

Pupillage (funded, unfunded and mini) and Junior Recruitment Policy

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Chambers

1. Chambers specialises in Chancery and related commercial work and has a particularly strong reputation in the areas of private client, partnership, commercial, property and litigation and advice. Individual members' specialisms cover: private client (including probate, administration of estates, family provision, trusts, court of protection work, charity law, and associated on or offshore taxation); partnership and commercial litigation (including partnership, LLP and company disputes, insolvency, financial services and banking); property litigation (including landlord and tenant, real property, conveyancing, mortgages and securities, manorial rights); and associated professional negligence.
2. There is a relaxed and friendly working environment in Chambers. We hope that any pupil at Ten Old Square will enjoy their time with Chambers whilst learning everything necessary for a career at the Chancery Bar. Chambers considers pupillage to be a learning experience for the pupil and not a twelve month interview.

Equality and diversity

3. Chambers selects pupils, tenants, mini-pupils and employees solely on merit. The race, colour, ethnic or national origin, nationality, citizenship, gender, gender reassignment, sexual orientation, political persuasion, marital or civil partnership status, pregnancy or maternity, disability, age or religion of any applicant is disregarded.
4. Chambers welcomes applications from all interested candidates, whatever their status or background.
5. Chambers has an Equality and Diversity Policy which applies to pupillage and recruitment. It is available on Chambers' website. Pupillage applications and the recruitment process will be monitored by Chambers' Equality and Diversity Officers to ensure that the Equality and Diversity Policy is being applied appropriately. Equality and diversity information will not be seen by those conducting the recruitment process during the recruitment process.

The pupillage committee

6. Pupillage recruitment and pupillage itself is managed by the Pupillage Committee.

7. Where possible, the Pupillage Committee will be made up of a diverse cross-section of Chambers' members. The current Chair of the Pupillage Committee (and the "Pupillage Training Principal" for the purposes of the BSB's Pupillage Handbook) is Richard Dew.
8. The Pupillage Committee has the following responsibilities:
 - a. To devise and implement policies and procedures for the administration of all matters concerning pupillage (save for the size of the pupillage award which shall be voted on by Chambers, after a recommendation from the Pupillage Committee). This includes the selection of pupils and the appointment of pupillage supervisors.
 - b. The selection and appointment of pupils on behalf of Chambers.
 - c. Recommending to Chambers whether a funded pupil should be offered tenancy.
9. A Pupillage Committee meeting will be quorate if four members of the Committee take part and the Chair shall, if necessary, have the casting vote. If an urgent decision is required and it is not possible for four members to be in attendance, such a decision will be deemed valid in any event. Where appropriate, a pupillage meeting may be conducted by email and the Pupillage Committee may make its decisions by email vote. The Committee may delegate any decision to a subcommittee of not fewer than 2 members.

Pupillage recruitment

10. Chambers' pupillage recruitment is carried out in accordance with Bar Standard Board's requirements.
11. One twelve month funded pupillage will be offered, if appropriate, in each pupillage year. Chambers does not guarantee that a pupil will be offered tenancy in any given year, but pupils are selected on the basis that they will be suitable candidates for tenancy and it is Chambers' intention, where appropriate, to offer its pupil a tenancy.
12. Chambers is a member of the Pupillage Gateway. A candidate can only apply for a funded pupillage using the Gateway.

Recruitment procedure for funded pupillage

13. Chambers' Selection Criteria are as follows:
 - a. Genuine interest in Chambers' fields of practice.

- b. Academic ability.
- c. Analysis and reasoning.
- d. Knowledge and understanding of the law.
- e. Written communication skills.
- f. Oral communication skills.
- g. Ability to relate to lay and professional clients.
- h. Resilience, perseverance and a drive to succeed at the Bar.

Applications

- 14. Applications for funded pupillage must be made through the Pupillage Gateway in accordance with the Gateway timetable.

Selection of candidates for interview

- 15. Applications will be anonymised before being considered.
- 16. Each application will be considered independently by a panel, made up of the Pupillage Secretary and two other members of Chambers. If, in exceptional circumstances, the Pupillage Secretary is not available, at least one member of the panel will be on the Pupillage Committee. Each member will mark each application in writing, according to Chambers Selection Criteria, taking into account the fact that the candidates may be at different stages in their legal education. The panel will then meet to discuss their views of the applications and agree a shortlist of approximately 30 candidates who will be invited to a first round interview.
- 17. Once the shortlist of candidates has been determined, Chambers will notify the applicants as to whether their application has been rejected or whether they are invited to interview by email.
- 18. Those candidates who are invited to interview, who live some distance away from Chambers and who are experiencing hardship may make a request to the Pupillage Secretary by email for payment of, or a contribution to, their reasonable travel expenses within the UK of attending interviews or the open day. Each request will be considered by the Pupillage Committee and responded to in a timely manner.

Interviews: general

19. Invitations to interview will identify the times at which interviews will be offered and candidates will be given the opportunity to request a particular time and date subject to availability on a 'first come, first served' basis.
20. If there is a good reason why a candidate is unable to attend any part of the recruitment process on the dates initially offered, Chambers will endeavour to accommodate them but can only do so if that candidate gives sufficient notice of any such difficulties.

First round interview

21. The first round interview will be conducted by a panel made up of three members of Chambers, at least one of which will (save in exceptional circumstances) be on the Pupillage Committee.
22. Each interview will last for approximately 20 minutes and will be made up of questions arising from the candidate's application form and discussion of a short legal problem which will be presented to each candidate 15 minutes prior to their interview, providing the candidate arrives in time. Each member of the panel will independently mark each candidate's interview in writing, according to the Selection Criteria, taking into account the fact that the candidates may be at different stages in their legal education.
23. At the end of the first round interviews, the panel members will discuss each candidate and agree a shortlist of approximately eight to ten candidates who will be invited by email to take part in the second stage of the pupillage recruitment process. The unsuccessful candidates will be informed by email that they will not be invited to take further part in that year's recruitment process.

Second round

24. The short-listed candidates will be sent instructions for a piece of written work. They will usually be given at least five days to complete the piece of written work, including a weekend. The completed written work must reach Chambers by 6:30 pm on the deadline date, which will be set out in the instructions. The completed written work will, save in exceptional circumstances, only be accepted by email.

25. Each piece of written work will first be anonymised before being considered and marked by a member of Chambers nominated by the Pupillage Committee, according to the following points:
 - a. Structure and clarity.
 - b. Identification of the issues and further information required.
 - c. Identification of the relevant law.
 - d. Analysis, reasoning and conclusions.
 - e. Practicality.
26. There will then be a second round interview in front of a panel made up of as many members of the Pupillage Committee as are available. The Senior Clerk may also be invited to attend. The majority of the interview will be spent discussing the written work produced by the candidate but will also include questions arising from the candidate's application form and an ethical question, which will be presented to the candidate by one member of the panel during the interview. There will be an opportunity at the end of the interview for candidates to ask any questions they wish of the panel. Each member of the panel will independently mark each candidate's interview in writing, taking into account the scores achieved for the written work under the procedure in paragraph 25 above. The marking will be according to Chambers Selection Criteria, taking into account the fact that the candidates may be at different stages in their legal education. At the end of all of the interviews, the panel members will discuss each candidate.
27. In the event that there are two or more candidates who satisfy the overall requirement for selection, the interview panel will draw up a shortlist, ranking the candidates in order of those who most clearly satisfy the Selection Criteria.
28. Those candidates on the shortlist will be invited to attend an open day in Chambers during which they will sit with a member of Chambers and have an opportunity to see Chambers' life. The open day itself does not form part of Chambers' assessment of the candidates.
29. Chambers will make offers of pupillage through the Pupillage Gateway to the candidates in order of ranking on the shortlist. The process will continue until the pupillage place has

been taken or all offers have been sent. Those candidates who are on the reserve list will be informed through the Gateway that this is the case. The unsuccessful candidates will be informed through the Gateway that they will not be offered pupillage.

30. All offers of pupillage will be made on the basis that they remain open for acceptance for a period of at least fourteen days. Offers will be conditional on passing academic or vocational courses at the first attempt, though this condition may be waived at the discretion of the Pupillage Committee in exceptional circumstances.

Feedback on the pupillage recruitment process

31. Due to the number of applications it receives, Chambers is unable to offer feedback to candidates who are not shortlisted for interview.
32. Feedback for those candidates who have progressed to the interview stage will be provided within a reasonable time to those candidates who request it.
33. All applications and other documents created during the recruitment process will be kept for a period of five years after the process has been completed.

Pupillage funding

34. A funded pupillage carries an award of £60,000 for the year.
35. Up to a quarter of the award may be drawn down during the year preceding the pupillage. The drawdown will usually be paid in instalments which shall not exceed £1,250 in any one calendar month. If a pupil wishes an exception to be made to this rule, he or she must make a request in writing to the Chambers Management Committee. Any such request will be treated confidentially.
36. The remaining part of the award (or the entire award, if no draw down is taken), will be paid to the pupil in twelve equal monthly instalments, starting in the month in which her or she commences pupillage.
37. Any fees which the pupil earns in the second six months of pupillage will not be clawed back and will be paid to the pupil as and when the relevant fee notes are settled by the lay or professional client. No Chambers' expenses or Clerk's Commission will be charged on such fees.

38. Chambers may in its discretion demand repayment of any sums paid prior to or during the pupillage in the event that the pupillage is not commenced or completed for any reason, save that the first £1,000 of each of the 12 monthly instalments paid to the pupil during each month of pupillage will not be recouped unless there has been misconduct on the part of the pupil, such misconduct to include (but not be limited to) the conduct set out at paragraph 78 below.

Recruitment procedure for unfunded pupillage

39. Chambers will consider applications for unfunded pupillages, lasting for up to twelve months, from applicants who do not intend to practise at the Bar of England and Wales.

40. These unfunded pupillages do not form part of Chambers' recruitment system for tenants and an unfunded pupil will not be considered for tenancy at the end of their pupillage.

41. Applications for unfunded pupillage:

- a. must be made on Chambers' standard unfunded pupillage application form which can be downloaded directly from the pupillage page of Chambers' website. Alternative formats can be provided, if necessary, to those candidates who require it;
- b. should, save in exceptional circumstances, have text typed in and be saved in MS Word or PDF format;
- c. will, save in exceptional circumstances, only be accepted by email sent to pupillage@tenoldsquare.com and headed "Unfunded Pupillage Application".

42. Each application will be considered by the Unfunded Pupillage Secretary and one other member of the Pupillage Committee (nominated by the Unfunded Pupillage Secretary) who will mark the application, according to the Selection Criteria. If it is considered that the application has merit, it will be passed to the Chair of the Pupillage Committee who will mark the application, according to the Selection Criteria. If, after discussion between these three members, it is agreed that the application has merit, the candidate will be invited to an initial interview which will follow the procedure set out at paragraphs 21 and 22 above.

43. At the end of the first interview, the panel will discuss the candidate and agree whether or not to invite the candidate to complete a piece of written work and to attend a second interview. The candidate will be informed by email of the panel's decision.
44. If the candidate is asked to continue to take part in the recruitment process, the procedure will follow that set out in paragraphs 24 to 26 above. At the end of the second interview, the panel will discuss the candidate and agree whether or not to offer the candidate an unfunded pupillage.
45. Any offer of an unfunded pupillage will be subject to Chambers obtaining a waiver in relation to the individual pupillage from the Bar Standard Board's Pupillage Funding and Advertising Committee in respect of the obligations it imposes to fund pupillages.

Pupillage

Structure of pupillage

46. A pupil at Ten Old Square can expect to see the full range of Chambers' work. Each pupil will usually sit with four members of Chambers during the pupillage year, each for a three month period, in those members' rooms. It is likely that, throughout their pupillage, all pupils also will undertake work for other members of Chambers.
47. During the second six months of pupillage there may be opportunities for the pupil to undertake work on their own, sometimes on pro bono basis. Chambers does not guarantee a minimum amount of paid work in the second six. The clerks will consider whether paid work would be more suitable for a junior tenant, on the basis of the level of skill and practice required and on the basis that priority will be given to the junior tenants because the emphasis during pupillage is on training and the pupillage is fully funded. However, work will not be allocated on the basis of the race, colour, ethnic or national origin, nationality, citizenship, gender, gender reassignment, sexual orientation, political persuasion, marital or civil partnership status, pregnancy or maternity, disability, age or religion.
48. Shortly before pupillage commences, the pupil will be invited into Chambers to meet with the Pupillage Secretary. The candidate will be asked to complete the Bar Standards Board's

application to register a pupillage, will have an opportunity to ask any questions he or she wishes and will, if possible, be introduced to the first pupil supervisor.

49. On the first day of pupillage, or as near to it as the pupil supervisor's case load permits, the pupil will be given a general introduction to Chambers, its facilities, members, clerks and staff, by the supervisor and the supervisor will provide a formal induction, as required by the Pupillage Handbook. Induction documentation will be provided to all pupils during their first week.

Role and responsibilities of pupils

50. During pupillage, in addition to complying with the responsibilities of pupils set out in the Pupillage Handbook in Appendix 1, a pupil must:
- a. be conscientious and apply himself or herself full time to the pupillage;
 - b. follow the instructions and guidance of his or her pupil supervisor, which may include reading papers, research, drafting, attending conferences, mediations and court (or other tribunal) hearings and/or taking a note;
 - c. act in good faith in the best interests of Chambers as a whole and of its members;
 - d. not give advice to the clients of any member of Chambers or contribute during any meeting with a lay or professional client or at court (or other tribunal), unless expressly invited to do so by their supervisor or the member whom they accompany;
 - e. in observing the requirements of the Bar Standards Board Handbook, pay particular attention to the requirements of rQ38;
 - f. read the "Pupillage Handbook" issued annually by the Bar Standards Board;
 - g. keep a diary of work done in order to complete the pupillage checklists;
 - h. when completing the specialist checklist, use the Chancery checklist;
 - i. provide a completed copy of each checklist to the Pupillage Secretary, who will retain it for three years;
 - j. in aid of preserving the confidentiality of every client's affairs, including clients of the supervisor and other barristers with whom they work:
 - i. sign a confidentiality form on commencement of pupillage;

- ii. not take papers or books belonging to other members of Chambers out of Chambers without prior permission of the relevant member;
- iii. keep all papers secure and not leave them unattended in public places;
- k. register under the Data Protection Act 1998 in time to undertake work in the second six;
- l. in his or her second six, contact any non-attending solicitor who has instructed the pupil after a court hearing in order to inform him or her of the outcome of the hearing and ensure that any future court dates are communicated to the clerks; and
- m. unless told otherwise, wear dark clothing/business attire appropriate for attendance at court, at all times when in Chambers or accompanying a member of Chambers for work purposes.

Duties of supervisors

51. All Chambers' pupil supervisors have been approved by their Inn, have attended the appropriate briefing sessions and their names appear on the current register of pupil supervisors. The members of Chambers who are currently registered as supervisors and regularly take pupils are Jeremy Callman, Jonathan Gavaghan, Richard Dew and Georgia Bedworth.
52. Whilst supervising a pupil, in addition to complying with the duties of supervisors set out in the Pupillage Handbook in section 5.4, a supervisor should:
- a. take all reasonable steps to provide the pupil with the necessary tuition, supervision and experience they will need for successful completion of their pupillage;
 - b. where he or she will be away from Chambers for three or more consecutive days during which the pupil will remain in Chambers, if possible arrange for another member of Chambers to look after the pupil;
 - c. consider when it is appropriate for the pupil to carry out work for other members of chambers, ensuring that the pupil is not overburdened with work;
 - d. alert the pupil at an early stage of any serious concerns with their performance or conduct once they have become apparent, in order to allow the pupil the opportunity to rectify the concerns;

- e. so far as is reasonably practicable and appropriate, supervise work conducted by the pupil during the second six months of pupillage; and
- f. inform the pupil about etiquette towards members, clerks, staff, solicitors, other barristers, court staff and clients and encourage good working relationships between the pupils, clerks, staff and members.

Duties of other members of Chambers

- 53. In the event that a member of Chambers would like a pupil to carry out a piece of work or accompany him or her to court (or other tribunal) or to a mediation, that member must, before discussing the matter with the pupil, obtain the prior permission of the pupil supervisor. Members of Chambers are encouraged to provide feedback on any work carried out for them by a pupil to the pupil and pupil's current supervisor using Chambers' standard 'feedback form' or, if this is not feasible (given work commitments) to at least provide feedback orally to the pupil's current supervisor.
- 54. In the event that a member of Chambers has a concern about a pupil, they should, in the first instance, make the concern known to the pupil supervisor or the Chair of the Pupillage Committee who will have responsibility for addressing that concern.

Working hours, holidays etc.

- 55. Save in exceptional circumstances, pupillage will commence on the first working day in October the year after the offer is made. Chambers does not accept applications for deferred pupillage, but may consider deferring the start of a successful applicant's pupillage in exceptional circumstances and subject to the approval of the Pupillage Committee who will take into account, among other things, the effect of deferring pupillage on future starter tenants.
- 56. Pupils are expected to work hard during their pupillage. This is seen as essential preparation for full time practice as a barrister. The pupil supervisor will specify the time that the pupil should arrive in Chambers and leave each day. This will generally require the pupil to work during Chambers core hours of 9.00 am to 6.00 pm, with a lunch break. There may be instances when a pupil will be asked to work longer hours if, for instance, they are needed to assist on an urgent case. Pupils will be asked to sign a waiver from the Working

Time Regulations, although Chambers makes no admission as to the application of the Regulations to pupils.

57. If a pupil is unwell and unable to attend for work, the pupil must notify the pupil supervisor and the clerks as soon as possible and, if the supervisor is unavailable, leave a message for the supervisor with a clerk.
58. If a pupil is unwell and unable to attend for work more than five days, the pupil must obtain a fit note from his or her GP or treating doctor and provide the same to his or her current supervisor.
59. If a pupil has more than five days' sick leave in any six month period of pupillage, their pupillage must be extended by the period of absence. The pupil must also notify the Bar Standards Board of the new date of completion of pupillage on the Notification of a Material Change in Pupillage Arrangements form.
60. In the event of serious illness, personal crisis or the need for parental leave which prevents a pupil from being able to complete a stage of pupillage within the usual period of time, the Pupillage Committee will consider the appropriate course of action in the circumstances, having regard (where relevant) to Chambers' Parental Leave Policy.
61. Pupils are entitled to ten days' annual leave in each of the six month periods. This does not include Bank Holidays but does include any period when Chambers may be closed. Any longer period of leave must be sanctioned by the Pupillage Committee and will have to be made up by an equivalent extra period at the end of the relevant part of the pupillage.
62. Holiday dates should be agreed in advance between the pupil and the supervisor with whom the pupil is or will be sitting at the relevant time. In the practising six months, the pupil should also discuss holiday dates with the Senior or Deputy Senior clerk.

Expenses and equipment

63. It is intended that the level of the pupillage award is sufficient to cover all expenses that a pupil will normally encounter in the course of pupillage.

64. Pupils are expected to pay for their own travel to Chambers, within London and whenever travelling on their own account. If a supervisor deems it necessary for the pupil's training to have the pupil accompany him or her outside London then the supervisor will:
- a. usually reimburse all reasonable expenses associated with such a trip; but
 - b. where those expenses are substantial, before the trip is made, a supervisor may apply to Chambers' Management Committee, requesting that those expenses be reimbursed by Chambers.
65. Chambers will pay for the pupil's compulsory forensic accounting, advocacy and practice management courses.
66. Pupils are required to provide their own laptop or other computer suitable for use during pupillage (bearing in mind that they will sit with in a number of different rooms during the year). The laptop and any other electronic devices on which the pupil stores confidential client information must be encrypted using encryption software which meets the current standard.
67. Pupils will have access to Chambers' telephone network, internet, online library, books, stationery and photocopying and printing facilities for work purposes. Pupils will be provided with a Chambers' email address.

Work plans, feedback, appraisal and advocacy exercises

68. At the start of each three month period, a pupil supervisor will draw up a work plan for the pupil setting out what work it is expected that the pupil will see (bearing in mind that the work commitments of the supervisor may change) and what it is hoped the pupil will achieve during that period. Where the pupil has spent time with a previous supervisor and areas requiring improvement or work not yet (or not sufficiently) seen have been identified, this will be taken into account when drafting the next work plan. Each supervisor will pass copies of previous work plans for a pupil onto the next supervisor.
69. Pupil supervisors will provide regular feedback to and appraisal of their pupils:
- a. Oral feedback will be given on individual pieces of work, in a timely manner.

- b. Written feedback will be given on Chambers' standard 'feedback form', again in a timely manner. Each supervisor will aim to provide at least one feedback form for each different type of work a pupil carries out for that supervisor (e.g. drafting statements of case/opinion/skeleton/non-contentious drafting). If a pupil only does one or two types of work during the three months, the aim will be to produce a minimum of three feedback forms. Pupils will have an opportunity to comment, in writing, on the feedback.
 - c. Three-monthly appraisals will be carried out by the pupil and the supervisor. The pupil will first carry out a self-assessment using Chambers' standard 'appraisal form'. The supervisor will then carry out an appraisal, taking into account feedback from other members of Chambers and/or the clerks, where appropriate. Pupils will have an opportunity to comment, in writing, on the appraisal.
70. Chambers will run advocacy exercises for the pupil across the course of the twelve month pupillage in order to prepare them for dealing with the type of applications they are likely to experience in practice. The timing of the exercises will depend on when the pupil undertakes his or her Inn-run Advocacy Training Course and on the pupil supervisor's diary. One member of Chambers will sit as a judge and the exercise will be observed by the pupil supervisor and at least one other member of Chambers. Feedback will be provided orally and on Chambers' standard 'feedback form'.

Grievance procedure

71. If concerns arise in relation to discrimination, harassment or related issues, the pupil should use the procedure under Chambers' Equality and Diversity Policy or Harassment Policy, as appropriate.
72. In the event that a pupil wishes to raise a grievance, he or she should in the first instance raise the matter with his or her pupil supervisor, unless the grievance relates to that supervisor, in which case the pupil should notify Sam Laughton who is nominated to take the lead in the resolution of any complaints.
73. The pupil supervisor or (where relevant) Sam Laughton, shall discuss the complaint with the pupil and where necessary investigate further before either rejecting or upholding the

complaint. 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.

74. If the pupil is unhappy at the outcome of his or her complaint or the manner in which his or her complaint has been handled or determined then he or she should raise the matter with the Head of Chambers (or, if unavailable, another senior member nominated by the Head of Chambers to handle the complaint) who shall consider the matter further and take such steps as he or she considers appropriate.
75. In addition, there is a nominated junior member of Chambers, James MacDougald, who is available to discuss matters of a pastoral or personal nature, if required. Any discussions with James MacDougald are in strict confidence and are outside Chambers' complaints or grievance process save that James MacDougald may, with the consent of the pupil or where the matter is sufficiently serious, refer any concerns raised by a pupil to the current pupil supervisor or Sam Laughton, as appropriate.
76. It is hoped that it would be possible to resolve any issues internally. However, pupils should be aware of their right to take any complaint to the Bar Standards Board. Details of this option are available from the Bar Standards Board and are set out in the Pupillage Handbook in section 14.6.5.
77. Any expression of concern about pupillage or the making of a formal complaint by a pupil will not, unless it is found to have been actuated by malice, be held against the pupil in any way when the tenancy decision is made.

Termination provisions

78. The following conduct may give rise to disciplinary action:
 - a. criminal conduct;
 - b. dishonesty;
 - c. failure to comply with this Policy, in particular, paragraph 50;
 - d. failure to comply with Chambers' Equality and Diversity and Harassment Policies;
 - e. failure to comply with the Code of Conduct;
 - f. conduct likely to bring Chambers into disrepute;

- g. very poor performance; and/or
- h. substantial unreliability in time keeping or attendance without good reason.

79. In the event of the need for disciplinary action, the procedure will be as follows:

- a. The Pupillage Committee will meet to consider the position and in the light of the gravity of the conduct consider, in particular, whether the matter should be the subject of oral or written warnings or an immediate recommendation to Chambers to terminate the pupil's pupillage.
- b. The Pupillage Committee may agree to issue an oral warning from the Chair of the Pupillage Committee, or, if more appropriate, a pupil supervisor, setting out the issues that the pupil needs to address. The Chair of the Pupillage Committee or, if appropriate, a pupil supervisor, will go through the issue or issues with the pupil and discuss the most effective ways to address them.
- c. If the matter warrants an immediate written warning or if an oral warning has been given but the issue or issues are not addressed and resolved by the pupil to the satisfaction of the Pupillage Committee within 14 days of the oral warning or within such other time as thought fit, the Chair of the Pupillage Committee will issue a written warning, setting out the issues that the pupil needs to address. The Chair of the Pupillage Committee or, if appropriate, a pupil supervisor, will go through the issue or issues with the pupil and discuss the most effective ways to address them.
- d. If following a written warning as set out in the immediately preceding sub-paragraph, the issue or issues are not addressed and resolved by the pupil to the satisfaction of the Pupillage Committee within 14 days of the written warning or within such other time as thought fit, the Pupillage Committee will meet to consider whether a recommendation should be made to Chambers to terminate the pupil's pupillage and the reasons for that recommendation.
- e. If a recommendation to terminate the pupil's pupillage to Chambers under paragraph 79(a) or (d) above is made, the pupil will have a reasonable opportunity to:
 - i. see the recommendation and any other information provided to Chambers by the Pupillage Committee; and

- ii. to make his or her own representations to Chambers. Such representations may be made in writing (if provided within a reasonable period) and/or in person. If representations are to be made in person, the pupil may be accompanied by another person and/or may nominate that other person to make the representations on his or her behalf.
- f. Once the Pupillage Committee's recommendation and the pupil's representations (if any) have been received by Chambers, all available members of Chambers will be invited to vote on whether or not the pupillage should be terminated. The decision will be made by a simple majority. Any termination will take immediate effect.

Tenancy decision

- 80. Prior to the making of a tenancy decision, the Pupillage Committee will collate information from the pupil supervisors, from all members of Chambers for whom the pupil carried out work during pupillage and any other information from third parties which is relevant to the Selection Criteria, including any information available from instructing solicitors. They will consider all of this information and the pupil's merits and performance throughout their pupillage in comparison with the Selection Criteria and make a written recommendation to Chambers as to whether or not the pupil should be offered tenancy.
- 81. The decision as to whether or not to offer a pupil tenancy is made at a Chambers general meeting, after consideration of the Pupillage Committee's recommendation, of information from the Senior Clerk as to the amount of work currently available for junior members of Chambers and expected to be available in the near future and of the views of the current starter tenant. The meeting usually takes place in late June or early July (where pupillage was commenced at the start of the previous October). Members of Chambers will have an opportunity at that meeting to put further questions to the pupil's supervisors and/or the Chair of the Pupillage Committee or to offer further information. Members who are aware that they will be unable to attend the meeting should provide any views they have on the decision and their proxy vote to another member of Chambers. The decision will be made by Special Resolution.
- 82. In deciding whether or not to offer a tenancy to the pupil, Chambers will consider:

- a. the pupil's merits and performance throughout their pupillage, in comparison with the Selection Criteria;
- b. Chambers' resources; and
- c. Chambers' practice needs at the time.

The decision will be taken in accordance with the principles set out at paragraph 3 above.

83. A pupil who is not offered tenancy will not generally be permitted to remain in Chambers after the completion of their pupillage. However, reasonable efforts will be made to assist such pupils to find a further tenancy, third six pupillage or employment elsewhere.

Applications for a starter tenancy or third six

84. If the pupil is not offered tenancy, or if there is felt to be sufficient work for two junior tenants, the Pupillage Committee will consider whether to advertise for a third six pupil, probationary starter tenant or a starter tenant. In respect of a probationary starter tenant or a starter tenant, the Pupillage Committee will seek approval of Chambers before so advertising.
85. The Selection Criteria will apply to the recruitment of a third six pupil, probationary starter tenant or starter tenant.
86. The Pupillage Committee or such other Committee as may be agreed by Chambers will agree a procedure for recruitment of a third six pupil, probationary starter tenant or starter tenant.
87. A pupil who has not been offered tenancy under the procedure set out at paragraphs 80 to 82 above may, at the discretion of the Pupillage Committee, be invited to apply for the position of a third six pupil, probationary starter tenant or starter tenant.
88. Supervision, training and work allocation will be tailored to any third six pupil's circumstances.

Tenancy

Rooms

89. A starter tenant will be allocated a room or shared room in Chambers according to the space available. Chambers believes that it can on occasion be good practice for a starter tenant to spend a period of time sharing with a more senior member of Chambers and this will be taken into consideration when a room is allocated.

Expenses

90. A starter tenant will:
- a. pay clerks' commission on fees earned after the start of his or her tenancy;
 - b. will not pay Chambers expenses for the first six months of his or her tenancy. Thereafter, Chambers expenses are paid on a pro rata basis, according to the fees received in comparison with the fees received by other members of Chambers, in accordance with the terms set out in Chambers' Rules; and
 - c. will not pay rent and rates for the first year of his or her tenancy.

Distribution of work

91. The allocation of work to tenants will not be influenced by the race, colour, ethnic or national origin, nationality, citizenship, gender, gender reassignment, sexual orientation, political persuasion, marital status or civil partnership, pregnancy or maternity, disability, age or religion of the tenants. The allocation of work is monitored in compliance with the Equality and Diversity Rules of the Code of Conduct by Chambers Equality and Diversity Officers.

Mini-pupillage

92. Chambers offers a limited number of two or three day non-assessed mini-pupillages to those who would like to gain experience of life in a Chancery set. A mini-pupil will sit with a member or members of Chambers and look at the work they undertake.
93. Due to the intellectual complexity of Chambers' work, Chambers expects candidates to have completed at least the first year of a law degree or to be applying for or have obtained a place on a Graduate Law Diploma course by the time the mini-pupillage would take place.

94. Mini-pupillages are available during three periods of the year, each with a separate deadline, as follows:
- a. For mini-pupillages in December, applications must be made by 15 October.
 - b. For mini-pupillages in March or April, applications must be made by 7 January.
 - c. For mini-pupillages in September, applications must be made by 15 July.
95. Applications for mini-pupillage:
- a. must be made on Chambers' standard mini-pupillage application form which can be downloaded directly from the mini-pupillage page of Chambers' website. Alternative formats can be provided, if necessary, to those candidates who require it;
 - b. should, save in exceptional circumstances, have text typed in and be saved in MS Word or PDF format;
 - c. must reach Chambers by 6:30 pm on the deadline date for applications. Applications cannot be considered for the relevant mini-pupillage period after the deadline has passed but will be considered for the next mini-pupillage period;
 - d. will, save in exceptional circumstances, only be accepted by email sent to minipupillage@tenoldsquare.com and headed "Mini-pupillage Application".
96. The application will be reviewed by the Mini-Pupillage Secretary and will be marked according to the criteria set out above at sub-paragraphs 13 (b), (c), (e), (f) and (h).
97. The Mini-Pupillage Secretary will contact each applicant by email to inform him or her whether his or her application for mini-pupillage has been successful within a reasonable time after the relevant deadline. The invitations for mini-pupillage will identify the dates offered and the mini-pupils will be given the opportunity to request a particular date on a 'first come, first served' basis, through the Gateway. Chambers will use its best endeavours to accommodate a mini-pupil's preferred dates, but no guarantee can be made that a mini-pupil will be given the dates of his or her choice.
98. Those candidates who are invited for a mini-pupillage, who live some distance away from Chambers and who are experiencing hardship may make a request to the Mini-Pupillage Secretary by email for payment of, or a contribution to, their reasonable travel expenses

within the UK of attending the mini-pupillage. Each request will be considered by the Mini-Pupillage Secretary and responded to in a timely manner.

99. During a mini-pupillage, a mini-pupil must:
- a. follow the instructions and guidance of his or her supervisor, which may include reading papers, research, drafting or attending conferences, mediations and court (or other tribunal) hearings;
 - b. not give advice to the clients of any member of Chambers or contribute during any meeting with a lay or professional client or at court (or other tribunal);
 - c. preserve the confidentiality of every client's affairs, including clients of the supervisor and other members of Chambers for whom he or she carries out work or discusses a case. The mini-pupil will be asked to sign a confidentiality form at the start of the mini-pupillage. Mini-pupils should not take books or papers belonging to other members of Chambers out of Chambers; and
 - d. unless otherwise told, wear dark clothing/business attire appropriate for attendance at court at all times when in Chambers or accompanying a member of Chambers for work purposes.
100. Any problems during mini-pupillage should be raised with the supervisor or the Mini-Pupillage Secretary.
101. An unsuccessful applicant for mini-pupillage should not be deterred from applying for pupillage. The fact that an applicant has not been offered a mini-pupillage does not in any way prejudice his or her chances of being offered a pupillage. Further, the performance at a mini-pupillage is not taken into account in considering any subsequent application for pupillage.
102. Members of Chambers may offer informal work experience in appropriate circumstances, but such work experience should not be offered in circumstances where it would interfere with a mini-pupillage offered in accordance with the process set out above. The above process does not apply to such informal work experience or to work experience which may be offered with the clerks.

Data protection

103. Chambers has a Data Protection Policy which will be followed when recruiting pupils (whether funded or unfunded), mini-pupils and new tenants and in relation to pupils (whether funded or unfunded), mini-pupils and work experience students. The following provisions relate specifically to data collected under this policy.

Categories of data

104. Chambers has divided pupillage, mini-pupillage, work-experience and recruitment data into the following categories:

- a. Pupil and pupillage applicant data: names, email addresses and contact details, application forms or CVs, equality and diversity questionnaires, references, success/failure, email correspondence of pupillage applicants and pupils and data provided by pupils during pupillage;
- b. Applicants' referees' data: Names, email addresses and contract details of applicants' referees;
- c. Careers officers'/law tutors' data: Names, email addresses and contract details of careers officers and law tutors at providers of QLDs, GDLs and BPTCs;
- d. Advertisers of pupillages' data: Names, email addresses and contract details of employees of businesses which advertise pupillages (B2B);
- e. Bar Council (including the Pupillage Gateway)/BSB/Inns of Court data: Names, email addresses and contract details of employees of the Bar Council or BSB who deal with pupillage (B2B);
- f. Mini-pupillage/work experience data: addresses and contract details, application forms or CVs, references, equality and diversity questionnaires of applicants for mini-pupillage or work experience;
- g. Tenancy applicant data: Names, email and contact details, CVs, references, email correspondence of applicants who have completed pupillage and apply to become members of Chambers.

Retention policy

105. Save in exceptional cases, where consent is given or where Chambers has a legitimate interest in retaining data, Chambers will retain data in relation to the above categories for the following periods:

- a. Pupil/starter tenant data shall be retained indefinitely, save that there may be deletion on request, in line with the policy on requests for deletion set out below, although this may result in an application not being progressed;
- b. Pupillage applicant data:
 - i. generally, deletion after six years, except in exceptional circumstances and save where data relates to the applicant who accepts pupillage which shall be retained in accordance with (a) above;
 - ii. deletion on request, in line with the policy on requests for deletion set out below, although this may result in an application not being progressed;
- c. Pupillage applicant referees' data:
 - i. generally, deletion after six years, except in exceptional circumstances and save where data relates to the applicant who accepts pupillage which shall be retained indefinitely;
 - ii. deletion on request, in line with the policy on requests for deletion set out below, although this may result in an application not being progressed;
- d. Careers officers'/law tutors' data:
 - i. generally retained until informed that person is no longer in role; or
 - ii. deletion on request, in line with the policy on requests for deletion set out below, although this may result in an application not being progressed;
- e. Advertisers of pupillages' data:
 - i. generally, deletion after seven years of case ending (expiry of limitation period, plus one year), except in exceptional circumstances;

- ii. deletion on request, in line with the policy on requests for deletion set out below;
 - f. Bar Council (including the Pupillage Gateway)/BSB/Inns of Court data:
 - i. generally, until informed that person is no longer in role; or
 - ii. deletion on request, in line with the policy on requests for deletion set out below, although this may result in an application not being progressed;
 - g. Mini-pupillage/work experience data:
 - i. generally, deletion after one year or if you have asked for a reference, for a period of one year after that reference has been provided, except in exceptional circumstances;
 - ii. deletion on request, in line with the policy on requests for deletion set out below, although this may result in an application not being progressed;
 - h. Starter tenancy applicant data:
 - i. generally, deletion after three years, except in exceptional circumstances, save where data relates to an applicant who accepts tenancy which shall be retained indefinitely;
 - ii. deletion on request, in line with the policy on requests for deletion set out below, although this may result in an application not being progressed;
106. Where Chambers is asked by a data subject to delete data, best endeavours will be used to delete that data within one month of receipt of the request, unless there is a good reason for it to be kept (for example, that both the data subject and Chambers or a member thereof are party to proceedings to which the data is relevant).

Review Plan

107. Best endeavours will be used by the Pupillage Secretary and Mini-Pupillage Secretary to review once every six months and, in any event, not less than once every twelve months

any data which has reached the end of its retention period. The data will be reviewed in the groups set out in the retention policy section above and some or all of these groups may have different review dates. The review will identify which of that data should be deleted or destroyed because:

- a. Chambers no longer has a legitimate interest in retaining it;
- b. The basis of retention was consent and that consent has been withdrawn or expired;
- c. The retention period in relation to that data has come to an end and there is no reason to retain the data.

108. The data will be marked for deletion or marked for retention for a further period. Save as specified below, continued retention is likely to occur only where the information is needed for legal proceedings, regulatory matters or active complaints.

109. Where it is determined that there is no longer a reason to retain data, it will be destroyed, deleted or returned to the professional client (without further notice to the data subject) as soon as reasonably practicable after the data is marked for deletion.

110. Data held by other members of Chambers or the clerks will be reviewed every twelve months using the same principles.

Review of pupillage policy

111. Chambers' Pupillage Policy is reviewed at least annually, generally prior to the next recruitment round, but is liable to be changed at any time.

112. In accordance with paragraph 8 above, amendment to or replacement of this policy shall be made by decision of the Pupillage Committee, though no such change or replacement may be contrary to Chambers' other policies or Chambers' Rules.

113. This version was approved on 10 December 2018.