

# Radcliffe Chambers

## Pupillage Policy Statement

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## 1. GENERAL

- 1.1. The pupillage committee consists of the following members of Chambers at the time of writing:
  - 1.1.1. Kate Selway (Chair)
  - 1.1.2. Nathan Wells
  - 1.1.3. Dawn McCambley
  - 1.1.4. Matthew Mills
  - 1.1.5. Chambers CEO also sits in on the second-round interviews
- 1.2. The composition of the pupillage committee will vary from time to time.
- 1.3. The pupillage committee will use its best endeavours to comply with, and to ensure that Chambers complies with, the relevant provisions of the Code of Conduct and the Equality and Diversity Code for the Bar.
- 1.4. A copy of this Policy together with the pupil's induction documents are given to pupils on commencement of pupillage in Chambers. Time will be taken to talk the pupil through the Bar Standards Board (BSB) Pupillage Handbook.

## 2. AVAILABILITY

### Mini-pupillages

- 2.1. Non-assessed mini-pupillages will be offered in accordance with the Mini-Pupillage Policy Statement.
- 2.2. Assessed mini-pupillages (see 5 below) take place as part of the selection procedure for prospective pupils.

### Pupillages

- 2.3. Up to two twelve-month pupillages will be offered, if appropriate, in each pupillage year. Chambers cannot of course guarantee that pupils will be taken on in any given year, but it is Chambers' hope that this will be the case.
- 2.4. The pupillage year usually runs from the 1st October to the 30th September.
- 2.5. Pupillage is divided into two parts:
  - 2.5.1. A non-practising period of six months

During this period, pupils may not accept any client instructions, except for noting briefs where they have the permission of their pupil supervisor.

2.5.2. A practising period of six months

All the practising period must be undertaken after Call; this means that pupils must be called to the Bar before they can undertake their second six. A pupil is entitled to supply legal services and exercise rights of audience as a pupil barrister during the practising period, provided that they have the permission of their pupil supervisor and have been issued with a Provisional Practising Certificate by the BSB. A practising pupil must register with the [ICO](#). It is a criminal offence not to do so where required: see section 10.

Third Six Pupillages

2.6. Radcliffe Chambers does not normally offer third six-month pupillages. If any such pupillage becomes available it will be advertised on our website and in accordance with the requirements of the Code of Conduct.

### 3. FINANCIAL ASSISTANCE

3.1. An award will be made in each pupillage year. The amount of the award will be advertised and provided in a letter of offer. Part of the award may be drawn down during the vocational stage of training whilst completing the Bar Professional Training Course (BPTC) year. Chambers retains a discretion as to how much can be drawn down in advance. Pupils retain their earnings from their practising second six without any deductions for Chambers contributions.

### 4. ADVERTISEMENT AND PUBLICATION

4.1. Chambers publicises pupillage widely. In particular, all pupillage vacancies will be advertised in the Pupillages Handbook and advertisements are placed in student publications. Chambers ensures that vacancies notified to the BSB and other organisations are kept up to date.

- 4.2. Where appropriate, the opportunity will be taken:
  - 4.2.1. to advertise pupillages and pupillage awards and/or mini-pupillages in student publications; and
  - 4.2.2. to participate in at least one Law Fair every year.
- 4.3. Such decisions will be made at the discretion of the pupillage committee.
- 4.4. The pupillage committee will supply the BSB with such information as it requires.

## 5. PUPILLAGE SELECTION PROCEDURE

- 5.1. Selection decisions and criteria will be taken by the pupillage committee as a whole. The selection criteria adopted by the pupillage committee, and the associated marking scheme for each of the three stages of the selection process, are set out in Appendix One to this Policy Statement. All pupils are selected using the same procedure. Records of all applicants and documentation relating to selection decisions are kept by the pupillage committee for a period of up to two years after the completion of the recruitment process.
- 5.2. Upon receipt of all applications the pupillage committee will draw up a list of up to 30 candidates who will be invited to a first-round interview in Chambers. Candidates will be assessed using the first marking scheme set out in Appendix One. Candidates progressing successfully to interview will be those with the highest total scores.
- 5.3. First-round interviews will last up to 15 minutes. Candidates will be assessed on their interview performance by reference to the second marking scheme set out in Appendix One. Between 8 and 10 candidates will then be invited to undertake a one day assessed mini-pupillage in Chambers, which will include a second-round interview. Candidates progressing successfully to this second stage will be those with the highest total combined scores.
- 5.4. Prior to attending the assessed mini-pupillage, candidates will be provided with instructions to provide a written advice. This should be sent to Chambers by email by the deadline and will be discussed further at the second-round interview.

- 5.5. The second-round interview will last between 45 to 60 minutes and will additionally comprise the following. On the day of the assessed mini-pupillage candidates will be provided with details to enable them to prepare for a mock conference with a solicitor and lay client (where the candidate will play the role of the barrister from whom the clients are seeking advice). Candidates will also be provided with a list of professional ethics questions of the type that a barrister might typically have to face from time to time in the course of their professional practice. Some of these questions will also be discussed during the second-round interview. The conference papers and the professional ethics questions will normally be provided to candidates two hours in advance of the interview time.
- 5.6. Mini-pupil supervisors will show the candidate where Chambers' library is located and direct him or her to Lincoln's Inn library. Mini-pupil supervisors may inform the candidate of the range of text books available on a topic but will not discuss the content of the problem with the candidate. If a candidate requires assistance on the content or terms of the problem, he or she must be referred to a member of the pupillage committee.
- 5.7. Second-round interviews will normally take place during the afternoon of the candidate's mini-pupillage.
- 5.8. Candidates will be assessed using the third marking scheme set out in Appendix One. After the conclusion of all the interviews, the pupillage committee will meet to decide, by reference to the combined total scores awarded to each candidate in the first, second and third marking schemes, which (if any) of the candidates should be offered a pupillage.
- 5.9. Where possible, the interviewing panel for all first and second-round interviews will comprise all members of the pupillage committee and will be chaired by a senior member of the committee.
- 5.10. In the event that insufficient members of the pupillage committee are available to attend either a first or second-round interview, the vacancy or vacancies may be filled by co-opting a member or members of Chambers so that each candidate will be interviewed by four members of Chambers. Selection of a suitable member or members will be carried out by the chair of the pupillage committee in consultation with the other members of the

committee so far as practicable and as the chair shall see fit. In the event that the most junior member of the committee is unavailable, the replacement panel member will, if possible, be drawn from the most junior quarter of members of Chambers.

- 5.11. Candidates will be notified of the outcome of their applications either by e-mail or telephone.
- 5.12. The offer of a pupillage and its acceptance give rise to a legally binding contract for education and training.
- 5.13. As part of Chambers' commitment to increasing diversity at the Chancery Bar, Chambers uses the contextualised recruitment system developed and operated by Rare Recruitment Ltd as part of the pupillage application process.
- 5.14. Chambers reserves the right to modify its selection procedures at its discretion.

## 6. ALLOCATION OF PUPILS

- 6.1. Save in exceptional circumstances, a pupil will sit with four different pupil supervisors, each for a period of three months.
- 6.2. The function of allocating the pupils will be discharged by the pupillage committee as a whole, taking into account all relevant circumstances (including in particular the need to ensure that the burden of taking pupils is equally shared by those members eligible to take them). Where possible, the pupil will be told towards the middle of his or her seat with any given pupil supervisor who his or her next pupil supervisor will be.

## 7. ROLE AND DUTIES OF PUPILS

- 7.1. Pupils are expected to keep to the core hours of 9.00am to 6.00 pm and are not obliged regularly to work later than 6.00 pm.
- 7.2. The pupil's responsibilities are:
  - 7.2.1. At all times to adhere to the Core Duties and Conduct Rules, as set out in the [BSB Handbook](#)
  - 7.2.2. To preserve the confidentiality of every client's affairs.

- 7.2.3. To ensure that his or her pupillage is registered with the [BSB](#) on the relevant forms. Registration forms should be submitted two weeks prior to commencement of pupillage. Pupils must provide the name of the designated pupil supervisor and the commencement date. Registration will be confirmed by email.
  - 7.2.4. To notify the BSB of any material changes in pupillage arrangements, eg change in pupil supervisor, change in start or end dates of pupillage.
  - 7.2.5. To attend court when his or her pupil supervisor attends court and to take care to ensure that he or she arrives at the appropriate court at the appropriate time. The pupil will not play any active role in court proceedings. Before attending court the pupil will be required to read the papers and familiarise himself or herself with the issues. Whilst at court, the pupil should observe the proceedings and take detailed notes, which may be referred to by the pupil supervisor.
  - 7.2.6. To attend Chambers when his or her pupil supervisor is in Chambers and to carry out research and do paperwork given to him or her by the pupil supervisor. Pupils should, where possible, try to complete their work within the timescales set by the pupil supervisor. Pupils should not take papers or books out of Chambers without the prior permission of their pupil supervisor.
  - 7.2.7. To do work for other members of Chambers when required to do so.
  - 7.2.8. To attend Chambers marketing events where appropriate and in particular the junior programme.
- 7.3. Pupils will be given oral feedback from their pupil supervisors in respect of every piece of work undertaken for them. In addition, pupils will be given oral feedback from each of their four pupil supervisors on a monthly basis. At the end of each three month seat the pupil supervisor will complete the End of Seat Form and this will be passed on to the next pupil supervisor.



- 7.4. A pupil is likely to have his or her own work during the second six months. We do not guarantee a minimum amount of work in the second six, but if there is work for pupils to do, it will be allocated fairly between pupils (if there is more than one pupil) by one of the senior clerks taking into account all relevant circumstances. The senior clerk will also consider whether the work would be more suitable for the junior tenant. From time to time secondment work may arise; this should be discussed with the CEO and if appropriate should be signed off by the pupillage committee. As the emphasis during pupillage is on training, and the pupillage offered in Chambers is fully funded, priority will be given to the junior tenant. Practising pupils do not pay Chambers' rent or expenses.
- 7.5. Where a pupil is asked to devil for a member of Chambers, that member of Chambers will negotiate payment of an appropriate proportion of the fee with the senior clerk.
- 7.6. Chambers holds an informal gathering for coffee at about 11.00 am every day and for tea at about 4.00 pm. Pupils are under no obligation to attend but may wish to do so as a means of developing their relationships with members of Chambers.
- 7.7. At the end of each six months of their pupillage the pupil must ensure that he or she has completed the relevant parts of the specialist checklists and that it has been signed by the relevant pupil supervisor.
- 7.8. Pupils should keep diaries or portfolios of all work undertaken and go through the specialist checklists at least every three months, filling in the relevant details of their experience and self-reflection. Keeping a work diary is also useful if a pupil applies for tenancy, because completion of all requirements can be demonstrated to have been met. It provides an accurate record of experience and self-reflection, and demonstrates organisational abilities that will be useful in practice.
- 7.9. It is important that pupils begin a process of reflection on their own progress that should continue throughout practice, with a view to shaping a barrister's Continuing Professional Development (CPD). During the first three full years as a practising barrister, you must comply with the CPD rules within the New Practitioners Programme.

- 7.10. At the end of the practising stage of pupillage, the pupil must ensure that their pupil supervisor signs the form that declares satisfactory completion of the practising period of pupillage.

## 8. RESPONSIBILITIES OF PUPIL SUPERVISORS

- 8.1. Each member of Chambers to whom a pupil is allocated:
- 8.1.1. Must ensure that he or she is on the register of approved pupil supervisors kept by the BSB. If not, he or she must inform the pupillage committee of the fact and take immediate steps to ensure that he or she is placed on the register.
  - 8.1.2. Must discharge the obligations and functions set out by the BSB from time to time.
  - 8.1.3. Must ensure that his or her pupil does work for a wide cross-section of Chambers.
  - 8.1.4. Will have a copy of the BSB Professional Statement and will refer to it to ensure, as far as is possible, that the pupil carries out work and attends hearings in accordance with its requirements and, in particular, will ensure that the pupil:
    - 8.1.4.1. has an understanding and appreciation of the operation in practice of rules of conduct and etiquette at the Bar;
    - 8.1.4.2. has gained sufficient practical experience of advocacy to be able to prepare and present a case competently;
    - 8.1.4.3. has gained sufficient practical experience of conferences and negotiation to be able to conduct the same competently.
    - 8.1.4.4. has achieved the BSB standard for drafting, paperwork and legal research.
  - 8.1.5. Will ensure that his or her pupil has been provided with and completes or updates the specialist checklists in the form

approved by Chambers in relation to competences in the Professional Statement.

- 8.1.6. Where a pupil supervisor will be attending court or advising in conference outside London, will arrange for his or her pupil to attend at the expense of Chambers if (but only if) the pupil supervisor considers that the expense is justified by the benefit which the pupil will derive from attending. Where, however, the expense of the pupil's attendance exceeds £150 the excess will only be borne by Chambers if the pupil supervisor obtains Chambers CEO's consent. Chambers CEO will seek guidance from the executive committee where appropriate. If such consent is not forthcoming, the excess must be borne by the pupil supervisor personally.
- 8.1.7. Where a pupil supervisor will be away from Chambers for an extended period (say two or more days) during which his or her pupil will remain in Chambers, will arrange for another member of Chambers to look after the pupil.
- 8.1.8. Will ensure that his or her pupil is reimbursed for expenses properly incurred during pupillage.
- 8.1.9. Will give the pupil regular objective feedback as set out in paragraph 7.3. Where omissions and shortcomings are identified, steps must be taken to overcome any deficiency. These should be identified as early as possible through the feedback and appraisal of pupils, so that corrections can be made before the end of the training period. If the defined standards and competences are not met, the pupil supervisor must not sign off the pupil as having completed the stage of pupillage.

## 9. COMPULSORY COURSES AND OTHER TRAINING

During pupillage, all pupils must attend certain compulsory courses and pass certain assessments to build on training received at the vocational component and to

supplement work-based learning during pupillage, so that pupils can meet the Competences in the Professional Statement.

Pupils must ensure that they sign up for courses and assessments that they are required to take.

## 9.1. **BSB Requirements**

### 9.1.1. **Advocacy Course**

When to be taken – non-practising stage (first six)

The non-practising stage will not be certified until this course has been completed.

The fundamental objective of pupillage is that the pupil should develop and practise the skills necessary to be an effective advocate.

### 9.1.2. **Forensic Accounting Course**

It is no longer a mandatory requirement to complete this course. Those already registered on the course will still have the opportunity to benefit from and complete the course if they wish to do so as BPP will provide continued support until 28 February 2020.

### 9.1.3 **Practice Management Course**

With effect from 1 September 2019, there is no longer a mandatory requirement to complete this course. This is because practice management is reflected in the competences in the Professional Statement and it is for the pupil supervisor to determine the training and experience that their pupils need in order to meet the relevant competences to the threshold standard.

## **MISCELLANEOUS — PUPILLAGE**

9.2. Unless the pupillage committee agrees, no member of Chambers is to take a pupil or mini-pupil who has not been selected by the pupillage committee in accordance with Chambers' selection policy.

9.3. The pupil supervisor's permission should **always** be sought before other members of Chambers ask a pupil to do a piece of work for them, or to accompany them to Court. Where 8.1.7 applies, the permission of the member who is temporarily supervising the pupil should be sought by other

members of Chambers who wish to give work to the pupil, or to take the pupil to Court with them, during the pupil supervisor's absence. This will avoid the twin problems of:

9.3.1. pupils being burdened with unmanageable amounts of work from several sources at the same time; and

9.3.2. pupil supervisors suffering the annoyance of unauthorised "borrowings" of their pupils.

9.4. Chambers will reimburse pupils for the fees paid by them for attending compulsory courses during their pupillage. Pupils who wish to attend courses should be allowed time off to do so.

9.5. Members of Chambers should remind pupil supervisors, where appropriate, that pupils have not done work for them.

9.6. In the event of dissolution of Chambers, the pupil will be notified in good time and every reasonable effort will be made to ensure that an alternative pupillage can be obtained.

9.7. Pupils are covered by their pupil supervisor's Bar Mutual Indemnity Fund (BMIF) insurance, for work performed during pupillage. Once pupillage ceases, they must apply immediately to the BMIF for their own cover for legal services offered in self-employed practice.

## 10. THE GENERAL DATA PROTECTION REGULATION (GDPR) AND THE DATA PROTECTION ACT 2018

10.1. Every individual self-employed practising barrister is a data controller. All self-employed barristers, including practising pupils, and Chambers are required to comply with the GDPR and the Act if they process personal data.

From 25 May 2018, the Data Protection (Charges and Information) Regulations 2018 requires every organisation and sole trader who processes personal information to pay a data protection fee to the [ICO](https://ico.org.uk/), unless they are exempt.

## 11. EQUALITY AND DIVERSITY

11.1. Chambers adopts and implements the equality and diversity guidelines recommended in the Equality and Diversity Provisions of the Code of Conduct and, in particular —

11.1.1. Chambers do not discriminate unlawfully, directly or indirectly, against, victimise or harass any person on grounds of race, colour, ethnic or national origin, nationality, citizenship, sex, gender re-assignment, sexual orientation, marital or civil partnership status, disability, religion or belief, or pregnancy and maternity.

## 12. RECORD KEEPING

Chambers will maintain the following data and records; we may be required to provide them to the BSB for supervision purposes or research. These records are kept by the pupillage committee for a period of up to two years after the completion of the pupillage and will be destroyed afterwards:

- Training records for pupils.
- Training outcomes for pupils.
- Training records for pupil supervisors.
- Training records for recruitment panel members.
- Pupillage agreements.
- Diversity data for pupils (this might compare applications, interviews offered, pupillage offers made, places taken up and progression to tenancy/employment) and the action that has been taken following review of data.
- Complaints/grievances with analysis and action taken.
- Pupil feedback, analysis and action taken.
- Policies related to pupillage.

Recruitment records of all applicants and documentation relating to selection decisions (advertisements, application process, selection criteria, assessor records) are kept by the pupillage committee for a period of up to two years after the completion of the recruitment process.

## 13. COMPLAINTS AND GRIEVANCES

- 13.1. Chambers is committed to providing a working environment in which everyone is treated fairly and properly. No one will suffer detriment if he or she raises a complaint or grievance in good faith under this procedure.
- 13.2. In the first instance any complaints should be discussed informally with a pupil's supervisor. If he or she is unable to help, or if a pupil would prefer to raise the issues with someone other than his or her pupil supervisor, then the pupil should discuss the matter confidentially with the chair of the pupillage committee.
- 13.3. If this does not address the pupil's concerns, the complaint should be put in writing to the chair of the pupillage committee.
- 13.4. The chair will nominate a committee to address the complaint. The committee will consist of the chair of the pupillage committee, a member of Chambers of under five years' call and one other member of Chambers of at least ten years' call.
- 13.5. The committee will meet as soon as is practicable to discuss the issues raised.
- 13.6. The pupil will be given a written response on the outcome of the complaint with a clear indication of the action Chambers will take if the complaint is upheld. Solutions which rely on changes to working arrangements which may unreasonably disadvantage the pupil will be avoided.
- 13.7. If the formal grievance or complaint is found to have substance appropriate steps in the circumstances will be taken to remedy the problem.
- 13.8. A brief confidential report on all formal complaints and on the outcome will be made to the Head of Chambers and will be retained for one year after the conclusion of the case or longer if deemed necessary.
- 13.9. Chambers also adopts and implements the guidelines recommended in the Bar Model Harassment Policy (see Appendix Two).
- 13.10. If the chair of the pupillage committee is also the pupil's pupil supervisor at the relevant time, the Head of Chambers will act in the place of the chair for the purposes of this section.

## 14. RECRUITMENT OF NEW TENANTS

- 14.1. The decision whether to recruit a pupil as a new tenant will be taken by Chambers as a whole.
- 14.2. Chambers CEO requests feedback from all members of Chambers and in particular it is important to receive feedback from the supervisors and the clerks and where possible from clients. This information is collated and provided to the pupillage committee. The pupillage committee then provides a recommendation to Chambers. Normally an email vote is carried out. It is the hope of members of Chambers that this process should be completed by the end of July at the latest. The pupil will be notified in writing (or in person) of the decision shortly thereafter.
- 14.3. Chambers will use all reasonable endeavours to advise and assist pupils not taken on as tenants and, in particular, enquiries should be made as to which member of Chambers would make the most appropriate referee.

## APPENDIX ONE -

## PUPILLAGE APPLICATIONS ASSESSMENT CRITERIA

### **CRITERIA FOR ASSESSING PUPILLAGE APPLICATION FORMS**

Intellectual ability (a) Academic record (b) Quality of written expression	(1-10) (1-8)	
Responsibility and maturity (evidenced by extra-curricular activities)	(1-6)	
Advocacy and/or public speaking (experience and achievement)	(1-6)	
Interest in Chancery Bar and work done by Chambers	(1-5)	



Care and attention in preparation of application	(1-5)	
<b>Total</b>	<b>maximum 40</b>	

**SELECT FOR INTERVIEW?**

**YES / NO**

**FIRST ROUND INTERVIEW CRITERIA**

Oral communication skills	(1-7)	
Ability to analyse and assimilate information	(1-7)	
Maturity and confidence	(1-6)	
	<b>maximum 20</b>	

**SELECT FOR SECOND ROUND?**

**YES / NO**

## **SECOND ROUND INTERVIEW CRITERIA**

Ability to present written work clearly and accurately	(1 – 8)	
Ability to assimilate and analyse information	(1 – 8)	
Oral communication skills	(1 – 8)	
Legal analytical skills (a) Written problem (b) Mock conference	(1 – 5) (1 – 5)	
Ability to engage appropriately with clients and solicitors	(1 – 8)	
Commercial practicality (a) Written problem (b) Mock conference	(1 – 4) (1 – 4)	
<b>Total</b>	<b>maximum 50</b>	

<b>OVERALL TOTAL</b>	<b>maximum 110</b>	
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## APPENDIX TWO - HARASSMENT POLICY

This policy covers all those working in Chambers, visiting Chambers and providing services to Chambers. Radcliffe Chambers is committed to providing a work environment in which all individuals, clients and public are treated with dignity and respect. Radcliffe Chambers is determined to promote a work environment in which everyone is treated equally, with dignity and can flourish.

Harassment in any form will not be tolerated at Radcliffe Chambers. Harassment includes any unwanted conduct related to sex, race, disability, gender re-assignment, religion or belief, sexual orientation or age. Such behaviour may take many forms including:

- Conduct which is unwanted by the recipient and perceived as hostile or threatening;
- Conduct which gives rise to a hostile or threatening work environment;
- Conduct which creates an atmosphere in which it is feared that rejection or submission will be used as a basis for decisions which have an impact on the recipient at work such as an allocation of work or tenancy decision.

The following are examples of types of behaviour which may amount to harassment:

- Physical or sexual assault;
- Requests for sexual favours in return for career advancement;
- Unnecessary physical contact;
- Exclusion from social networks and activities or other forms of isolation;
- Bullying;
- Compromising suggestions or invitations;
- Suggestive remarks or looks;
- Display of offensive materials, including on a computer screen;
- Tasteless jokes or verbal abuse, including any sent by email;
- Offensive remarks or ridicule;
- Dealing inappropriately or inadequately with complaints of harassment.

Harassment is unlawful under the Equality Act 2010. In addition to the above unwanted conduct, it can arise where a person engages in any kind of unwanted sexual behaviour (or gender reassignment or sex related behaviour).

Complaints of harassment may be raised informally in the first instance with the CEO, the Head of Chambers or another senior member of Chambers who will agree an appropriate response. Formal complaints should be made under the Radcliffe Chambers grievance procedure.

Chambers is committed to ensuring that no-one who makes an allegation of harassment in good faith should be subjected to any detriment as a result. Any victimisation of a complainant, witness or anyone else involved in the investigation of a complaint will be viewed as a disciplinary matter.

A copy of this policy is provided to all those for whom Chambers constitutes a working environment, including members of Chambers, pupils, clerks and other employees, temporary workers, those who provide Services to Chambers such as contract cleaners, accountants and IT consultants, and mini-pupils and work experience students.

This policy will be reviewed on a regular basis.

# APPENDIX THREE - EQUALITY AND DIVERSITY POLICY

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## 1. PRELIMINARY

1.1 This Statement of Policy is intended to set out Chambers' policy on issues of equality and diversity.

1.2 In adopting this Statement of Policy, it is recognised that policy in relation to all the Action Areas needs to be kept under review and that some aspects of Chambers' policy have been in place for significantly longer than other aspects and are therefore better developed. The Areas with respect to which Chambers' policy is less developed will require particular attention and it is expected that this Statement will be revised from time to time accordingly. It is further recognised that any changes in the Bar Standards Board's and Bar Council's rules and guidance concerning Equality and Diversity ("the Rules and Guidance") will need to be reflected in amendments to this Statement.

1.3 The responsibility for ensuring that review, development and amendment (subject to the agreement of Members) takes place as necessary is that of Chambers' Equality and Diversity Officer. The present holders of that office are Elizabeth Ovey, Howard Smith and Kate Rogers.

1.4 The primary responsibility for ensuring that this Statement of Policy (as amended from time to time) is implemented is that of the Equality and Diversity Officer, but Chambers commits itself to supporting him or her by taking all reasonable steps recommended for the purpose of implementation.

## 2. RECRUITMENT: PUPILS AND TENANTS

### Advertisement

2.1 It is current Chambers' policy to advertise pupillages through the Bar Council's online system although recruitment is carried out directly. All vacancies for pupillage will continue to be advertised in compliance with the requirements of the Code of Conduct and advertisements will include:

2.1.1 encouragement of applications from groups which are under-represented in chambers;

2.1.2 a statement of compliance with the Rules and Guidance;

2.1.3 a statement indicating willingness to make reasonable adjustments for disabled candidates.

2.2 If it is proposed to recruit a tenant, the vacancy will be advertised and the advertisement will include the matters set out in paragraph 2.1 above.

### Applications

2.3 Applicants are required to submit a copy of their cv along with a covering letter and the relevant application form (if any).

2.4 Chambers will make such reasonable adjustments as may be required to enable a candidate with a disability to make an application.

### Selection processes: pupillage

2.5 The Pupillage Committee currently operates a two stage interview selection process. An initial short list is prepared of approximately 30 applicants on the basis of selection criteria set out in Chambers' Pupillage Policy Statement, which is available on the Chambers website. Short-listed applicants are invited to attend a 15 minute first round interview. A further short list is then prepared of approximately 8-10 applicants who will be invited to complete a two day mini-pupillage, during the course of which they will be interviewed. At both interview stages, further selection criteria are applied, which are also set out in the Pupillage Policy Statement. The Pupillage Committee will continue to operate by the use of selection criteria which are made generally available in advance by means of the Chambers website.

2.6 The Pupillage Committee currently consists of four members of Chambers and the Chief Executive. The committee's size may vary, but it will always include at least three members of Chambers, who will, as far as possible, be of different age, gender and social, racial or cultural background.

2.7 All short-listing decisions will continue to be made by the whole committee, each member of which will independently assess candidates' application forms by reference to the criteria before the committee discusses its decision.

2.8 The Pupillage Committee will continue to agree on the general content of any mini-pupillage undertaken as part of a selection process and in particular will ensure that applicants are given an opportunity to demonstrate skills in written and oral work through a common exercise or exercises of a nature which is fair to all applicants. The course of the interview will be planned in advance to ensure that the same broad topics are covered in each case and each interview will last no more than one hour. Where possible, every member of the Pupillage Committee will attend each interview. Each interviewer will independently assess the applicant by reference to the selection criteria before any general discussion.

2.9 All selection decisions will continue to be made by all members of the committee.

#### Training

2.10 The members of the Pupillage Committee will be required to ensure that they are trained in accordance with the requirements of the Code of Conduct.

#### Record-keeping

2.11 Records of all applicants and documentation relating to the pupillage selection decision are kept by the pupillage committee for a period of up to two years after the completion of the recruitment process.

#### Monitoring and review

2.12 Chambers will review its current monitoring arrangements to ensure that they are suitable to enable preparation of statistics relating to the gender, race, disability and age of those applying for pupillage, being short-listed and being recruited.

2.13 The statistics referred to in paragraph 2.12 will be reviewed by the Equality and Diversity Officer in conjunction with the Equality and Diversity Committee and the Pupillage Committee to identify any necessary amendments to:

2.13.1 Chambers' practice in relation to advertisements;

2.13.2 Chambers' short-listing selection criteria;

2.13.3 Chambers' interview selection criteria;

2.13.4 the practices and procedures of the Pupillage Committee (including practices and procedures which may reflect prejudices, whether conscious or unconscious);

2.13.5 any other aspect of pupillage recruitment which may seem to require amendment.

#### Pupillage Policy Statement

2.14 Chambers will continue to maintain and keep under review a pupillage policy statement which will be available generally through the Chambers' website.

#### Recruitment of starter tenants

2.15 It is current Chambers' policy to offer two pupillages in any one year in the expectation (made known to applicants) that, if tenancies are available at the end of that year, the selected pupils will be suitable to be offered a tenancy and will wish to accept it. If for any reason that expectation is disappointed but a tenancy is available, applications will be invited by advertisement, as set out in paragraphs 2.2 and 2.3. A Tenancy Committee will be appointed and an ad hoc recruitment procedure following the Rules and Guidance will be agreed upon by the Tenancy Committee.

2.16 The final decision on the admission of a new member of Chambers will continue to be reserved to a Chambers Meeting in accordance with paragraph B/5.

#### Pupils seeking a third or subsequent pupillage

2.17 It is current Chambers' policy not to accept any such pupils because to do so conflicts with the policy set out in paragraph 2.15. If it is decided that such pupils should in principle be accepted, a recruitment and selection procedure following the Rules and Guidance will be agreed upon by the Pupillage Committee.

#### Private arrangements for pupillage

2.18 Members will not take pupils by private arrangement.

#### Mini-pupillages

2.19 Chambers will continue to offer non-assessed mini-pupillages of 2 or 3 days at times when mini-pupils can conveniently be accommodated. Preference will be given to applicants who are at least in the second or third year of a university law degree or undertaking the Graduate Diploma in Law.

2.20 Applications are invited on the Chambers' website and applicants are informed that they must demonstrate an interest in Chancery law and a desire to practise at the Chancery Bar. Applications are currently made by CV and covering letter. Applications are assessed, by at least two members of the Mini-Pupillage Committee., during the time frame and on the basis of selection criteria set out in Chambers' Mini-Pupillage Policy Statement, which is available on the Chambers' website.

2.21 Chambers will continue to maintain and keep under review a mini-pupillage policy statement which will be available generally through the Chambers' website.

2.22 Chambers' monitoring arrangements will be reviewed to ensure that effective monitoring of decisions relating to mini-pupillage is possible and is undertaken.

#### Recruitment of established practitioners

2.23 Although the provisions of paragraphs 2.2 and 2.3 concerning advertisements and application forms apply to the recruitment of established practitioners, Chambers may exceptionally recruit an established practitioner or a group of established practitioners without following that procedure where the following conditions are satisfied:

2.23.1 the practitioner practises, or the members of the group practise, in fields in which members of Chambers practise;

2.23.2 Chambers has a need for an additional practitioner or group of practitioners in that field having regard to

2.23.2.1 the amount of work available or reasonably expected to be available (i) to the applicant and to members from the clients that he or she will bring with him or her or otherwise generate and (ii) to the applicant from Chambers' existing clients;



2.23.2.2 any potential adverse impact on members;

2.23.2.3 the current Chambers' business plan ;

2.23.2.4 the desirability of promoting equality and diversity within Chambers;

2.23.3 the particular experience, skills and seniority of the practitioner or the members of the group are especially suited to meeting Chambers' need (having particular regard in the case of applicants of five years' call or under to any risk of undermining the process for the recruitment of pupils).

2.24 Recruitment will be carried out by the New Members Committee which is collated from members with an interest in the relevant area of practice. It should always include a member of the Executive Committee. A second interview with the senior and deputy senior clerk will also normally take place.

2.25 The provisions of paragraphs 2.23, and 2.24 will not apply to the recruitment of Door Tenants, ADR Members, Honorary Members or Academic Associates.

#### Reasonable adjustments

2.26 Chambers will have regard to the need to make reasonable adjustments for applicants with a disability at all stages of any recruitment process (whether or not expressly referred to above).

### 3. FAIR ACCESS TO WORK

#### Work allocation

3.1 The Senior Clerk will report to the Chief Executive monthly and the Equality and Diversity Committee quarterly on all pieces of work received, their allocation and the reason for their allocation.

3.2 The Chief Executive will review the form of the current data analysis of work done, type of work, fees earned, fees received and solicitors instructing in order to ensure the effective monitoring of the allocation of work received and, in particular, the allocation of work which is not addressed to a particular member.

3.3 The results of the data analysis referred to in paragraph 3.2 will be reviewed by the Equality and Diversity Committee, which will ensure that the clerks make any necessary amendments in respect of:

3.3.1 any unfair practices (whether or not consciously adopted) in work allocation by the clerks;

3.3.2 any unfair consequences resulting from briefing practices adopted by instructing solicitors;

3.3.3 any unfair consequences resulting from practices relating to the delivery of instructions or briefs adopted by instructing solicitors;

3.3.4 any other matter relating to the allocation of work which may seem to require amendment.

3.4 The Head of Chambers will ensure that the clerks are aware that unfairness in work allocation is a serious matter and that a solicitor who insists on directly discriminatory allocation of work should be reported to his or her disciplinary body. The work in such a case will be refused.

3.5 The clerks will be encouraged to undergo equality and diversity training.

#### Practice development

3.7 Each member shall have a meeting every six months with the Chief Executive, the Senior Clerk and, where necessary, the business development and marketing manager. The purposes of the meeting will include discussion of the allocation of work, work opportunity and development of that member's practice. The results of the data analysis referred to in paragraph 3.2 as respects that member over the previous three months will be part of the discussion.

3.8 Any pupil in his or her second six months or doing a subsequent pupillage will be offered the opportunity of a meeting of the kind described in paragraph 3.7 at the start of undertaking work and at least every two months thereafter. Unless the pupil requests otherwise, his or her pupil supervisor will be invited to attend the meeting to ensure that any course of action agreed is consistent with the satisfactory completion of pupillage.

3.9 Chambers will continue its present policy with respect to a starter tenant that he or she should initially spend some months sharing the room of a senior member of Chambers who will be readily available to offer advice and guidance on any aspect of his practice.

3.10 The Chief Executive and the Executive Committee will keep under consideration the desirability of a formal mentoring scheme for junior tenants.

#### Marketing of barristers and pupils

3.11 The Chief Executive and the Executive Committee will review every six months the nature of the marketing events conducted over the preceding six months and proposed for the following six months in order to ensure that over a rolling period of a year all members and pupils can, as far as reasonably practicable, be equally involved.

3.12 The Chief Executive and the Executive Committee will encourage all members to take part in Chambers' seminars and lectures, to attend outside seminars and lectures, to write or contribute to legal works or articles for professional publication, to become involved in relevant professional organisations and to consider becoming involved with pro bono schemes or legal advice or support centres.

3.13 The Chief Executive and the Executive Committee will keep under review the desirability of establishing formal practice groups within Chambers with arrangements for regular meetings.

## 4 HARASSMENT

#### Written policy

4.1 Chambers has adopted and will continue to follow the Bar Standards Board's model harassment policy set out in Section 13 of the Supporting Information on the equality rules of the BSB Handbook.

4.2 The Chief Executive and the Executive Committee will ensure that a copy of the Chambers' harassment policy is provided to all employees of Chambers.

4.3 The Chambers' harassment policy is currently annexed to the Chambers' Pupillage Policy Statement and to the Pupillage Guide given to all pupils. The Pupillage Committee will ensure that it continues to be annexed to those documents.

## 5. COMPLAINTS AND GRIEVANCES

### Written procedures

5.1 Chambers has adopted and will continue to follow a written procedure as respects complaints or grievances by pupils which is currently included in the Chambers' Pupillage Policy Statement and in the Pupillage Guide given to all pupils. The Pupillage Committee will ensure that the procedure continues to form part of those documents.

5.2 As respects complaints or grievances by members, mini-pupils, Chambers' employees and applicants for positions in Chambers, Chambers hopes that any potential grievance will be resolved quickly and informally, but in dealing with any grievance Chambers will follow the provisions of any applicable Code of Practice or, if there is no such Code, will follow as far as is reasonably practicable the principles of the Code, which after consultation with the complainant, Chambers considers is the most nearly applicable.

5.3 Except as provided in respect of pupils, the nominated persons for the purposes of Chambers' grievance procedure are the members of the Executive Committee other than the Head of Chambers (if he or she is such a member).

5.4 Chambers will take all reasonable steps to ensure that any member of Chambers who is requested to participate in investigating a complaint or grievance is familiar with the Bar Standards Board Handbook Equality Rules and the Supporting Information.

## 6. SERVICE PROVISION

### General

6.1 Chambers will maintain its current general non-discrimination policy, which is in the following terms:

"Chambers does not discriminate directly or indirectly on grounds of race, colour, ethnic or national origin, nationality, citizenship, sex, sexual orientation, marital status, disability, religion or political persuasion."

The Chief Executive and the Executive Committee will ensure that its policy is stated on its website and in its brochure and any other similar material issued by Chambers.

6.2 The Chief Executive and the Executive Committee will ensure that members, employees and pupils are offered the opportunity to undergo diversity training.

#### Disability Discrimination Act 1995

6.3 The Equality and Diversity Officer will investigate available sources of advice on making reasonable adjustments to:

6.3.1 Chambers' practices, policies and procedures;

6.3.2 the provision of auxiliary aids and services;

6.3.3 the physical features of Chambers' Premises

in order to ensure compliance with Chambers' obligations under the Disability Discrimination Act 1995 and will make recommendations to Chambers in the light of such advice, having regard to the resources available to Chambers.

6.4 The Equality and Diversity Officer will review annually whether and if so to what extent it is reasonable to obtain further external advice in relation to the provision of services to people with a disability and will report the result of his or her review to the Executive Committee. The Equality and Diversity Officer will in any event keep under review the need to make further adjustments in respect of the matters listed in paragraph 6.3 and will make recommendations to the Chief Executive and the Executive Committee accordingly.

6.5 Any person with a disability who has any dealings with Chambers will be encouraged to make known to Chambers what adjustments to the matters listed in paragraph 6.3 would assist him or her to make use of the services of Chambers and Chambers will make any such adjustments which are reasonable. A statement to that effect will be made on the Chambers website and in its brochure and any other similar material issued by Chambers.

6.6 Chambers will ensure that where any person dealing with Chambers is known to have a disability he or she is informed of any matters relating to the provision of Chambers' services which will assist him or her to make use of those services.

6.7 Members and pupils will continue to offer to provide outside Chambers services which would usually be provided on Chambers' Premises where to do so will enable a person with a disability to make use of Chambers' services.

## **7. STAFF IN CHAMBERS**

### Recruitment

7.1 In recruiting employees, Chambers will follow the principles of:

7.1.1 open advertisement;

7.1.2 clear and objective selection criteria;

7.1.3 interviewing and decision-making by more than one person

which are applied in recruiting pupils and tenants.

Maternity, paternity and parental leave

7.2 Chambers will comply with the statutory obligations as varied from time to time.

Complaints and grievances

7.3 As set out in section 5, the Chambers grievance procedure applies to members of staff.

<b>Approved by</b>	<b>Date</b>
<b>Pupillage Committee</b>	<b>October 2019</b>