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Pupillage & Tenancy Policy Document

(A) ORGANISATION OF PUPILLAGE

1. Chambers has a Pupillage Committee consisting of not less than 3 people. The Chair of the Pupillage Committee is a Silk in Chambers. The other members of the Committee, like all other Chambers' committees, are allocated by the Management Committee. At present the Chair of the Pupillage Committee is the Director of Pupillage Training, Tim Amos QC; the other members of the Committee are Oliver Wise, Katie Cowton, Morgan Sirikanda, Rosie Budden, Samantha Singer, Marina Faggionato, Amy Kisser, Andy Campbell and Janine McGuigan. Janine McGuigan is in charge of mini-pupillage.
2. The Pupillage Committee meets on a regular basis, not less than 4 times a year and reports to the Management Committee not less than twice a year.
3. Pupillage is subject to the Chambers' Equal Opportunities and Diversity Policy and Quality Assurance Statement.

(B) AIM OF PUPILLAGE

1. The aim of pupillage is to give each pupil a top quality training for the profession of barrister. We consider that this is done best by providing pupils with experience of a range of Chambers' work and by involving them in Chambers' everyday life.
2. Each 12 month pupil will have three or four successive pupil supervisors. No pupil will have more than one pupil supervisor at any one time. We find that this system allows pupils to have exposure to as many Members of Chambers as possible, as well as ensuring that pupils see a broad spectrum of Chambers' work.
3. In addition each pupil is also assigned to a junior tenant for the year (their "junior contact", generally under 5 years' call). The intention is that the pupil will arrange with the junior contact, throughout the first six months, to see plenty of work of a similar type to that which the pupil will be doing during the second six months, and that the junior contact will make him/herself available to assist on an informal basis with any queries or concerns which the pupil may have.

(C) NUMBER AND TYPE OF PUPILLAGES OFFERED AND PUBLISHING OF VACANCIES

1. We offer up to three 12 month funded pupillages each year. Very occasionally, we may also offer unfunded pupillages for six or twelve months, for example to overseas students. If this were to occur again, we would need to apply to the Bar Council for a waiver in relation to funding the additional pupillage; this has no implications for the funding of our funded pupillages.
2. Each year the pupillage vacancies for the following year are advertised on / published through the Pupillage Gateway (formerly OLPAS then Pupillage Portal), as required by the Bar Standards Board. For Chambers' work it is essential to have an ability to deal not only with complex financial disputes, often involving commercial issues and significant amounts of money, but also with child-related or other emotionally fraught and sensitive situations. We look for applicants with a strong academic record (save in exceptional circumstances we require a minimum 2:1 law or non-law degree) and good legal and analytical skills, and also those who can demonstrate an ability to communicate sensitively with a wide range of people at a critical time in their lives. Within this field, we actively seek the widest possible spectrum of applications.

3. Chambers is a member of the Pupillage Gateway scheme (formerly OLPAS then Pupillage Portal), and all pupillage applications are therefore dealt with in accordance with the Pupillage Gateway scheme rules (which are established by the Bar Council).
4. Should a vacancy for a third six pupillage (exceptionally) arise, we would strive to advertise the vacancy, including through Pupillage Gateway (if the vacancy arises during the Pupillage Gateway season) or otherwise, on the Bar Council website, in the Inns of Court and in any other place decided upon by the Pupillage Committee. We would then hold a full selection process.

(D) FUNDING OF PUPILLAGE

Each pupil will receive a pupillage award of a minimum of £25,000 per year (paid monthly) plus earnings. We review the award each year and increase it as appropriate to ensure that we provide a suitable level of funding.

(E) PATTERN OF PUPILLAGE

1. Our 12 month pupillages are divided into three or four parts, each with a different pupil supervisor. The intention is that all pupils will spend the vast majority of their pupillage doing family law work, but will also have an opportunity to see some general common law work if practicable.
2. The junior contact will ensure that a pupil sees work at a more junior level than that of their pupil supervisor and will be a contact with whom the pupil can raise queries about Chambers or pupillage as appropriate.
3. Tenancy decisions generally take place in the July following commencement of pupillage.
4. Unsuccessful candidates for tenancy will receive assistance from Chambers as set out in Section U below.

(F) SELECTION OF CANDIDATES FOR PUPILLAGE

1. QEB is a member of Pupillage Gateway, recruiting in line with the Pupillage Gateway timetable.
2. On receipt of all of the applications, copies of all of the application forms through the Pupillage Gateway system (and of any applications which are unable to be made through the Pupillage Gateway system) are placed before three members of Chambers (generally chosen from present or past Pupillage Committee members and those involved or previously involved in mini-pupillage) in order to produce a shortlist of candidates for interview.
3. Mini-pupillage reports for those candidates who have spent time in Chambers are given to the "shortlisters" for consideration. It is not necessary for a candidate to have undertaken a mini-pupillage at QEB to be considered for interview but mini-pupillage reports will be considered for those candidates who have undertaken mini-pupillage here.
4. Without consulting with each other, the shortlisters consider all of the application forms and select those who they consider should be interviewed. The following codes are used by all shortlisters in completing this process:
 - Y: This person should be interviewed;
 - Y?: This person should probably be interviewed;
 - N?: This person should probably not be interviewed;
 - N: This person should not be interviewed.

On receipt of the responses of the shortlisters, approximately the top 20 candidates are selected for interview.

5. Candidates who are selected for interview are informed by e-mail and are asked to telephone Chambers to arrange a time for such interview. Unsuccessful candidates are also informed by e-mail.
6. In relation to candidates to whom interviews are offered we take up a maximum of 3 references per candidate prior to interview. Referees are asked to complete a standard form reference (related strictly to our selection criteria) which is to be sent back to Chambers before the interview dates.
7. We have an interview panel of four, usually comprising the head of chambers (currently Lewis Marks QC), another silk and two junior barristers (the latter three of whom are usually all members of the Pupillage Committee). All interviewers are provided with the candidates' application forms and mini-pupillage reports where applicable and have access to references. References are only used after the interview process has been completed as a cross-check with the interview panel's decisions; they are not determinative.
8. Shortlisted candidates have only one interview. We make our decision based on the interview and paperwork provided. Each interview has a similar structure and lasts for approximately 30 minutes. About 20 minutes before the interview each candidate is provided with a legal problem (the same for each candidate) about which we ask questions during the interview. These questions generally take approximately 15 minutes of the interview. Specifically, we do not assume the candidate has read law as a degree subject when preparing our legal problem. The rest of the interview aims to allow candidates to demonstrate the skills and qualities required by pupils (as detailed below) through evidence based questions, and questions generally arising from the candidate's application form or recent legal events. Each candidate is given the opportunity to ask questions prior to the end of the interview.
9. After each interview, and before the next interview commences, each interviewer completes an assessment form, marking the candidate on specific areas (self-presentation, intellectual qualities, temperament, interpersonal skills, motivation and additional factors / potential) and providing comments as appropriate. The form used is based on that recommended by MANTRA (a company specialising in Management Training). No discussion of the candidate takes place prior to completion of the assessment form. After the form has been completed, marks are collated and a general discussion takes place including, in some instances, moderation of the collated marks to ensure consistency and genuine reflection of the interviewers' individual and collective appraisal of the candidates. At the end of each day of interviewing, a list of candidates in order of merit is compiled.
10. At the end of all the interviews a full list is compiled and the top, up to three, candidates are made offers. Approximately the next 6 to 10 are told that they are "near misses", and may receive an offer if one of the candidates to whom an offer is made rejects their offer. The near miss list is compiled in order of merit and offers are made starting with the candidate at the top of this list. When all places have been filled, the remaining candidates are told that no more places are available.
11. All candidates are notified by e-mail of the results as soon as possible. No candidate is asked to accept an offer before any Pupillage Gateway deadline. Our offers will not be made before the Pupillage Gateway deadline.
12. Where there is a vacancy for pupillage, if an application is made which does not fall within the Pupillage Gateway scheme, it is considered by not less than two members of the Pupillage Committee who decide whether or not to invite the candidate to attend for interview

by the Pupillage Committee. If an interview is offered, the procedure for the interview and the decision thereafter is as set out above.

(G) QUALIFICATION AND TRAINING OF PUPIL SUPERVISORS

All pupil supervisors must be approved by and registered with their Inns and have undergone induction and / or refresher training organised by the Inns. All pupil supervisors are also monitored by the Pupillage Committee to ensure that they are providing an appropriate training for pupils.

(H) ALLOCATION OF PUPIL SUPERVISORS TO PUPILS

The allocation of pupil supervisors has the intention of providing pupils with experience of as broad a range as possible of the work undertaken in Chambers. As the main specialisation in Chambers is family law, the focus is on a combination of general family work and specialist family finance work. Individual allocation is made by the Pupillage Committee.

(I) COMMENCEMENT OF PUPILLAGE

Pupillages commence on 14 September (or the first working day thereafter).

(J) STRUCTURE OF PUPILLAGE

1. We try to ensure a degree of flexibility to pupillage in Chambers. Each pupil will be based in the room of his or her supervisor, with a desk or space where that pupil may store their belongings.
2. The pupil supervisor directs the day-to-day running of the pupillage. The pupils are required to keep a diary detailing the work he or she undertakes each day.
3. Although it is up to pupils when they attend we advise that maximum benefit would be obtained from a day that begins at 8.45 am and ends around 6.15 pm, with a break for lunch in the middle of the day.
4. We provide pupils with stationery.
5. Pupils are allowed to make and receive telephone calls, within reason.
6. When appropriate, pupils are encouraged to go and see other work being undertaken by other members of Chambers (especially their junior contact), or undertake paperwork for other tenants, subject to the direction of individual pupil supervisors.
7. Working pupils, of course, will usually have their day dictated by their own diaries.
8. Chambers pays for pupils to undertake the "Practice Management/Advice to Counsel" and the "Forensic Accountancy" course. Each pupil is also required to undertake his or her Inn's advocacy training programme, for which Chambers will pay if the Inn requires payment from the pupil for this course.
9. Religious observance during the working day is facilitated if required.

(K) PRO BONO WORK

We encourage pupils to undertake pro bono work during pupillage, whether it be for FRU, the Bar Pro Bono Unit, a law centre or other voluntary organisation. We will accommodate requirements to attend court, tribunals etc, and consider days spent doing such work to be a part of the pupillage (within reason).

(L) CHECKLISTS

We use the Bar Standards Board Family Law Pupillage Checklist.

(M) "IN-HOUSE" TRAINING AND ASSESSMENT OF PUPILS

1. Each pupil supervisor reviews their pupil's work at the end of each month, providing feedback and completing a monthly review form. This also provides a natural opportunity to review the pupil's Bar Standards Board checklist and to discuss gaps in the work seen.
2. At the end of the first 3. months of pupillage, prior to the advocacy assessment in late February / early March, at the end of the second 3. months of pupillage, and prior to the tenancy decision in the Summer, each pupil supervisor who has had a pupil during the relevant period is also asked to prepare a short report on the progress of their pupil. The pupil's feedback on this report is obtained, and the pupil is invited to respond in writing to the comments made.
3. Any comments, suggestions or complaints made by the pupils are discussed within the Pupillage Committee, who consider any suggestions for improving the provision of training in Chambers.
4. In terms of assessments, we arrange an advocacy exercise/assessment for all pupils just before the end of the first six months of pupillage (the pupils being notified of the date well in advance). This exercise forms part of the pupil's overall assessment, being an opportunity for assessment and feedback in both directions, and it also enables Chambers to certify to the Bar Council that the pupil is ready to do court work. Oral feedback is given on the pupil's performance after the assessment. Feedback is also provided to members of Chambers for the tenancy meeting.
5. Informal in-house advocacy training/assessments is/are also organised by the pupil supervisors and junior contacts twice a year. Oral feedback on the pupil's performance is given after the first advocacy training/assessment. Oral feedback is given, and a brief report is prepared and shown to the pupil, after the second advocacy training/assessment. The written report is also provided to members of Chambers for the tenancy meeting.
6. We also often arrange a conference exercise/assessment. Brief reports are prepared giving feedback on the pupil's performance, and are shown to the pupil. These are also provided to members of Chambers for the tenancy meeting.
7. During the year, the pupils will also all be asked to complete at least two (and generally three) written assessments. These provide the pupils with an opportunity to demonstrate their legal and written ability to all members of Chambers. Brief reports are prepared giving feedback on the pupil's performance, and are shown to the pupil. These are also provided to members of Chambers for the tenancy meeting.
8. In assessing pupils, the Pupillage Committee is particularly concerned to establish whether progress is being made in the following areas:
 - Do they present professionally as a potential practising member of the Bar?
 - Are they able to analyse cases and reach sensible decisions as to advice, tactics and procedure?

- Are they demonstrating an ability to research the law and apply it to a specific issue or problem?
 - Are their interpersonal skills within Chambers and with solicitors and clients satisfactory?
 - Do they remain motivated and committed to life at the Bar?
9. In addition to paying for pupils to attend the courses referred to in paragraph J 7. above, because a number of former members of Chambers sit as High Court Judges, we can also arrange for our pupils to undertake a period of marshalling for a High Court Judge.

(N) SPECIFIC POINTS FOR WORKING PUPILS

1. No pupil will be sent to court with rights of audience until he or she has been appropriately certified by the Bar Standards Board and the clerks have a copy of this documentation.
2. Pupils are encouraged to discuss their own work with any member of Chambers but especially with their supervisor and junior contact.
3. The clerks are instructed to notify the Chair of the Pupillage Committee of any difficulties encountered by a pupil with court work.

(O) ALLOCATION OF WORK AND MONITORING OF ALLOCATION OF WORK DURING THE SECOND SIX MONTHS OF PUPILLAGE

1. The clerks distribute work equally (on an alphabetical rota system) between the pupils as and when it becomes available subject to specific requests by solicitors.
2. A pupil may raise, informally, with the Chair of Pupillage any concerns he or she has as to the fairness with which work is allocated. Such concerns will always be investigated and an explanation of the situation given to the pupil by the Chair of Pupillage.

(P) MAINTAINING QUALITY OF WORK BY PUPILS

1. Any issues raised by the clerks as to the quality of work are discussed immediately with the pupil. Where appropriate, further advice and/or training is given to the pupil as to ensuring the maintenance of good quality service to clients.
2. If there are significant problems over the quality of work or issues in relation to the pupil's ability to carry it out satisfactorily, the pupil may be required to cease outside work unless and until the pupillage committee is satisfied that the pupil is able to provide a good quality service. Further guidance will be given to the pupil. Where the pupil is unhappy about this decision, he or she may invoke the Chambers' Grievance Procedure for Pupils (Annexe EE).

(Q) PAYMENT FOR WORK

As with members of Chambers, the clerks negotiate fees with solicitors. All fees are collected by the clerks' room and pupils' fees are negotiated and "chased" in the same way as tenants' fees.

(R) CLERKS' FEES / CHAMBERS EXPENSES

Pupils are not asked to pay any fees to clerks or expenses to Chambers.

(S) CONCLUSION OF PUPILLAGE: OBLIGATIONS

At the end of pupillage pupils are required to lodge with the Pupillage Committee:

- A copy of their Bar Standards Board checklist, signed by their supervisor(s); and
- Copies of their monthly review forms.

(T) DECISIONS AS TO TENANCY AND SQUATTING

1. Traditionally, Chambers recruits on the basis of merit and availability of work, unconstrained by quotas or physical space within Chambers.
2. The decision whether to offer a tenancy to a pupil is taken by the Head of Chambers following a full meeting of the members of Chambers. Prior to the full tenancy meeting, the Head of Chambers, the Pupillage Committee, the pupillage assessment setters, and the pupil supervisors meet with a view to agreeing a non-binding recommendation to make to the members of Chambers at the full tenancy meeting. Also prior to the full tenancy meeting, the pupil supervisors' written reports and reports on written assessments and advocacy assessments (the formal test prior to the second six, the second informal test with pupil supervisors and junior contacts; and the conference test) are also circulated to all members of Chambers.
3. The Tenancy Selection procedure is set out at Annexe DD below.
4. Sometimes Chambers wishes to see more of a pupil before making a decision. In those circumstances, the pupil concerned may be offered a further period of pupillage. If a pupil is not recruited as a tenant in Chambers, then he or she should leave on the last day of pupillage unless permission to remain in Chambers has been requested (from the Head of Chambers) and granted. In normal circumstances, permission for one month will be given. If appropriate, and exceptionally, further periods of up to three months may be granted upon application to the Head of Chambers.

(U) POST-DECISION ASSISTANCE

Where a pupil has not been recruited by Chambers, the Pupillage Committee will provide assistance by way of advice and any practical help which it can reasonably give to seek to ensure that every pupil is able to continue with a career as a practising barrister. As a result of QEB's reputation we have a good record of being able to help pupils find alternative chambers.

(V) MATTERS NOT ADDRESSED BY THIS DOCUMENT

Any issues not covered by this document will be resolved by the Pupillage Committee.

(W) PUPIL SUPERVISORS' OBLIGATIONS

1. Before pupils start in Chambers, their pupil supervisor will contact them to introduce themselves and make arrangements for their arrival. In the event that the pupil supervisor will not be in Chambers on the morning his/her pupil starts, he or she will arrange for a "relief" pupil supervisor for that day, in consultation with the Senior Clerk, and inform the pupil of the arrangements made.
2. At the beginning of pupillage, pupil supervisors will actively discuss with the pupil what the pupil supervisor expects in terms of their working hours, daily duties, going to court, travel expenses etc., introduce the pupil to the clerks and other members of Chambers, explain where relevant research materials are (and at least initially assist them in where to start research projects), and ensure that the pupil has all necessary computer equipment to access

the Chambers' diary. They will also encourage the pupil to offer feedback about pupillage, at the monthly review sessions or otherwise as and when points arise.

3. Pupil supervisors will ensure during the first week that pupils have a copy of the Bar Council Pupillage File and the Bar Standards Board Pupillage Family Law Checklist. The checklist will be discussed generally at an early stage and, during the course of pupillage, encouragement will be given on a regular basis to fill it in and to discuss gaps. It is important that pupils understand that the checklist needs to be filled in properly (dates, details of case etc.) and not completed just by ticking sections. The "Satisfactorily Completed" section needs to be filled in by pupil supervisors, initialled and dated. Throughout pupillage, pupil supervisors will keep checking that the pupillage checklists are being filled in, discuss with pupils any gaps and suggest means of filling these (e.g. by attending court with other members of Chambers). At the end of the first six and second six months, pupil supervisors must ensure that the fully completed checklist is given to the Pupillage Committee.
4. Regular appraisal / feedback of pupils' work is essential. A monthly review form (Annexe AA) will be completed at the end of each month. The form will be given to a member of the Pupillage Committee at the end of the period of pupillage.
5. For those pupil supervisors who have pupils during their first six months, a Bare Essentials list of work is provided (Annexe BB). All matters on this must be covered before the end of the first six, and those taking over pupils in January will check with them what has been covered and what is outstanding.
6. Pupils are asked to keep a detailed diary of work done (partly to assist in completion of their checklist / monthly review forms). Pupil supervisors will check from time to time that such a diary is being completed.
7. At the end of the first 3 1/2 months of pupillage, at the end of the second 3 1/2 months of pupillage, and prior to the tenancy decision in the Summer, all pupil supervisors who have had pupils during the relevant period are asked to provide a short report on their pupil to the Pupillage Committee, in order that the pupil's progress can be properly monitored. This report will be discussed with the pupil and their feedback obtained. A proforma report is provided by the Pupillage Committee (Annexe CC).
8. As the Head of Chambers has to certify that pupils are ready to go into court before they get their Provisional Practising Certificate, there will be an advocacy exercise for all pupils in late February / early March of each year. Pupil supervisors should ensure that their pupil knows of the date of this. They will be provided with details closer to the time. All pupils will be given a reasonable amount of time to prepare the problem. At the same time, the Head of Chambers will be asking for written reports from all current pupil supervisors on each pupil.
9. At the end of the first six months and again at the end of the second six months a pupil supervisor is required to certify the satisfactory completion of that period of pupillage. Each pupil has a copy of the relevant forms in their pupillage file. The pupil supervisor must ensure that it is completed and must keep a copy.
10. Pupil supervisors should encourage pupils to spend time in court with their junior contact and should actively liaise with the junior contact about the pupil regularly.
11. Pupil supervisors should liaise with junior contacts to organise informal advocacy training for pupils at least once (and if possible, twice) during the pupillage year. Junior contacts will provide the pupil with a copy of a set of papers for a hearing which they are booked to do. The pupil will prepare the case and make submissions on it to the pupil supervisor and junior contact, receiving feedback as appropriate. The pupil will then, wherever possible, attend court with the junior contact to see the case in practice.

12. Pupil supervisors will ensure that pupils arrange to complete the compulsory courses: Practice Management/Advice to Counsel; Forensic Accountancy; and the Inns of Court advocacy courses
13. Pupil supervisors should tell pupils of the date of the tenancy decision meeting as soon as it is fixed. Pupils should also be told that they can leave Chambers when the meeting starts and that they need not come into Chambers the next day if they do not wish to (subject to their own Court commitments). They should be told of how the decision will be notified to them, and if this is by telephone, pupil supervisors should ensure that Ivor has up-to-date phone numbers for each pupil. If a pupil is not taken on by Chambers, pupil supervisors should assist and advise their pupil in future applications as appropriate.

ANNEXES

(AA) QEB PUPILLAGE MONTHLY REVIEW FORM

Pupil

Supervisor

Junior contact

	End of 1st month	End of 2nd month	End of 3rd month	End of 4th month
Date of review				
Checklist checked/discussed on what date?				
Time spent with others in QEB?				
Liaison with junior contact?				
What court work seen? See High Court trial with QC?				
What (type of) conferences observed?				
Paperwork done (a) Asset Schedule / Net Effect (b) Chronology (c) Statement of Issues (d) Questionnaires (e) Affidavits (f) Pleadings (g) Opinions (h) Orders (i) Petitions/Answers/Replies				
Junior Work (a) CA directions* (b) CA first hearing dispute resolution* (c) CA final hearing* (d) CA fact-finding hearing (e) Non-Mol/Occupation order* (f) Public Law* (g) Low value AR* (i) Possessions (j) Bankruptcy (k) Pro Bono work				
What cases discussed?				
Next month's "to do list"				
Last month's "to do list" done?				
Problems?				
Pupil's comments/feedback				
Signature of pupil and pupilsupervisor				

* Pupils must see at least three of each of these types of hearing during their pupillage year. Each attendance should be dated.

(BB) Bare Essentials To Cover In 1st 6 Months

(ii) Court

1. Attending hearing in Chambers
2. Attending hearing in County Court or High Court in open court.
3. Taking a note in court which is looked at by pupil supervisor.
4. Seeing a witness cross-examined.
5. Seeing an order negotiated and drafted.

(iii) Paperwork

1. Endorsing a brief.
2. Drafting schedule of assets, chronology, questionnaire, schedule of issues and order.
3. Writing an opinion and discussing it.
4. Drafting/considering Particulars of Claim/Defence.

(iv) General

1. Discussion with pupil supervisor about important matters of conduct and etiquette – not just issues which have arisen.
2. Demonstration of ability to look up law without being told where to look..
3. Grasp of Family Procedure Rules 2010 and President's Practice Direction, and Q.B. equivalent.
4. Grasp of where books are in chambers.
5. Understanding of what happens and is expected to happen in clerks' room: communication with clerks, Chambers' diary, fee notes and yellows.
6. Knowledge of rules relating to costs.
7. Knowledge of procedure for, and requirement to seek, permission to appeal.
8. Has the checklist been kept up to date?
9. Has the monthly review been filled in?

(CC) REPORT ON PUPIL

This assessment requires assessments under each heading, setting out whether and if so how the pupil is exceeding, meeting or not meeting expectations in that area.

Specific examples, drawn from work done during the relevant period, must be included.

Name of Pupil:
Name of Pupil Supervisor:
A. Overall approach to work (an organised practice, commitment to hard work, ability to stay calm under pressure, initiative)
1. Summary
2. Example(s) of achievement(s)
3. Example(s) of area(s) for improvement
B. Analysis (demonstrates sound factual and legal analysis, legal research skills, ability to apply sound judgment)
1. Summary

2. Example(s) of achievement(s)
3. Example(s) of area(s) for improvement
C. Presentation (expresses ideas clearly and persuasively, both orally and in writing)
1. Summary
2. Example(s) of achievement(s)
3. Example(s) of area(s) for improvement
D. Interaction and Communication (demonstrates a capacity to show understanding of others' need and problems, and interacts appropriately with others, including professional and lay clients)
1. Summary
2. Example(s) of achievement(s)
3. Example(s) of area(s) for improvement

E. Summary (including any further appropriate examples)	
Pupil's Comments:	
Signed by Pupil Supervisor:	Date:
Signed by Pupil:	Date:

Graded Report on Pupil on [date]

Name of Pupil:

Pupil Supervisor:

Notes:

- The following report, which supplements your written report, is intended to give a graded indication of how your pupil supervisor perceives you to be performing in the designated categories (which are the same as the categories in your written report).
- The aim is to indicate the level of your performance on a scale which will enable you and your subsequent pupil supervisors to identify your areas of strength and those areas that require specific and focussed improvement.
- It is not appropriate to aggregate your grades in any way (and they will not be aggregated by your pupil supervisor or by chambers); their value is in providing a guide to specific areas of strength and weakness.
- While there will be a degree of moderation between pupil supervisors, these grades are not intended to be rigorously comparable with other pupils.
- These grades will form a part of the overall assessment by chambers of your application to become a tenant. They are not singularly determinative.
- The grades describe performance as follows and are applicable to the stage of pupillage at which they are given (i.e. you are currently considered to be exceeding expectations/satisfactory/etc.):

- 1 - Excellent
- 2 - Exceeding expectations
- 3 - Satisfactory
- 4 - Not performing well enough
- 5 - Cause for concern

A	Approach to work	Organised practice	
		Commitment to hard work	
		Initiative	
B	Analysis	Factual analysis	
		Legal analysis & research	
		Sound judgment	
C	Presentation	Oral presentation	
		Written presentation	
		Professionalism (personal presentation)	
D	Interaction/communication	Understanding needs/problems (empathy)	
		Interaction - solicitors	
		Interaction - lay clients	
E	Output	Calm under pressure	
		Speed of working	
		IT skills	

Signed [Supervisor]: on: [date]

Signed [Pupil]: on: [date]

(DD) TENANCY SELECTION PROCEDURE

1. New tenants are crucial to the future of Chambers. Accordingly Chambers regards the selection and recruitment of new tenants as a crucial part of its future development and long-term viability.
2. Chambers encourages applications for tenancy both from pupils (paragraphs 3-12 below) and from established practitioners in other sets of chambers (paragraphs 13-18 below). In doing so Chambers is naturally concerned properly to implement our Equal Opportunities and Diversity Policy and Quality Assurance Statement, and to reflect the Bar Council's / Bar Standards Board's guidelines.

Applications by pupils

3. It is the general policy of Chambers to offer a tenancy only to pupils who have completed at least six months pupillage within chambers. This policy will be departed from only in exceptional circumstances.
4. The decision whether or not to offer a tenancy to a pupil is reached following a Chambers meeting ("the tenancy meeting") held once per year, usually in July (as set out in Section T above).
5. Each pupil within Chambers will be deemed to be an applicant for tenancy unless otherwise stated by Chambers at the time of offer of pupillage or by the pupil in writing at any time prior to the tenancy meeting.
6. It is the normal policy of Chambers to recruit those pupils as tenants who are adjudged to have attained a sufficiently high standard during their pupillage (see below). There is no fixed number of tenancies for which pupils compete.

7. The overall considerations in tenancy selection are, inter alia:
 - a. whether the individual applicant will be a successful barrister within Chambers;
 - b. the comparative ability of the applicants;
 - c. the availability of work for new tenants both immediately and in the foreseeable future.
8. The criteria which will be applied in assessing candidates for tenancy are inter alia as follows:
 - a. an analytical mind;
 - b. an ability to express ideas clearly and persuasively, both orally and in writing;
 - c. an ability to think under pressure;
 - d. a commitment to hard work;
 - e. an ability to apply sound judgment in relation to instructions, litigation and proposed litigation;
 - f. an organised approach to practice;
 - g. a capacity to understand and show understanding of the needs and problems of those for whom and with whom they work.
9. Pupils will be assessed on the basis of their entire performance during pupillage.
10. It will be the objective to ensure so far as practicable that the majority of members of Chambers have seen at least one example of each pupil's written work during the year. Account will also be taken of reports (oral and written) about work/assessments in which the pupil has participated during the year, any advocacy test in which the pupil has participated, any comments from solicitors for whom the pupil has worked and from judges with whom the pupil has marshalled.
11. The procedure for the tenancy meeting is as set out at paragraph T above.
12. Where a pupil is not invited to become a tenant, every reasonable effort will be made to assist that individual to find a further pupillage or tenancy elsewhere.

Applications by established practitioners

13. Where a vacancy is positively identified within Chambers it will be openly advertised. The advertisement will state that Chambers implements an Equal Opportunities policy and procedures for fair selection.
14. Applications for a tenancy, whether in response to advertisement of a vacancy or otherwise, should be made in writing to the Head of Chambers. All applications are confidential.
15. Applications will be considered in the first instance by the Tenancy Committee.
16. The criteria applied to each application are, inter alia:
 - a. where the applicant has an already established practice, whether that practice will complement and enhance the quality of service which Chambers already offers;
 - b. whether the practice which the applicant has (or may develop) will fill a need within Chambers;
 - c. whether the individual applicant will be a successful barrister within Chambers
17. Where the Tenancy Committee is of the opinion that the application merits further consideration it may invite the applicant for interview and/or recommend to Chambers that the application should receive wider consideration (including where appropriate an interview by chambers as a whole). In such cases the final decision whether or not to offer a tenancy is

taken by the Head of Chambers following a Chambers meeting. The decision is communicated to the applicant by the Head of Chambers.

18. Whilst group applications will be considered on their own merits it should be made clear that each application will be looked at and treated as a separate application by each individual practitioner. Accordingly individuals will be asked to indicate whether they would accept a tenancy if offered to them individually.

(EE) GRIEVANCE AND DISCIPLINARY ISSUES FOR PUPILS

1. Pupillage at QEB should be an enjoyable, as well as an educative, process. The possibility remains, however, that differences of opinion, or even grievances, may arise between pupils and Members of Chambers or the clerks, or vice versa, and that pupils in particular may find these difficult to deal with satisfactorily.
2. Chambers recognises that it is very difficult for pupils to raise issues that are troubling them and, further, that any pupil wishing to do so would be bound to feel in a very vulnerable position. It is also clear that, for any pupil, being involved in (the unlikely event of) disciplinary proceedings within Chambers is worrying.
3. Our aim is to ensure that any such matters can be raised and dealt with quickly but properly and with a minimum of fuss. Of course, in the event of disciplinary matters against pupils, it may be that a full and detailed process cannot be avoided, but it is to be hoped that this would be very much a last resort.
4. Generally, it is Chambers' position that a pupil can, at any time, ask for a full and formal disciplinary hearing (whether they are the complainant or the person being complained about). Chambers, generally, would only seek a full hearing when the matter is incapable of any other resolution.
5. Clearly, some matters will require a full and formal procedure. Allegations against pupils of dishonesty, harassment or other gross misconduct would be examples of this. Other matters, such as inappropriate behaviour or rudeness can be dealt with more.
6. In general terms, the following procedures will be adopted.

Grievance Procedure

7. In the first instance if a pupil finds himself or herself in the situation of having a grievance or complaint, he/she should as a general rule speak first to his or her own pupil supervisor. If for any reason this is not possible, or does not resolve the difficulty/grievance, the pupil should speak to the Head of Chambers at the first available opportunity.
8. If the pupil prefers, he or she may ask for an informal discussion with the Chair or any member of the Pupillage Committee. This process is entirely informal but may be preferred by some pupils as a means of dealing, more quietly, with a problem that may be capable of easy resolution.
9. If the pupil chooses to speak to the Head of Chambers and, after speaking to the Head of Chambers, considers that the difficulty/grievance is still not resolved and should be taken further, the pupil may, within seven days after discussing the matter with the Head of Chambers, request that a formal meeting be convened, as soon as reasonably practicable, in order to consider the matter. Such a request may be made orally but should, if possible, be in writing, to the Head of Chambers.
10. The requested formal meeting will be chaired by the Head of Chambers, unless the pupil requests otherwise at the time of the request for a formal meeting. In that event it will be

chaired by a High Court Judge (current or retired) nominated by the Chambers Management Committee. The pupil may be accompanied at the meeting by a barrister of his/her choice, and the meeting will be attended by the Head of Chambers (whether or not he/she is chairing the meeting). Other attendance at the meeting will be at the discretion of the Chair after consultation with the pupil.

Complaints about Pupils

11. Where possible, any problem regarding a pupil and his or her conduct should be resolved by informal discussion with the pupil supervisor or, if appropriate, informal interview with the Chair of the Pupillage Committee (accompanied, if thought necessary, by another member or employee of Chambers). If, at any time, the pupil wishes to have the matter dealt with more formally, any informal discussion will cease and the matter will be dealt with formally.
12. Where there has been a complaint which is to be dealt with

Minuted Interview

13. This is suitable for all but the most serious of complaints. The pupil shall have an interview (with at least one member of the Pupillage Committee and one other member of Chambers) at which the nature of the complaint against the pupil will be outlined to him or her. He or she may make any notes he or she chooses (and may be accompanied by a fellow pupil, pupil supervisor or junior contact). If the pupil feels able to discuss the complaint there and then, this will take place; however, the pupil shall have an absolute right to time to prepare for the rest of the interview and, if requested, the interview will be adjourned for a reasonable time (in all the circumstances) for such preparation.
14. During the interview (where the pupil can be accompanied as described above), the complaint having been set out (again, if there has been an interval) by the Chair of the Pupillage Committee, or by his or her nominee for the interview, the pupil will have an uninterrupted opportunity to explain his or her position. There may then be a discussion as to issues which arise and, at the end of the discussion the pupil will be asked to leave the room whilst the interview panel discuss the position.
15. When such discussion has concluded, the pupil will be asked to rejoin the interview and will be told the view of the panel. If, applying the balance of probabilities to any issue of fact, they uphold the complaint then they will advise the pupil as to future conduct and/or further training which should be undertaken. They have the power to prohibit further court work for a working pupil until such training is undertaken and the pupil is passed fit to take court work.
16. Should the panel consider that the matter is more serious than first thought, they shall have the power to refer the matter to the full Pupillage Committee for formal hearing.
17. If the pupil is unhappy with the decisions of the panel, then the pupil may refer the matter to the full Pupillage Committee for formal hearing in accordance with the provisions set out below under "Full Hearing".
18. The "full" Pupillage Committee for these purposes shall not include the member who conducted the Minuted Interview.
19. As suggested by the name, the interview and decision

Full Hearing

20. The aim of this hearing will be to decide whether, on a balance of probabilities, the complaint against the pupil is made out and, if so, the appropriate penalty (if any). A complaint includes

any allegation that the pupil's fitness to be a pupil in chambers may be impaired, whether by reason of conduct, competence or health.

21. For the purposes of the hearing, the Committee shall appoint one of its number to chair the proceedings. Within 14 days of the complaint or, in the case of a full hearing following a minuted interview, within 14 days of the reference of the complaint to the Committee, that person shall write to the pupil setting out the complaint. Any letters or statements made by any person shall be copied and given to the pupil.
22. At the hearing, the pupil may be accompanied by a fellow pupil, pupil supervisor or junior contact. Although this hearing is formal, the feeling of there being an adversarial trial is to be avoided.
23. The Chair of the hearing shall outline the complaint and refer to any material supportive of that complaint. If any person is required to attend to give live "evidence" by the Committee or by the pupil then such person(s) must be given 3 days' notice of the hearing. Such people may be questioned by the pupil and by the Committee.
24. At the end of all the evidence, the pupil shall have an opportunity to make submissions. He or she will then be asked to withdraw whilst a decision is made as to whether the complaint is upheld.
25. If the complaint is upheld, the pupil shall have an opportunity to make submissions in mitigation. The pupil will then withdraw whilst the Committee consider what, if anything, should be done.
26. The Committee shall have the power to do whatever, in their opinion, is right to protect Chambers whilst attempting not to do permanent unnecessary damage to the career prospects of the pupil. In an extreme case the Committee is empowered to suspend the pupil and to refer the matter to the pupil's Inn or to the Bar Council.
27. The pupil will be told of the decision as to sanction as soon as possible (although the Committee may adjourn this decision pending further investigation). The decision shall be confirmed in writing within 24 hours of its being communicated to the pupil.
28. The pupil shall be entitled to appeal to the Chambers' Management Committee against any decision of the Pupillage Committee at or in relation to a full hearing. This should be done in writing within 7 days of the written decision and should set out:
 - (a) the decision appealed against, and
 - (b) the grounds for appealing this decision.
29. The Management Committee shall re-hear the matter and either uphold the earlier decision, amend it or overrule it. Their decision shall be final.