



PUPILLAGE HANDBOOK

October 2022

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I

OVERVIEW

Summary

1. Thomas More Chambers offers two types of pupillage: (a) twelve-month pupillages, and (b) mini-pupillages. There are separate policies for each type of pupillage: see Chapters II and IV (below).
2. In addition Thomas More Chambers takes on, from time to time, Probationary Tenants (formerly known as third-six pupils), which are the subject of a further policy: see Chapter III (below).
3. The arrangements for all pupils at Thomas More Chambers are designed to adhere to the four principles identified by the Bar Standards Board (“**BSB**”) following a programme of reform known as Future Bar Training (“**FBT**”), namely (i) encouraging greater flexibility; (ii) improving accessibility; (iii) improving affordability; (iv) maintaining high standards (Bar Qualification Manual “**BQM**” Pt I, 1A, 2 & 8 and the Authorisation Framework (“**AF**”) pp 15 to 18).
4. The arrangements for twelve-month pupils are designed to provide the “*work-based learning component (pupillage)*” of training for the Bar (BQM Pt I, 1B, 2 c.)¹.
5. Twelve-month pupillage at Thomas More Chambers follows the rules and guidance prescribed, published and periodically updated by the Bar Standards Board (“**BSB**”) in the following documents, to some of which this Handbook makes reference below:
 - The BSB Handbook, including the Bar Qualification Rules;
 - The Bar Qualification Manual (“**BQM**”);

¹ A twelve-month pupillage is the normal duration of pupillage under the BQM (BQM Pt 4A, 2.3).

- The Curriculum and Assessment Strategy (“**CAS**”);
 - The Professional Statement;
 - The Authorisation Framework (“**AF**”);
 - The Notification entitled “*Mandating the Timetable for Pupillage Recruitment and Written Agreements for Pupillage*” Rules dated 31 January 2020 (“**the Jan 2020 Notification**”) now incorporated in the BQM at Pt4D.
6. Those rules and guidance do not formally apply to third-six pupils. Third-sixes are not part of the regulated period of pupillage and have no regulatory status (BQM Pt4A, 2.16). Accordingly, the detail of the rules and guidance applicable to regulated pupils are not incorporated in Chapter III below. Nevertheless in dealing with third-six pupils Thomas More Chambers will, where appropriate adopt the approach and ethos to be found in the rules and guidance issued by the BSB for regulated pupillages and the guidelines set out in the Bar Council’s “Probationary Tenancy (commonly known as Third Six Pupillage): Good Practice Guidelines”, referred to, with a link, in the BQM, Pt4A, 2.17.
 7. The recruitment, training, and management of pupils is overseen by a Pupillage Committee comprising the following members of Chambers: Edward Risso-Gill (Head of Committee), Jacob Gifford Head (Pupillages), Genevieve Moss (Secretary), Charlotte Mitchell-Dunn (Assistant Secretary), Nicholas Maggs (Mini-pupillages), Tracy Bird and India Flanagan.
 8. The induction procedure for twelve-month and third-six pupils may be found in Chapter XI (below).
 9. Pupillage forms (for all pupillages) may be found in Chapter XII (below).

II

TWELVE-MONTH PUPILLAGES

Overview

1. All references to pupils and pupillages in this Chapter are to twelve-month regulated pupils and pupillages, unless the contrary is clearly stated.
2. Twelve-month pupillages are divided into a practising and non-practising period, each of a normal duration of six months (BQM Pt 4A, 2.2 & 2.5).
3. This Chapter also applies to regulated pupils and pupillages where the pupil has obtained or chambers has obtained on behalf of a pupil a waiver, partial waiver, exemption or partial exemption from the BSB in respect of any aspect of requirements which normally apply to pupils (such as duration, funding or advertising), even if this means their pupillage will last less time than twelve months. Specific provisions in respect of these pupils and pupillages is found in the section entitled “Exempted Pupillages”.
4. Thomas More Chambers offers one twelve-month pupillage per year funded by way of an award of at least £25,000 for the non-practising first-six months and combined minimum earnings of £15,000 during the practising second-six months in accordance with the Pupillage Funding Rules in the BSB Handbook. In addition, Chambers will reimburse pupils for: (a) any travel expenses reasonably incurred during pupillage (excluding travel to and from home and Chambers), (b) the cost (including travel) of any compulsory courses, assessments or examinations which are completed during the course of the twelve-month pupillage, and (c) the cost of registering with the Information Commissioner’s Office for the purposes of complying with the GDPR, before commencing the practising period of a twelve-month pupillage.
5. All twelve-month pupillages are subject to a written agreement between the Chairman of the Thomas More Chambers Management Committee and the pupil (“**the Pupillage**”).

Agreement”): see the Jan 2020 Notification para.8 & BQM Pt4D. This agreement will incorporate and/or reflect the outcomes set out and described in the Jan 2020 Notification at paragraph 9 and paragraphs 1 to 30 on pages 6 to 12 (now incorporated in the BQM Pt4D).

6. Twelve-month pupils’ attention is drawn, in particular, to the following policies contained within this Handbook:

- The Absence from Training Policy: see Chapter V (below);
- The Complaints and Grievances Policy: see Chapter VI (below);
- The Dignity at Work and Inclusive Working Environment Policy: see Chapter VII (below);
- The Reasonable Adjustments Policy: see Chapter VIII (below);
- The Disciplinary Policy: see Chapter IX (below);
- The Recruitment Policy: see Chapter X (below).

7. Chambers also operates several other policies which may be of relevance to pupils, which include, but are not limited to:

- GDPR Data Protection Policy version 2/2019;
- Client Care Policy, January 2020;
- Equality and Diversity Policy, September 2020;
- Personally Owned Devices Used by Members of Chambers, Staff and Pupils, version 1/2020;
- Phishing Email Policy, March 2021
- Policy for Dignity at Work and Inclusive Working Environment March 2021;
- Acceptable Behaviour Policy, March 2021;
- Social Media Policy, November 2021;
- Chambers Complaints Handling Procedure, revised 2021.

Aims and objectives

8. The principal aim and objective of pupillage is the education and training of pupils in order to prepare them for a successful career at the Bar in accordance with the rules and

guidance from the BSB, including those referred to in the Overview at Chapter I pp 1-2, paragraph 5 (above). Pupils will develop and build on the knowledge, skills and experience previously acquired and gain first-hand experience in a work-based environment (BQM Pt 4A, 2.1) and will receive training to enable them to meet the competences in the Professional Statement to the threshold standard. A subsidiary but important purpose of pupillage is to permit Chambers to observe pupils and to become fully acquainted with them so that any future applications for tenancy can be accurately assessed.

Funding arrangements

9. Our pupillages are funded by way of an award of £40,000, made up of £25,000 for the non-practising period with combined minimum earnings of £15,000 during the practising period. £5,000 of the award will be available to draw down whilst the pupil is completing the vocational component of their training. The award is made in accordance with the Pupillage Funding Rules set out in the BSB Handbook Version 4.6, Rules C113 to C118, together with Outcome C29 and the provisions of the BQM Pt4E, 1 to 6. Accordingly, minimum monthly payments are made.
10. During the non-practising period, pupils will be paid an award in equal monthly instalments of at least £4,166.66, if the £5,000 has not already been drawn down and £3,333.33 if it has not. Pupils must decide whether they wish to receive this monthly instalment at the beginning or end of the month. Payments are normally made by BACS. Pupils will need to furnish the Treasurer (Christopher Harding) with their bank account details.
11. During the practising period, the award will be paid by way of combined minimum remuneration of £15,000 in accordance with BQM Pt4E, 7. Any excess earnings from practice as a barrister are retained by the pupil. The maximum monthly top-up by Chambers is £2,500. These arrangements are best explained by way of an example:
 - (a) During the practising period, suppose a pupil receives the following fee income:
month 1 - £2,600, month 2 - £0, month 3 - £6,000, month 4 - £4,500, month 5 - £0, and month 6 - £5,000.

- (b) In month 1, Chambers will make no payment because the pupil's receipts exceed £2,500.
- (c) In month 2, Chambers will make a top-up payment of £2,400, as £100 is carried over from month 1.
- (d) In month 3 and 4, Chambers will make no payment as the pupil's receipts exceed £2,500. The excess earnings are retained by the pupil. Even though the pupil has now earned more than the guaranteed income in the 3 month period, the top up payment made in month 2 is never recouped (even though recoupment may be permitted by BQM Pt4E, 8 to 10).
- (e) As the pupil has now received combined earnings which exceed £15,000 during months 1-4, Chambers is not obliged to make any further top-up payments. Thus, Chambers will make no payment in month 5.
- (f) In month 6, the pupil will retain all earnings. In this example, the total received by the pupil (in earnings and top-up) is £20,500.

12. Pupils are not required to pay clerks' fees during the practising period.

13. However, pupils are responsible for accounting to HMRC for any VAT received on earnings and for paying their own tax and National Insurance.

14. The provision of the award and remuneration set out above is on terms that it is in lieu of any payment for individual items of work for members of chambers, which might otherwise attract a separate payment under the terms of BSB Handbook (Version 4.5, Rule C116). Thus, there is no requirement of separate remuneration for any particular item of work, of whatever kind, devilled for a member of chambers during the period of the 12-month pupillage.

15. In the case of a pupil in relation to whom a waiver of the funding requirements has been obtained, following application by Chambers and depending upon the terms of any waiver granted, this section of this Chapter may apply with the following modifications:

- (a) The pupil may not be entitled to payments during the non-practising period, as set out above.
- (b) The pupil may not be entitled to a combined minimum remuneration during the practising period, as set above.

Travel expenses

16. Chambers observes the requirements of the BSB Handbook (Version 4.6, Rules C113 and C114) with respect to the payment of expenses.

17. Pupils are responsible for travel expenses between their home address and Chambers (BSB Handbook Version 4.6, rC118.7).

18. Chambers will reimburse any travel expenses incurred by pupils, in connection with their pupillage (as opposed to their practice as a barrister) in accordance with the terms of BSB Handbook (Version 4.6, Rules C113 and C118.7). Pupils should retain all receipts (to be produced on demand) and email a schedule of travel expenses every month to the Treasurer (Christopher Harding) who will arrange for payment.

19. Chambers will only reimburse standard level fares. Pupils are expected to defray the cost of travel, where possible, by using their own travel card.

20. In the case of a pupil in relation to whom a waiver of the funding requirements has been obtained, following application by Chambers and depending upon the terms of any waiver granted, this section of this Chapter may apply with the following modifications:

- (a) The pupil may not be entitled to the reimbursement set out above.

Compulsory courses and other fees

21. Chambers will reimburse pupils for the cost of one attendance upon any compulsory courses, assessments or examinations which are completed during the course of the twelve-month pupillage, and the cost of registering with the Information Commissioner's Office for the purposes of complying with the GDPR (pupils must register before the commencement of the practising period). Chambers will not reimburse pupils for the cost of re-attending or re-sitting courses or examinations which they fail to pass.
22. Pupils must complete the Advocacy Course before the end of the non-practising period of pupillage (BQM Pt4J, 3.8). The Bar Standards Board will not issue a provisional practising certificate until this is completed (BQM Pt4A, 2.5 & 2.10 to 2.11 & 4J, 3.7-3.8). A provisional practising certificate is required before a pupil can supply legal services and exercise rights of audience in the practising period (BQM Pt4A, 2.13).
23. As from 1 September 2024 pupils must complete the Negotiation Skills Course and Assessment before the non-practising period of pupillage can be signed off (BQM Pt4J, 3.2 & 3.15-3.17).
24. Pupils must complete the Professional Ethics Examination before the practising period of pupillage can be signed off (BQM Pt4J, 3.13).
25. In the case of a pupil in relation to whom a waiver of the funding requirements has been obtained, following application by Chambers and depending upon the terms of any waiver granted, this section of this Chapter may apply with the following modifications:
 - (a) The pupil may not be entitled to the reimbursement set out above.

Funding whilst at another AETO & Termination of Funding Arrangements

26. The funding arrangements set out in this Chapter at paragraphs 9 to 25 (above) do not apply where a pupil (i) is doing a period of pupillage at another AETO, or (ii) ceases to be a pupil at Thomas More Chambers for whatever reason.

Equipment

27. Pupils are expected to arrive in Chambers with their own laptop computer. This must be protected by up-to-date virus protection software and the operating system and hard disk drive must be protected with suitable encryption. If a pupil's personal laptop is lost, this loss must be reported to the Pupillage Committee.
28. Pupils may be provided with a set of keys to Chambers, at the option of Chambers. These remain the property of Chambers at all times. They must be kept safe and returned on demand and must be surrendered if the pupil leaves Chambers.
29. Procedures for the operation of the security system will be outlined if the pupil is provided with keys. Any loss of keys must be immediately reported to the Treasurer (Christopher Harding).

Responsibilities of Thomas More Chambers

30. The responsibilities of Chambers as a whole are:
 - (a) To establish and maintain a proper pupillage policy.
 - (b) To ensure that pupillage is conducted in a manner which is fair and equitable, including the fair distribution of training opportunities to the pupil (BSB Handbook Version 4.6, rCI 10.3 and BQM Pt4D, 9 Agreement outcomes: duties of the AETO, General terms, 1.).
 - (c) To provide each new twelve month pupil with the Pupillage Agreement. The Pupillage Agreement must state:
 - The required notice period for the pupil to withdraw from the pupillage prior to the pupil starting the non-practising period (BQM Pt4D, 9, Agreement terms: details of the pupillage, 18): see further in this Chapter under “**Notice Period**” at paragraphs 74 and 76 (below);

- Any conditions which must be fulfilled prior to the pupil starting the non-practising period e.g. required achievement in vocational training (BQM Pt4D, 9, Agreement terms: details of the pupillage, 19): see further under the “**Duties of Pupils**” at paragraph 38 (below);
 - The date of commencement, length of the non-practising and practising periods and the date of expected completion (BQM Pt4D, 9 Agreement terms: details of the pupillage, 20);
 - Which Pupil Supervisor will supervise the pupil at the commencement of the non-practising period, and contact details for the Pupil Supervisor and others in Chambers with responsibility for pupillage. This information must be provided to the pupil prior to commencement of pupillage (BQM Pt4D, 9, Agreement terms: details of the pupillage, 21);
 - The minimum hours which may be required of a pupil in relation to their education and training and whether a pupil may be expected to do additional hours in relation to their education and training; for example, this will cover a typical day for a pupil and any expectation of weekend or evening commitments (BQM Pt4D, 9, Agreement terms: details of the pupillage, 22): see further under “*Absence from Training Policy*” at Chapter V (below);
 - The required notice period for Thomas More Chambers or the pupil to withdraw during pupillage. If Thomas More Chambers withdraws during the pupillage, or no longer wishes to be authorised to take pupils, or is no longer authorised to take pupils, then Thomas More Chambers must promptly notify the BSB and use their best endeavours to identify another PTO/AETO where the pupil(s) can complete their training (BQM Pt4D, 9, Agreement terms: details of the pupillage, 23): see further under “**Notice Period**” at paragraphs 75 to 77 (below).
- (d) To provide suitable Pupil Supervisors (BQM Pt4D, 9, Agreement outcomes: duties of the AETO, General terms, 2.). In considering the suitability and competence of

a barrister to take on the responsibilities of a Pupil Supervisor, Chambers will have regard to the disciplinary record of the barrister, by reference to the Barristers' Register on the BSB website (BQM Pt4B, 7). The prospective Pupil Supervisor will be required to declare that no other disciplinary action is in progress. Other considerations will include (BQM Pt4B, 7):

- The professional experience of the prospective Pupil Supervisor;
- The nature of their practice and whether it offers appropriate learning opportunities considering *inter alia* the pupil's preference in practice area;
- The time they can devote to a pupil;
- Their aptitude to create an appropriate learning environment;
- Competence to provide effective feedback; and
- Any references provided by an Inn of Court or others.

(e) To ensure that Chambers' Pupil Supervisors have received appropriate training before supervising a pupil and continue to receive it (BQM Pt4B, 11). Pupil Supervisors must take a refresher course every five years or every three years if they have not supervised a pupil for three years. This training is currently provided by the Inns of Court. Any training provided by Chambers will be designed in light of the broad framework of guidance provided by the BSB in the BQM Pt4B, 13 to 20. It will include training in the provision of appraisals (BQM Pt4J, 1.22 – 1.26). As a minimum, Chambers will ensure that all Pupil Supervisors have the following competences before they start to supervise a pupil (BQM Pt4B, 20 at 1-4).

- They will be familiar with the current versions of the following BSB documents and the relevant regulatory requirements: The BSB Handbook, the BQM, the Professional Statement and the CAS, the AF and supporting guidance.
- They will be familiar with and able to apply the Equality and Diversity Rules of the Code of Conduct and the Equality Act, together with the Thomas More Chambers Equality and Diversity Policy, September 2020 (AF pp 20-21 para 37).

- They will understand the BSB's administrative procedures for registering pupillage applying for the Provisional Practising Certificate and Full Practising Certificate.
- They will understand the role of a Pupil Supervisor.
- They will be familiar with Thomas More Chambers' training plan for pupils and be able to apply it, so that pupils are able to meet the competences in the Professional Statement to the threshold standard (see also BQM Pt4J, I.13 and CAS pp 25 & 29-41 and AF pp 23-24, paras 46.1-46.4 & 46.9).
- They will be familiar with Thomas More Chambers' policies, procedures and standard documentation in relation to pupillage, and able to apply them.
- They will understand what makes an effective supervisor, including understanding how pupils learn effectively and being able to assess the learning needs/learning styles of their individual pupils.
- They will understand the time commitment that is required to be effective as a Pupil Supervisor.
- They will understand the behaviours which constitute unacceptable supervision practices.
- They will be competent to conduct assessment of their pupils' progress in meeting the required competences and standards in the Professional Statement and to conduct effective one-to-one appraisal and feedback, and continuing feedback to pupils throughout the duration of the pupillage.
- They will be able to identify and act on their own development needs as an effective Pupil Supervisor.

- They will be familiar with Thomas More Chambers' policies and support mechanisms that enable all pupils to complete their training and support those who experience difficulties.
 - They will be able to signpost pupils to external help if needed.
 - They will be able to apply appropriate policies and support mechanisms that enable all pupils to complete their training; and to support those who experience difficulties.
 - They will be able to create a positive relationship with pupils, such that they feel comfortable to speak up without fear of reprisal.
- (f) To register the Pupil Supervisor(s) responsible for signing off the non-practising and practising periods of pupillage when the pupillage is registered (or notify the BSB promptly if there is a change in circumstances) (BQM Pt4B, 22 & 25).
- (g) To confirm upon registration of the pupillage and the Pupil Supervisor that the Pupil Supervisor has received appropriate training (BQM Pt4B, 11).
- (h) To ensure that all Pupil Supervisors with whom a pupil 'sits' are appropriately trained and that consistency of supervision, assessment of the competences in the Professional Statement and quality of training is maintained, with an effective handover between supervisors (BQM Pt4B, 25 & 4j, 1.17).
- (i) To ensure that the BSB is contacted where a material change of registered Pupil Supervisors takes place and that alternative arrangements are made where necessary in accordance with the BQM (BQM Pt4B, 26 & 4M, 26).
- (j) To monitor whether the relationship between a pupil and Pupil Supervisor is working well and, if it is not, to recognise that and put alternative arrangements in place (BQM Pt4M, 21).

- (k) To maintain training records of Pupil Supervisors for the purpose of supervision by the BSB (BQM Pt4B, 11).
- (l) To provide a suitable range of work and experience for pupils. This includes ensuring that the allocation of unassigned work is monitored and that pupils are given a fair and equal access to the opportunities available in Chambers, pursuant to the Equality and Diversity Rules of the Code of Conduct and the Thomas More Chambers Equality and Diversity Policy, September 2020 (BSB Handbook Version 4.6, Rule rC110.3 i. & rC112.1 and BQM Pt4M, .9). It also includes ensuring that the imposition of unskilled work (such as excessive photocopying, running errands) is prevented (BQM Pt4M, 12). Thomas More Chambers recognises that requiring pupils to carry out work as a paralegal where there is insufficient focus on meeting the competences in the Professional Statement undermines the purpose of pupillage (BQM Pt4M, 12).
- (m) To ensure that the Pupillage Funding Rules (BSB Handbook Version 4.6, rC113-118) are complied with in the provision of a financial award during the first-six months and combined minimum earnings during the second-six months. The Pupillage Agreement will (BQM Pt4D, 9, Agreement outcomes: duties of the AETO, Pupillage funding, 11. and accompanying bullet points and BSB Handbook Version 4.6, rC116):
- Provide details of the minimum amount to be paid each month, whether this will be paid in advance or in arrears, when/how this payment will be made and who at Thomas More Chambers is responsible for ensuring that this is done: see further under “**Funding Arrangements**” at paragraphs 8-13 (above);
 - Provide details of Thomas More Chambers’ policy on reimbursing expenses for travel and compulsory courses, assessments and examinations: see further under “**Travel Expenses**” and “**Compulsory Courses and other fees**” at paragraphs 16-26 (above);

- Provide that the agreed funding arrangements do not apply where a pupil (i) is doing a period of pupillage at another PTO/AETO, or (ii) ceases to be a pupil at Thomas More Chambers for whatever reason: see further under “**Funding whilst at another AETO & Termination of Funding Arrangements**” at paragraph 26 (above); and
 - State who is responsible for any tax/National Insurance/VAT payments: see further under “**Funding Arrangements**” at paragraph 13 (above).
 - Provide that either Thomas More Chambers/self-employed barristers in chambers will pay the pupil for anything which because of its value warrants payment in addition to their pupillage award, or that the pupil is receiving a pupillage award or remuneration in lieu of payment for any individual item (rC116 of the BSB Handbook Version 4.6) (Thomas More Chambers currently adopts the latter option): see further under “**Funding Arrangements**” at paragraph 14 (above).
- (n) To provide two induction sessions. The initial induction process is designed to introduce pupils to the key people in Thomas More Chambers, explain the way Chambers operates, the type of work that it does, how the training is organised and how pupils are assessed (BQM Pt4M, 2). The second induction process is designed to prepare pupils for commencing the practising period of their pupillage including an explanation of the operation of the clerks’ room, the allocation of briefs, the completion of legal aid forms, backsheets and attendance notes, billing, and arrangements for attending Saturday courts. The induction process is described in Chapter XI (below).
- (o) To provide reasonable safe facilities in which to work within the practical limitations set by Chambers’ accommodation.
- (p) To provide each pupil with a junior member of Chambers as a mentor, as an alternative recourse to the Pupil Supervisor for day-to-day concerns (BQM Pt4B, 21 at 4.).

- (q) To ensure that the pupil is covered by insurance (either that of Chambers or of the Pupil Supervisor) for all legal services supplied to the public (BSB Handbook Version 4.6, rC76-77 and BQM Pt4D, 9, Agreement outcomes: duties of the AETO, General terms, 3. & 4H, 2.1). If the pupil is covered by the insurance of a Pupil Supervisor and there is more than one Pupil Supervisor at any one time, Chambers will clarify which Pupil Supervisor's insurance covers the pupil (BQM Pt4D, 9, Agreement outcomes: duties of the AETO, General terms 3.).
- (r) To ensure that Chambers and Pupil Supervisors promptly provide the pupil with all necessary assistance in complying with their regulatory obligations, for example registering their pupillage with the BSB, applying for any necessary waivers and obtaining a provisional practising certificate (BQM Pt4D, 9, Agreement outcomes: duties of the AETO, General terms, 4).
- (s) To ensure that throughout the pupillage, the BSB is promptly notified of any material changes to the pupillage, for example any change in the date of commencement or expected completion, or change of Pupil Supervisor (BQM Pt4D, 9, Agreement outcomes; duties of the AETO, General terms, 5.).
- (t) To ensure that the pupil is provided with copies of the written policies which appear at Chapters V to X (below) (BQM Pt4D, 9, Agreement outcomes, duties of the AETO, General terms 7.).
- (u) Together with the Pupil Supervisor, to provide the pupil with a written description of the training programme which enables the pupil to meet the competences in the BSB's Professional Statement. The training programme will be included as a Schedule to the Pupillage Agreement. It must provide details of (BQM Pt4D, 9, Agreement outcomes: duties of the AETO, Training programme, 8):
- What training the pupil will undertake in the non-practising and practising periods (AF pp 23-24, paras 46.1-46.4 & 46.9);

- The supervision arrangements that the pupil can normally expect in the non-practising and practising periods (AF pp 23-24, paras 46.1-46.4 & 46.9);
- How frequently appraisals/performance reviews will be conducted (AF pp 23-24, paras 46.1-46.4 & 46.9);
- The compulsory Advocacy Course, which the pupil must complete prior to starting the practising period (BQM Pt4J, 3.2 & 3.8 and CAS p.29);
- From the academic year 2024/25, the compulsory Negotiation Skills course which the pupil must pass before the non-practising period of pupillage can be signed off and, from the academic year 2021/22 the compulsory Professional Ethics Examination which the pupil must pass prior to completing pupillage (BQM Pt4J, 3.2 & 3.10 - 3.17 & CAS p.29).
- The training programme will state whether Thomas More Chambers will pay for second or subsequent resits, and the course of action to be taken if the pupil has not passed the compulsory courses, assessments or examinations before the pupillage is due to be completed;
- Where a pupil will be doing a period of pupillage at another AETO, details of the other AETO, the length of the period of pupillage at the other AETO, what training the pupil will undertake, how the pupil will be supervised and assessed and arrangements for the Pupil Supervisor to certify that the period of pupillage at the other AETO has been satisfactorily completed (AF pp 23-24, paras 46.1-46.4 & 46.9);
- The course of action to be taken if, for an extended period of time, the pupil takes sickness or other absence from training or there is no appropriate Pupil Supervisor, and there is a risk the competences in the BSB's Professional

Statement will not be met (including notifying the BSB so that special provision can be made where necessary)²;

- How assessment against the competences in the BSB's Professional Statement will be conducted at the end of the non-practising period (CAS pp 25 & 29-41 and AF pp 23-24, paras 46.1-46.4 & 46.9); and
 - How final assessment against the competences in the BSB's Professional Statement will be conducted at the end of the practising period (CAS pp 25 & 29-41 and AF pp 23-24, paras 46.1-46.4 & 46.9).
- (v) To ensure that if a pupil is going to be working in the Youth Courts, the pupil understands the competences and guidance necessary for such work and that this is built into pupillage training (BQM Pt4K, 3.9).
- (w) To maintain the following data and records for at least 5 years (BQM Pt4F & 4K, 3.16):
- Training records for pupils;
 - Training outcomes for pupils;
 - Training records for Pupil Supervisors;
 - Training records for recruitment panel members;
 - Recruitment records (advertisements, application process, selection criteria, assessor records);
 - Pupillage agreements;
 - Diversity data for pupils (this might compare applications, interviews offered, pupillage offers made, places taken up and progression to

² Chambers will ensure that pupils who need to take sickness or special absence from training are treated fairly in relation to completion of pupillage. In deciding whether an extension to pupillage is required, the key focus for Thomas More Chambers will be whether the pupil has met the competences set out in the BSB's Professional Statement by their date of completion.

tenancy/employment) and the action that Chambers has taken following review of data;

- Complaints/grievances with Chambers' analysis and action taken;
- Pupil feedback, analysis and action taken;
- Policies related to pupillage.

(x) To ensure that where a pupil ceases to be a pupil at Thomas More Chambers for whatever reason, the pupil is provided, on request, with copies of their training records which apply to the period of pupillage completed at Thomas More Chambers (BQM Pt4D, 9, Agreement outcomes: duties of the AETO, General terms, 6. & 4j, 1.35).

(y) To provide pupils and applicants for pupillage with clear, accessible and meaningful information about the process and timing for applying for tenancy (BQM Pt4G, 2 and AF p.23 para.45.1). In particular information must be provided to pupils and applicants about the retention rate or other destination post-qualification; earnings potential when fully qualified and support given to pupils to enable them to find alternative situations if unsuccessful in their tenancy application (BQM Pt4G, 2. The relevant information is contained in the Recruitment Policy included at Chapter X (below).

(z) If the relationship between the pupil and Thomas More Chambers breaks down to the extent that the pupil decides to leave, to contact the BSB's Supervision team, by email to supervision@barstandardsboard.org.uk (BQM Pt4M, 23).

(aa) If Thomas More Chambers were to dissolve unexpectedly, to contact the BSB's Supervision team as above and do all it can to find another PTO/AETO at which the pupil can complete their training.

(bb) Properly to investigate and if proven report any instance of plagiarism or cheating by a pupil to the BSB, and the pupil's Inn (BQM Pt4j, 1.33 and AF pp 23-24, paras 46.6 & 46.7).

- (cc) To provide an opportunity for pupils to give feedback to Chambers about their experience of training at Thomas More Chambers (AF p.24 para.46.10).
- (dd) To comply at all times with the General Data Protection Regulation (“**GDPR**”) and the Data Protection Act 1998, including complying with the Thomas More Chambers GDPR Data Protection Policy.

Management of pupillage

31. The recruitment, training, and management of pupils is overseen by the Pupillage Committee, which takes primary responsibility for ensuring that Thomas More Chambers' Duties, as outlined above, are fulfilled.
32. In addition, the Pupillage Committee is expected to liaise with all new pupils, match them with Pupil Supervisors, arrange start dates, conduct an initial induction session, provide pupils with a work folder for storing all assessed work, and ensure that pupils have the facilities and support they need during their pupillage.
33. The allocation of Pupil Supervisors is based, to some extent, on a pupil's areas of interest.
34. The Pupillage Committee will conduct a second induction session before the commencement of the practising period. This will cover, inter alia, the operation of the clerks' room, the allocation of briefs, the completion of legal aid forms, backsheets, and attendance notes, billing, and arrangements for attending Saturday courts.
35. The Head of the Pupillage Committee will monitor the appraisal of pupils so that Chambers is aware of the progress of all the pupils and can identify where there may be emerging issues, in particular in respect of their expected capacity to pass the assessments at the end of either the practising or non-practising period (BQM Pt4J, 1.29).
36. The Pupillage Committee will be reasonably available for information, consultation and providing support to pupils. If desired, and where appropriate, such communications may be confidential as between the Pupillage Committee and the pupil. If requested, the Pupillage Committee can raise matters with the Management Committee on behalf of the pupil.

Duties of Pupil Supervisors

37. Pupil Supervisors may only supervise one pupil at a time.

38. We regard the following as being the responsibilities of Pupil Supervisors:

- (a) To ensure the proper training and education of pupils within their supervision, with a suitable training programme that enables pupils to meet the competences in the Professional Statement to the threshold standard, in accordance with the CAS (BQM Pt4B, I and CAS pp 25 & 29-41 and AF pp 23-24, paras 46.1-46.4 & 46.9).
- (b) To provide the pupil with all necessary assistance in complying with their regulatory obligations, for example registering their pupillage with the BSB, applying for any necessary waivers and obtaining a provisional practising certificate (BQM Pt4B, I).
- (c) Together with Chambers, to provide the pupil with a written description of the training programme referred to in this Chapter at paragraph 26 u) (above) and, as early as possible during the pupillage to discuss the planned training programme, how they are going to measure whether the pupil is meeting the competences and what methods are going to be used to assess the pupil (BQM Pt4J, I.14).
- (d) To discuss, especially during the non-practising period, what is required from pupils, whether they are in Chambers, in a conference, in court or carrying out legal research (BQM Pt4M, 3).
- (e) During the practising period of pupillage to make time available to discuss the pupil's own case-load and offer advice and guidance. Pupil Supervisors should make time to observe their pupils' performance in court, to assist both the Supervisor and pupil to identify strengths and weaknesses in their competences (BQM Pt4M, 14).
- (f) To ensure that pupils receive constructive feedback on work done and that both a work assessment form and a self-assessment form is completed (see Chapter XII below) (BQM Pt4J, I.17, I.21 and AF p.24 para 46.9). Completed forms should be

retained by pupils in their work folder, with a copy retained for Chambers pupillage training records.

- (g) To undertake a formal written appraisal at the end of the supervision period. This appraisal should involve a review of work done, a review of those competences and standards in the Professional Statement which have or have not been met (CAS pp 25 & 29-41), a discussion about any feedback received from other members of Chambers, and an action plan for the future. The appraisal should be recorded on a Pupillage Appraisal Form (see Chapter XII p.82). Completed forms should be retained by pupils in their work folder, with a copy kept for Chambers pupillage records.
- (h) Actively to teach the pupil, so as to assist the pupil to achieve the competences and standards set out in the Professional Statement (BQM Pt4J, 1.1 to 1.6).
- (i) To ensure that their pupils became familiar with the tax requirements for self-employed practice, including in respect of VAT and National Insurance (BQM Pt4H, 2.8).
- (j) To ensure that the pupil is not overburdened with “devilling” by any member of Chambers whether a Pupil Supervisor or not, and to regulate, and where necessary restrict, the pupil’s overall workload, including by withholding consent to devilling until such time as the pupil has capacity to take on further work.
- (k) To seek to ensure (in a manner that is compatible with (j) above) that the pupil is exposed to work from a variety of practitioners so as to allow these practitioners to be able to form a proper opinion of the pupil’s competence.
- (l) To ensure that the pupil is given an accurate picture of their performance and, where relevant, on their prospects for tenancy.
- (m) At the end of the non-practising period, to assess the pupil against the competences in the Professional Statement and, if appropriate, provide the pupil

with a certificate for the BSB, certifying that the non-practising period has been satisfactorily completed, on the prescribed non-practising period completion form (see BQM Pt4A, 2.10, 4D, 9, Agreement outcomes: duties of the AETO, Assessments and certification of completion 10, 4J, 1.2 & 1.3 & Pt4K2.5 and CAS pp 25 & 29-41 and AF pp 23-24, paras 46.1-46.4 & 46.9). If the Pupil Supervisor is unable to sign the non-practising period completion form, it may be signed by the Head of the Pupillage Committee or Head of Chambers, if they provide reasons why the Pupil Supervisor was unable to sign and are satisfied the requirements have been met (BQM Pt4K, 2.6).

- (n) At the end of the practising period, to assess the pupil against the competences in the Professional Statement and, if appropriate, provide the pupil with a certificate for the BSB, certifying that the practising period has been satisfactorily completed, on the prescribed practising period completion form (see BQM Pt4D, 9, Agreement outcomes: duties of the AETO, Assessments and certification of completion 10, 4J, 1.2 & 1.3 & Pt4K, 3.11, CAS pp 25 & 29-41 and AF p.23 paras 46.1-46.4 & 46.9). If the Pupil Supervisor is unable to sign the practising period completion form, it may be signed by the Head of the Pupillage Committee or Head of Chambers, if they provide reasons why the Pupil Supervisor was unable to sign and are satisfied the requirements have been met (BQM Pt4K, 3.12).
- (o) The Pupil Supervisor (or Head of the Pupillage Committee or Head of Chambers) must not sign off the pupil as having completed the non-practising or the practising period of pupillage unless the defined standards and competences have been met (BQM Pt4J, 1.30 & Pt4K, 2.5 & 3.11).
- (p) The Pupil Supervisor should inform the Head of the Pupillage Committee if the appraisal process has revealed that there is a risk that a pupil will not pass the assessment at the end of either the practising or non-practising periods of pupillage (BQM Pt4J, 1.30).

- (q) The Pupil Supervisor should inform the BSB by emailing pupillagerecords@barstandardsboard.org.uk if a pupil is not signed off (BQM Pt4J, I.32).
- (r) Chambers may, in its discretion, provide a pupil who is not signed off with an opportunity to extend their pupillage with additional or remedial work (BQM Pt4J, I.31).
- (s) Where a material change occurs to his or her level of absence or unavailability as a supervisor, the Pupil Supervisor is to ensure that the BSB is contacted for advice so that special provision can be made where necessary (BQM, Pt4H, I.5).
- (t) To comply at all times with the GDPR and the Data Protection Act 2018, including complying with the Thomas More Chambers GDPR Data Protection Policy.

39. If a pupil does not pass an assessment against the competencies in the BSB's Professional Statement at the end of the non-practising period, the pupil will be required to undertake an additional period of training before being permitted to start the practising period and accept instructions. The Pupillage Committee, following consultation with the Pupil Supervisor will prescribe both the length and content of the additional training. Following the additional period of training a further assessment will take place. If the pupil fails to pass the second assessment, the pupil's case may be dealt with under the Disciplinary Policy set out in Chapter IX (below). (BQM Pt4D, 9, Agreement outcomes: duties of the AETO, Assessments and certification of completion, 9)

40. If a pupil does not pass an assessment against the competencies in the BSB's Professional Statement at the end of the practising period the pupil may be required to undertake an additional period of training. The Pupillage Committee, in consultation with the Pupil Supervisor will prescribe both the length and content of the additional training. Following the additional period of training a further assessment will take place. If the pupil fails to pass the second assessment, the pupil's case may be dealt with under the Disciplinary Policy set out in Chapter IX (below). (BQM Pt4D, 9, Agreement outcomes: duties of the AETO, Assessments and certification of completion, 9)

41. Pupil Supervisors are required to prepare a report (oral or written) on their pupil as part of the tenancy selection process. This report will be considered at a Chambers Meeting before Chambers votes on the tenancy application. Pupil Supervisors are expected to draw on their experience of working with the pupil, the pupil's drafting and advocacy ability, the formal written appraisal, and any feedback from other tenants.

Duties of pupils

42. Pupils must normally have become a member of an Inn of Court before starting pupillage (BQM Pt4H, 4. and Pt5A). Pupils must also have completed the academic and vocational components of training before commencing pupillage with Thomas More Chambers (BQM Pt4D, 9, Agreement terms: duties of the pupil, 12). Pupils are required to have completed the academic and vocational components prior to being called to the Bar and, hence, in any event prior to commencing the practising period of pupillage (BSB Handbook, Version 4.6, rQ3 and see further paragraphs 45 and 55, below), Pupils are normally expected to have been called to the bar before commencing the non-practising period of pupillage (BQM Pt4A, 2.8 and AF pp 8-9, 12.1 – 12.3).

43. Pupils must ensure their pupillage is registered with the Bar Standards Board prior to the commencement of pupillage (BQM Pt4D, 9, Agreement terms: General Terms, 4. & 4H, 1.1 & 3.4, 4.). Registration forms are available for download from the Bar Standards Board website (www.barstandardsboard.org.uk). A link to the form is provided in the guidance at BQM Pt4H, 1.2). Forms should be submitted two weeks prior to the commencement of pupillage, providing the name of the designated Pupil Supervisor and the commencement date (BQM Pt4H, 1.2).

44. If any of the information provided in an application for registration of a pupillage changes before the pupillage has been completed, the pupil must promptly notify the BSB in writing on the change on the prescribed form, noting the periods of time involved (BQM Pt4H, 1.3 & 4). The declaration must be signed by the Head of Chambers or Head of the Pupillage Committee (BQM Pt4H, 1.4).

45. Pupils must provide clear documentary evidence³ to Chambers that they have satisfactorily completed the academic and vocational training components (BSB Handbook Version 4.6 Pt 4, B2, rQ3, BQM Pts 2 & 3 & Pt 4D 9, Agreement terms: duties of the pupil, 12), are a member of an Inn (BQM Pt4C, 21), have obtained immigration visas (where relevant) and registered their pupillage with the BSB (BQM Pt4D, 9, Agreement terms: duties of the pupil, 12).
46. Throughout pupillage and for a further five years, pupils must ensure that they keep adequate training records (particularly to assist their final assessment against the competencies in the BSB's Professional Statement) (BQM, Pt4D, 9, Agreement terms: duties of the pupil, 13, 4F, 4H, 4 & 4K, 3.16).
47. Throughout pupillage pupils must ensure that any necessary waivers, as provided for in the BSB Handbook, have been granted by the BSB and that the BSB is promptly notified of any material changes to the pupillage for example a change to the date of commencement or expected completion, or change of Pupil Supervisor (BQM, Pt4D, 9, Agreement terms: duties of the pupil, 14).
48. Throughout pupillage pupils must adhere to the Core Duties and Conduct Rules and behave at all times in accordance with professional ethics and conduct set out and as stated in the BSB Handbook (BSB Handbook Version 4.6, Pt 1B r1 7.1.b and BQM Pt4H, 4.).
49. In addition, Chambers regards the following as being included in the general duties of pupils:
- (a) To make educational training and professional learning the first priority during pupillage.

³ Including University degree certificates

- (b) To attend any compulsory educational training and development courses, assessments or examinations required by Thomas More Chambers and the BSB (BQM Pt4H, 4. & 4J, under 3.2).
- (c) To keep close contact with their Pupil Supervisor and to be aware of their Pupil Supervisor's professional commitments and movements.
- (d) To ensure that work assessment forms are supplied to members of Chambers with every piece of written work undertaken and to ensure that the same is retrieved and retained in their work folder.
- (e) To be available to provide assistance on research and casework.
- (f) To return all library books to the library after use.
- (g) Not to remove any sets of papers from Chambers without the prior approval of the tenant whose papers they are (or, during the practising period, with the permission of the clerks).
- (h) To keep the clerks fully informed of their whereabouts.
- (i) Be appropriately dressed at all times (dark suits, with ties for men, and dark shoes). Pupils in the practising period should have access to court dress (wigs, gowns, etc.).
- (j) To be available to attend court during the working week and on Saturdays.
- (k) To carry out a reasonable share of out-of-London work.
- (l) During the practising period of pupillage to continue to attend court or conferences with their Pupil Supervisor and continue to assist with their paperwork as part of training (BQM Pt4M, 15).

- (m) To inform solicitors of the result of any case in which they have been instructed on the same day. An attendance note should also be emailed within the same timeframe, or at the latest by 9am the following morning.
- (n) To attend seminars delivered in Chambers and, if invited, to assist with preparation and delivery of the same.
- (o) To support Chambers' Equality and Diversity Policy.
- (p) To keep confidential any private or sensitive information obtained during the course of pupillage. In particular, to preserve and maintain the confidentiality of client's affairs in accordance with the BSB Handbook, adopting secure technology where appropriate and complying with the data protection requirements set out in the General Data Protection Regulation ("**GDPR**") and the Data Protection Act 2018. This will include complying with the Thomas More Chambers GDPR Data Protection Policy. (BQM Pt4H, 2.5 to 2.7 and 4.)
- (q) To maintain the highest professional and ethical standards.
- (r) To report any problems or difficulties over casework, practice, or in Chambers, to their Pupil Supervisor or the Pupillage Committee.

50. During the non-practising period, pupils must ensure that they do not accept client instructions or supply legal services as a practising barrister (BQM Pt4A, 2.9 & 4H, 4. & 4K, 2.1). A pupil may accept a noting brief with the permission of their Pupil Supervisor or the Head of Chambers in which instance such a pupil may describe themselves as a pupil barrister (BSB Handbook Version 4.6, Rule rS11 and BQM Pt4A, 2.9 & 4D, 9, Agreement terms: duties of the pupil, 15, 4H, 4. & 4K, 2.1).

51. A pupil in the non-practising period may, however, provide unreserved legal services in any other capacity than as a pupil barrister. For example, the pupil may provide pro bono advice or undertake voluntary work for organisations such as Justice, Liberty, the Free Representation Unit, Citizens Advice or in Law Centres. In this instance, the pupil should

not describe themselves as a barrister or pupil barrister and should follow the rules and guidance for unregistered barristers provided by the BSB. (BQM Pt4K, 2.2).

52. A pupil may also take on part time work with the permission of the Pupil Supervisor provided that it does not materially interfere with training. Such training may usefully form part of the training programme and enable pupils to meet certain competences in the Professional Statement. (BQM Pt4K, 2.3).

53. At the end of the non-practising period, pupils must ensure that their Pupil Supervisor signs the certificate in the non-practising period completion form, certifying that the non-practising period has been satisfactorily completed, which pupils should then promptly submit to the BSB, by email to pupillagerecords@barstandardsboard.org.uk, applying for a Provisional Practising Certificate (BQM Pt4A, 2.10, 4H, 4. & 4K, 2.7). Pupils are encouraged to submit the form as soon as possible after the completion of the non-practising period and the BSB will accept the signed form one week in advance (BQM Pt4K, 2.9 to 2.10). Provided that the pupil has satisfactorily completed the compulsory training specified by the BSB, together with a satisfactory period of pupillage for the purposes of BSB Handbook Version 4.6, Pt 4, B2, Rule Q4, the BSB will then grant a Provisional Practising Certificate allowing the pupil to progress to the non-practising stage (BSB Handbook Version 4.5, rS46.2 and BQM Pt4K, 2.12).

54. Pupils must register with the Information Commissioner as a data controller before the commencement of the practising period (BQM, Pt4D, 9, Agreement terms: duties of the pupil, 16 & 4H, 2.6 & 4.). Chambers will reimburse pupils for the cost of registration. Pupils can register online at www.ico.gov.uk.

55. Pupils must also have been called to the Bar⁴ and obtained a Provisional Practising Certificate from the BSB before they can undertake the practising period and commence supplying legal services and exercising rights of audience as a pupil barrister (BSB Handbook Version 4.6, rS64 & Pt 4 B2, Q4 and BQM, Pt4A, 2.12 and 2.13 & 4D, 9, Agreement terms: duties of pupil, 16).

⁴ Pupils will normally have been called to the Bar before commencing the non-practising period of pupillage (BQM Pt4A, 2.8).

56. Pupils must ensure that they are registered with HMRC for self-employment and VAT either before or as soon as possible after the commencement of the practising period of pupillage (BQM Pt4H, 4.). As registration can take some time, pupils should apply early.
57. During the practising period, pupils may accept client instructions and exercise rights of audience once they hold a valid Provisional Practising Certificate (BSB Handbook Version 4.6, rS64 and BQM Pt4K, 3.1). However, pupils must ensure that they do not provide legal services as a barrister and exercise rights of audience without the permission of their Pupil Supervisor, or the Head of Chambers (BSB Handbook Version 4.6, rS19 and BQM, Pt4D, 9, Agreement terms: duties of pupil, 6. & 4H, 4.).
58. A pupil in the practising period may also provide unreserved legal services in any other capacity than as a pupil barrister. For example, the pupil may provide pro bono advice or undertake voluntary work for organisations such as Justice, Liberty, the Free Representation Unit, Citizens Advice or in Law Centres. In this instance, the pupil should not describe themselves as a barrister or pupil barrister and should follow the rules and guidance for unregistered barristers provided by the BSB (BQM Pt4K, 3.2).
59. During the practising period a pupil may also take on part time work with the permission of their Pupil Supervisor provided that it does not materially interfere with training (BQM Pt4K, 3.3). Such training may usefully form part of the training programme and enable pupils to meet certain competences in the Professional Statement. (BQM Pt4K, 3.4). A pupil in the practising period may also supply legal services at a designated Legal Advice Centre on a voluntary basis, provided they do not receive a fee or reward for services and do not have any financial interest (BSB Handbook Version 4.6, rS41 to rS42 and BQM Pt4K, 3.5).
60. If a pupil intends to accept instructions in Youth Courts, the pupil must register this activity with the BSB and must declare that they have the specialist skills, knowledge and attributes necessary to work effectively with young people as set out in the BSB's "*Youth Proceedings Competences and Guidance*" (BSB Handbook Version 4.6, rS59.6 and BQM Pt4K, 3.6). Pupils may also register later in pupillage if circumstances change and they

undertake Youth court work when they did not expect to (BQM Pt4K, 3.7). By declaring that they intend to do the work, pupils are declaring that they meet the requirements set out in the competences as they apply to the cases in which they are likely to be instructed (BQM Pt4K, 3.10).

61. At the end of the practising period, pupils must ensure that their Pupil Supervisor signs the certificate in the prescribed practising period completion form, certifying that the practising period has been satisfactorily completed, which pupils should then promptly submit to the BSB, by email to authorisations@barstandardsboard.org.uk (BQM Pt4K, 3.11 to 3.15). Provided that the pupil has satisfactorily completed the compulsory training specified by the BSB, and the practising period of pupillage satisfactory to the BSB, the BSB will confirm eligibility for a full Practising Certificate (BSB Handbook Version 4.6, rS46.1.a & Rule Q5 and BQM Pt4K, 3.17).
62. On confirmation by the BSB that it is satisfied that the pupil has satisfactorily completed the practising period and is eligible for a full Practising Certificate, the pupil may apply for a full Practising Certificate (BQM, Pt4K 3.17). The pupil must apply for a Full Practising Certificate in order to commence practice as a barrister (BSB Handbook Version 4.6, Pt 3, C4, rS63 & Pt 4, B2, rQ5 and BQM Pt4A, 2.14, 4H, 4. & 4K, 3.18-3.19).
63. Pupils must also apply to the BMIF for their own insurance cover for legal services offered in self-employed practice (BQM Pt4H, 4.).
64. The Provisional Practising Certificate is valid for 30 days after the end of pupillage to give pupils time to apply for a full Practising Certificate (BQM PtC2, 4K, 3.18).

Casework responsibilities

65. Where a pupil is actively involved with casework, it is understood that the Pupil Supervisor (or tenant) will:
- (a) Discuss the case with the pupil;

- (b) Provide the pupil with written work or research of educational value;
- (c) Provide the pupil with feedback on any work undertaken using a work assessment form (see Chapter XII);
- (d) Arrange for the pupil to attend relevant case conferences;
- (e) Ensure that the pupil gains experience of court work and out-of-court work across a broad range consistent with Chambers' objectives for pupillage.

66. In return it is expected that the pupil will:

- (a) Carry out reasonable amounts of photocopying and errand running in relation to any active case;
- (b) Attend the library to obtain relevant authorities;
- (c) Conduct research which is relevant to a case, even if it is of low educational value.

Allocation of work

67. All work (other than that directed to a pupil via the clerks during the practising period) should be channelled through the Pupil Supervisor.

68. Tenants with suitable work for pupils should contact the Pupil Supervisor in the first instance.

69. When a pupil completes a piece of work they must ask the tenant to complete a work assessment form (see Chapter XII) and retain the completed form in their work folder.

70. Tenants must complete the work assessment form accurately as it will provide feedback to the pupil and will contribute to the assessment of the pupil for tenancy.

71. The Pupil Supervisor and the clerks are responsible for ensuring that pupils receive a fair distribution of work.

Extensions to the Non-Practising or Practising Periods of Pupillage

72. Chambers may in its discretion extend the non-practising or the practising period of pupillage where a pupil has failed to complete the compulsory Advocacy Course by the end of the non-practising period of pupillage (BQM Pt4J, 3.18) or for any other reason has not been signed off at the end of any such period (BQM Pt4J, 1.31).

73. Further, Thomas More Chambers and the Pupil Supervisor will determine the impact on the training programme of longer periods of leave than those provided for in the Absence from Training Policy at Chapter V paragraphs 2 to 7 (below), due for example to illness or bereavement and whether the period of pupillage should be extended to enable the pupil to meet the competences in the Professional Statement (BQM Pt4M, 28).

74. If a pupillage is to be extended, Chambers must notify the BSB of the new date that the pupil will be completing pupillage, by completing the “*Notification of material change in pupillage form*” (BQM Pt4M, 29).

75. If a pupillage is extended, the Pupil Supervisor must set clear and measurable objectives as to what is expected of the pupil during the extended period (BQM Pt4M, 30).

76. Pupils must apply to the BSB for dispensation if they need to take a substantial break from pupillage and extending the pupillage would not be appropriate in the circumstances (BQM Pt4M, 31).

77. Provisions about the extension of pupillages in the event of failure to pass compulsory courses, assessments or examinations or failure for any other reason to qualify for a sign-off at the end of the non-practising or practising period will be set out in the Pupillage Agreement (BQM Pt4J, 3.18).

Notice periods

78. A pupil who wishes to withdraw from the pupillage prior to commencing the non-practising period must give at least six months' notice in writing to the Pupillage Committee (BQM, Pt4D, 9, Agreement terms: details of the pupillage, 18).
79. A pupil who wishes to withdraw from pupillage after commencing the non-practising period must give at least one month's notice in writing to the Pupillage Committee (BQM Pt4D 9, Agreement terms: details of the pupillage, 23).
80. Thomas More Chambers may only withdraw from a pupillage if Chambers is itself dissolved or Thomas More Chambers loses its authorisation to take pupils (BQM Pt4D, 9, Agreement terms: details of the pupillage, 23).
81. If Thomas More Chambers withdraws during the period of a pupillage, or no longer wishes to be authorised to take pupils or is no longer authorised to take pupils, Thomas More Chambers must, in the event that this is caused by the dissolution of Chambers, promptly notify the BSB and in any event use their best endeavours to identify another PTO/AETO where the pupil(s) can complete their training (BQM Pt 4D, 9, Agreement terms: details of the pupillage, 23).

Exempted Pupillages

82. An Exempted Pupillage is a pupillage where the pupil and or Chambers has obtained a waiver, partial waiver, exemption or partial exemption for any normal requirement imposed by the BSB on regulated pupillages. The most frequent examples are in respect of:
- (a) duration: to reduce either or both of the non-practising period and practising period in length, or to obtain a full exemption from the non-practising period.
 - (b) funding: to entitle the pupil to complete a regulated pupillage without receiving any funding from Chambers.

- (c) Advertising and recruitment: to enable a pupil to apply for and be offered a pupillage in chambers without the pupillage being offered on the Pupillage Gateway in line with the normal requirements, including the prescribed timetable.

There may, however, be others.

83. The circumstances in which an applicant may be offered an Exempted Pupillage can vary widely. Some applicants may be relatively inexperienced (e.g. those who have worked in a legal environment whilst searching for a pupillage) whilst others may have practised for many years as advocates in other jurisdictions. Accordingly, there is a need for flexibility in how Chambers manages any Exempted Pupillage, so that the arrangements are appropriate to the situation and also to ensure that all training and other regulatory outcomes are met. Chambers must apply to the BSB for waivers of the funding and/or advertising and recruitment requirements.
84. For applicants or pupils who have limited experience practising as a lawyer, it is expected that an Exempted Pupillage will be similar to that of a non-Exempted Pupillage. For those who have more experience, a more bespoke approach may be appropriate and which will be agreed with the pupil before the commencement of his or her pupillage with the Pupillage Committee.
85. In particular, in the case of a pupil who has obtained a partial exemption in respect of the duration of their pupillage:
- (a) The reduced duration should only be regarded as a minimum period of time and the obligation remains with the pupil's pupil supervisor not to sign off the pupil as having completed either the non-practising or the practising period of pupillage unless the defined standards and competences have been met, even if this takes longer.
 - (b) A pupil who has successfully completed a reduced-duration pupillage may not be able to apply for a tenancy within Chambers immediately following the signing-off of the pupillage. He or she may therefore be invited to continue in Chambers as a Third Six Pupil after obtaining a full practising certificate until Chambers is in a position to consider any application for a tenancy.

86. Provisions related to the funding and recruitment of Exempted Pupils are respectively set out in “Funding arrangements” section of this Chapter, above, and Chapter X, Recruitment, below.

III

PROBATIONARY TENANTS (FORMERLY KNOWN AS THIRD-SIX PUPILS)

Overview

1. Chambers is transitioning from the traditional terminology of “third-six pupils” and “third-six pupillage” to “probationary tenants” and “probationary tenancy”, although this Handbook has not been fully updated to reflect the new terminology. All references to pupils in this Chapter and to third six pupils in the remainder of this Handbook are to probationary tenants, unless the contrary is clearly stated. Probationary tenancies do not carry with them the rights or responsibilities of tenancy in Chambers, nor any expectation of the grant of such a tenancy.
2. From time to time, Chambers may offer places for third-six pupils. These are funded by way of earnings received for work done. Earnings are not guaranteed or subsidised by Chambers.
3. Third-six pupils may be recruited externally from Chambers or may be former Twelve Month pupils who have successfully completed their regulated period of training but have not successfully applied for tenancy.
4. These places do not form part of the regulated period of training (BQM, Pt4A, 2.16).
5. The regulated period of training can be extended in certain circumstances as mentioned in Chapter II at paragraphs 68 to 73 (above) (BQM, Pt4A, 2.18). Pupils in an extended period of regulated training are not third-six pupils and should not be referred to as such, but rather as pupils in an extended practising period.

6. Third-six pupils' attention is drawn to the following policies contained within this Handbook:
- The Absence from Training Policy: see Chapter V (below);
 - The Complaints and Grievances Policy: see Chapter VI (below);
 - The Policy for Dignity at Work and Inclusive Working Environment: see Chapter VII (below);
 - The Reasonable Adjustments Policy: see Chapter VIII (below);
 - The Disciplinary Policy: see Chapter IX (below);
 - The Recruitment Policy: see Chapter X (below).
7. Chambers also operates several other policies which may be of relevance to pupils in particular the Thomas More Chambers Equality and Diversity Policy, September 2020 and GDPR Data Protection Policy.

Aims and objects

8. The principal aim and object of providing places for third-six pupils is to permit Chambers to observe the third-six pupils and to become fully acquainted with them so that any future applications for tenancy can be accurately assessed. Third-six places at Thomas More Chambers therefore operate as a probationary period, prior to a consideration for tenancy (BQM Pt4A, 2.18).

Financial arrangements and expenses

9. Remuneration for third-six pupils is by way of fees received for work done whilst in Chambers.
10. Pupils are personally responsible for the cost of travel between their home address and Chambers.

11. Any expenses incurred by third-six pupils for travel between Chambers and court may be recoverable from instructing solicitors as part of the brief fee. Chambers will not reimburse any expenses that are not recoverable.
12. Third-six pupils are responsible for accounting to HMRC for any VAT received on earnings.

Equipment

13. Pupils are expected to arrive in Chambers with their own laptop computer. This must be protected by up-to-date virus protection software and the operating system and hard disk drive must be protected with suitable encryption.
14. Pupils may be provided with a set of keys to Chambers, at the option of Chambers. These remain the property of Chambers at all times. They must be kept safe and returned on demand. They must be surrendered if the pupil leaves Chambers.
15. Procedures for the operation of the security system will be outlined if the pupil is provided with keys. Any loss of keys must be immediately reported to the Treasurer (Christopher Harding).

Responsibilities of Thomas More Chambers

16. The responsibilities of Chambers as a whole are:
- (a) To establish and maintain a proper policy in respect of third-six pupils.
 - (b) To provide an initial induction session.
 - (c) To provide suitable Pupil Supervisors.
 - (d) To provide a suitable range of work and experience for pupils.

- (e) To provide reasonable facilities in which to work within the practical limitations set by Chambers' accommodation.

Management of Third-Six Pupils

- 17. The management of third-six pupils and the process governing third-six pupils is overseen by the Pupillage Committee.
- 18. In addition, the Pupillage Committee is expected to liaise with all new pupils, match them with Pupil Supervisors, arrange start dates, conduct an initial induction session, provide pupils with a work folder for storing all assessed work, and ensure that pupils have the facilities and support they need during their pupillage.
- 19. The allocation of Pupil Supervisors is based, to some extent, on a pupil's areas of interest.
- 20. The Pupillage Committee will at all times be reasonably available for information, consultation and support to pupils. If desired, such communications may be confidential as between the Pupillage Committee and the pupil. If requested, the Pupillage Committee can raise matters with the Management Committee on behalf of the pupil.

Duties of Pupil Supervisors in respect of third-six pupils

- 21. Pupil Supervisors may only supervise one pupil at a time.
- 22. Chambers regards the following as being the responsibilities of Pupil Supervisors:
 - (a) To ensure the proper training and education of pupils within their supervision.
 - (b) To ensure that pupils receive feedback on work done and that a work assessment form and self-assessment form is completed (see Chapter XII). Completed forms should be retained by pupils in their work folder.

- (c) To undertake a formal written appraisal at the end of the supervision period. This appraisal should involve a review of work done, a discussion about any feedback received from other members of Chambers, and an action plan for the future. The appraisal should be recorded on a Pupillage Appraisal Form (see Chapter XII). Completed forms should be retained by pupils in their work folder.
- (d) Actively to teach the pupil.
- (e) To ensure that the pupil is not overburdened with “devilling” by any member of Chambers whether a Pupil Supervisor or not, and to regulate, and where necessary restrict, the pupil’s overall workload, including by withholding consent to devilling until such time as the pupil has capacity to take on further work..
- (f) To seek to ensure (in a manner that is compatible with (e) above) that the pupil is exposed to work from a variety of practitioners so as to allow these practitioners to be able to form a proper opinion of the pupil’s competence.
- (g) To ensure that the pupil is given an accurate picture of their performance and, where relevant, on their prospects for tenancy.

23. Pupil Supervisors are required to prepare a report (oral or written) if the pupil applies for tenancy. They are expected to draw on their experience of working with the pupil, the formal written appraisal, and any feedback from other tenants.

Duties of pupils

24. Chambers regards the following as being the general duties of pupils:

- (a) To ensure that they have informed the Bar Council’s Records Office of their place as a third-six pupil.
- (b) To make educational training and professional learning the first priority during their time as a third-six pupil.

- (c) To keep close contact with their Pupil Supervisor and to be aware of their Pupil Supervisor's professional commitments and movements.
- (d) To ensure that work assessment forms are supplied to members of Chambers with every piece of written work undertaken and to ensure that the same is retrieved complete and retained in their work folder.
- (e) To be available to provide assistance on research and casework.
- (f) To return all library books to the library after use.
- (g) Not to remove any sets of papers from Chambers without the prior approval of the tenant whose papers they are or the clerks.
- (h) To keep the clerks fully informed of their whereabouts.
- (i) Be appropriately dressed at all times (dark suits, with ties for men, and dark shoes).
Third-six pupils should have access to court dress (wigs, gowns, etc.).
- (j) To be available to attend court during the working week and on Saturday.
- (k) To carry out a reasonable share of out-of-London work.
- (l) To inform solicitors of the result of any case in which they have been instructed.
This should be done on the day if possible, otherwise within 48 hours. An attendance note should also be emailed within the same timeframe.
- (m) To attend seminars delivered in Chambers and, if invited, to assist with preparation and delivery of the same.
- (n) To support Chambers' equality and diversity policy.

(o) To keep confidential any private or sensitive information obtained during the course of pupillage.

(p) To maintain the highest professional and ethical standards.

(q) To report any problems or difficulties over casework, practice, or in Chambers, to their Pupil Supervisor or the Pupillage Committee.

25. Pupils must ensure that they are registered with the Information Commissioner as a data controller before the commencement of their pupillage. Pupils are personally liable to meet the cost of such registration. Pupils can register online.

26. Pupils must ensure that they are registered with HMRC for self-employment and VAT either before or as soon as possible after the commencement of their pupillage. As registration can take some time, pupils should make prompt applications.

Casework responsibilities

27. Where a pupil is actively involved with casework, it is understood that the Pupil Supervisor (or tenant) will:

(a) Discuss the case with the pupil;

(b) Provide the pupil with written work or research of educational value;

(c) Provide the pupil with feedback on any work undertaken using a work assessment form (see Chapter XII below);

(d) Arrange for the pupil to attend relevant case conferences;

(e) Ensure that the pupil gains experience of court work and out-of-court work across a broad range consistent with Chambers' objectives for pupillage.

28. In return it is expected that the pupil will:

- (a) Carry out reasonable amounts of photocopying and errand running in relation to any active case;
- (b) Attend the library to obtain relevant authorities;
- (c) Conduct research which is relevant to a case even if it is of low educational value.

Allocation of work

29. All work (other than that directed to a pupil via the clerks during the practising period) should be channelled through the Pupil Supervisor.
30. Tenants with suitable work for pupils should contact the Pupil Supervisor in the first instance.
31. When a pupil completes a piece of work they must ask the tenant to complete a work assessment form (see Chapter XII below) and retain the completed form in their work folder.
32. Tenants must complete the work assessment form accurately, as it will provide feedback to the pupil and will contribute to the assessment of the pupil for tenancy.
33. The Pupil Supervisor and the clerks are responsible for ensuring that pupils receive a fair distribution of work.

Notice period

34. A pupil who wishes to resign as a third-six pupil must give one month's notice in writing to the Pupillage Committee.

Chambers Meetings, Voting and Other Rights

35. Since a Probationary Tenancy is a period of training within Chambers, a Probationary Tenancy does not confer any rights on the Probationary Tenant which are reserved to full or permanent members of Chambers. These include, but are not limited to, the rights to attend or vote in chambers' General Meetings or stand for election to Chambers' committees.

IV

MINI-PUPILLAGES

Overview

1. Thomas More Chambers offers a limited number of unremunerated mini-pupillages on a first-come first-served basis.
2. Applications should be made by email, with a covering letter, CV, and dates of availability to Nicholas Maggs (nmaggs@thomasmore.co.uk).
3. Due to the sensitive nature of our work, we operate a minimum age requirement of 18 years of age.
4. Mini-pupillages last for five days (but may be shorter). The hours are 9:30am - 5pm (with one hour for lunch).

Instructions

5. Mini-pupils must contact the clerks (Jack Phillips or Tony Meates) between 4pm - 6pm on the working day before their mini-pupillage is due to commence (e.g. Friday for a Monday start). Please explain that you are attending for mini-pupillage and ask the clerks to allocate a barrister for you to shadow. You should be provided with the name of the case, court, time, and name and mobile number of the barrister. Unless you are told otherwise, you should meet the barrister at court rather than attending chambers in the morning.
6. Mini-pupils must contact the junior clerks every afternoon between 4pm - 6pm in order to make arrangements for the next day.

Aims of mini-pupillage

7. Mini-pupillages are designed to give students an insight into life at the independent Bar and as a source of advice or assistance about finding pupillage (BQM Pt4A, 3.1). This may involve travelling to and/or from court with counsel, observing hearings and trials, sitting in on conferences, listening to negotiations, and reading case papers.
8. Mini-pupils may be asked to assist counsel by taking notes or undertaking research.

Duties of mini-pupils

9. Be appropriately dressed (dark suits, with ties for men, and dark shoes).
10. Mini-pupils must not, under any circumstances, offer any advice to any person. In addition, mini-pupils must not express any opinion either in court, during conferences, or during negotiations, unless asked by counsel.
11. Mini-pupils will need to make their own travel arrangements. We recommend the purchase of a weekly travel card (zones 1-4).
12. Mini-pupils must not, under any circumstances, remove any papers, exhibits, media, books, or other material from Chambers except with the prior consent of counsel.

Confidentiality

13. All mini-pupils are required to sign a Confidentiality Form and an Equal Opportunities Form (see Chapter XII). Please hand these to the clerks upon arrival in Chambers.

Other matters

14. Any problems arising during mini-pupillage may be raised either with counsel, the senior clerks (Craig Brown or Cliff Strong), or the Head of Mini-Pupillage (Nicholas Maggs).

V

ABSENCE FROM TRAINING POLICY

1. This Policy sets out Thomas More Chambers' basic provision for the absence from training of twelve-month pupils, together with Thomas More Chambers' provision for sickness and other absence from training.

Twelve-Month Pupils Absence from Training

2. The standard working hours for pupils are 9am – 6pm (Monday to Friday) with an hour for lunch. During the non-practising period, twelve-month pupils should be in Chambers by 9am unless they are directed otherwise by their Pupil Supervisor.
3. During the practising period, twelve-month pupils are expected to be in Chambers by 9am if they are not in court. Pupils in the practising period are expected to be available to cover Saturday courts, in conjunction with any other working pupils in Chambers.
4. Work at the Bar is necessarily time consuming. However, we are keen to ensure that pupils do not work excessively long hours. Twelve-month pupils are expected to work approximately 40 hours per week on average (with an hour for lunch). We do not expect twelve-month pupils to work more than 50 hours in a week save in exceptional circumstances.
5. Twelve-month pupils are entitled to four weeks' of paid leave during the first twelve-months in addition to public holidays. In other words, twelve-month pupils are entitled to 20 working days absence from training, in addition to Bank and other public holidays (BQM Pt4D, 9, Appendix 24 & 4M, 27).
6. No more than two weeks leave may be taken during the non-practising period.

7. During the non-practising period, pupils should agree any leave with their Pupil Supervisor and inform the Senior Clerks (Craig Brown or Cliff Strong). During the practising period, pupils must agree any leave with the Senior Clerks (Craig Brown or Cliff Strong).

Third Six Pupils Absence

8. The standard working hours for third-six pupils are 9am – 6pm (Monday to Friday) with an hour for lunch. Third-six pupils are expected to be in Chambers by 9am if they are not in court.
9. Third-six pupils are expected to be available to cover Saturday courts.
10. As third-six pupils are self-employed, there is no entitlement to paid holidays. If a third-six pupil wishes to book any leave, they must agree any dates with the Senior Clerks (Craig Brown or Cliff Strong) and their Pupil Supervisor.

Sickness and other Absence from Training

11. Provision is made for extending twelve-month pupillages in certain circumstances: see under the heading “*Extensions to the Non-Practising and Practising Periods of Pupillage*” in Chapter II of this Handbook at paragraphs 68-73 (above).
12. Maternity/paternity leave arrangements follow the Thomas More Chambers parental leave policy (set out in the Thomas More Chambers Parental Leave and Flexible Working Policies which are attached at Annexes 4 and 5 to the Thomas More Chambers Equality and Diversity Policy, September 2020) and individual parental leave arrangements may be made by discussion with the Pupil Supervisor and Head of the Pupillage Committee (BQM Pt4M, 32). The Thomas More Chambers Flexible Working Policy (which appears at Annex 5 to the Thomas More Chambers Equality and Diversity Policy, September 2020) also applies to third-six pupils and pupils in an extended practising period (see Chapter III p.38 paragraph 5 above and the Parental Leave Policy at Annex 4 to the Equality and Diversity Policy, September 2020, paragraph 27).

VI

COMPLAINTS & GRIEVANCES POLICY

Introduction

1. This Policy recognises pupils right to raise complaints and grievances arising during their pupillage with Chambers. It enables pupils to do so and sets out the procedures which will be followed, in accordance with the AF (p.24 para.46.8).
2. Chambers wishes to resolve pupil complaints and grievances in a speedy, fair and equitable manner in order to maintain good working relationships. The aim of the procedure set out in this complaints and grievance policy ("**the Complaints and Grievances Procedure**") is to provide the opportunity for pupils to air their grievance, to discover the cause of their dissatisfaction and, where possible, to resolve the problem.
3. Chambers recognises that this is a particularly sensitive area where fear of adverse judgment may prevent a complaint being made in the first place. It is Chambers' policy therefore, that as far as is practicable, names of complainant pupils shall not be released (save to those persons conducting the investigation and to the person complained against) without their consent.
4. The following Complaints and Grievances Procedure applies to all pupils.

General principles

5. This Complaints and Grievances Procedure does not apply to complaints and grievances relating to disciplinary decisions. If complaints and grievances arise in relation to disciplinary action they may, if appropriate, be addressed in parallel with or as part of the disciplinary hearing. The Disciplinary Policy is to be found at Chapter IX of this Handbook.
6. Thomas More Chambers has a separate procedure for dealing with complaints and grievances under its Equality and Diversity Policy, to which pupils may also have recourse:

see Annex I of the Thomas More Chambers Equality and Diversity Policy, September 2020. Chambers has a separate procedure for dealing with harassment, to which pupils may also have recourse: see Chapter VII of this Handbook (The Dignity at Work and Inclusive Working Environment Policy).

7. During the formal stage of the Complaints and Grievances Procedure the pupil will be entitled to be accompanied by a Pupil Supervisor, colleague, or professional representative.
8. At each stage of the Complaints and Grievances Procedure, notes of all relevant discussions with the pupil will be taken and a copy will be made available to the pupil and their representative.
9. At each stage of the Complaints and Grievances Procedure, the pupil will be required to put details of their complaint in writing and state that they wish to follow the Complaints and Grievances Procedure. The only exception to this would be at the initial stage where an attempt might be made at informal resolution.
10. At every stage of the Complaints and Grievances Procedure both parties should make every effort to reach agreement amicably and as speedily as possible.
11. This Complaints and Grievances Procedure will be applied promptly, consistently, objectively and fairly in accordance with our equality and diversity policy.
12. Typical issues which might be raised through a Complaints and Grievances Procedure include:
 - (a) Dissatisfaction with pupillage arrangements;
 - (b) Problems with working relationships;
 - (c) Concerns over the allocation of work;

(d) Disagreement with evaluation of progress;

(e) Grievances or complaints about barristers, staff or other pupils;

(f) Complaints or grievances concerning other discrimination arising out of pupillage at Thomas More Chambers, within or outside Chambers.

13. A complaint or grievance should be brought within 10 working days of the incident which has given rise to the complaint.

14. A pupil who wishes to raise a complaint or grievance may choose to deal with the matter in several ways as set out below.

1) Raising Concerns

15. Where an aggrieved pupil wishes to voice a concern and no more, they can approach their Pupil Supervisor for a confidential discussion. This process is intended to serve as a means of support, advice and guidance without recourse to the informal or formal procedure.

2) Informal Complaint

16. Any pupil who has a complaint or grievance arising from their pupillage with Chambers should first raise it informally with their Pupil Supervisor or the Pupillage Committee who will seek to conciliate.

17. An informal complaint is designed to act as a method of resolving disputes without the need for a formal investigation to determine the issue. If the complaint or grievance concerns the conduct of a person in chambers, it may be that such a person can be made aware that they are causing offence and so cease the offending behaviour. Alternatively, where the complaint or grievance concerns a decision taken within Chambers, it may be that such a decision can be reviewed or, if appropriate, overturned. An informal complaint may also be made for the purposes of seeking advice.

18. If, in the view of the Pupil Supervisor or Pupillage Committee, conciliation is neither possible nor appropriate, then the pupil will be invited to submit a formal complaint or grievance, in writing, to the Pupillage Committee, and the following provisions and procedure will apply.

3) Formal Complaint

19. If you are not satisfied with the Pupillage Committee's response, you may lodge a formal complaint. This must be in writing and must set out the allegations(s) complained of so as to enable the Pupillage Committee to carry out a thorough investigation of all the matters concerned.

20. The formal complaint or grievance will then be considered at a formal meeting between the pupil and the Pupillage Committee (or if the complaint is against the Pupillage Committee, with a senior members of Chambers who will be designated to this role by the Management Committee) to discuss the complaint or grievance.

21. Following the meeting, the Pupillage Committee will be expected to inform the Management Committee and will investigate, collect evidence, and arrange a further meeting with the pupil to arbitrate the grievance. As far as reasonably practicable this should be done within 10 working days. If it is not possible to deal with the issue within this timeframe (e.g. key witnesses are unavailable) then all relevant parties will be advised and notified of the anticipated timetable.

22. Pupils may be accompanied by a Pupil Supervisor, colleague, or professional representative at any hearing under the Complaints and Grievances Procedure.

23. Following the hearing, the panel will issue a formal written reply to the grievance. This will also detail the next stage of the Complaints and Grievances Procedure.

4) Appeal Process

24. If the matter cannot be resolved by Pupillage Committee (or designated senior member) level, or you are not satisfied with the response given, you may appeal to the Management Committee. This should be in writing to the Management Committee detailing the nature of your appeal.
25. The matter will be considered by a panel comprising not less than two and not more than five representatives of the Management Committee who are chosen by the Committee and have not been involved in the procedure at an earlier stage. This meeting will be held, as far as practicable, within ten working days of receipt of your letter notifying the Management Committee of your appeal.
26. The panel will report back and make recommendations to a full meeting of the Management Committee and the decision reached by the Management Committee will be final. The decision will be put in writing, as far as practicable, within five working days of the meeting. This is the final stage of the Complaints and Grievances Procedure.

5) External Help

27. However, pupils should note their right to consult with the Bar Council Equal Opportunities Officer for confidential advice and to lodge a formal complaint of professional misconduct with the BSB.
28. In addition the following organisations provide sources of help and advice: Pupils' Helpline at the Bar Council; The Bar Council Equality & Diversity Helpline; the Education Officer at a pupil's Inn of Court; LawCare Helpline 0800 279 6888; the Wellbeing at the Bar Website; the BSB, in particular the BSB Supervision Team. Details of and internet links to these resources are provided in the BQM Pt4M, 33. In addition, the Bar Council recommends the following scheme for those who wish to report and record matters anonymously: Talkspot.com. The wellbeingatthebar.org.uk site also contains a list of support contacts for pupils.

Notes

- (a) If the Pupillage Committee is not available to deal with a Formal Complaint, the complaint or grievance may be heard by their nominee.*
- (b) The Pupillage Committee will be responsible for ensuring that the Complaints and Grievances Procedure operates within the deadlines set out above, that notes are taken and made available, and that decision letters are sent out.*
- (c) All documentation will be kept on file.*
- (d) At all formal stages of the Complaints and Grievances Procedure the Pupillage Committee, the Management Committee or their nominees may find it necessary to collect evidence, either in the form of written materials or in the form of conducting interviews with tenants or members of staff. Such interviews are to establish facts. Evidence gathered in this way will be provided to relevant parties at all stages of the Complaints and Grievances Procedure.*

VII

DIGNITY AT WORK AND INCLUSIVE WORKING ENVIRONMENT POLICY

Statement of Policy

1. Thomas More Chambers is committed to providing a working environment in which all individuals including members, pupils, employees, clients and the public are treated with dignity and respect. Chambers aims to promote a working environment that is conducive to the professional growth of its members, pupils and employees and to the promotion of equality of opportunity. See Thomas More Chambers Equality and Diversity Policy, March 2021, paragraphs 1, 2 and 4.
2. Thomas More Chambers will not tolerate any form of harassment and will take all necessary steps to ensure that its members, pupils and employees are not subject to harassment. Harassment constitutes professional misconduct and is prohibited by the BSB Handbook. Harassment on the grounds of sex, race, colour, nationality or disability is unlawful under the Sex Discrimination act 1975, the Race Relations Act 1976 the Disability Discrimination Act 1995 (as amended) and the Equality Act 2010. See Thomas More Chambers Equality and Diversity Policy, March 2021, paragraphs 3, 5 - 7.

The Scope of the Policy

3. This policy applies to all members and employees of Chambers, to pupils and to mini-pupils. The policy applies to:
 - All premises where Chambers' business is conducted;
 - All Chambers' related activities performed at any other site away from Chambers;
 - Any social, business or other function where conduct or comments may have an effect on Chambers or relationships within Chambers.

Definition of Harassment

4. The essence of all harassment is that it is unwelcome conduct that is offensive to the recipient. The test is a subjective one and the fact that one person may be able to ignore or deal comfortably with certain behaviour does not mean that it is acceptable if directed at another.
5. Chambers prohibits any behaviour which causes offence or distress to another and which is perceived by that person as relating to or arising from his or her race, religion, political belief, sex, sexual orientation or disability and which constitutes less favourable treatment on such grounds. Harassment may take a variety of forms and includes behaviour:
 - Which is unwanted by the recipient and perceived as threatening;
 - Which causes a hostile or threatening working environment;
 - Where rejection or submission is used as a basis for decisions concerning the recipient e.g., decisions relating to the award of pupillage, appointment of tenancy; promotion or other opportunities for career development.
6. The following are examples of behaviour that may amount to harassment:
 - Rape; serious physical assault. These are criminal offences and the victim should be encouraged to report the incident to the police and supported in so doing;
 - Requests for sexual favours in return for career advancement;
 - Unnecessary or avoidable physical contact;
 - Compromising suggestions or invitations;
 - Display of pornographic or offensive materials including on computer screens;
 - Bullying;
 - Exclusion from social networks and activities;
 - Jokes or abuse or ridicule relating to a person's sex, ethnicity, sexual orientation, religion, political persuasion or whether they have a disability.

7. Disciplinary action will be taken against any member or employee of chambers found to have harassed a colleague or other person in the conduct of their work

Resolving Complaints of Harassment

8. Chambers is committed to providing a supportive environment in which to resolve problems of harassment; and has put in place a number of options for resolving problems. A non-adversarial approach will be adopted. A person therefore subject to harassment may, at their choosing, deal with the matter in a number of ways.
9. A person experiencing harassment is encouraged to raise a complaint at an early stage, preferably through the informal procedure. Raising a complaint at an early stage is more likely to result in a satisfactory resolution. If left unresolved, the harassment may escalate to the point where the situation becomes much more difficult to deal with effectively.
10. Any member, employee, or pupil in Chambers has the right to bring to the attention of an appropriate person any behaviour that they consider to be contrary to the harassment policy, irrespective of whether they are the recipient of the harassment. A member, pupil or employee of chambers who witnesses behaviour that they consider contravenes the harassment policy should take immediate action to indicate that such behaviour is unacceptable as failure to do so could be interpreted as condoning such behaviour.

Voicing a concern

11. When an incident of harassment occurs, the recipient should communicate their disapproval and objections immediately to the harasser and request the harasser to stop. If the harassment does not stop or if the recipient is uncomfortable about addressing the harasser directly, he or she may raise the matter informally.
12. Where an aggrieved person merely wishes to voice their concerns, they can approach the Equality and Diversity Officers or the person they report to or their Pupil Supervisor for confidential discussion. This is primarily intended to provide support and advice without the matter going any further.

Informal Complaint

13. The second option is the lodging of an informal complaint to any of the persons nominated for hearing grievances in the first instance. This can be done orally with any of the personnel nominated previously. An informal complaint is designed to act as a method of resolving disputes without the need for a formal investigation to determine the issue. If the complaint concerns the conduct of a person in chambers, it may be that such a person can be made aware that they are causing offence and so cease the offending behaviour.

Formal Complaint

14. The third option is the lodging of a formal complaint. This must be in writing and must set out the allegation(s) complained of so as to enable Chambers to carry out a thorough investigation of all the matters concerned. The complainant has a right to make representations and/or to be independently represented, as does the person whom the complaint has been lodged against. An investigation should not, save in exceptional circumstances, last longer than six weeks from the date of the complaint. Following an investigation, a panel consisting of the Chairman of the Management Committee, an Equality and Diversity Officer and if relevant, the person complained to in the first instance (e.g. Senior Clerk, or Pupil Supervisor) will determine the issue. No member of such a panel should have a conflict of interest between themselves and the complainant. If harassment has been found, remedial steps will be taken immediately. These may include any of the following:

- Formal apology;
- Counselling;
- Written warning;
- Change of work assignment;
- Report to the relevant Inn recommending the removal of pupil supervisor status;
- Suspension or discharge of member or employee;
- Referral to the BSB.

15. In addition to the sanction that may be imposed on a member, pupil or an employee by chambers as part of a complaint resolution, members of chambers who engage in harassment may be liable for damages in the event of a civil lawsuit or may face further sanctions imposed pursuant to disciplinary action under Part 5 of the BSB Handbook.

Appeal Process

16. If dissatisfied with the outcome of the investigation, the aggrieved person may instigate the appeal process. This involves taking the grievance to the appeal panel which consists of two nominated Senior Members (both over 10 years call) who will review all facts and make a final ruling.

17. It should be noted that the standard of proof applied might differ according to the complaints process involved. In industrial tribunals or county courts and in disciplinary proceedings pursuant to Part 5 of the BSB Handbook⁵, the civil standard, the balance of probabilities, applies.

18. Chambers is committed to ensuring that no one who brings forward a harassment concern in good faith is subject to any form of reprisal. Any victimisation of a complainant, witness or anyone else involved in the investigation of a complaint will be viewed as a disciplinary matter. The raising of such a complaint will not have any adverse consequences for the complainant, particularly in relation to tenancy and promotion decisions.

19. Pupillage is a period of professional training and Chambers regards it as inappropriate for a sexual relationship to develop between a Pupil Supervisor or any other member or employee of Chambers and a pupil. No member of Chambers may participate in decisions concerning a pupil where they are or have been in a relationship with that pupil.

20. In addition to the Chambers' procedures there are a number of other avenues of redress. These include:

⁵ See BSB Handbook, Version 4.6, Rules E37 and E164. The civil standard applies, save in certain instances in respect of allegations of conduct pre-dating 1 April 2019: see BSB Handbook, Version 4.6, Rule E38.

- Raising a complaint with the relevant Inns Students' Officer about a sponsor or pupil supervisor. The Inns' complaints process will determine the outcome of such complaints;
- Complaint to the BSB (BQM, Pt4M, 33);
- Take action in the county court or industrial tribunal alleging harassment as a form of unlawful direct discrimination;
- Report the matter to the police where an act of harassment is a criminal offence e.g., assault, indecent assault or rape;
- Through the Bar Council's Equality and Diversity Helpline (BQM, Pt4M, 33).

21. Other external sources of help are detailed in the BQM, Pt4M, 33, and at paragraph 28, p.55, of Chapter VI to this Handbook (The Complaints and Grievances Policy).

VIII

REASONABLE ADJUSTMENTS POLICY

Introduction

1. This Policy recognises pupils' right to reasonable adjustments in appropriate circumstances. It sets out the procedure to be followed where a pupil wishes to request reasonable adjustments.

General principles

2. Thomas More Chambers is committed to supporting pupils, among others, in accordance with Rule CI 10.3.m of the BSB Handbook Version 4.6.
3. Thomas More Chambers has a duty to make reasonable adjustments comprising the following three requirements: see Thomas More Chambers Equality and Diversity Policy, September 2020 paragraphs 25 to 28.
4. The first is a requirement, where a provision, criterion or practice of Chambers puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to avoid the disadvantage.
5. The second is a requirement, where a physical feature puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to avoid the disadvantage.
6. The third is a requirement, where a disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to provide the auxiliary aid.

7. The duty requires Chambers to take such steps as are reasonable to provide aids or services to disabled employees, pupils and tenants would otherwise be put at a substantial disadvantage in relation to a non-disabled pupil: see Thomas More Chambers Equality and Diversity Policy, September 2020 para.34.
8. In particular, it is unlawful for Chambers to treat a pupil “*unfavourably because of something arising in consequence of disability*” where Chambers or a barrister cannot show that the treatment is a “*proportionate means of achieving a legitimate aim*”: see Thomas More Chambers Equality and Diversity Policy, September 2020 para.35.

Procedure for Requesting Reasonable Adjustments

9. Chambers will always try to anticipate where reasonable adjustments need to be made and take the initiative in proposing measures that may be taken.
10. If you would like Chambers to make any arrangements or adjustments, please speak to your Pupil Supervisor or a member of the Pupillage Committee or the Equality and Diversity Officers about this in confidence.
11. If your request is not resolved satisfactorily, the Thomas More Chambers Equality and Diversity Policy, September 2020, at Annex I contains a Complaints and Grievance Procedure which will apply.

IX

DISCIPLINARY POLICY

Overview

1. Thomas More Chambers aims to provide a quality service which meets the highest expectations of its solicitors and clients and recognises that our reputation and image may be adversely affected by the performance or behaviour of our pupils. See further: Thomas More Chambers Acceptable Behaviour Policy, March 2021, Thomas More Chambers Client Care Policy, Thomas More Chambers Complaints Handling Procedure, and Thomas More Chambers Social Media Policy, November 2021.
2. Chambers recognises that in most cases any concerns about a pupil's behaviour can be resolved informally. The Pupillage Committee has primary responsibility for handling complaints and will usually attempt to resolve matters in this way at an early stage in liaison with the Pupil Supervisor. However, where informal resolution is impossible or where the seriousness of the breach of discipline requires it, the more formal stages of this procedure will be invoked.
3. This Policy and the disciplinary procedure set out within it ("**the Disciplinary Procedure**") is designed to help and encourage all pupils to achieve and maintain acceptable standards of conduct and performance. Chambers seeks to ensure that the working environment in Chambers is one where everyone is treated fairly, courteously and respectfully.
4. The Policy states (i) the conditions under which Chambers may suspend or terminate the pupillage for disciplinary reasons (see paragraphs 30 to 34 below), (ii) the method for the pupil to appeal decisions within Chambers (see paragraphs 26 to 29 & 37 to 40 below), (iii) whether and in what circumstances Chambers may seek repayment from a pupil in a case of misconduct, in accordance with Rule C115 of the BSB Handbook Version 4.6: see paragraph 35 (below).

5. The Policy sets out what Thomas More Chambers regards as disciplinary action by describing the procedures for disciplinary action within Chambers: see paragraphs 8-40 (below) (AF p.24 para.46.7). It is also sets out examples of those types of behaviour which amount to misconduct for the purposes of the Policy: see paragraph 11 (below).

Responsibilities

6. The Pupillage Committee and Pupil Supervisors are responsible for ensuring that all pupils are issued with details of Chambers' procedures and requirements concerning accepted standards of behaviour and performance and are aware of their responsibilities under the Code of Conduct of the Bar of England and Wales.
7. All pupils are expected to be aware of these procedures and requirements and to comply with them.

General principles

8. No disciplinary action will be taken against a pupil until the matter has been investigated.
9. Disciplinary matters will be dealt with as quickly as possible.
10. All pupils must notify the Pupillage Committee if they are required to answer a complaint to the Bar Standards Board, their Inn of Court or the Legal Services Ombudsman or if there is likely to be a claim from the Bar Mutual Indemnity Fund. The Pupillage Committee will bring the matter to the attention of the Pupil Supervisor and the Management Committee.
11. At every stage in the Disciplinary Procedure the pupil will be advised of the nature of the complaint against him and will be given the opportunity to state his case before any decision is made. It is impossible to list exhaustively all the circumstances in which this procedure might be invoked. However, the following are possibilities, all of which would constitute misconduct for the purposes of this Policy:

- (a) Any instance of the examples of serious misconduct set out in the BSB Handbook Version 4.6, Guidance C96;
- (b) A breach of the written agreement for pupillage;
- (c) Adverse disciplinary findings by the BSB;
- (d) In practice:
 - (i) failing to observe the formal requirements of pupillage (e.g. failure to attend for assessments and appraisals, undertake compulsory training, etc.);
 - (ii) failing to undertake or complete a piece of work which has been reasonably requested by or previously agreed with the Pupil Supervisor or a tenant;
 - (iii) failing to deal properly with a specific complaint by a solicitor;
- (e) In Chambers:
 - (i) a serious breach of security procedure;
 - (ii) a serious breach of any of Chambers' policies or rules;
 - (iii) breaches of trust and confidence;
 - (iv) abuse, bullying or persistently making unfair demands of staff.

12. The pupil will have the right to be accompanied by their Pupil Supervisor, a colleague, or professional representative at any interview or meeting with the Pupillage Committee (or its nominees), during any investigation or hearing under Stage 2 and at any Management Committee appeal.

13. The Disciplinary Procedure may be initiated at any of the stages set out below depending on the seriousness of the pupil's alleged misconduct.

14. A pupil will have the right of appeal against any disciplinary penalty imposed.

Stage 1: Informal resolution

15. Concerns may be raised by or with a member of staff (includes barristers, clerks, and other employees of chambers). Unless the matter is serious, the member of staff will normally seek to resolve the problem directly with the pupil at an early stage.

16. Any matters which are more serious or have not been properly addressed by the pupil after the initial involvement should be referred to the Pupillage Committee for investigation. The Pupillage Committee has responsibility for dealing with outside complaints and for resolving internal problems concerning pupils.

17. This investigation will involve an interview with the pupil concerned, members of staff or practitioners, solicitors, witnesses to the incident, and the aggrieved person. A written record of the investigation will be kept.

18. This fact-finding process does not form any part of the formal disciplinary procedure. When completed, the Pupillage Committee, after consultation with the Pupil Supervisor, must make a decision on whether to implement the formal procedure.

Stage 2: Formal resolution

19. Stage 2 of the Disciplinary Procedure will be initiated where:

(a) there has been no resolution under the informal procedure, or

(b) the Pupillage Committee considers that the matter is sufficiently serious to justify moving to formal resolution straightaway.

20. The pupil and the Pupil Supervisor will be notified by the Pupillage Committee that this procedure is being implemented.
21. The Pupillage Committee will, within a reasonable period, discuss the matter with the pupil and the Pupil Supervisor and may undertake such other investigation that may be necessary.
22. If the Pupillage Committee is satisfied that there is a problem, it may seek to resolve it without invoking the more formal Management Committee proceedings described at Stage 3.
23. This requires the agreement of the pupil to undertake a course of action specified by the Pupillage Committee.
24. The Pupillage Committee will keep the Management Committee informed of any use of the Stage 2 procedure.
25. A note of all meetings together with action lists will be made by the Pupillage Committee and kept on file.

Stage 2: Appeals

26. If a pupil is unhappy with the outcome of a matter under Stage 2, they may appeal in writing to the Management Committee.
27. Three members of the Management Committee will consider the matter and decide upon the appeal.
28. A written account of the appeal and the decision of the panel will be made and kept on file.

29. The Management Committee panel will consider the matter afresh. If it is satisfied that there has been misconduct requiring some remedial action, it may again seek to resolve the matter by agreement as to future action or conduct. However, if this proves impossible, the Panel may choose to specify other necessary action.

Stage 3: Disciplinary matters considered by the Management Committee

30. The Pupillage Committee may refer the matter if in its view it is unsuitable to be dealt with under the Stage 2 procedure because it involves a serious breach of professional conduct or Chambers' policies and procedures.
31. A breach is likely to be considered as "serious" if it has significant repercussions for others in Chambers or the reputation of Chambers. It is also likely to be considered serious if it has resulted in loss, damage or injury to others in or associated with Chambers, or the pupil has failed to undertake the remedial action agreed or specified under Stage 2.
32. A formal investigation will be conducted by a member of the Management Committee. A written record of the investigation will be kept and a report presented to the Management Committee and the pupil.
33. Following receipt of the report, at least three members of the Management Committee (excluding the member responsible for investigation) will sit as a panel to hear the matter. The panel will consider all the documentation arising from the investigation and will invite the pupil to the hearing. The pupil may be accompanied by a Pupil Supervisor, colleague, or professional representative. The procedure to be adopted at the hearing will be notified in advance.
34. The panel will decide on an appropriate penalty or course of action. Options include:
- (a) seeking a formal apology;
 - (b) an oral or a written warning (it must be made clear what action will follow if the warning is not heeded);

(c) requiring the pupil to take specified steps to resolve the matter or face a specific penalty;

(d) extending the period of pupillage;

(e) making a recommendation to Chambers to suspend or terminate pupillage.

35. In the event that a pupillage is terminated Chambers may seek repayment of all or part of the pupillage award made to that pupil.

36. Notification of the disciplinary decision will be communicated in writing.

Stage 3: Appeals

37. If a pupil wishes to appeal against a disciplinary decision, they must do so in writing to the Pupillage Committee within five days of being notified of the outcome of the disciplinary hearing.

38. A panel comprised of not less than three and not more than five members of Chambers will be appointed by the Management Committee to hear the appeal within a reasonable period.

39. No-one on the panel will have been involved in the disciplinary hearing. The procedure will be notified in advance and the pupil may be accompanied by Pupil Supervisor, a colleague, or a professional representative.

40. At the appeal, any disciplinary penalty imposed will be reviewed but it cannot be increased. The decision of the appeal panel will be final and will be notified in writing.

X

RECRUITMENT POLICY

Introduction

1. This Policy sets out Thomas More Chambers' general approach to recruitment and the particular process by which it will recruit twelve-month pupils, third-six pupils and tenants.

General principles

2. When choosing pupils, we look for intellectual ability, commitment to practice at the independent Bar, and an interest in the spread of work available in Chambers.
3. Pupillage at Thomas More Chambers is rigorous and intellectually demanding. Our aim is to develop first-class, versatile advocates. Pupils should be ready to learn and willing to assist Pupil Supervisors and other members of Chambers.
4. We aim to recruit pupils who are likely to be potential candidates for tenancy
5. The Pupillage Committee has responsibility for processing applications for pupillage and for overseeing the selection process. It is responsible for arranging interviews and interview panels, notifying candidates, managing the short-listing process, liaising with the Bar Standards Board, and keeping panels and applicants informed at all times.
6. The Pupillage Committee has responsibility for processing applications by prospective third-six pupils and for overseeing the selection process, as it has for twelve-month pupillages.
7. The Pupillage Committee is responsible for organising the process by which pupils are selected for tenancy.

Equality and Diversity

8. We operate an equality and diversity policy, in accordance with the Equality Act 2010 (see the Thomas More Chambers Equality and Diversity Policy, September 2020) which applies to recruitment at Thomas More Chambers (BSB Handbook Version 4.6, Core Duty 8, rC12, rC110.1 & rC110.3.d & gC140 – gC146 and BQM Pt4C, 1 to 6, & 17 and AF p.20-21 para. 37). We encourage applications from all suitably qualified applicants irrespective of personal background or circumstances. We guarantee to interview anyone with a disability whose application meets our minimum academic criteria (see below). By “disability” we mean an applicant who has a physical or mental impairment which has a substantial and adverse long-term effect on their ability to carry out normal day-to-day activities.
9. Thomas More Chambers, through the Pupillage Committee, ensures that every member of their recruitment selection panels has been trained in fair recruitment and selection processes (BSB Handbook Version 4.6, rC110.3.c), in accordance with guidance given by the BSB (BSB Handbook Version 4.6, gC142-gC143 and BQM Pt4C, 9). This will include reference to the specific guidance provided in respect of fair recruitment procedures in the BQM Pt4C, 17 to 20).
10. The Pupillage Committee will scrutinise the selection criteria at each stage of the selection process and consider whether it might give risk to any inherent bias and demonstrate how each criterion helps objectively to demonstrate potential to meet the competences in the Professional Statement (BQM Pt4C, 20).
11. In the twelve-month pupil selection process, Thomas More Chambers anonymises applications (so that the applicants’ name is not visible to the selection panel from the written applications) (BQM Pt4C, 20).
12. Recruitment decisions taken are recorded, with reasons given so that they can be reviewed by the Equality and Diversity Officer (BQM Pt4C, 20).

13. Practical feedback is offered to unsuccessful candidates who have reached the interview stage (BQM Pt4C, 20 and AF p.24 para.46.10).
14. The Equality and Diversity Officer will review and if necessary act upon the equality and diversity data from the selection processes (BQM Pt4C, 20).

Recruitment of Twelve-Month Pupils

15. Vacancies for twelve-month pupillages are advertised on the Pupillage Gateway website, in accordance with the BQM and AF (BSB Handbook Version 4.6, rC89.4, gC133.1 & rC94.4, gC139.1 and BQM Pt4C, 10 and 14 to 15). In particular, information provided to potential applicants via this Handbook demonstrates compliance with the requirements of the AF concerning flexibility, commitment to equality and diversity, accessibility, open and fair recruitment, affordability and a clear indication of the Professional Statement Competencies pupils will have achieved on completion of their pupillage (BQM, Pt4C, 14 and AF pp 20-21 & paras 35.1, 37.1 to 37.4 and p.23 para. 45.1).
16. Except where an applicant has obtained or wishes to invite Chambers to obtain an exemption or waiver from the advertising and recruitment requirements, applications must be submitted using the Pupillage Gateway application system.
17. All pupillage recruitment will adhere to the Pupillage Gateway timetable as approved from time to time by the BSB (BQM Pt4C, 13), subject to the exception in the previous paragraph. Accordingly, each stage of the advertising and recruitment process will take place in accordance with that timetable.
18. Thomas More Chambers will carry out credential checks to ensure that applicants meet the mandatory and other requirements. Checks may be made to ensure the following in particular (BQM, Pt4C, 21):
- That academic and vocational training components have been satisfactorily completed within the 5-year limit provided for in the CAS (CAS p.25);
 - That the pupil is a member of an Inn;

- That the pupil has been Called to the Bar;
- Immigration visas have been obtained, where relevant;
- Waivers have been granted by the BSB, where relevant;
- That the pupil has the relevant A-level and undergraduate degree qualifications.

19. There are four stages to our selection process. First, there is an initial sift based on academic qualifications alone. Our minimum requirements are three Bs (or equivalent) in academic subjects at A-level (or equivalent) and an upper second class degree in an academic subject at undergraduate level. Applicants who do not meet these criteria will only be considered in extenuating circumstances. Allowances will be made for those who have not taken A-levels (or equivalent). Applicants with a first class degree at either undergraduate or postgraduate level may be automatically advanced to the second stage.
20. Second, the remaining applications are then reviewed and scored by members of Chambers. Applications are scored by reference to the following criteria: intellectual ability, legal experience, reasons for applying to Chambers, answers to other questions on the application form, spelling and grammar.
21. Third, the top 10% (approximately) based on score are invited for a first round interview. This consists of a short presentation by the applicant followed by a number of set questions.
22. Fourth, approximately 10 applicants are invited for a second round interview. This consists of an advocacy exercise, set questions, and general questions based on the application form.
23. Following this, the interview panel will make a recommendation for pupillage to the Pupillage Committee together with a list of reserve candidates.
24. Offers of twelve-month pupillages will be made in writing, in the form of the Pupillage Agreement. Such an offer must state and/or include the following:

- That Thomas More Chambers and Pupil Supervisors will promptly provide the pupil with all necessary assistance in complying with their regulatory obligations e.g. registering their pupillage with the BSB, applying for any necessary waivers, etc. (BQM Pt4D, 9, Agreement outcomes: duties of the AETO General terms, 4.);
- A description of Pupillage funding arrangements (BQM Pt4D, 9, Agreement outcomes: duties of the AETO Pupillage funding, 11);
- That pupils must provide, prior to starting the non-practising period, clear documentary evidence to Thomas More Chambers that they have satisfactorily completed academic and vocational training components (BQM Pt 2, and Pt 3), are a member of an Inn, have obtained immigration visas (where relevant) and registered their pupillage with the BSB (BQM Pt4D, 9, Agreement terms: duties of the pupil, 12);
- The notice period for the pupil to withdraw prior to the starting the non-practising period (BQM Pt4D, 9, Agreement terms: details of the pupillage, 18);
- Any conditions which must be fulfilled prior to the pupil starting the non-practising period e.g. required achievement in vocational training (BQM Pt4D, 9, Agreement terms: details of the pupillage, 19); and
- The date of commencement, length of the non-practising and practising periods and the date of expected completion (BQM Pt4D, 9, Agreement terms: details of the pupillage, 20).

25. On acceptance, the offer in the form of the Pupillage Agreement must be signed on behalf of Chambers' and by the prospective pupil (BQM Pt4D, 1).

26. The offer and its acceptance will give rise to a legally binding contract for education and training (BQM, Pt4D, 2). It will constitute the Pupillage Agreement. Chapter II of this Handbook contains further detailed provisions referring to the required contents of the Pupillage Agreement.

Exempted Pupillages

27. “Exempted Pupillage” in this section has the same definition as in the “Exempted Pupillage” section of Chapter II: Twelve Month Pupillages.
28. In respect of waivers from the funding and advertising and recruitment requirements (for the requirements see BQM Pt4C, 10 & 13 & 4D, 3), the practice of applicants obtaining authorisation from the BSB before applying for an Exempted Pupillage has now been phased out. Any application for a waiver in these areas must now be made by Chambers: see the BSB’s ‘Criteria and guidelines for waivers of the funding and/or advertising and recruitment requirements’. However, existing waivers obtained by applicants personally are still, generally, valid. This section of this Chapter therefore applies to both scenarios.
29. Where an applicant has obtained or wishes Chambers to obtain a waiver from the advertising and recruitment requirements for a ‘Twelve Month’ Pupillage, whether or not in conjunction with other waivers, exemptions or partial waivers or exemptions, including where an exemption has been granted excusing all or part of the non-practising or practising periods of the ‘Twelve Month’ Pupillage, then he or she should write, in the first instance, to the Pupillage Committee by email to pupillage@thomasmore.co.uk enclosing a covering letter, CV and, if appropriate, evidence of any waiver or exemptions already obtained.
30. On receipt of the letter, the Pupillage Committee will consider the following:
- (a) Whether the applicant would meet our minimum academic requirements of three Bs (or equivalent) in academic subjects at A-level (or equivalent) and an upper second class degree in an academic subject at undergraduate level. Applicants who do not meet these criteria will only be considered in extenuating circumstances. Allowances will be made for those who have not taken A-levels (or equivalent).
 - (b) In the case of an applicant claiming to have obtained a waiver or exemption, whether that exemption or waiver has been obtained.
 - (c) Whether there would be a place in Chambers for the applicant if the application were successful.

- (d) If the candidate has not obtained a waiver from the funding requirement whether Chambers would be in a position to fund the applicant's pupillage.
- (e) In the case of an applicant wishing Chambers to obtain a waiver, whether Chambers considers that it is likely the BSB would grant that waiver, in light of their guidance, and if, so, whether it would be reasonable for Chambers to apply on behalf of the candidate, considering the financial and administrative cost in so doing.
- (f) Whether the proposed Exempted Pupillage would prejudice the prospects of other people obtaining non-Exempt pupillages within Chambers.
- (g) If the applicant had applied for a Twelve Month Pupillage without any waiver or exemption, whether he or she would be offered an interview, applying the criteria set out above.
- (h) If the Committee needs any further information from the applicant before determining the application.

31. In light of the above considerations, together with any further information available from the applicant, the Committee shall determine whether to interview the applicant or reject the application.

32. If the Committee decides to interview the applicant, a panel shall be appointed to carry this out. It shall consider:

- (a) the candidates' advocacy, intellectual ability, legal experience and reasons for applying to Chambers
- (b) the reasons for seeking or obtaining a waiver
- (c) if relevant, the likelihood of such a waiver being granted if sought by Chambers, in light of the BSB's Guidance.
- (d) whether the proposed Exempted Pupillage would prejudice the prospects of other people obtaining non-Exempt pupillages within Chambers.

33. The Committee may also, if it considers it appropriate, carry out an advocacy exercise with the candidate.

34. The Committee shall then make a recommendation to the Pupillage Committee as to whether or not to:
- (a) offer a pupillage to the applicant (subject, if appropriate, to chambers obtaining the necessary waivers);
 - (b) direct the applicant to apply for a pupillage with chambers through Pupillage Gateway in accordance with the recruitment policy for Twelve Month Pupillages, above;
 - (c) reject the applicant; or
 - (d) re-interview the applicant with a different panel.
35. Any offer of pupillage will be made in accordance with the practice for making offers to conventional Twelve-Month Pupillages, as set out above, with appropriate modifications for the circumstances. It will be contingent on the appropriate waivers being obtained by the start date in Chambers.
36. An applicant who has obtained or wishes Chambers to waive or exempt from any requirement not including the advertising and recruitment requirements should apply for a Twelve Month Pupillage in the normal way, set out above. The application should specify, in an appropriate place, which waivers or exemptions the applicant has obtained or would wish for Chambers to obtain and, in the latter case, the reasons why.

Recruitment of Probationary Tenants (formerly known as Third-Six Pupils)

37. Vacancies for probationary tenants (formerly known as third-six pupils) at Thomas More Chambers are advertised on the Bar Council's "Probationary Tenancies Vacancies" noticeboard. Applications are generally considered as they are received until all vacancies are filled. Applicants are accordingly encouraged to apply as soon as possible.
38. Unless applicants are otherwise directed in an advert, applications may be made by email to pupillage@thomasmore.co.uk with a covering letter and CV.
39. Our minimum requirements are that the candidate will be entitled to a full practising certificate by the anticipated starting date in Chambers together with three Bs (or equivalent) in academic subjects at A-level (or equivalent) and an upper second class degree in an academic subject at undergraduate level. Applicants who do not meet these criteria will only be considered in extenuating circumstances. Allowances will be made for those who have not taken A-levels (or equivalent).
40. There are two stages to our selection process.
- (a) First, the application will be considered on paper by a person nominated by the pupillage committee who will decide whether the candidate should be interviewed. A candidate will ordinarily be interviewed unless it appears that:
 - i. The candidate does not meet the minimum requirements and there are no extenuating circumstances;
 - ii. It is not anticipated there will be space in Chambers for the applicant by the likely start date;
 - iii. The following core criteria are lacking in the application to such an extent the person considering the application does not consider that there are reasonable prospects that the application will be successful, namely intellectual ability, legal experience and good reasons for applying to Chambers.
 - (b) Second, those applicants who pass the first stage are invited for interview by a panel nominated by the pupillage committee. The panel may include the Chief Clerk. This panel will consider the candidate's advocacy, intellectual ability,

legal experience, reasons for applying to Chambers and likelihood of being offered a tenancy in Chambers in due course.

(c) Following this, the interview panel may make one or more of the following recommendations to the Pupillage Committee:

- i. that a place be offered for a probationary tenancy;
- ii. That the applicant be re-interviewed by a further panel;
- iii. That the applicant undertake an advocacy exercise;
- iv. That the applicant be re-interviewed to be considered for tenancy in accordance with the Recruitment of Tenants policy, below;
- v. The application be rejected.

41. At any stage, an applicant may be invited:

- (a) to meet with the Chief Clerk so that his views may be obtained;
- (b) to provide anonymised examples of written work;
- (c) to provide references.

42. An offer to an applicant to be a probationary tenant will be made by the pupillage committee to the applicant in writing. It will specify the starting date within chambers and any other relevant terms.

Recruitment of Tenants

43. Pupils and probationary tenants are eligible to apply for tenancy approximately 8 weeks before the end of the practising period.

44. It is impossible to say if there will be a tenancy vacancy in a given year and there is no expectation that either a pupil or a probationary tenant will be able to apply for a tenancy at the completion of their pupillage or period of probationary tenancy. The decision as to whether there is a vacancy will depend upon the work available, the profile of Chambers at the time, and the merits of the relevant pupil.

45. If there is no vacancy for tenancy, the Management Committee may, at its discretion, offer a probationary tenancy (or further probationary tenancy) without recourse to a

Chambers meeting. This may be for such period as the Management Committee thinks fit in the circumstances.

46. In any case where a pupil or probationary tenant is being considered for a tenancy, the procedure is as follows:

- (a) The pupil or probationary tenant must submit a written application for tenancy to the Pupillage Committee (the date for submission will be notified to the pupil in advance). The application is by way of covering letter, CV, and references, addressed to the Head of Chambers.
- (b) The applicant will be invited to an interview which may include an advocacy exercise. Following this, the interview panel will prepare a report (oral or written) and either:
 - (i) recommend that the applicant is suitable for tenancy; (ii) recommend that the applicant is not suitable for tenancy but is suitable for a probationary tenancy or further probationary tenancy, or; (c) not recommend the applicant for either tenancy or probationary tenancy.
- (c) The application for tenancy will be decided upon at a Chambers' meeting. At this meeting, the following shall be considered: (i) the applicant's application and any supporting references; (ii) the report of the interviewing panel; (iii) reports from Pupil Supervisors; (iv) a report from the Senior Clerks, and (iv) the applicant's work folder (consisting of their completed work and work assessment forms).
- (d) The decision as to whether or not to offer a tenancy is one that can only be taken at a Chambers meeting by a vote of all tenants. In order to be offered a tenancy, a applicant must secure the positive votes of at least three-quarters of all tenants eligible to vote.
- (e) It is a condition of being offered a tenancy that the new tenant must be available to do work falling within any of the practice areas covered by Chambers for the first two years of tenancy.

47. If an applicant is unsuccessful in securing tenancy, Chambers may, at its discretion, offer a probationary tenancy or further probationary tenancy. This may be for such period as Chambers thinks fit in the circumstances.

48. In the event that an applicant is unsuccessful in securing tenancy or a probationary tenancy, Chambers will endeavour to help the applicant to find a suitable position elsewhere. Unsuccessful applicants are expected to make arrangements to leave Chambers within three months of being notified of a negative outcome of their application for tenancy.

After Pupillage - Information on Retention Rate and Earnings Potential (BQM Pt4G, 1 – 2 and AF p.23 para. 45.1)

49. Thomas More Chambers has a strong record of recruiting from both twelve-month and third-six pupils.

XI

INDUCTION

Introduction

1. This Chapter contains details of the procedure to be followed when inducing new pupils into Chambers.
2. There are two parts to the induction process: a first induction and a second induction. Twelve-month pupils will receive two separate induction sessions as set out below. Third-six pupils will receive a single consolidated induction session covering all the (relevant) matters set out below.

First induction

3. The first induction should be conducted by the Pupillage Committee prior to the commencement of pupillage or as soon as possible after commencement.
4. The Pupillage Committee should, if they have not already done so, provide the pupil with a copy of Chambers' Pupillage Handbook.
5. The first induction process should address the following (BQM Pt4M, 2-8):
 - (a) the organisation of Chambers, committee structures and key personnel bearing in mind the guidance provided in the BQM Pt4M, 4-;
 - (b) the work of Chambers;
 - (c) responsibility for management of pupillage;
 - (d) the selection of Pupil Supervisors and their duties;

- (e) how the training of pupils is organised;
- (f) how pupils are assessed against the competences in the Professional Statement
(See CAS pp 25 & 29-41 and AF pp 23-24, paras 46.1-46.4 & 46.9);
- (g) Chambers policies, in particular those set out in Chapters V to X of this Handbook, with emphasis on the Complaints and Grievances and Dignity at Work and Inclusive Working Environment Policies (BSB Handbook Version 4.6, rCI 10.1-3, rCI 10.3.e,i-m and BQM Pt4M, 20 and AF p.24 para. 46.8);
- (h) access to Chambers' resources (via the web and the library);
- (i) payment of the pupillage award (twelve-month pupils only);
- (j) reclaiming travel expenses (twelve-month pupils only);
- (k) holiday entitlement (twelve-month pupils only);
- (l) registration with HMRC for self-employment and VAT.

Second induction

6. The second part of the induction session will be organised by the Pupillage Committee prior to the commencement of the practising period, and should cover the following:
 - (a) the work and responsibilities of the clerks, bearing in mind that pupils should already have aimed to develop a good working relationship with the clerks in the non-practising period (BQM Pt4M, 5-7);
 - (b) the position as regards clerks' fees (BQM Pt4M, 8);

- (c) the duties of the pupils as regards the clerks (notification of return dates, endorsing backsheets, drafting attendance notes, contacting solicitors, billing, booking holidays, covering Saturday courts, keeping the clerks informed about their whereabouts and any commitments that may affect their availability (BQM Pt4M, I0) etc.);
- (d) registration with the Information Commissioner as a data controller;
- (e) ensuring that steps have been taken to register with HMRC for self-employment and VAT;
- (f) if provided with a set of keys, how to activate and deactivate the alarm system and whom to contact in the event that the alarm is activated.

XII

FORMS

Summary

1. This Chapter contains all the forms referred to in the preceding Chapters of this Pupillage Handbook.
2. The following forms are applicable to twelve-month and third-six pupils:
 - (a) Induction form;
 - (b) Work assessment form;
 - (c) Self-assessment form;
 - (d) Appraisal form.
3. The following forms are applicable to mini-pupils:
 - (a) Confidentiality form;
 - (b) Equal opportunities form.

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INDUCTION FORM

Name of Pupil:

I confirm that I have been provided with a copy of Chambers' Pupillage Handbook and have undertaken a [first/second/consolidated] induction session.

Signed (Pupil):

Date:

Signed (Pupillage Committee)

Date:

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WORK ASSESSMENT FORM

Section A (to be completed by the Pupil)

Tenant giving work:

Case name:

Date work given:

Type of work:

Legal topic(s):

Section B (to be completed by the Tenant)

1 = unsatisfactory; 2 = satisfactory (work is helpful but requires significant alteration); 3 = good (work can be used but requires some modification); 4 = very good (work can be used with little alteration); 5 = outstanding (work can be used unaltered).

Identification of issues (Mark 1-5):

Legal analysis and application of law to facts (Mark 1-5):

Style (Mark 1-5):

Overall mark and any other comments:

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SELF-ASSESSMENT FORM

Tenant giving work:

Case name:

Date work given:

Type of work:

Legal topic(s):

Pupils will always endeavour to produce outstanding work, however some work may be more challenging or time-consuming and top marks will not always be achieved. Please be realistic when appraising your own work.

1 = unsatisfactory; 2 = satisfactory (work is helpful but requires significant alteration); 3 = good (work can be used but requires some modification); 4 = very good (work can be used with little alteration); 5 = outstanding (work can be used unaltered).

Identification of issues (Mark 1-5):

Legal analysis and application of law to facts (Mark 1-5):

Style (Mark 1-5):

Overall mark and any other comments:

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APPRAISAL FORM

Pupil:

Pupil Supervisor:

Date:

Appraisals should take place at the end of the supervision period. They provide a formal opportunity for the Pupil and Pupil Supervisor to review progress and set targets.

1. How is the Pupil progressing with the competences set out in the Professional Statement?

2. Please provide a short review of any work undertaken by the Pupil:

3. Please provide a short review of the Pupil's relationships with tenants and clerks:

4. What objectives have been agreed for the remainder of the pupillage?

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CONFIDENTIALITY FORM

Name of mini-pupil:

Address:

A hard copy of the Thomas More Chambers GDPR Data Protection Policy has been provided to me.
I have read and understood it

I agree that I will, at all times, both during and after my period of mini-pupillage strictly observe the requirements of the Thomas More Chambers GDPR Data Protection Policy and, in particular that I will preserve and maintain clients' confidentiality and will not divulge or reveal the names of clients, or the nature and details of their cases, without due authorisation.

Signed:

Date:

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EQUAL OPPORTUNITIES FORM

Thomas More Chambers is committed to the implementation and promotion of equal opportunities and to ensuring the absence of discrimination on grounds of race, colour, ethnic or national origin, nationality, citizenship, gender, sexual orientation, marital status, disability, religion or age. In order to help us to fulfil these objectives, please complete the following form:

This information will be kept confidential: the Management Committee and the Equal Opportunities officer will review it periodically.

Status (please delete as appropriate)

I am [currently / applying to be] a [tenant / pupil / third-six pupil / member of staff].

Gender

How do you identify yourself?

Female _____ Male _____ Transsexual _____ Other _____ Prefer not to say _____

Age

Under 21 _____ 21-30 _____ 31-40 _____ 41-50 _____ 51-60 _____ 61-70 _____ 70+ _____

Prefer not to say _____

Ethnicity

Which ethnic group do you most identify with?

Black: African ☐

Black: Caribbean ☐

Black: Other ☐

Please specify _____

Indian	<input type="checkbox"/>		
Pakistani	<input type="checkbox"/>		
Bangladeshi	<input type="checkbox"/>		
Chinese	<input type="checkbox"/>		
Asian: Other	<input type="checkbox"/>	Please specify	_____
White	<input type="checkbox"/>		
Other	<input type="checkbox"/>	Please specify	_____
Prefer not to say	<input type="checkbox"/>		

Nationality

My nationality is _____

Prefer not to say _____

Religion/Belief

What is your religion or belief? _____

None _____

Prefer not to say _____

Sexual Orientation

Which of the following statements best describes you:

Bisexual _____

Gay/Lesbian _____

Heterosexual _____

Prefer not to say _____

Marital Status

Which of the following statements best describes you:

Single _____

Married _____

Prefer not to say _____

Disability

Do you consider yourself disabled? Yes ☐ No ☐

If you wish, please state your disability here:

If you would like Chambers to make any arrangements or adjustments please speak to the Equal Opportunities Officer or a member of the Management Committee about this in confidence.

Please return this form to