

PUPILLAGE POLICY

2022/2023

Introduction

1. We are a well established and busy regional set with expertise in Family, Criminal and Employment Law practising throughout East Anglia.
2. The Family Team practises in all areas including public law (acting for local authorities, parents, extended family members and Guardians), private law Children Act cases, divorce, and ancillary relief.
3. The Criminal Team acts for the prosecution and defence in all areas of criminal law including fraud, serious sexual offences, murder, and regulatory matters such as Health and Safety, RSPCA, firearms licensing and local authority prosecutions.
4. The Employment Team covers all aspects of employment law including employment documentation, tribunal representation, investigations, hearings, appeals, hiring, retaining and dismissal.
5. Octagon Legal follows the Bar Standards Board's Code of Conduct and Pupillage Handbook, Professional Statement for Barristers, the Pupillage Funding Rules and Advertising Requirements, and the Bar Council's Fair Recruitment Guide.

Number Of Pupillages On Offer

6. We are offering one funded pupillage to commence in September 2022 for a period of 12 months.
7. The pupillage will be a mixed pupillage in family and crime.
8. The recruitment of pupils in subsequent years will be reviewed by the Management Committee.

How Pupillages Will Be Advertised

9. All pupillages are advertised on the Pupillage Gateway Website (www.pupillagegateway.com) and Chambers' website.

The Recruitment of Pupils

10. The Head of the Pupillage Committee will be appointed by the Head of Chambers. The Committee will consist of at least three members of Chambers, representing a range of Call of members of Chambers as constituted at any time and to include a diversity of disciplines.
11. All members of the Pupillage Committee will be familiar with the provisions of the Bar Standard Board's Code of Conduct, Pupillage Handbook, Professional Statement for Barristers, the Pupillage Funding Rules and Advertising Requirements and the Bar Council's Fair Recruitment Guide.

The Recruitment Process

12. Chambers recruits pupils via the Pupillage Gateway. All applications must be made through the Pupillage Gateway and in accordance with its timetable (www.pupillagegateway.com).
13. Chambers operates in accordance with the Bar Council's Fair Recruitment Guide. All applications for pupillage are considered solely on merit and regardless of age, sex, race, ethnic origin, background, political persuasion, religion, marital status, sexual orientation or physical disability.
14. Chambers' Management Committee will make the decision as to whether to offer a pupillage to applicants.
15. In recruiting pupils, Chambers applies the following criteria:
 - intellectual ability, advocacy skills and commitment to practising in the areas of family and crime
 - integrity, enthusiasm and work ethic; and additionally
 - somebody who would fit into a busy regional chambers with the capacity to work effectively with colleagues, local solicitors, clients and Chambers' staff.
16. Chambers operates a two stage assessment process. The first stage is the consideration of the application forms submitted via the Pupillage Gateway from which a shortlist of 10-15 candidates will be drawn. Those 10-15 candidates will proceed to Stage Two which is an interview of 30 minutes to an hour duration. The interview may include a discussion about a legal problem provided to candidates on arrival for the interview. Interviews are usually held on a Friday afternoon or possibly on a Saturday. The interview panel consists of three members of the Pupillage Committee.

Structure of Pupillage

17. The aim is for the pupil to gain experience in family and criminal law.
18. The pupil will rotate between pupil supervisors, spending up to two months with each. The pupil is also likely to undertake work for other members of Chambers and attend Court with them.
19. Chambers will assess the pupil in accordance with the threshold and competencies in the Bar Standards Board's Professional Statement.
20. Pupil supervisors will monitor the progress of the pupil to ensure that s/he is given the opportunity to experience the full range of training available.

Non-Practising Period – First Six

21. For the first six months, the pupil will shadow their pupil supervisor and other members of Chambers, conduct research and assist with case preparation.

Practising Period – Second Six

22. The pupil will undertake court work and paperwork in their own right, but will remain under the supervision of their pupil supervisor.

Hours of Work

23. Typical working hours might be between 8.30am and 5.30pm, although these may vary depending on the particular piece of work and requirements of the pupil supervisor.

Holiday

24. The pupil is entitled to 2 weeks' holiday in each six months of pupillage. The pupil is asked to give a months' notice of any holiday sought.

How Pupillage Will Be Funded

25. Chambers' funding policy for pupillage will be no less than the minimum award recommended by the Bar Council. The pupil will be earning in his/her second six and will pay 8% of their earnings for clerks' fees in that period.

Travel Expenses

26. The pupil will travel with their pupil supervisors in the first six. In the second six, the pupil is required to provide copies of tickets and travel costs to the Clerks for billing purposes.

The Role and Duties of Pupil Supervisors

27. All pupil supervisors must have been approved by an Inn, their names must appear on the current register of pupil supervisors and they must have attended the appropriate briefing session provided by an Inn.
28. Once a pupil has been allocated to a pupil supervisor by the Head of the Pupillage Committee the pupil supervisor must contact her/him immediately to arrange a meeting and to discuss arrangements for the start of the pupillage period.
29. The pupil supervisor will go through Chambers' induction procedure and general pattern of pupillage with the pupil and ensure that s/he has copies of all the relevant documentation. This includes:
 - Bar Council and Chambers' documents
 - An outline of the structure of the pupillage and what is expected of the pupil and the kinds of tasks a pupil will be expected to undertake
 - Security, financial arrangements, library, fax, photocopying and IT facilities
 - Dress code, hours of work, holidays, etiquette in the Clerks' room
 - Procedure for applying for extensions of pupillage and/or tenancy
 - Chambers' complaints and grievance procedure. The pupil should be told who to contact in the event of the pupil supervisor being absent from Chambers
 - Efforts should be made to introduce the pupil to as many members of Chambers as possible. If practicable, the pupil should be encouraged to spend time with, and do work for, other members of Chambers.
 - The pupil supervisor shall ensure that the pupil has a workspace when in Chambers
 - The pupil supervisor must take an emergency contact number in case of an accident involving the pupil.
 - Pupil supervisors will act in accordance with the Bar Council's Code of Conduct

First Six Months

30. The pupil supervisor shall:
 - Ensure the pupil is provided with the threshold and competencies that need to be met for the successful completion of pupillage and discuss these at regular intervals with the pupil during pupillage
 - Ensure that the pupil is given copies of his/her papers to read in advance and require the pupil to attend Court and conferences with him/her
 - Discuss all work completed by the pupil
 - To meet with the pupil monthly to discuss the allocation of work and the progression of pupillage
 - Ensure that the pupil has an understanding of the Code of Conduct and etiquette at the Bar

- Provide appropriate alternative supervisory arrangements for the times that they are away from Chambers
31. There are several compulsory courses that must be completed by the pupil during this part of pupillage. The pupil supervisor must ensure that the pupil is given appropriate preparation time.
 32. The pupil should accompany the pupil supervisor to Court unless there are exceptional circumstances. If the pupil supervisor is involved in case preparation or one lengthy trial during the currency of pupillage, efforts must be made to ensure the pupil attends Court regularly with other members of Chambers.
 33. Whenever possible the pupil should attend conferences with the pupil supervisor. Again, if there are no opportunities during the pupillage, efforts must be made for the pupil to attend conferences with other members of Chambers.
 34. The pupil should be given the opportunity to do work for other members of Chambers. This must always be discussed with the Pupil Supervisor in advance.
 35. All work that the pupil completes should be appraised and the pupil given appropriate feedback. The pupil supervisor must ensure that this is done by any other members of Chambers for whom the pupil works.
 36. Towards the end of the first six months of pupillage the pupil should be encouraged to spend time with junior members of Chambers. Sufficient time must be provided for this by the pupil supervisor.
 37. The pupil supervisor must complete a pupillage assessment form for the Pupillage Committee.

Second Six Months

38. The pupil supervisor will ensure that the pupil has been given the guidelines for the practising period of pupillage. Time should be taken to discuss:
 - The practicalities of work allocation
 - The arrangements for contacting solicitors
 - Billing
 - The method for fairly distributing briefs and other work among pupils
 - The arrangement for the paying of Clerks' fees on earnings during the second six
39. The pupil supervisor should ensure that the pupil has contact numbers for the Bar Council and for members of Chambers to assist with queries.
40. During the second six months of pupillage the pupil will often be out of Chambers for much of the working day. Efforts must be made by the pupil

supervisor for the pupil to work for other members of Chambers wherever possible.

41. Towards the end of pupillage the pupil supervisor will explain the application procedure for extension of pupillage or tenancy. The pupil supervisor is expected to use every effort to assist the pupil in finding alternative Chambers if necessary.
42. Approximately one month prior to the end of pupillage the pupil supervisor must complete a pupillage assessment form for the Pupillage Committee.
43. It is the duty of the pupil supervisor to inform a pupil who has applied for a tenancy of the outcome of that application as soon as possible after the Chambers meeting.

The Role and Duties Of The Pupil

44. The pupil shall:

- Comply with the rules and requirements of the Code of Conduct of the Bar of England and Wales, the Bar Standards Board Handbook, Pupillage Handbook, the Bar Standards Board's Professional Statement, the Bar Training Regulations and GDPR
- Maintain the highest possible standards of appearance, behaviour and attitude to professional and lay clients
- Maintain confidentiality in respect of clients and Chambers
- Maintain a record of all work undertaken, such as a Pupillage Diary
- Submit a certificate from their Pupil Supervisor to the Bar Standard's Board certifying that the non-practising period has been satisfactorily completed
- Submit a certificate form from their Pupil Supervisor to the Bar Standards Board at the end of the practising period, certifying that the practising period has been satisfactorily completed
- Attend and complete the necessary Compulsory Training courses for pupils
- Ensure they are called to the Bar
- The pupil may from time to time be asked to complete tasks such as photocopying documents for cases and any other administrative tasks

45. The pupil will attend Chambers on time every day. These arrangements will be made with the pupil supervisor but typically will be between 8.30am and 5.30pm.

46. A contact number for the pupil supervisor, Chambers and the Head of the Pupillage Committee will be provided. The pupil will be able to contact them and the Senior Clerk in the case of any query. The pupil will give an emergency contact number to the pupil supervisor also.

47. The pupil will be given information about the threshold and competencies that are to be met. If in any doubt, the pupil must speak to the pupil supervisor at once. It is the pupil's duty to ensure that proper records are kept of all work

completed. Any areas of concern should be addressed with the pupil supervisor.

48. It is the duty of the pupil to secure attendance on compulsory courses. Appropriate arrangements will be made with the pupil supervisor.
49. The pupil supervisor will explain the structure and practical arrangements of the pupillage. Any concerns or queries should be raised with the pupil supervisor at first instance, thereafter with the Head of the Pupillage Committee or any other designated member of Chambers.
50. If the pupil has any complaint or grievance this should be addressed to the pupil supervisor unless that is impractical for any reason. The Head of the Pupillage Committee or any other designated member of Chambers can be contacted in those circumstances.
51. No pupil will behave towards any other person in a manner which is inappropriate with regard to race, colour, ethnic or national origin, nationality, citizenship, sex, sexual orientation, pregnancy or maternity, gender reassignment, disability, religion or political persuasion.

First Six

52. The pupil must ensure that their pupil supervisor is kept informed of their whereabouts at all times during the working week. The pupil supervisor should be informed in advance of any absences or, if the absence is unexpected, as soon as is reasonably possible.
53. Unless there is good reason, the pupil will attend Court with his/her pupil supervisor. If the pupil supervisor is out of Norwich for a lengthy period, or involved in a long running case, the pupil will attend Court with other members of Chambers. This will be arranged through the pupil supervisor.
54. Unless it is impractical the pupil will attend all conferences with his/her pupil supervisor.
55. The pupil will discuss with the pupil supervisor any requests to work for other members of Chambers.
56. The pupil's working hours will be arranged with the pupil supervisor. A pupil may be required to spend time on written work outside of the normal working hours.

Second Six Months

57. The pupil will have been issued with guidelines for good practice which must be observed.
58. The pupil must supply the Clerks with their home telephone number and mobile telephone number.

59. The pupil must be available to work wherever instructed and shall not leave Chambers without confirming whether they are working the next day.
60. Should the pupil not have received work in advance on any given day, the pupil must attend Chambers not later than 8.30am on the day in question.
61. During the second six months the pupil is expected to work for his/her pupil supervisor in addition to carrying out his/her own work. The pupil must ensure that the pupil supervisor is informed of work commitments or other difficulties in completing work for the pupil supervisor.
62. It is also expected that the pupil will work for other members of Chambers during the second six months. Any requests for work must be discussed with the pupil supervisor.
63. The pupil will speak to his/her pupil supervisor before applying for tenancy or an extension of pupillage.
64. Any request for an extension of pupillage must be made in person to the Head of the Pupillage Committee.
65. At the end of pupillage, the pupil must complete a report on the effectiveness of the pupillage and provide it in strict confidence to the Head of the Pupillage Committee.

The Method of the Fair Distribution Of Work

Roles of the Clerks

66. The Senior Clerk is ultimately responsible for the fair distribution of the pupil's work.
67. The day to day clerking of the pupil's work will be supervised by the First Junior Clerk or any other clerk nominated by the Senior Clerk.
68. It shall be the duty of the clerks, as far as is practicable, to distribute the available work evenly subject to their discretion which must be exercised fairly.

The Monitoring and Review Of Work Distribution

69. The First Junior Clerk, or other such clerk nominated by the Senior Clerk will be responsible for keeping a record of the pupil's work distribution.
70. At first instance he/she will be responsible for monitoring the fair distribution of the work, but ultimately that responsibility will be the duty of the Senior Clerk.
71. A review of the distribution of the pupil's work will be made at quarterly meetings between the Head of the Pupillage Committee, the Senior Clerk and the First Junior Clerk.

72. Should any pupil wish to complain that the distribution of work is unfair, s/he should make the complaint to his/her pupil supervisor, who will take the matter up with the Senior Clerk.
73. If after a complaint has been made by a pupil supervisor to the Senior Clerk and the pupil supervisor/ the pupil is dissatisfied with any response to the complaint, the pupil supervisor must take the complaint to the Head of the Pupillage Committee who will take the matter up with the Senior Clerk.
74. If the pupil supervisor is unavailable, the pupil should make the complaint to the Head of the Pupillage Committee who will take the matter up with the Senior Clerk.
75. It is the policy of Chambers that complaints about unfair distribution of work should be made by pupils in the best interests of Chambers. It should on no account be thought that the making of a complaint by a pupil will in any way be held against that pupil.

Problems During Pupillage

76. The pupil should speak to their pupil supervisor in the first instance. If the issue cannot be resolved by the pupil supervisor, the matter will be referred to the Management Committee and then to the Head of Chambers if necessary.

Contributions To Pupillage Recruitment Review

77. The Pupillage Committee will review its recruitment procedures each August.

78. The Committee will consider reports from:

- Members of Chambers, who are not members of the Pupillage Committee, involved in the first round of interviews
- Members of the Committee, who will have been involved in both the first and second round of interviews
- Successful applicants, who will be expected to provide critical analysis of the procedure

79. In relation to Third Six pupils, the Committee will consider reports from:

- Members of the Committee
- Successful applicants, who will be expected to provide critical analysis of the procedure

Feedback on the Effectiveness of Pupillage

80. The Pupillage Committee will review the effectiveness of the previous twelve months' pupillage for twelve month pupils in the latter part of August each year.

81. The Committee will consider reports from:

- The pupil supervisor
- The pupil at the conclusion of pupillage

82. The report will be strictly confidential between the Head of the Pupillage Committee and the pupil. The pupil will be expected to provide a critical analysis. To maintain this confidentiality in informing the Pupillage Committee of the feedback on the effectiveness of pupillage as reported by the pupil, the Head of the Pupillage Committee will not ascribe any feedback to the pupil.

83. Chambers will regularly review this document to ensure that it is compliant with the Bar Standards Board and Bar Council.

Recruitment of Tenants

84. Chambers aims to recruit tenants from its pupils and only recruits pupils that are thought likely to be considered suitable for consideration as tenants. Chambers does not guarantee that a tenancy will be offered to every pupil.

85. Chambers has no policy on how many tenants will be recruited in any given year. Tenants will be recruited on the basis of merit only. The single standard of 'exceptional quality' will be applied and consideration will be given to the ongoing economic climate at the time rather than recruitment for the sake of it. Recruitment will be in accordance with the Bar Council's Fair Recruitment Guide.

86. The pupil will have the opportunity of applying for tenancy towards the end of their pupillage.

87. The Management Committee will invite applications and set a timetable for interviews. The final decision will be taken by a vote of a full meeting of Chambers.

Pupils Not Taken On As Tenants

88. The Pupil Supervisor of those not taken on as tenants will use their best endeavours to assist the pupil in obtaining a Third Six or tenancy elsewhere.

Contact

89. If you have any further queries, please contact the Management Committee by email at clerks@octagon-legal.co.uk or by telephone on 01603 623186.

The Management Committee
November 2021

