PARK COURT CHAMBERS

16 Park Place, Leeds LS1 2SJ
Tel: 0113 243 3277
Fax: 0113 242 1285, DX: 26401
Email: clerks@parkcourtchambers.co.uk
www.parkcourtchambers.co.uk

PUPILLAGE POLICY

Introduction

This document covers every aspect of pupillage within Park Court Chambers, beginning with the selection process. It sets out the constitution and remit of the pupillage committee and lays down the rules within which it operates. It also deals with the procedures applying to third six pupillages, tenancies and mini pupillages. Turning to pupillage itself, it deals with finance, selection of pupil supervisors, the pupil/pupil supervisor relationship, the pattern pupillage is expected to follow and selection for tenancy. It also includes the pupillage grievance procedure. When reading this document, the words "pupil" and "pupil supervisor" should be assumed to refer to male and female.

Constitution of Committee

1. The pupillage committee will consist of one QC who shall be the Chairman and four junior members of chambers. Three of the junior members shall have responsibility for one of the following areas: OLPAS and third six/tenancy applications, mini pupils and advertising. The Head of Chambers, the Senior Clerk and another member of the clerking team are ex officio members of the Committee.

2. There is no fixed term of service, but ideally members will serve a minimum of three years and a maximum of five years. It is anticipated that the member of the committee dealing with OLPAS and third six/tenancy applications will have served as a member of the committee.

3. The chairman will be appointed by the Head of Chambers. Any member of Chambers who is interested in being considered for a current or future appointment to the Committee should communicate his/her interest to the Head of Chambers. The members of the committee will be appointed by the Head of Chambers after discussion with the chairman of the committee. It is chambers' policy that the committee will comprise as diverse a group as possible, with members of different seniority, age and social and ethnic backgrounds.

4. For the year 2007/2008 the pupillage committee will consist of Tom Bayliss QC (Chairman), Simon Phillips, Jason Pitter, Jonathan Devlin and Elizabeth Darlington.

Remit

5. Chambers only recruits candidates for a first and or second six months' pupillage through OLPAS. No candidate will be selected unless he has come through the chambers' selection procedure.

The committee plays a part in accepting/rejecting applications for third six pupillages and junior tenancies. The procedure that will be followed is as follows:- (1) no application for a third six pupillage or junior tenancy will be considered unless in writing; (2) the member of the Committee with responsibility for OLPAS and third six/tenancy applications will endorse his/her written observations and recommendation upon the application; (3) the application, together with the aforementioned observations and recommendation will then be placed before each of the other members of the Committee; (4) any recommendation that is unanimously endorsed by the Committee will be actioned in accordance with such recommendation; (5) any recommendation that is not unanimously endorsed by the Committee will result in the application being deferred for consideration at the next meeting of the Pupillage Committee.

One member of the committee will be appointed to deal with mini pupillages along with the Senior Civil Clerk.

Pupillages

6. One member of the committee will be appointed as the OLPAS liaison. He may arrange to share the administrative burden of the OLPAS liason work with another member of the Committee. He will issue standard letters telling candidates of dates of notification for interview etc. The OLPAS liaison officer is also the liaison with the clerks and responsible for ensuring that the other members of the committee are fully informed. He is also responsible for sending OLPAS the results of the selection process.

7. The OLPAS liaison is responsible for ensuring that the OLPAS files are downloaded and copied within a week of receipt. Diaries will be arranged to ensure that the members of the committee are free to interview for three nights or over a weekend in the third/fourth week after receipt of applications.

8. The Senior Clerk will advise, in consultation with the Head of Chambers, the Chairman of the number of pupillages chambers should offer. The areas of work in which a pupil might find a niche will also be specified. This information will not be binding but will serve as a guide for the committee.

   Note: It is imperative that by the time of the interviews the committee knows whether it is looking for one or two candidates and whether a second candidate is desirable as of right or only if there are two exceptional interviewees.

9. Members of the committee will read the pupillage applications within one week of delivery to them. An initial list of candidates for interview will be prepared separately by each using the pre-interview checklist. A meeting will be arranged (diaries to be cleared) within ten days of receipt at which those lists will be refined down to a master list of up to 20 for interview.

   Note: The deadlines are very tight because now OLPAS allows offers to be made very much earlier than in previous years. Candidates in receipt of an acceptable offer will be free to decline interviews.

10. At that meeting the OLPAS liaison officer will present a list of standard questions for interview for discussion and approval by the Chairman. The meeting will also decide, having considered the candidates on paper, whether to discuss with the Head of Chambers and the Senior Clerk whether chambers should be looking to take more or less than the number of pupils previously proposed.

11. The committee will decide and make a minute of the interview format in advance and the same format will be used for each candidate. All members of the committee will assess each candidate using the relevant checklist. Each member of the committee will have an equal voice. The only circumstances in which a vote has added weight is if chambers is looking for a pupil for a particular area of practice represented by a particular member of the committee.

12. The purpose of first interviews is to select the pupil/s or to find approximately 5 candidates for second interview. Whilst first interviews will ask all candidates the same key questions, the second interview will not be bound to do so.

13. The potential pupil supervisor may be invited to second interviews. At no stage prior to formal offer will the applicant be introduced to a particular person as their pupil supervisor.

14. At the conclusion of interviews a decision will be made as to pupils and "near misses" (if still a part of the OLPAS scheme). Each member of the committee will have an equal voice. The only circumstances in which a vote has added weight is if chambers is looking for a pupil for a particular area of practice represented by a particular member of the committee.

15. Selection checklists will be used for all pupillage interviews. Records will be kept of subsequent discussions and decisions on prospective pupils. These records will be passed to the Senior Civil Clerk who will keep them for three years. Unsuccessful candidates will be informed that they may request feedback information upon their application. Any member of the Committee may provide such feedback information. A written note as to the date and content of such feedback information, whether given orally or in writing, should be made by the Committee member providing the same, and supplied to the Senior Civil Clerk for retention for three years.

Pupil Supervisors

16. Any member of Chambers who is interested in being considered for a current or future appointment as a pupil supervisor should communicate his/her interest to the Chairman of the Committee. The Chairman of the Committee will inform the Committee of any such communication received, and the Committee will take account of that information (but will not be bound by any such communication) when making its recommendation to the Head of Chambers as to the proposed appointment of pupil supervisors. The Head of Chambers will have the final responsibility for the appointment of pupil supervisors. Any member of Chambers dissatisfied by a decision as to the appointment of a pupil supervisor may communicate such dissatisfaction to the Chambers' Grievance and/or Equal Opportunities Officers. The pupil supervisor's role is to facilitate the completion of the checklists by making the work available and being on hand to review it. The pupil supervisor will ensure, so far as is possible, that the pupil accompanies him on all occasions. The pupil supervisor will also ensure that there are ongoing discussions of work in progress and professional etiquette. Not every set of papers will be reviewed "head to head" but every set of papers will be reviewed. The pupil supervisor will ensure that the pupil is free to attend the Circuit Continuing Education courses and such other courses as he may agree with the pupil.

17. Chambers ensures its pupil supervisors attend the initial training provided by the Inns of Court and the Chairman of the Pupillage Committee is available to provide further guidance if necessary. Chambers also provides guidance for those who take mini pupils if necessary.

18. The allocation of pupils to pupil supervisors is a matter for the Head of Chambers in consultation with the Senior Clerk and, if they wish, the pupillage committee.

19. If the pupil at any time has a problem that he cannot resolve with his pupil supervisor, he can approach the Chairman of the pupillage committee, the grievance officer, or the Senior Clerk. If either pupil or pupil supervisor feels their working relationship has broken down, chambers will arrange a new pupil supervisor.

Third Sixes/Tenancies

20. Chambers' policy is not to advertise tenancies without a general consensus that a particular area needs strengthening. That decision is not the function of the pupillage committee. As chambers receives numerous applications for third sixes, it is also policy not to let truly outstanding candidates escape.

21. Third six applications will be referred to the nominated member of the pupillage committee. The procedure to be applied is set out at paragraph 5 hereinabove.

22. Applicants for third sixes tend to know what they want to do. The third six liaison officer will consult with the Senior Clerk beforehand to check whether the work exists for a third six. The interests of the junior tenants are to be taken into account at all stages. The decision to interview will be based on the applicant's academic achievements, whether his skills are complimentary to one or more areas of Chambers' existing work, whether he would be seen as an asset to Chambers and his ability to bring work into Chambers.

24. If the Committee endorse a recommendation by the third six officer that an applicant is to be seen, alternatively, if the Committee decide at a meeting of the Committee that an applicant is to be seen, then he will be seen by the third six liaison officer and as many members of the pupillage committee as can be assembled. Short notice may prevent the entire team being assembled and the Chairman of the pupillage committee will co-opt as and when he feels necessary.

25. The decision to be taken at that stage is whether the applicant should be seen by the Head of Chambers. He will make the decision to offer a tenancy.

26. For the purposes of communicating offers/rejections to third six candidates, the liaison will be the third six officer. Unsuccessful candidates will be informed that they may request feedback information upon their application. A written note as to the date and content of such feedback information, whether given orally or in writing, should be made by the third six officer providing the same, and supplied to the Senior Civil Clerk for retention for three years.

Mini Pupillages

27. All applications will be given to the nominated member of the pupillage committee. He will decide whether to accept or reject. As chambers has a large amount of applications and only 40 places available per year, it is normal practice to accept only those candidates who are at university or doing the BVC. Dates for mini pupillages will be decided by the Senior Civil Clerk, who will keep the file and send out the relevant letters.

    Mini-pupillages will last one week only save in exceptional circumstances.

28. The Senior Civil Clerk will allocate mini pupils to members of chambers. All approved pupil supervisors are deemed to make themselves available for mini pupils, as are members of the pupillage committee and junior tenants.

29. The mini pupillage assessment form will be completed and handed to the Senior Civil Clerk. The files will be available to members of the committee when they consider OLPAS applications.

30. An application for mini-pupillage (even if rejected) will be a factor in selecting a candidate for interview (as this demonstrates an interest in Chambers and in working on Circuit). A good mini pupil report will therefore carry even more weight. Thereafter the selection for pupillage will be based entirely on judgments made on the basis of Chambers' pupillage selection criteria.

Chambers' Policies and Procedures

31. All pupils are expected to adhere to all Chambers' policies and procedures as set out in Chambers' Quality Manual and Pupillage Handbook.

Finance

32. Chambers offers funded pupillages. This consists of a grant of £5,000 paid at the beginning of pupillage plus a guarantee that second six months' earnings will be made up to an additional £8,000. These allowances will now be paid monthly rather than in a lump sum. In the second six months, monthly earnings will be deducted from the allowance.

    Chambers will pay course fees for compulsory courses during pupillage. Chambers will also pay travelling expenses to compulsory courses outside Leeds.

    Chambers will also pay for courses which are not compulsory but which are of benefit to the pupil, at the discretion of the pupil supervisor. Chambers will also pay travelling expenses to such courses held outside Leeds.

    Pupils' travelling expenses will be paid in accordance with Bar Council guidelines. Chambers' policy is for pupils to be paid for substantial amounts of research or devilling for members of chambers other than their pupil supervisor. All such requests must be channelled through the pupil supervisor who will arrange rates of pay. The amount must be agreed in advance.

    Clerks' fees will be charged on pupils' earnings at the full Chambers' rate. No Chambers rent will be charged.

Pattern of Pupillage

33. The pupil will be introduced to all the clerks and support staff in the first few days of pupillage. There will be a meeting with the Senior Civil Clerk to go through all the pupillage documentation, explain the staff hierarchy, how the clerks work and how the pupil fits into the system. The Senior Civil Clerk will also show the pupil round Chambers and ensure that the pupillage induction checklist is completed.

34. The pupillage will be structured in blocks of no less than 3 months with a total of one or two pupil supervisors. The structure of the first six months will be decided before the

pupillage begins. The Pupillage Checklist supplied by the Inns of Court will be used to monitor the pupil's progress. The pupil, pupil supervisor and Senior Civil Clerk will meet regularly (approximately every two/three months) to review progress and the pupil will be told how well/badly we think he is doing. The pupil will have the opportunity to comment on his pupil supervisor and on his pupillage in general. These meetings will be minuted and the records kept by the Senior Civil Clerk.

35. If the pupil is doing a specialist pupillage, e.g. family, the pupil supervisor will ensure the pupil sees other types of work.

36. If the pupil supervisor is on holiday or ill or otherwise not available, arrangements will be made for the pupil to be supervised by another member of chambers.

37 The pupil will be expected to keep his pupillage checklist up-to-date and to keep a diary and/or portfolio of his work to back up the checklist. These will be inspected at the review meetings.

38. The pupil will provide the Senior Civil Clerk with an up to date copy of the checklist 2 days prior to a review meeting. The checklist will then be copied and will serve (together with the notes of the review meetings) as the basis for the pupil supervisor's documentation of the pupillage. Copies of all documentation will be available to the pupil unless, for exceptional reasons, the Head of Chambers decides otherwise.

39. The pupillage will follow this general pattern:

First Six Months

(a) Dealing with papers, preparation of cases, etc. Constant questions to pupil supervisor. Close supervision of work necessary. The pupil supervisor's own workload may need to be lightened to allow for this. The pupil supervisor should consult the clerks if necessary. This should last between 2 and 4 weeks.

(b) Now competent with simple cases and can work with minimal supervision on these. Still needs close supervision on more difficult work. This stage should be completed after 3 to 4 months.

(c) Should be increasingly competent with more difficult work and less reliant on pupil supervisor.

Review by pupil supervisor and Senior Civil Clerk every two months.

Any significant criticism to be raised at a review must have been discussed with the pupil by the pupil supervisor during the period prior to the review.

The first six pupil will at all times work closely with his pupil supervisor, accompanying him to court and on conferences and being involved with all his paperwork. He will be expected to do small amounts of photocopying or faxing for his own pupil supervisor but large amounts of such work should be passed to the support staff in the normal way. He will be expected to do his share of tea and coffee making but not to excess and never for conferences.

At the end of the first six months, the pupil will supply a copy of his Provisional Practising Certificate to the Senior Civil Clerk, who will keep it on file.

Second Six Months

(a) The pupil does not need supervision on simple to medium cases. The pupil supervisor supervises more difficult work.

(b) The pupil supervisor should see the pupil in court (discreetly). The clerks will speak to chambers' solicitors for feedback on pupil's work. All members of chambers should note how well pupil is doing if they happen to be in the same court. Information (good or bad) should be passed to the pupil supervisor and/or the Senior Clerk.

(c) The pupil supervisor and Senior Civil Clerk to review progress after approximately eight months and ten months, the second with a view to offering a tenancy.

40. At the end of pupillage, the pupil will supply a copy of his completed checklist and a copy of his Practising Certificate to the Senior Civil Clerk, who will retain these documents for three years.

41. Chambers reserves the right not to sign the provisional or full Practising Certificate if, during the pupil review process, it is found that the pupil's performance is not up to the required standard. If the pupil's performance is felt to be so poor that there is no reasonable prospect of the required standard being attained, chambers reserves the right to terminate the pupillage early.

Holidays and Timekeeping

42. Pupils will be expected to be in chambers from 9.00 a.m. until 6.00 p.m. unless they are out at court or at a conference with their pupil supervisor. This is particularly important for second six pupils who may pick up work at short notice. Pupils should always be dressed appropriately for court and have robes with them.

43. Pupils are expected to take a maximum of 4 weeks' holiday in their pupillage year. For working pupils, breaks should be taken in term time as they are more likely to pick work up in vacation when others are on holiday.

Distribution of Work

44. Chambers will normally have one working pupil. If there is more than one pupil, appropriate work will be divided equally among all pupils.

45. Appropriate work will be arbitrations (small track claims), interlocutory work, mentions and straightforward applications in the Crown Court. With the pupil supervisor's approval, the pupil will be offered for interlocutory applications and mentions in the pupil supervisor's own work in preference to other juniors.

46. If the pupil is doing general common law, he will be offered for anything where a pupil is asked for and for appropriate junior work when the junior tenant is already working.

47. If the pupil is a specialist, he will be offered for all appropriate work in his field unless there is a very junior tenant in the same field. In that case, priority will generally be given to the tenant. With the pupil supervisor's approval, the pupil will also be offered for general work and for appropriate junior work when the junior tenant and/or common law pupil are already working.

48. When chambers has more than one pupil, the Senior Clerk will be responsible for reviewing the fair allocation of work. This review will be carried out immediately before each pupil review meeting in the second six months of pupillage and will be based on the number of cases dealt with and the amount earned.

Selection for Tenancy

49. The decision on whether to offer a tenancy is made by the Head of Chambers on advice from the Chairman of the pupillage committee who, in accordance with the Tenancy Selection Criteria attached to this policy, will have consulted with the pupillage committee, the pupil supervisor and as many other members of chambers as possible. The Chairman of the pupillage committee may delegate the task of consulting with other members of Chambers to a member of the Committee (provided that the member is not or has not been a supervisor to the relevant pupil). The Chairman of the pupillage committee will also refer to the objective assessments made at each of the pupil review meetings.

50. The basic requirement is for the pupil to have successfully completed the twelve months' pupillage and to have shown himself an able, enthusiastic and suitable member of the team. It is intended that the review system used during pupillage will highlight any problems which can be discussed with the pupil so that, with appropriate support, he can put things right. The last review will be 4 to 6 weeks before the end of pupillage and the Chairman of the pupillage committee will tell the pupil then what his recommendation to the Head of Chambers will be.

51. If the pupil is not offered a tenancy, chambers will provide references as appropriate to help in finding a tenancy elsewhere. The pupil will normally be expected to leave at the end of his twelve months' pupillage but it may be possible to stay as a "squatter" for a short period until a new tenancy is finalised.

Bar Council Returns

52. The Senior Civil Clerk is responsible for compiling and submitting the annual pupillage return to the Bar Council and for keeping records for three years as required by the Bar Council.

Pupillage Progression Analysis

53. The Senior Civil Clerk is responsible for completion of the Pupillage Progression Analysis at the end of each pupillage.

Junior Tenancy

54. The pupil supervisor will be available for help and advice, as requested, as well as other members of chambers. Any problems should be referred to the pupil supervisor or Senior Clerk.

Grievance Procedure

55. We acknowledge that problems may arise from time to time during pupillage. The pupil must always feel free to approach the pupil supervisor, the Head of Chambers, Deputy Head of Chambers and/or the Senior Clerk to resolve any difficulties.

56. Chambers operates an anti-discrimination policy, which is rigorously enforced. Any incident of discrimination, on whatever ground, will be treated extremely seriously and should be reported immediately to any of the above-named.

57. If the grievance cannot be resolved by the pupil supervisor or Senior Clerk, the Head of Chambers or Equal Opportunities Officer should be approached. They are always available for immediate assistance and any pupil should not hesitate to contact any one or more of them. They will be able to deal with the matter on a more formal basis. It should be emphasised that this procedure covers all types of complaint whether based on racial/sexual discrimination, workload, personality clashes or any other problem.

Review of Procedures

58. This policy will be reviewed annually. It will be reviewed initially by the pupillage committee which will make recommendations to the management committee, which alone has the power to change the policy. The review will take into account any grievances, any feedback from pupils, pupil supervisors and clerks, any external feedback from solicitors etc., the findings of the work distribution review, the equal opportunity monitoring analysis and the pupil progression records.