



Kenworthy's Chambers

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Kenworthy's Chambers Pupillage Policy

INTRODUCTION

1. The number of pupillages to be offered is decided by Chambers Management Committee on an annual basis. Selection is carried out by a Pupillage Committee (PC). The PC reports to the Management Committee annually each year. The composition of the PC and this policy document are reviewed each year by resolution of the Management Annual Review Meeting. Pupillages are of 12 months duration, but Chambers is not committed to taking Pupils as a matter of course each year. Intake will be assessed on the business needs of each team.

2. Chambers normally expects to recruit tenants from Pupils who have successfully completed pupillage. Tenancies are not automatically created each year, but Chambers does not take on Pupils unless it has a realistic expectation of a tenancy being available to those Pupils who prove themselves worthy of a place.

3. Chambers presently offers an award of £10,530.00 per Pupil for the first six months and guarantees receipts of a further £10,530.00 in the second six months. This guarantee operates on a month-by-month basis, so that in any single month where gross receipts are less than £1,755.00 the balance is made up by Chambers.

RECRUITMENT

4. Discrimination by barristers in recruitment on the grounds of sex, race, disability, sexual orientation, age, religion, or belief is unlawful. Kenworthy's Barristers seeks in this policy to avoid any such discrimination and to follow the guidance set out in the new equality rules which the BSB has incorporated into the Code of Conduct for the Bar on 1st September 2012 including the following new requirements;

A flexible working policy

Fair and objective selection criteria

Fair distribution of work amongst pupils and members of chambers

The right to return to work after one year's parental leave

5. All vacancies for pupillage will be advertised through the Pupillage Gateway.

6. The timetable for applications will be in line with the agreed dates on the Pupillage Gateway. All applications must be submitted through Pupillage Gateway.

a. A first interview conducted by at least three members of Chambers;

b. A second interview usually conducted by at least three members of Chambers. Applicants will be given exercises in which they must demonstrate their advocacy skills and analytical skills.

7. All members of selection panels will have received appropriate training in fair selection methods.

8. Selection of applicants for first interview will be carried out by three or more members of Chambers and no application will be rejected solely upon the basis of the view of one person. Selection for interview will be strictly by reference to published selection criteria. The criteria may change slightly from year to year, but the same criteria will be applied to all applicants in any one year. The selection criteria will be set in the light of Chambers' commitment to excellence and the high professional standard required for successful practice at the Bar. The guidance given by the Equality Code in making the choice of selection criteria will be followed. The current selection criteria for interview are set out at Appendix ONE to this document.

9. Applicants not selected for first interview will be so informed by email via the Pupillage Gateway. Given the numbers of applicants for pupillage and the time and effort involved in consideration of applications it is not possible for Chambers to offer feedback to individual applicants who are not offered a first stage interview.

10. Any applicant invited for first interview will be informed by email of the date and time of interview. Interviews will be planned and structured so that each candidate can demonstrate his or her abilities and qualities by reference to each selection criterion. A significant part of the second interview will involve discussion of problems posed both in advance and on arrival for interview. By this means Chambers seeks to arrive at a reliable objective assessment of the merits of applicants. At interview, applicants may be invited to ask any questions they may have relating to pupillage and practice at Kenworthy's Barristers.

11. Panel members will score interviewed candidates individually on an agreed scale and will then compare scores with others on the panel so as to seek to reach a consensus. No decision about selection for second interview will take place until all first interviews have been completed. Applicants will be informed at the end of first interview of the proposed timetable for notification of the panel's decision.

12. Those applicants not selected for second interview will be so informed by email as soon as practicable.

13. No decision about final selection will be made until all the second interviews have been completed. Applicants will be informed of the decision upon their application as soon as practicable in accordance with Pupillage Gateway timetable relating to the making of offers of pupillage.

14. Any applicant who has not been successful after selection for interview can request reasons for this decision. Such feedback will normally be by way of a brief email.

15. Reasonable adjustments will be made to the procedure set out above in the case of any disabled applicant.

16. At the end of each phase of recruitment, the selection process will be reviewed by the Equality and Discrimination officer and monitored to ensure that the process does not involve improper discrimination. All records relating to scoring at each stage of the process will be retained for 12 months after the final interview.

17. Any formal grievance arising from the application process should be raised in writing with the Head of Chambers as soon as practicable.

SECONDMENT

Kenworthy's Barristers accepts applications for secondment from other areas of the legal profession. Any application shall be initially considered by the Pupillage Committee who shall either reject such application or refer it to the Executive Board for consideration.

19. The Executive Board has authority to consider all applications for secondments recommended to it by the Pupillage Committee and shall have the power to offer any applicant such work experience or secondment within Chambers for a period of up to 12 months without remuneration from Chambers.

OBLIGATION IN PUPILLAGE/SECONDMENT

20. Pupillage will be offered for a continuous period of 12 months usually commencing on the 1st week of September annually.

21. Pupils will be allocated a Pupil Supervisor who will tell them when they expect the Pupil to attend Chambers although that will normally be between the hours of 9.00 am and 6.00 pm each weekday. Pupils should also expect and be prepared to work in the evenings and at weekends. Pupils will attend Court and Conferences with their Pupil Supervisors at locations throughout the Country, whatever hours that might entail. Frequently, Pupils can expect to travel with their Pupil Supervisors for these purposes.

22. Pupils should familiarise themselves with the work of their Pupil Supervisor, should be ready to attend Conferences and Court, taking full notes, and to produce written work. Chambers takes its commitment to Pupils seriously and individual Pupil Supervisors devote a great deal of time and effort to ensuring a high standard of pupillage. Chambers expects the same degree of commitment from Pupils.

23. Pupils have open access to Chambers Library. Pupils also have access to typing services relating to their own or their Pupil Supervisors' work, although they will be expected to be able to type their own work.

24. Pupils will be expected to follow and complete the work set out in the Threshold Standards and Competencies specified in the Professional Statement and to keep a Work Diary. Although primarily a duty

of the Pupil Supervisors, Chambers expects a Pupil to observe and check that the requirements of the Professional Statement are being fulfilled. It is the responsibility of the Pupil at the end of each day to ensure they have made adequate arrangements for the following day.

25. Members of Chambers engage in a number of internal and external seminars throughout the year which are accredited for the purposes of continuing education and Pupils are expected to attend. Whilst there are no special duties imposed upon pupils it is hoped that when interviews are undertaken to select the following year's pupils, the current pupils will be available to assist.

26. During the second six months of pupillage, Pupils will have a variety of work which may require them to travel widely.

27. When not engaged on their own work, Pupils in the second six months will still be expected to attend Court and Conferences with their then Pupil Supervisor and to do paperwork for him or her and for other Members of Chambers. Chambers will work to ensure that the amount of a Pupil's own work in the second six months does not detract from the training given during this period of pupillage.

28. Pupils are expected to achieve and maintain standards of work and conduct to be expected of a Member of the Bar. This includes compliance with Paragraph 53 of the Consolidated Regulations of the Inns of Court and the General Council of the Bar (conscientious full time application to pupillage, maintenance of client confidentiality and compliance with Bar Code of Conduct and guidance and rules issued by Bar Standards Board). Further guidance on the roles and duties of pupils can be found in the BSB Pupillage Handbook.

PUPIL SUPERVISORS

29. Each Pupil will be placed with a Principal Pupil Supervisor who will supervise only one Pupil at a time.

30. The Principal Pupil Supervisor retains overall responsibility for the Pupil and remains available to offer advice and assistance throughout the pupillage.

31. On the Pupil's arrival in Chambers the Pupil Supervisor will take responsibility for familiarising the Pupil with all aspects of Chambers including Members of Chambers, Clerks and Staff and carrying out an induction as recommended by the BSB.

32. The role of the principal Pupil Supervisor is to provide the Pupil with:

a. A suitable training programme that enables them to meet the competences in the Professional Statement to the threshold standard, in accordance with the Curriculum and Assessment Strategy; and

b. All necessary assistance in complying with their regulatory obligations e.g. registering their pupillage with the BSB, applying for any necessary waivers and obtaining a provisional practising certificate.

33. Chambers takes the responsibility of pupillage and the role of the Pupil Supervisor seriously and endeavours to provide demanding but worthwhile training. Pupil Supervisors are expected to provide the Pupil with a thorough grounding in the conduct and etiquette required at the Bar as well as ensuring that the Threshold Standards and Competencies specified in the Professional Statement is covered.

34. Pupil Supervisors will be ready to discuss every aspect of the Court work and Conferences in which they are engaged with the Pupil and will carefully consider every piece of written work which the Pupil produces. They will also provide general advice and guidance to the Pupil and will be available to discuss the work that the Pupil undertakes in his/her own right during the second six months.

35. Pupil Supervisors take a full role in the appraisal system operated by Chambers and are responsible for confirming that the non-practising and the practising periods of pupillage have each been satisfactorily completed in accordance with the procedure set out below.

36. Only members of Chambers meeting the following criteria, and able to demonstrate the high standards Chambers expects of a Pupil Supervisor, are considered eligible and suitable to act as a Pupil Supervisor:

1. A practising barrister.
2. Who has received (and continued to receive) appropriate training that meets the outcomes specified by the BSB.
3. With no previous disciplinary records and no disciplinary action in progress.
4. Has professional experience.
5. The nature of their practice offers appropriate learning opportunities.
6. Able to devote time to a pupil.
7. Demonstrates an aptitude to create an appropriate learning environment; and
8. Demonstrates competence to provide effective feedback.

37. Before supervising a Pupil, Chambers will ensure its Pupil Supervisors have received appropriate training. Training will be provided in two forms, first by the Inns and/or the Northern Circuit (in order to meet the outcomes prescribed by the BSB); and secondly, by Chambers itself (to ensure Pupil Supervisors are familiar with the Chambers' pupillage training programme and relevant in-house policies and processes). Refresher training will be mandatory for all Pupil Supervisors, and will be required every five years, or after three years for someone who has not supervised any pupils in the intervening time. Training records will be maintained by Chambers for the purpose of supervision by the BSB.

STRUCTURE OF PUPILLAGE

38. During the first period the Pupil will work almost exclusively for his or her Supervisor. Increasingly as the year goes on, the Pupil will also work for other members of Chambers of all levels of seniority. A Pupil's working hours and holidays are arranged with his or her Supervisor and will generally be consistent with the Bar Council's recommendation that pupils should work a minimum of 35 hours per week and have a minimum of 20 days holiday per year. Pupils are also encouraged to work for FRU and to undertake FRU cases before starting pupillage. During pupillage Pupils are expected to carry out work for their Pupil Supervisor, any Member of Chambers with whom they are placed for any period and for other Members of Chambers, particularly during the latter stages of pupillage. No payment is permitted in respect of any such work. Paid devilling work may be available to junior tenants but not Pupils.

39. Chambers makes every effort to place each individual Pupil with a Pupil Supervisor best able to provide training suited to the individual needs of that Pupil. Chambers will also consider any expression of interest by a Pupil in particular practice areas when allocating a Principal Pupil Supervisor.

40. The purpose of Pupils spending time with members other than their Pupil Supervisor is to enhance the training offered and to maximise the breadth of the Pupil's experience of differing types and methods of work at the Bar. This also ensures that the Pupil's work is seen and reported upon by a variety of Members of Chambers. During the last month or so of the first six months, so far as feasible, Pupils will accompany

the very junior Members of Chambers to Court so that they can gain experience of the type of work they will be expected to perform during their second six months.

41. Although any Member of Chambers with whom a Pupil is placed will be expected to perform the duties of the Pupil Supervisor, the Principal Pupil Supervisor retains overall responsibility for the Pupil and remains available to offer advice and assistance throughout the pupillage.

ASSESSMENT/FEEDBACK

42. The general performance of Pupils is monitored primarily by the Principal Pupil Supervisor and regular, informal discussions will be held with Pupils in relation to progress. Pupils are expected to maintain a work record document with comments to be added by the Supervisor which serves as evidence of monitoring of all work done in pupillage.

43. At the three, six and nine-month stages of pupillage Chambers will conduct a formal pupillage review. This is a meeting in the form of an appraisal attended by the Pupil, the Principal Pupil Supervisor. At this review, consideration will be given to the extent to which the Pupil has demonstrated the required standards and competencies identified by the BSB in Appendix H of the Pupillage Handbook. The meeting is an open discussion and gives an opportunity to offer further guidance. The meeting also gives the Pupil an opportunity to raise any concerns or queries relating to pupillage with the Pupil Supervisor or a Member of the PC.

44. Harassment will not be tolerated or condoned and Pupils/Secondees have a right to complain if it occurs.

45. Any Pupil/Secondee who wishes to raise a formal complaint may do so in accordance with Chambers' Complaints and Grievance Procedures which comply with the Equality and Diversity Code for the Bar.

REASONABLE ADJUSTMENTS

46. In keeping with Chambers' Equality and Diversity Policy, any applicant for pupillage, Pupil or Secondee likely to require reasonable adjustments should inform Chambers in advance and reasonable adjustments will be made to ensure applicants, Pupils or Secondees with disabilities, or physical or mental health conditions, are not substantially disadvantaged during their time with Chambers.

GENERAL DATA PROTECTION REGULATIONS & INFORMATION MANAGEMENT

47. Pupils/Secondees are required to abide by Chambers' Data Protection and Information Management policies which aim to protect and promote the data protections rights of individuals and of Chambers and to prevent mismanagement of Chambers' information systems, assets and ICT.

COMPLAINTS AND GRIEVANCES

48. Any complaints Pupils/Secondees may have should first take them to their Pupil Supervisor. If the grievance or complaint directly involves the Pupil Supervisor then the Pupil/Secondee should raise the matter with a member of the PC in confidence, or with any other member of Kenworthy's Barristers should the pupil/secondee prefer. Grievances or complaints may informally be raised with any member of Chambers. Any Pupil/Secondee who wishes to raise a formal grievance may do so in accordance with Chambers' Complaints and Grievance Procedures which comply with the Equality and Diversity Code for the Bar.

49. Upon any alleged breach of the role and duties of pupils set out in this policy, breaches of Chambers' other policies, breaches of the written agreement for pupillage and/or BSB disciplinary findings the following procedure will apply:

a. In the first instance, the Pupillage Committee investigate the nature and extent of the complaint, and ensure that the Pupil is given prompt notice of the nature of the charge, and is given a full opportunity to have his or her answer heard;

b. After investigation, if it finds the complaint made out, the Pupillage Committee has delegated authority to either:

i. Issue a verbal warning to the pupil; and/or

ii. Refer the matter to the Executive Board.

c. If dissatisfied with the decision of the Pupillage Committee, the Pupil has a right of re-hearing to be conducted by the Head of Chambers, in the presence of at least two members of the Executive Board, all of whom shall not be members or recent members of the Pupillage Committee.

d. After investigation, if the complaint is found to be made out, the Head of Chambers together with the other members of Chambers who have attended the rehearing may either:

i. Issue a verbal warning to the pupil; and/or

ii. Refer the matter to the Executive Board

e. If the matter is referred to the Executive Board, a full explanation of the nature and extent of the complaint is made by a representative of the Pupillage Committee, or, in the case of a referral for a re-hearing, the Head of Chambers, to the meeting. The Pupil shall also have a full opportunity to be heard upon the issue and shall be entitled to a representative of his or her choice. The meeting may then decide either:

i. To take no further action; or

ii. To issue a verbal warning; or

iii. To issue a formal written warning; or

iv. To terminate the pupillage.

50. All decisions by the Executive Board, in accordance with this section, must be decided by a simple majority of those voting in person except in the case of a decision to terminate the pupillage, in which case a majority of two thirds of those voting in person is required. Abstentions do not count as votes.

APPLICATIONS FOR TENANCY

51. Pupils/Secondees wishing to apply for a tenancy at Kenworthy's Barristers should apply in writing to the Head of Chambers not more than six nor less than three weeks before the end of their pupillage/secondment, or in the case of Secondees within six months of the completion of their

Secondment. Selection is made by the Head of Chambers following a ballot of all members and consultation with Heads of Departments and the clerks. Every effort is made to ensure that decisions upon applications for tenancy are made and communicated before the end of pupillage.

52. In considering the application the Head of Chambers will review the Pupil's/Secondees progress during his/her pupillage/secondment and in particular will review such performance as against Chambers' Tenancy Criteria, and seek to ensure that such consideration is objective, fair and so far, as possible evidence based.

53. The Head of Chambers will have available for his/her consideration copies of all written material collated by the PC in respect of the Pupil's/Secondees performance during pupillage/secondment to include reports produced for quarterly reviews by Principal Pupil Supervisors, written reports by other Members of Chambers to whom the Pupil/Secondee has been seconded, written reports by other Members of Chambers for whom the Pupil/Secondee has done work, and written comments by the Clerks as to the Pupil's/Secondees performance in the second six months of their pupillage. In addition, feedback will generally be sought from professional clients where deemed appropriate.

54. Every effort is made to ensure that decisions upon applications for tenancy are made and communicated before the end of pupillage/secondment. Assistance will be given to any Pupil not taken on by Kenworthy's Barristers. His/her Pupil Supervisor will offer advice and if appropriate contact other members of the profession. Consideration may be given to offer 3rd six months of pupillage. (In the case of any Pupil who makes an unsuccessful tenancy application, Kenworthy's Barristers may in its absolute discretion permit that Pupil to remain in Chambers for a specified period to enable the Pupil to make alternative arrangements.)

APPENDIX ONE

SELECTION CRITERIA FOR INTERVIEW

A successful candidate must demonstrate the following:

- a. A strong academic record. We will consider your A level results, your degree(s) and any professional or other major qualifications / scholarships and / or awards.
- b. Commitment to a career at the Bar, and a commitment to practising at Kenworthy's Barristers.
- c. Demonstration of advocacy skills.
- d. Demonstration of good judgement, resilience, and motivation.

APPENDIX TWO

SELECTION CRITERIA AT INTERVIEW

A successful candidate must demonstrate the following:

- a. Intellectual ability (to include an analytical mind);
- b. The ability to express ideas clearly, calmly, and persuasively, both orally and in writing (the successful candidate will be engaging)

- c. The ability to think under pressure
- d. An absolute commitment to hard work.
- e. An organised approach to work.
- f. Good interpersonal skills.

APPENDIX THREE

SELECTION CRITERIA FOR TENANCY

A successful Pupil must demonstrate the following:

- a. Ambition and commitment to the profession and a career at Kenworthy's Barristers.
- b. The highest professional standards.
- c. Sound judgement, common sense, and tactical sense.
- d. Legal ability, including a sound knowledge and understanding of the core legal principles, and the ability efficiently to research and assimilate unfamiliar areas of the law.
- e. Intellectual and analytical skills, including the ability to absorb and analyse a set of facts, to identify the relevant factual and legal issues and the ability in practice to apply (legal) principles intelligently, incisively and with good judgement.
- f. Oral and written advocacy skills, including the ability to present and argue a case orally and on paper in a clear, calm, engaging and persuasive manner.
- g. Motivation and independence, including the qualities needed by the self-employed: self-reliance, self-confidence, stamina, and organisational skills.
- h. Teamwork and inter-personal skills, including the ability to work effectively as part of a (legal) team and the ability to engage and impress other lawyers and clients.

GET IN TOUCH

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