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PUILLAGE PROTOCOLS

KCH | Garden Square

1 Oxford Street, Nottingham, NG1 5BH.
Tel +44 (0) 115 941 8851 Fax +44 (0) 115 941 4169
DX 10042 Nottingham

96a New Walk, Leicester, LE1 7EA.
Tel +44 (0) 116 298 7500 Fax +44 (0) 116 298 7501
DX 17003 Leicester 2

clerks@kchgardensquare.co.uk
www.kchgardensquare.co.uk

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Introduction

It is our policy only to recruit pupils with a view to offering a tenancy at the end of their pupillage. We consider it unfair to recruit pupils without this intention. We recruit pupils to meet our overall strategic objectives in relation to the future direction and work of chambers.

1 | Number of pupils

Our general policy is that we have one twelve month funded pupil in chambers each year, that pupillage commences in September or October and ends in August or September of the year following. We accept sponsored pupils from time to time, but not on a regular basis. We also sometimes take third six months pupils. This is generally with a view to a tenancy.

2 | The finance available to Pupils

Our funded pupillage is no less than the Bar Council prescribed minimum, currently £15,000.00 over a twelve month period. In the first six months £1250.00 is paid to the pupil at the beginning of each month. In the second six months there is a guaranteed minimum income each month of £1250.00. Any income received in the preceding month is deducted from that figure. If the previous month's receipts exceed £1250.00, no sum is paid by chambers. If the receipts of the previous month are less than £1250.00, the difference between the two figures is paid to the pupil by chambers. This exercise is carried out on a monthly basis. There is therefore no clawback system, so that, for example, if receipts in month eight were £1500.00 and nil in month nine – there would be no payment in month nine (due to the amount received in month eight), but there would be £1250.00 paid in month 10 (because of the nil receipts in month nine). Pupils pay no chambers expenses/clerks fees in the first or second six months of pupillage.

3 | Procedures for the selection of pupils

Chambers is a member of OLPAS. The pupillage vacancies we have are advertised in the Pupillages and Awards Handbook. The timetable to which chambers will work in selecting a pupil in any given year is that set by OLPAS. The selection season is the Summer Season. Interviews take place in May to July with a view to offering Pupillage for the autumn of the following year. The selection criteria for pupils in these chambers are set out in Annex A to these protocols. The Equality Code is fully implemented in relation to recruitment of both pupils and tenants in these chambers. All members of the selection panel follow the selection criteria to ensure consistency in assessment of candidates. The procedure for selection of the annual funded 12 month pupil in these chambers is as follows:

- a | Applications are divided into lots depending on how many applications are received. Each lot is then assigned to at least two members of the selection panel who consider the applications separately. Using the selection criteria they then decide which applicants should be interviewed. Both a male and female member of chambers of which one should preferably be a member of an ethnic minority group should wherever possible, consider each lot.

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- b | Preliminary interviews are offered to between 20 and 25 applicants. The offer of an interview is made to all candidates where both members of the panel looking at their application have approved them for interview. If necessary where an adequate shortlist cannot be drawn up solely from those applicants gaining two recommendations, the balance of the shortlist may be made up from those individuals gaining the highest overall scores.
- c | An interviewing panel at the first stage will consist of three members of chambers, representing a cross section of chambers. The interview panel shall include one male and one female and if possible a member of an ethnic minority. Each panel member completes an interview assessment form for all candidates in accordance with a marking system.
- d | A short list of candidates will be drawn up consisting of between five and eight of the people interviewed at the preliminary stage. They will be interviewed by a further panel of members of chambers of at least three and not more than five, again representing a cross-section of chambers (as above), and including not more than one of the people who carried out the preliminary interviews. One candidate will be selected from those interviewed at this stage, or if no suitable candidate is seen, no offer will be made to anyone.

Interview assessment forms are kept for a 12 month period.

We rarely advertise vacancies for non-funded pupils but occasionally receive prospective applications. The same selection criteria are applied as for the funded pupillage. Applications are initially considered by at least two members of chambers when a decision is made whether or not to interview. If an interview is offered the interviewing panel is made up of at least three members of chambers representing a cross section on the same terms as above.

Review

After the recruitment process and prior to the next process the Pupillage Directors review the process and consider improvements. This may include e.g. changes to the selection criteria following a strategy review.

On receipt of the equal opportunities monitoring information from OLPAS the Directors in charge of Pupillage and Recruitment undertake an analysis looking at the makeup of the applicants and comparing that with those interviewed in relation to sexual equality and minority groups. This analysis is presented to the Chambers Annual General Meeting where any necessary action to ensure equality of opportunity may be discussed.

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4 | Induction

It is our aim to ensure that new pupils settle early into chambers as soon as possible after they arrive. You will be invited to visit Chambers ahead of your designated starting date at which time you should have the opportunity to meet one or both Pupillage Directors, your Pupillage Supervisor and the Clerks. You will, wherever possible, be greeted by the Director with responsibility for pupillage and spend time with the Head of Chambers, Senior Clerk and Administrator in order to become familiar with Chambers systems. The induction should include:

- | Where to find everything e.g. people, stationery, equipment etc.
- | Ensuring that you know where you can work in chambers and keep things.
- | How your funding will be paid.
- | How the clerks room works.
- | How to claim any expenses.
- | Introductions to as many people as possible.
- | Training on the computer system and library procedures.

You will also be given a Pupillage Folder containing necessary documentation and useful information.

We will provide you with directions to courts in the area as and when you need to attend them. Just ask if you are not sure how to get anywhere. You can also get court addresses from the internet on the court service website.

We have an office manual which provides helpful information on the systems within chambers and also a floor plan of the building so that you can find out where to locate people.

We abide by the Code of Conduct on the role and duties of pupils. We want your pupillage at KCH not only to prepare you fully for your career but also to be a pleasant and happy experience. To help to create that experience and to avoid any misunderstandings as to expectations that we have of you we have produced the following guidelines.

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5 | The role and duties of pupils in chambers

We abide by the Code of Conduct on the role and duties of pupils. The following are indicative but not exhaustive of what is expected of pupils and what pupils can expect of chambers:

- a | We will comply with the Working Time Regulations 1998 to ensure that, in respect of work done for chambers, you do not exceed 48 hours work for each seven days in any reference period of 17 weeks and that you always have a rest period of 11 consecutive hours in each 24 hour period, and an uninterrupted rest period of 24 hours in each seven day period. When your working day exceeds six hours, you shall be entitled to a rest period of at least 20 minutes, away from your work station if appropriate;
- b | You will be entitled to four weeks paid leave in any twelve month period of your pupillage, not more than two weeks in your first six months and not more than two weeks in your second six months, unless otherwise agreed with the Head of Chambers;
- c | On any day when you are working in Chambers, you will be expected to arrive by 09:00 and work until 17:00, with a one hour break for lunch;
- d | On any day when you are at Court with your pupil master or pupil mistress, you are expected to arrive at Court at such times as are agreed with your pupil master/mistress;
- e | You shall be appropriately dressed in a professional manner at all times in chambers/at court/at conferences away from court or chambers or other engagements associated with your professional life;
- f | You will be responsible for ensuring that the Clerks are aware of your whereabouts during the working week, especially during your second six months pupillage;
- g | You are entitled to make reasonable use of chambers telephone, facsimile and photocopying facilities for your own private use, but such use should be reasonable, and, if abused, such facilities will be withdrawn;
- h | You are expected not to reveal or make public any information you obtain about clients and any confidential information about members of chambers or about chambers as a whole both whilst as a pupil with us and in the event that you are not offered a tenancy with us;
- i | You are expected, when accompanying your pupil master/mistress or otherwise, not to advise your pupil master's/mistress's clients separately, nor openly to contradict anything said or done by your pupil master/mistress;

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- j | In cases done in your second six months on your own account where you have attended Court to conduct a case unattended by anyone from your Instructing Solicitor's firm, you have a duty to telephone that instructing solicitor at the first reasonably available opportunity to tell the solicitor the outcome of the case;
- k | You are expected and entitled to make full use of computers and other IT equipment available in chambers, especially communal facilities that exist in chambers library;
- l | You must complete your checklist, published by the Bar Council, on a regular basis and ensure that you obtain your pupil masters/mistresses signature to the checklist.

6 | The general pattern of pupillage

Our 12 month funded pupillage is split in the following way:

- a | The first four months is spent with a civil, criminal or family pupil supervisor;
- b | The next two months continues under the same or another pupil master/mistress but most of your time is spent with the junior members of chambers observing the sort of work done by them with a view to preparing you for your own work in the second six months;
- c | The second six months is spent as a working pupil, under the supervision of a different pupil supervisor.

7 | Monitoring of pupillage

Your pupillage supervisor will meet with you as soon as possible on your arrival. They will ask you to write down your objectives for your pupillage as a whole and your objectives for your time with them. This is in order to help you in monitoring how well you are achieving those objectives during your training and to help your pupil master/mistress in assisting you to meet those objectives.

Your pupil master or mistress will monitor you during the time you are assigned to them. In addition appraisals will take place every two to three months, the appraisers being your pupil master/mistress and the Directors with responsibility for pupillage. The appraisal will provide an opportunity for feedback to be given to you as to your progress and performance and for you to raise any issue you consider relevant to your progress. In particular the appraisal is an opportunity for you to ensure that your objectives for your pupillage are being met and to revise those objectives if necessary.

The Pupillage Checklist may be used as a guide for the appraisal. An appraisal review form will be completed and retained.

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8 | The role and duties of pupil supervisors

Pupil Supervisors are under a duty to prepare you for professional life and to ensure that your pupillage provides you with relevant experience. They will also ensure that, whenever possible, your objectives for your pupillage are met and that your appraisals during pupillage are carried out.

Pupil Supervisors have a duty to ensure that records of your appraisal are kept and that they read and approve your checklist. They also have a duty to ensure that, if appropriate, they countersign your return to the Bar Council for application for Practising Certificate.

9 | The pupillage checklist

We use the standard General Common Law Pupillage Checklist or the Criminal Checklist printed in the Pupillage File published by the Bar Council. All pupil supervisors are provided with a copy of the checklist, and regular reference is made to it to monitor your progress.

10 | Fair distribution of briefs

Generally there will only be one pupil in chambers at a time but if there are more than one the Senior Clerk shall ensure that briefs available for pupils are distributed fairly among pupils, irrespective of their gender, race, sexual orientation, or disability. Such distribution will be monitored by using the chambers information system and reviewed by the Director in charge of pupillage together with the Senior Clerk every two months.

11 | Travel expenses

Chambers will reimburse your reasonable travel expenses on occasions when you have been required to make your own way to court or to any training event. Wherever possible you will be expected to travel with your Pupil Supervisor but where this is not possible your reasonable public transport costs or an appropriate car mileage allowance will be paid.

You are entitled to Travel Expenses but it will be your responsibility to submit any claims to the Chambers Administrator on the proper form at the end of each month and in any event within seven days of the end of the month.

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12 | Offers of tenancy

When we recruit a pupil the intention is that there will be the opportunity for them to take up a tenancy at the conclusion of their pupillage. The offer of a tenancy does however require the agreement of the chambers as a whole. The procedure for consideration of an offer of tenancy is the following:

- | The Chambers Board (which includes the Pupillage Directors and senior Clerk) makes a decision on the basis of simple majority as to whether or not a tenancy is to be offered. In coming to that decision they consider observations and recommendations from Pupil Supervisors, the pupil's performance over the pupillage year (with reference to review forms), the career aspirations of the pupil and their fit with the strategic requirements of chambers.
- | Any decision to offer a tenancy is then given as a recommendation to all members. All members of Chambers have an opportunity to vote for or against the application.

13 | Policy and procedures in relation to pupils not taken on as tenants

If you are not taken on as a tenant you will be given as much guidance and assistance by chambers as is possible. The possibility of squatting in chambers for a fixed period of time will be considered by the Chambers Board in consultation with your pupil supervisor.

14 | Grievance procedure

It is hoped that any grievance that you may have can be settled fairly on an informal basis. You should at first instance discuss any grievance with your pupil supervisor unless the grievance relates specifically to them, when the appropriate person shall be either of the Directors responsible for Pupillage. If the matter cannot be resolved then there is the following procedure:

- | The Director responsible for pupillage will ascertain all the facts involved and the views of all interested parties, keeping a record of their investigations.
- | You can request that a second member of chambers, of your choice, jointly investigates your complaint with the Director. The person you are complaining against will also have this right.
- | Following the investigation a decision will be made by those investigating as to whether or not your grievance is founded and if it is what action will be taken.
- | There is a right of appeal against any decision taken provided the person wishing to appeal makes a request to do so within seven days of being advised of the decision. The appeal committee will be made up of at least one Board member and two other members of chambers not involved in the investigation.

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We have a specific disciplinary procedure for staff and therefore if your complaint is against a member of staff that procedure will be followed.

15 | Review

In order to ensure that pupillage is an effective period of training the final three month review will include an opportunity for you to give feedback on the past 12 months. This does not necessarily just have to be on the technical standard of your training but could also be on areas such as how you felt your pupil masters and mistresses, other members of chambers, and staff treated you.

You may also like to make suggestions as to how pupillage at KCH could be improved, e.g. induction or the review process so that improvements can be made for future pupils.