discussed with pupils in advance of any particular holiday.

Payment of pupillage award and fees

94. For the first 6 months pupils will be paid their monthly award on the last day of the month by direct debit.
95. During the second six months of their pupillage, pupils will be paid their award less any payments received that month for work undertaken. For example, if the award is for £2000.00 a month and they receive £750.00 that month for work they have undertaken they will be paid £1250.00. This payment will be made by bank transfer on the first day of the following month.
96. During the second six months of pupillage, a pupil will pay Chambers' fees of 14% on any

amount received over £3,000.00 in any calendar month. For example, if a pupil receives £4,000.00 in the month of May, they will be liable to pay £140.00 to Chambers.

97. Further information about Chambers' rent and Clerks' fees is available from the Senior Clerk and will be set out in any offer of pupillage.

Travel Expenses

98. Pupils will be reimbursed for the cost of return standard rail travel from Chambers (either Chichester or Southampton as appropriate) to court, or from the nearest train station to a pupil's home address to court if less. Pupils are requested to ensure they purchase the most cost effective ticket and use any applicable discounts or railcards.
99. Travel expenses from a pupil's home address to Chambers are not reimbursed.
100. Pupils who elect to drive to court are not entitled to claim mileage, however parking fees can be reimbursed.
101. Travel expenses associated with attending pupils' own cases in the second-six of pupillage shall not be reimbursed by Chambers.
102. Pupils should submit a monthly expenses claim to Chambers' Administrator at the end of each month with copies of relevant receipts.

Attendance at compulsory courses

103. Pupils are responsible for organising and completing all compulsory training and courses.
104. Pupils are expected to liaise with their pupil supervisor in respect of when they intend to attend any such courses.
105. Chambers will meet the costs, including reasonably incurred travel costs, of any compulsory courses that pupils are required to attend during the course of pupillage.

TERMINATION

106. Chambers reserves the right to terminate any pupillage (i) after 6 months in the event that the pupil has not attained and is, in Chambers' view, unlikely to attain, the standard to be expected of a junior tenant in Chambers, or has failed to satisfactorily complete the non-practising period of pupillage; and (ii) at any time in the event of serious misconduct. Serious misconduct includes but is not limited to:
- a. Any conduct which falls under the definition of "serious misconduct" as set out in the

edition of the BSB Handbook and Code of Conduct in force at the time such conduct took place;

- b. Any conduct which is likely to diminish the trust and confidence which the public places in the pupil or in the profession of the Bar;
- c. Any conduct which brings or potentially brings Chambers into disrepute or is considered by a simple majority of the Management Committee of Pallant Chambers to be strongly against the best interests of Chambers;
- d. Conviction of an indictable offence; in the jurisdiction of England and Wales or with a criminal offence of comparable seriousness in any other jurisdiction;
- e. Conviction of, or acceptance by the pupil of a caution for, any criminal offence, in any jurisdiction, other than a minor criminal offence. A “minor criminal offence” bears the same meaning as in the edition of the BSB Handbook and Code of Conduct in force at the time of any conviction.

INTERNAL MONITORING AND COMPLAINTS PROCEDURE

- 107. Pupils should feel free to raise any questions, worries or other matters (whether trivial or serious) about any aspect of pupillage with the pupil supervisor or, if they prefer, with the Senior Clerk. All matters will deal with it in confidence unless the pupil agrees otherwise.
- 108. Any grievance or complaint may be raised or pursued with the Head of Chambers or the Complaints Officers pursuant to the Chambers’ Complaints Policy.

CONCLUSION OF PUPILLAGE

- 109. Chambers endeavours to offer tenancy to all pupils, provided that they demonstrate that they are of sufficient ability and suitability during the course of their pupillage.

Applications for tenancy

- 110. Pupils who wish to apply for tenancy with Chambers will be invited to make a written application to the Management Committee no later than 8 weeks before the conclusion of their pupillage.
- 111. Written applications will consist of a covering letter with a portfolio of work undertaken during pupillage in support.
- 112. Applications for tenancy are considered at a meeting of the Management Committee. The Management Committee may consider feedback from pupil supervisors, other members of

Chambers, solicitors and judges. The Management Committee shall decide whether or not to recommend an applicant for tenancy.

113. Any recommendation of tenancy shall be made to Chambers' membership in writing. Members of Chambers have 7 days to object to any recommendation.
114. If 3 or more members of Chambers object, a Chambers' meeting shall be called to discuss the application. Should the application progress to a Chambers' vote, such vote shall be conducted in accordance with Chambers' Constitution.
115. Applicants will be informed as soon as possible after a decision has been made.

Successful applicants

116. Any successful application will be on the condition of satisfactory completion of pupillage.
117. A successful applicant shall be offered a probationary tenancy for a period of 6 months where they will continue to be supported, attend reviews and be given feedback.
118. The period of probationary tenancy may be extended by Chambers, as necessary, if in Chambers' view, a probationary tenant's performance or progress falls below the standard expected of a full junior tenant.
119. Provided the probationary period is successfully completed, the individual will become a full tenant within Chambers and no further vote shall be required.
120. During the probationary period, Chambers reserves the right to terminate the probationary tenancy on 2 months' written notice generally, or sooner in the event of serious misconduct.
121. A probationary tenant may terminate his probationary tenancy on the giving of 2 months' written notice to the Management Committee.
122. Unless agreed in writing with the Senior Clerk, a probationary tenant whose probationary tenancy has been terminated is expected to fulfil their professional commitments in respect of cases already placed in their diary, and must fulfil their professional commitments to cases on which they are already briefed or retained after the termination period ends.

Unsuccessful applicants

123. Unsuccessful applicants for tenancy are welcome to complete their pupillage in Chambers.
124. Feedback will be given on unsuccessful applications, if requested.
125. Unsuccessful applicants may write to the Management Committee with an expression of

interest in undertaking a third six pupillage.

126. Chambers will assist unsuccessful applicants as far as possible to find further pupillage or tenancy elsewhere, or to pursue other career options.

Pupils who decide not to apply for tenancy

127. Pupils who elect not to apply for tenancy shall notify their pupil supervisor and the Senior Clerk in writing no less than 6 weeks before the conclusion of their pupillage.
128. Pupils who fail to do so are expected to fulfil their professional commitments in respect of cases already placed in their diary, and must fulfil their professional commitments to cases on which they are already briefed or retained after their pupillage finishes, unless otherwise agreed in writing with their supervisor and the Senior Clerk.

Fees

129. Unless otherwise agreed by the Management Committee, Chambers will be responsible for the collection of any fees for work that pupils have undertaken during their pupillage.
130. Payments for work undertaken during pupillage but received after the conclusion of pupillage will be charged in accordance with the arrangement for rent payment agreed with the pupil at the commencement of pupillage and/or tenancy. The charge will be levied at the beginning of the month following the payment.

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