

Pupillage Brochure 2021

FOR PUPILS, SUPERVISORS, CHAMBERS
AND THE EMPLOYED BAR



Introduction

This brochure combines a suite of documents concerning the Pupillage Academy which is intended to be a charitable institution established and funded by the owners and directors of European Administration Ltd which trades as Clerksroom. The charity is supported by volunteers within Clerksroom and hopefully over time, the wider stakeholders within the barrister and legal profession.

The objective of the Academy is to:

- a. Create a scheme of excellence for training pupils in accordance with the four principles of the BSB Authorisation Framework;
- b. Provide a flexible and innovative approach to training;
- c. Remove barriers to entry for those who are currently underrepresented within the Bar;
- d. Provide pupils with the means and skills to practice as a barrister;
- e. Be able to provide the maximum possible number of pupillages at any given time;
- f. Collaborate with other interested parties ("Stakeholders");
- g. Lobby for positive change of the Authorisation Framework.



The Pupillage Academy is currently subject to BSB authorisation and is evolving quickly. Therefore, we will update this brochure when there are significant changes and otherwise will provide updates through our website and social media channels.

Index



Compliant Pupillage Guide

Allowing pupils to understand the obligations of all parties.



Assessment Process

A practical guide to our assessment process.



Strategy

How we plan to align with the BSB objectives around flexibility, accessibility, affordability and high standards.



Pupil handbook

Helping applicants to understand the Pupillage Academy approach and pupils to navigate their pupillage.



Pupil supervisor handbook

Informing applicants on the Pupillage Academy supervisory standards and guides to support a smooth relationship between pupils and supervisors.



Pupil stories

How some of our previous pupils from varying backgrounds have achieved success.



Compliant Pupillage Guide

SECTIONS

Introduction	4
Mini pupillages/work experience	4
Pupil supervisors	5
Fair recruitment	5
Advertising pupillages	6
Information provided to applicants	6
Written agreement	7
Offers	7
The "third sixth" myth	11

Introduction

As we have been developing the Pupillage Academy, it seemed to us that there was a lot of good quality supportive information around making your application and the interview process.

However, there have been a number of regulatory changes over recent years, some of them as recently as November 2020, and we felt it would be useful to provide guidance on some aspects of the regulatory requirements which Authorised Education and Training Organisations (AETOs) must comply with so that you can assess this as part of your decision-making process.

This brochure is by no means intended to be a repeat of or a replacement for the BSB Bar Qualification Manual (BQM). If you have the time to read and digest Part 4 of the BQM we encourage you to do so; this guide merely highlights what we thought may be the important considerations from the prospective pupil standpoint up to the point of securing pupillage.

Mini pupillages/work experience

Despite the term, mini pupillages are not regulated by the BSB unless they form part of an assessed process.

The BSB considers mini pupillages to be a good first experience of the Bar and encourages AETOs to make opportunities available as widely as possible to support equality of opportunity, including taking positive action to make mini pupillage opportunities available to groups that are underrepresented at the Bar.

Whilst they are not regulated by the BSB, AETOs still need to comply with the rules in the BSB Handbook, which state: there must be fair recruitment training for selection panels responsible for recruitment and the recruitment and the selection processes must use fair and objective criteria.

If you are required to undertake an “assessed” mini pupillage as part of the recruitment process, then the AETO must comply fully with the Equality and Diversity Rules in the Handbook. In addition, to ensure that the recruitment and selection process uses objective and fair criteria, if the completion of an assessed mini pupillage is made a condition for obtaining pupillage itself, then those assessed mini pupillages must be advertised through the Pupillage Gateway.

The AETO is required to keep records and details of the mini pupillage recruitment process for inspection by the BSB.

Pupil supervisors

The BSB has relaxed the eligibility criteria for pupil supervisors but at the same time has increased the requirements on AETOs to ensure that the appointment of pupil supervisor is a considered decision and that their pupil supervisor training meets specific outcomes.

The broad requirements of the outcomes are:

1. Familiarity with the most up-to-date regulatory requirements concerning pupillage.
2. Familiarity with the AETOs training programme, policies and processes relating to pupillage.
3. Understanding what makes and developing the skills to become an effective pupil supervisor.
4. Ensuring pupil well-being.

For more details of the Pupillage Academy approach to this, please see our Pupil Supervisor Handbook.

Fair recruitment

It will not be surprising to hear that the BSB requires AETOs to abide by the Equality Act 2010 in relation to the recruitment of pupils. This has been the topic of many discussions and publications in recent years. The only specific point we would like to add to this is to advise that the BSB requires that the recruitment and selection process use objective and fair criteria and that every member of all selection panels must be trained in fair recruitment and selection processes.

In addition, the BSB requires AETOs to provide evidence that they apply the principles of flexibility, accessibility, affordability and high standards to the recruitment process.

Advertising pupillages

A mandatory timetable came into effect on 1 November 2020 as well as a requirement for all pupillages to be advertised through the Pupillage Gateway operated by the Bar Council.

Clerksroom have made proposals and representations to the BSB about the intention to establish a charitable organisation which will hopefully, at least in part, stand outside of this timetable.

Further details can be found:

[The Pupillage Gateway](#)

[The BSB Mandatory Timetable for Pupillage Recruitment](#)

Information provided to applicants

The BSB requires that AETOs provide sufficient information in the advertisement and other supporting materials (for example on the AETO's website) to enable prospective pupils to understand:

- The AETO itself, e.g., the type of work that its barristers do, its size, location and culture;
- The number of pupillages available;
- The application process and deadlines, timing of interviews and the criteria that the AETO uses to assess applicants and decision dates;
- When (on their path to qualification) candidates can apply;
- The pupillage training programme and what to expect from a pupillage at the AETO;
- The pupillage award, including expenses and other costs of training that the AETO covers (and what it doesn't cover);
- Prospects at the end of pupillage and the process for applying for membership/tenancy/employment; and
- The practical impact of the AETO's equality and diversity policies.

Written Agreement

With effect from 1 May 2020, the BSB has required a written agreement to be in place between AETOs and pupils as well as requiring certain information to be provided when an offer of pupillage is made. An acceptance of an offer of pupillage gives rise to a legally binding contract for education and training in accordance with *Edmonds v Lawson* (2000).

Offers

In accordance with the BSB required outcomes AETOs should ensure that all offers in relation to pupillage state:

1. That they will promptly provide the pupil with all necessary assistance in complying with their regulatory obligations;
2. Pupillage funding arrangements;
3. That pupils must provide, prior to starting the non-practising period, clear documentary evidence that they have satisfactorily completed academic and vocational training components, are a member of an Inn, have obtained immigration visas where necessary and registered their pupillage with the BSB;
4. The notice period for the pupil to withdraw prior to starting the non-practising period;
5. Any conditions which must be fulfilled prior to the pupil starting the non-practising period such as specific requirements for achievement in vocational training; and
6. The date of commencement, length of the non-practising and practising periods and the date of expected completion.

The written agreement for pupillage must comply with the following outcomes required by the BSB:

1. The pupillage is conducted in a manner which is fair and equitable, including the fair distribution of training opportunities to the pupil.
2. Pupil supervisors are appropriately trained and registered with the BSB.
3. The pupil is covered by insurance for all legal services supplied to the public. If the pupil is covered by the insurance of a pupil supervisor, and there is more than one pupil supervisor at any one time, clarity as to which pupil supervisor's insurance covers the pupil.
4. The AETO and pupil supervisors promptly provide the pupil with all necessary assistance in complying with their regulatory obligations such as registering their pupillage with the BSB, applying for any necessary waivers, and obtaining a provisional practising certificate.

5. Throughout the pupillage, promptly notify the BSB of any material changes to the pupillage including any changes in dates or pupil supervisors.
6. Where a pupil ceases to be pupil at the AETO for whatever reason, provide the pupil on request with copies of their training records which apply to the period of pupillage completed.
7. The pupil is provided with copies of, or made aware of, how to access the following written policies:

- a. Absence from training policy;
- b. Complaints and grievance policy;
- c. Anti-harassment policy;
- d. Reasonable adjustments policy;
- e. Complaints and disciplinary policy; and
- f. Recruitment policy.

8. A written description of the training programme which enables the pupil to meet the competencies in the Professional Statement which is included as a schedule to the agreement. The following details should be included:

- a. The training the pupil will undertake in the non-practising and practising periods;
- b. The supervision arrangements that the pupil can normally expect in the non-practising and practising periods;
- c. The frequency of appraisals and performance reviews;
- d. The compulsory advocacy course, which the pupil must complete prior to starting the practising period (and, when mandated by the BSB, the compulsory negotiation course);
- e. (2021/22 academic year) the compulsory professional ethics examination which the pupil must pass prior to completing pupillage;
- f. The fact that the examination and first resit will be funded from the practising certificate fee;
- g. Whether the AETO will pay for the second or subsequent resets and the course of action to be taken if the pupil has not passed the examination/compulsory courses before the pupillage is due to be completed;
- h. Where a pupil will be undertaking a period of pupillage at another AETO, details of the other AETO, the length of the period of pupillage at the other AETO, what training the pupil will undertake, how the pupil will be supervised and assessed and arrangements for the pupil supervisor to certify that the period of pupillage at the other AETO has been satisfactorily completed;

Continued overleaf

- i. The course of action to be taken if, for an extended period of time, the pupil takes sickness or other absence from training or there is no appropriate pupil supervisor, and there is a risk the competencies in the Professional Statement will not be met. This will include notifying the BSB so that special provision can be made where necessary. This is to ensure that pupils who need to take sickness or special absence from training are treated fairly in relation to completion of pupillage;
 - j. The fact that when deciding whether an extension to pupillage is required, the key focus will not be on the period of absence but whether the pupil has met the competencies set out in the Professional Statement by the date of their completion;
 - k. How assessment against the competencies in the Professional Statement will be conducted at the end of the non-practising period; and
 - l. How final assessment against the competencies in the Professional Statement will be conducted at the end of the practising period.
- 9. A written process on the course of action to be taken if the pupil does not pass an assessment against the competencies in the professional statement at the end of the non-practising period or a final assessment against the competencies in the Professional Statement at the end of the practising period.
- 10. Pupil supervisors give the required notification to the BSB on satisfactory completion of a final assessment against the competencies in the Professional Statement.
- 11. The Pupillage Funding Rules are complied with. The agreement must:
 - a. Provide details of the minimum amount to be paid each month, whether this will be paid in advance or arrears, when/how this payment will be made and who within the AETO is responsible for ensuring that this is done;
 - b. Advise at the time the offer is made, where the pupillage is based and whether or not the London rate applies;
 - c. Provide details of the AETO policy on reimbursing expenses for travel and compulsory courses;
 - d. Provide that the AETO will pay the pupil for anything which because of its value warrants payment in addition to their pupillage award, or that the pupil is receiving a pupillage award or remuneration in lieu of payment for any individual item;
 - e. Provide that the agreed funding arrangements do not apply where a pupil is doing a period of pupillage at another AETO or ceases to be a pupil at the AETO for whatever reason; and
 - f. Set out who is responsible for any tax/National Insurance/VAT payments.

12. Set out the duties of the pupil as ensuring that:

- a. Prior to starting the non-practising period, provide clear documentary evidence to that they have satisfactorily completed academic and vocational training components, are a member of an Inn, have obtained immigration visas where necessary and registered their pupillage with the BSB;
- b. Throughout pupillage, they keep adequate training records as this will assist their final assessment against the competencies in the Professional Statement;
- c. Throughout pupillage, any necessary reduction or waivers from the BSB have been granted and the BSB is properly notified of any material changes to the pupillage;
- d. During the non-practising period, do not provide legal services as a barrister. The exception is doing a noting brief with the permission of their pupil supervisor, Head of Chambers or Head of Legal Practice;
- e. Prior to starting the practising period, they have registered with the Information Commissioners Office, been Called to the Bar and obtained a provisional practising certificate from the BSB; and
- f. During the practising period, they do not provide legal services as a barrister without permission of their pupil supervisor, Head of Chambers or Head of Legal Practice.

13. The agreement should also state:

- a. The required notice period for the pupil to withdraw from the pupillage prior to the pupil starting the non-practising period;
- b. Any conditions which must be fulfilled part of the pupil starting the non-practising period such as a required achievement in vocational training;
- c. The date of commencement, length of the non-practising and practising period and the date of expected completion;
- d. The name of the pupil supervisor who will supervise the pupil at the commencement of the non-practising period, together with the contact details for the pupil supervisor and any others within the AETO with responsibility for pupillage;
- e. Any minimum hours required of a pupil in relation to their education and training, whether a pupil may be expected to do additional hours in relation to their education and training; and
- f. The required notice period for the AETO or the pupil to withdraw during pupillage. If the AETO withdraws during pupillage, no longer wishes to be authorised to take pupils or is no longer authorised to take pupils, the AETO must promptly notify the BSB and use their best endeavours to identify another AETO where the pupil or pupils can complete their training.

The “third sixth” myth

The BSB state that some AETOs offer, or indeed require barristers to complete, so-called “third six pupillages” prior to tenancy. These are not part of the regulated period of pupillage and the term “third six” has no status in the BSB regulations. For this reason, the BSB discourage use of the term. The term is commonly used to cover various arrangements that are effectively probationary periods prior to tenancy.

The BSB requires AETOs to be clear when advertising and offering pupillage whether they expect pupils to complete an additional period of training, assessment or probation on completion of pupillage before tenancy or employment is decided.

Arrangements should be set out in a written agreement or policy detailing what is expected of both parties after pupillage, and during and after the additional probationary period, including:

- Training requirements during the period.
- Assessment criteria for tenancy/employment.
- Supervision or mentoring arrangements.
- Whether or not there are guaranteed earnings.
- Whether or not the individual has voting rights in chambers.
- Reference to any other relevant policies.

The BSB states that to avoid confusion with the regulated status of pupillage, the term “Third six pupillage” should not be used. There are sometimes legitimate reasons for extended training after pupillage has been completed and the BSB state that it is important to distinguish this from a probationary period for tenancy. Examples of the how the BSB consider the matter to be addressed are:

- An AETO may need new barristers to acquire some of the specialist skills relevant to chambers’ practice area. That would be addressed through CPD.
- An AETO may want time to determine whether the applicant is going be suitable as a tenant, i.e., a probationary period during which they will be assessed on certain (hopefully defined) criteria.

We consider that the BSB has introduced this guidance to provide transparency for pupils and ensure that there is a clear distinction between:

- Pupillage which is a regulated relationship leading to the issue of a full practising certificate once the supervisor and AETO is satisfied that the pupil has met the competencies in the Professional statement;
AND
- Any contractual relationship between Chambers/entities/employers after the barrister has received their full practising certificate.

The contractual relationship should require no regulatory oversight other than ensuring that the agreements do not breach the provisions of the BSB Handbook.



Our Assessment Process

SECTIONS

Introduction	13
Stage one	13
Stage two	14
Stage three	14
Stage four	14
Stage five	14

Introduction

The Pupillage Academy recognises that access to pupillage is one of the biggest barriers to increasing diversity at the Bar and prides itself on ensuring that we work towards reducing those barriers rather than contributing towards them.

In order to comply with the BSB regulatory requirements, our recruitment process has to:

- Be compliant with the statutory requirements in the Equality Act 2010.
- Use fair, effective and objective criteria.
- Avoid unconscious bias.
- Increase opportunities for social mobility for those who have the potential to succeed.
- Provide evidence of how we support pupils to develop and demonstrate the competences in the Professional Statement.

Stage one

In order to meet these commitments, we strongly believe we have to go further than the requirements in the Equality Act 2010 and therefore, this first stage will not ask for any personal data or details which would:

- Identify any of the 9 protected characteristics in the Equality Act 2010.
- Provide information on current personal circumstances or personal history.
- Provide information on educational background.

You will be invited to complete a questionnaire (which should take between 60 – 90 minutes) on an anonymous basis which focuses purely on the competencies in the Professional Statement. Once you have completed the questionnaire, you will be provided with a unique reference number which you should retain for stage 2 and possible future reference.

If you decide at the completion of stage one that you do not wish to apply to the Pupillage Academy at this point in time, then there is no obligation to move onto stage two. However, we would recommend retaining your unique reference number which may be useful for future interactions with the Pupillage Academy.

Stage two

After completion of the questionnaire and receipt of your unique reference number, if you wish to submit an application to the Pupillage Academy, we invite you to click on the Apply Online link within our advertisement in the Pupillage Gateway which will take you to the online application form.

Stage three

During the period mandated by the BSB, we will sift through applications, shortlist applicants and conduct interviews. We guarantee to interview, as a minimum, the top 10 scoring individuals who completed stage one.

Stage four

On the day mandated by the BSB, we will make offers through the Pupillage Gateway system.

Stage five

If offers have not been accepted by the date mandated by the BSB, 2nd round offers will be considered and made within a reasonable time period.





Strategy

SECTIONS

Governance	16
Overall strategy	16
Culture	17
Compliance with the four principles	18
Equality, diversity and inclusion	21
Continuous improvement	22
Pupil recruitment	23
Guidance and outreach	28
Record keeping	29

Governance

The Board has overall responsibility for The Pupillage Academy. The Pupillage Team is responsible for development, management, monitoring and review; the team consists of the Pupillage Manager, Pupillage Administrator and a group of volunteers who span across the Clerksroom organisation.

Clerksroom has made a proposal to the BSB concerning the future of Bar Pupillage Training and the establishment of a charitable Pupillage Academy. Subject to BSB approval, this would be an entity separate and independent of Clerksroom with its own governance arrangements. For more details:

[The Pupillage Academy](#)

Overall Strategy

The Pupillage Academy ensures compliance with the four principles contained in the BSB Authorisation Framework. How we aim to achieve that is more particularised below.

Our strategy aims to align with the BSB objectives of:

- Encouraging the provision of more **flexible** routes to qualification;
- Promoting increased **accessibility** to training for the Bar;
- Considering and inviting proposals that address the **affordability** of bar training; and
- Ensuring that the training for the Bar offered by us is of a **high standard**, meeting the needs of students and pupils, the legal profession and the consumers of legal services.

We take seriously the request by the BSB in the Authorisation Framework for us to acknowledge any significant tension between the principles, and to provide a rationale for how we have achieved an acceptable balance between the principles. This has been considered further below and we believe it is our responsibility to highlight where, in our view, the regulatory regime contributes to this tension.

An integral part of our overall strategy is to engage and collaborate with other interested parties/stakeholders. If the BSB approves formation of the Pupillage Academy then during the development stage, one of the first steps will be to consult with stakeholders, in particular future pupils, current pupils, recent practising barristers, existing and prospective pupil supervisors and potential membership and employment organisations.

Significant time and resources will be invested in the development of software, the first stage of which will be a User Engagement Specialist.

Culture

The Pupillage Academy prides itself on a simple objective of creating a pleasant environment and a culture where barristers and clerks work together to provide legal services, in a way that guarantees the consistent delivery of a high-quality, cost-effective service which is accepted as a beacon of efficiency.

We value our people and naturally, this includes pupils, who we see from day one as prospective members of the exceptional Clerksroom team. Our culture has taken years of continuous hard work to develop and build and we are constantly trying to exceed expectations.

Whilst we have great respect for the history and tradition of the Bar, we have structured ourselves differently as we see it as our duty to ensure that these traditions evolve through the use of independence, great client care and the innovative use of IT. This is why we look for exceptional, forward-thinking professionals to join our unique and outstanding business. Therefore, when it comes to pupils, we believe it is important to identify those who will not only be a great asset to the profession but who will also help that evolution by ensuring that those delivering legal services reflect society.

We also consider it important to nurture pupils' innate talent and skills so that on completion of their pupillage, we can without hesitation, invite them to join our team. Some of the ways in which we achieve, this includes: ensuring that we provide a flexible and accessible learning environment, take seriously issues of well-being, provide clarity of expectations and encourage high standards of performance and professionalism.

Our full Culture Statement can be found: <https://www.clerksroom.com/our-culture>



Compliance with the four principles

| Flexibility

Wherever possible, The Pupillage Academy will take advantage of technology and collaboration to develop innovation in the pupillage learning experience, whilst supporting flexibility.

The overall strategy set out above, supports our commitment to the flexibility principle in that our aim and philosophy is to provide pupillage to those who have, thus far, had difficulty in obtaining pupillage despite the quality of these candidates (as ultimately evidenced by the waivers and pupillage reductions awarded by the BSB). This strategy also has the benefit of demonstrating commitment to both the accessibility and affordability principles.

We believe that practical evidence of our approach to flexibility can be shown by our support to students and individuals during the current pandemic. We have helped around 18 individuals who have been stuck in the system with delayed exams, results, offers, partial pupillages, international visas, and have handled hundreds of advice calls with frightened students about to complete the course. This was a voluntary service and pro bono advice formed a necessary part of it. Case studies from some of the individuals concerned support this.

In addition, we have confirmed to the BSB that we will do our best to help anyone in need in accordance with our ethos; for example, anyone who needs a “rescue pupillage” or an international student with Visa requirements meaning that they cannot wait; as would be required in line with the BSB mandatory timeline.

Unfortunately, one of the significant barriers we face in relation to our approach to the flexibility principle is the current mandated timetable as this significantly stifles our ability to provide the support where and when it is needed. We have demonstrated above the value of this approach and we have evidence in support. We believe that the introduction of the mandated timetable hinders, rather than promotes, flexibility.

On a more practical note, we make extensive use of technology to support the experience of clients and members which significantly enhances flexibility. This approach means that pupils can also benefit from our very flexible approach in terms of how, what, when and where they train. Our pupils have an integral role in establishing and agreeing their Training Plan which allows them to practice their negotiation skills in agreeing a plan which supports the needs around flexibility. More details can be found on this in the Pupil Handbook.

| Accessibility

The Pupillage Academy is committed to supporting the regulatory objective which is to ensure that access to training for the Bar is open to all on an equal basis (while protecting high standards). Where the Academy identifies barriers to entry for those who are currently under-represented within the bar, it will use its best endeavours to lobby the regulators for necessary change. In particular, The Academy takes pride in supporting students and pupils to complete their education when faced with difficulty and adversity. The Academy places significant value on pupils as future practising barristers and members, who have gained experience outside of the training environment which will enhance their ability to contribute to a diverse profession and increase access to justice for all.

The Board which includes the Managing Director and Head of Chambers has actively and ceaselessly worked to develop this strategy and turn it to reality. This includes extensive discussions with regulators and other stakeholders including lobbying regulators for positive change.

Under guidance from the Board, the Pupillage Team are in regular discussion and there is a specific Microsoft Teams channel dedicated to pupillage and the development of the Pupillage Academy. The members of this team (some of which are volunteers) encompasses clerks, location managers, experienced barristers, new practising barristers, pupils and compliance officers. Subject to BSB approval, as the Pupillage Academy is built, a structured oversight strategy will form part of the development.

| Affordability

The Pupillage Academy considers that the principles of affordability and accessibility are intrinsically linked, particularly when related to pupillage. The impacts of this connection are:

1. Traditionally, the Bar has difficulties in ensuring socio-economic diversity. This can often mean that individuals from a more diverse socio-economic background find it difficult to obtain pupillage within the prescribed five-year period. Those determined individuals use their transferable skills to gain experience which in many instances results in them at least partially developing the competencies in the Professional Statement. The BSB recognises this in its system for pupillage reduction but there is a gap in system allowing them to become practising barristers.
2. There seems to be a continuing strategy by many organisations offering pupillage to offer significantly enhanced awards albeit to much fewer students. The Academy believes that this strategy has a negative impact upon accessibility. It has the consequence of placing an indirect restriction on the numbers entering the profession. This is contrary to the statutory guidance of the Legal Services Board as set out at Outcome 5 of Legal Services Board: Guidance on regulatory arrangements for education and training.

In an attempt to mitigate these impacts, The Academy maintains the monetary financial award for pupillage at or near the minimum mandatory level and enhances its award by providing practical resources, skill development and support which does not have a strict financial value. In this way, more pupillages can be facilitated.

In addition to “standard” pupillage offers, The Academy wishes to prioritise offers of pupillage to individuals who have applied for and secured a pupillage reduction. The benefits of doing this mean that as well as significantly contributing to the diversity of the Bar, we gain assurance from the BSB of the additional certificate of confidence and quality, as approved by the BSB. We have case studies highlighting the success of the Academy’s strategy in this area which we believe shows how this approach strongly supports each of the four principles in the Authorisation Framework.

One barrier to this approach is the requirement from the BSB that an individual should secure a pupillage prior to making an application for a reduction in pupillage. We consider that this places the pupil at risk of failing to complete their education and training both on a practical and psychological basis. In our view, the existence of a reduction in pupillage makes the individual a more attractive proposition for the reasons set out above.



| High standards

The Pupillage Academy has a strategic commitment to high quality training and ensures compliance with appropriate regulatory requirements and standards prescribed by the BSB and other relevant regulators. The practical translation of this is the development of a robust training programme as well as careful and objective selection and training of pupil supervisors. These programs are enhanced by structured feedback and appraisals in addition to objective monitoring, review and auditing. A well-defined policy of continuous improvement is adopted as well as maximum use of technology which has been well thought out and developed. This technology is balanced against human interaction so as to provide every pupil with an equal and effective opportunity to develop and demonstrate the competencies in the Professional Statement.

The Academy has made effective use of the Professional Statement mapping guide within the BSB Curriculum and Assessment Strategy to develop our training programme and overarching strategy for the development of the Pupillage Academy curriculum, assessment, monitoring and review processes needed.

When developing our training programme, we have ensured that the methods of assessment and appraisal are fair and objective, that there is transparency of these methods and procedures and that they are consistently applied to all pupils.

Our pupil supervisor training as well as the technology supporting the training programme ensures fairness, objectivity and consistency.

Equality, Diversity and Inclusion

The Academy has a detailed and robust suite of policies around equality, diversity and inclusion as well as a team of Clerksroom volunteers whose focus as the Equality and Diversity Group is to actively manage and monitor compliance with these principles. The policies are readily available on our website.



Continuous improvement

Continuous improvement forms an integral part of the Academy's approach: monitoring, analysis and improvement have been one of the mainstays of our continued success.

Appraisals, assessments and feedback are reviewed by an independent party (which may be the Head of the Pupillage Management Team, a member of the team delegated or an independent auditor) to ensure that high standards are maintained, that a consistent approach is being taken and for purposes of continuous improvement. Any matters arising from the independent review are discussed with the affected parties as well as with the Pupillage Management Team.

As a minimum, all formal three-month assessments are reviewed as part of this process. In addition, criteria for independent review and audit will be developed taking into account the following factors:

- The number of pupils at each stage of pupillage;
- The experience of the pupil supervisors;
- The results of previous reviews;
- Any reduction in pupillage secured by the individuals; and
- Any complaints, regulatory breaches, misconduct or grievances raised.

It is important that, if a pupil/supervisor relationship is not working well, the AETO recognises this and puts alternative arrangements in place. In such circumstances, an independent review of the Training Plan and interactions will take place, the outcome of which will be fed into the continuous improvement process. In addition, the affected parties will be fully informed of the outcome of the review.

A formal review of the Pupillage Academy Strategy will take place at least annually, the criteria being compliance with the four principles in the BSB Authorisation Framework together with any further guidance given by the BSB from time to time, in order for us to evaluate performance and compliance.

If the Pupillage Academy model is approved by the BSB, this will mean that robust quality assurance and continuous improvement procedures and processes need to be in place to protect the regulatory outcomes, integrity of the Pupillage Academy and most importantly, the pupils. It is proposed that any chambers or entity who wish to offer pupillages through the Pupillage Academy must:

1. Pass an initial quality assurance check in relation to systems, policies, and culture. Assessments will have standard objective criteria which will be published in the interests of openness and transparency.

2. Commit to and actively use the established Pupillage Academy online processes and systems to recruit, manage and develop pupils and pupil supervisors.
3. All pupil supervisors must undergo appropriate training through the Pupillage Academy or associated and approved courses.
4. Undergo regular continuous improvement audits.

Pupil recruitment

| Fair Recruitment

The Pupillage Academy understands the importance of the Equality Act 2010 in relation to recruitment of pupils and will ensure that our Equality, and Inclusion Policy and subsidiary policies are applied in relation to the recruitment of pupils. In particular, section 47 of the Equality Act 2010 provides specific provisions that directly apply to all of our members and staff which prohibits discrimination against pupils (and others) and requires us to make reasonable adjustments.

The Academy recognises that access to pupillage is one of the biggest barriers to increasing diversity at the Bar and prides itself on ensuring that we work towards reducing those barriers rather than contributing towards them.

We will ensure that our recruitment and selection processes use objective and fair criteria. In accordance with our Diversity Data Policy, we will review our pupillage recruitment data on at least an annual basis and make any appropriate changes which we deem necessary in order to ensure continuous improvement.

Subject to BSB approval of our proposal, one of the ways in which we hope to support innovation and alternative pathways to qualification is to accept applications for pupillage from established solicitors or other professionals who wish to transfer to the Bar. These may be made in the usual pupillage applications round or, for candidates who are not required to undergo a 12-month pupillage, they may be made at any time of year.

We look for strong academic qualifications or some clear indication of academic ability in applicants. Other important qualities include the ability to communicate clearly, both on paper and orally, confidence (without intellectual arrogance), friendliness, interest in detail and a desire (and ability) to work hard.

Subject to BSB approval of our proposal, in compliance with the flexibility principle of the BSB Authorisation Framework, we have no specific number of pupillages and remain flexible depending on available pupil supervisors and funding.

As part of our commitment to the accessibility principle, we ensure that constructive feedback is provided to unsuccessful applicants. We ensure that our Pupillage Recruitment Team are trained in all aspects of fair recruitment and selection as set out in our Equality, Diversity and Inclusion Policy.

We note that the BSB requires AETOs to strike an appropriate balance between the key principles of High Standards and Accessibility. Our approach to providing “non-standard” pupillage ensures that this balance is maintained with the invaluable input from the BSB into the process through the pupillage reduction application system.

| **Selection criteria**

In order to ensure that our selection process and criteria promotes equality diversity and inclusion, we will regularly challenge ourselves and conduct engagement with all stakeholders, particularly students, prospective pupils and existing pupils. The BSB set out the following examples of steps which can be taken which we consider as part of our challenge and engagement:

1. Review the content of our website to ensure that it conveys inclusiveness and accessibility.
2. Constructively consider the selection criteria at each stage of the selection process and consider whether the criteria may give rise to any inherent bias and robustly demonstrate how the criteria helps to objectively demonstrate potential.
3. Consider publishing the selection process and criteria ahead of recruitment to provide transparency.
4. Consider how we can ensure objective and consistent application of the criteria.
5. Use the competencies in the Professional Statement as the basis for our selection criteria and questions at each stage of the process. This ensures that applicants are given every opportunity to demonstrate their potential.
6. Use “blind” applications, meaning that the applicant’s name, age, school and university are not visible to the selection panel.
7. Regularly assess the weighting of our selection criteria to ensure it does not create a barrier to diversity.
8. Introduce flexibility to our academic selection criteria and apply a “contextual recruitment” approach to boost social mobility and ensure we do not overlook promising talent.
9. Not limit applications to those who have completed unpaid mini pupillages. Explore other ways that applicants can demonstrate interest in, or aptitude for a career at the Bar.
10. Provide equal opportunity to those who have not undertaken a law degree.

11. Ensure that sufficient notice of interviews is given to enable candidates to make appropriate arrangements.
12. Do not hold interviews at times when potential applicants are likely to be preparing for and sitting exams.
13. Consider when it is appropriate to offer and make reasonable adjustments.
14. Consider offering to cover travel expenses through a clear written policy.
15. A recruitment group to make joint decisions to increase objectivity.
16. Keep a record of all decisions taken with reasons so that these can be reviewed by the Equality and Diversity Officer.
17. Ensure that we provide practical feedback to unsuccessful candidates.
18. Wait until the last stage of recruitment to request or rely on references from third parties.
19. Collect, analyse and act on equality and diversity data from the selection process on a regular basis.

In accordance with section 60 of the Equality Act 2010, our selection criteria do not include pre-selection questions of applicants about their health or disability, save in very narrow circumstances.

We are permitted, in certain circumstances, under section 159 of the Equality Act 2010 to undertake positive action. The circumstances in which we would undertake such action would be following a review by the Board of our diversity data in relation to pupillage and a detailed strategy created explaining the reasonings, the hoped-for outcome and monitoring.

| Non-standard recruitment

As set out above and subject to BSB approval of our proposal, we hope to undertake non-standard recruitment which, so far, has developed organically as a consequence of our natural desire to help and support those who have had difficulty in securing pupillage through the standard route despite having significant skills and experience which will enhance the profession.

We are transparent about the fact that there is also a commercial factor which we consider in supporting individuals in this position given that the applicant frequently has a reduction in pupillage or the appropriate skills and experience to secure one. This results in a valuable and considerable saving on the pupillage award which in turn allows us to help more individuals.

The added benefit of this is that the High Standards principle of the BSB framework is taken into account at this stage given that the BSB have highly skilled people looking at the applications for pupillage reduction and if they deem an application suitable, it comes with an additional certificate of confidence and quality, as approved by the BSB.

This approach has been recognised by many outside of Clerksroom including the BSB who have signposted particular individuals to us for exactly this support: this has only increased during the pandemic.

Our objective is to take what has so far worked successfully as an organic and active development and build this into a proactive Pupillage Academy which fits neatly into the four principles in the BSB Authorisation Framework.

| Advertising

In accordance with the Bar Qualification Manual and our conditions of authorisation, we will ensure that all vacancies for pupillage (including assessed mini pupillages) are advertised on the Pupillage Gateway to ensure equality of opportunity.

In this first year, we will administer the application process through the Pupillage Gateway. Our reasons for doing so is to support the Bar Council and BSB initiative and to use the tool to explore its potential for future use in conjunction with any Pupillage Academy systems we design should the BSB approve our proposal.

Subject to any waivers we may be granted and subject to BSB approval of our proposal, we will adhere to the mandatory timetable specified by the BSB. We will ensure that each stage of the advertising and recruitment process takes place in accordance with the published timetable.

| Information provided to applicants

The Pupillage Academy ensures that it provides sufficient information either directly in the advertisement or signposts where information may be found so that students and prospective pupils can understand:

- The history and culture of Clerksroom and the Pupillage Academy including the type of work undertaken, size and location;
- The number of pupillages available;
- The application process and deadlines, timing of interviews and the criteria that we use to assess applicants and decision dates;
- When (on their path to qualification) candidates can apply;

- The pupillage training programme and what to expect from a pupillage at the Pupillage Academy;
- The pupillage award, including expenses and other costs of training that the Pupillage Academy covers as well as what we don't cover;
- The prospects at the end of the pupillage and the process for applying for membership; and
- The practical impact of our equality and diversity policies.

| Recruitment training

We will ensure that every member of all selection panels is trained in fair recruitment and selection processes. The training will incorporate the following:

- Fair and effective selection and avoiding unconscious bias;
- Attraction and advertising;
- Application processes;
- Shortlisting skills;
- Interviewing skills;
- Assessment and making a selection decision; and
- Monitoring and evaluation.

Ideally, training will take place on a face-to-face basis or if this is not possible, group remote training will form an important part of the training as this has been found to be more effective by the BSB, particularly in relation to aspects such as unconscious bias.

| Credential Checking

The Academy will exercise due diligence in ensuring that applicants meet the mandatory and other requirements. We will carry out checks to ensure the following:

- The academic and vocational training components have been satisfactorily completed in the five-year limit;
- The pupil is a member of an Inn;
- The pupil has been Called to the Bar;
- Any necessary immigration visas have been obtained;

- Any necessary Waivers have been granted by the BSB; and
- Any other factors which we have made a specific condition of the offer.

If as part of this process we become aware of any dishonesty, this will be reported to the BSB and to the Inns of Court in accordance with our regulatory obligations.

Guidance and outreach

As an organisation, the Pupillage Academy takes full advantage of working in a virtual environment. In line with this, we undertake a significant amount of guidance and outreach through social media: posting numerous messages daily including sharing with our followers, all pupillage opportunities which have been posted to the Pupillage Gateway. Analysis has shown us that this has proved a successful way to engage with law students and prospective pupils. This has also generated support from a good number of other individuals and organisations including practising barristers working outside of Clerksroom, solicitors, legal educators and other individuals involved in legal services education and delivery.

We also support a range of different charitable causes which raises the profile of the profession. The most recent of these was inviting contributions from the profession and clients and match funding those contributions to purchase laptops for disadvantaged and “in need” children.

As mentioned elsewhere, the Pupillage Academy shows a particular interest in supporting individuals who already have, or have the experience to obtain, a reduction in their pupillage. Part of the reason for this is that our experience and research show us that these individuals are often most likely to have experiences and qualities which will increase and enhance equality and diversity in the profession.

In addition, many of our individual members and our staff undertake outreach activities in their own right.

On a practical level, our website contains up-to-date links to all of the appropriate resources for law students and prospective pupils. The accuracy of this information is monitored on a regular basis.

Subject to BSB approval of our proposal, as the Pupillage Academy will be a charitable organisation, we will invite ideas and explore with all stakeholders how we can use our status and IT infrastructure to support additional and increased outreach including with the wider community to encourage those who are currently under-represented at the bar to consider it as a career.

Record keeping

In accordance with BSB requirements, we will maintain the following data and records for at least five years and provide them to the BSB on request for supervision or research purposes:

- Training records for pupils.
- Training outcomes for pupils.
- Training record for pupil supervisors.
- Training record for recruitment panel members.
- Recruitment records (advertisements, application process, selection criteria and assessed at records).
- Pupillage agreements.
- Diversity data for pupils and the action that we have taken following review of data.
- Complaints/grievances with our analysis and action taken.
- Pupil feedback, analysis and action taken.
- Policies related to pupillage.



Pupil Handbook

SECTIONS

Introduction & welcome	31
Practical progression of regulatory matters	32
Pupil responsibilities	35
Pupillage funding	37
Induction	39
Working hours, holidays and sickness	40
Flexible working	40
Curriculum, development and progression	41
Training plan	43
Monitoring and evaluation	43
Assessment / appraisal	44
Consistency of assessment	45
Feedback	45
Wellbeing	46
Misconduct and grievances	47
Transfer of pupillage	48
Secondments	48
Compulsory courses	50
Public access training	50
After pupillage	50

Introduction & welcome

This handbook is intended to be a useful guide for pupils to use throughout their pupillage which will help them to understand the process, responsibilities and track their progress. As we take a continuous improvement approach, we welcome any suggestions for additional content.

The Pupillage Academy welcomes you to the start of your journey as (most likely) a self employed barrister. We consider that this is an important distinction to make so that you recognise from the outset that you are responsible for developing and creating your own future business.

Naturally, the Pupillage Academy as a charity and its pupil supervisors as volunteers are here to support you in developing and meeting the competencies in the Professional Statement. We look forward building a relationship for the future as well where in time, you will volunteer to become a pupil supervisor.

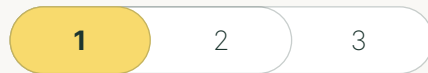


Your
development



Practical progression of regulatory matters

So long as you have been Called to the Bar, you may use the title “Pupil Barrister” whilst undertaking your pupillage.



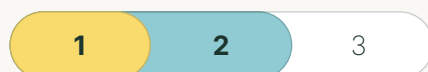
| Non-practising period

You are not permitted to accept any client instructions during the non-practising period, except for noting briefs where you have the express permission of your pupil supervisor or Head of Chambers.

As a pupil in the non-practising period, you may provide unreserved legal services in any other capacity outside of your pupillage. You may provide pro bono advice or undertake voluntary work for appropriate organisations. However, in this instance, you should not describe yourself as a barrister or a pupil barrister and should follow the rules and guidance for unregistered barristers in the BSB Handbook.

As a pupil, you may take part time work with the permission of your pupil supervisor, provided it does not materially interfere with your training. Such experience may usefully form part of your training programme, enabling you to meet the competences in the Professional Statement that may otherwise be difficult to achieve within the Academy.

It is your obligation to submit a certificate from your pupil supervisor to the BSB at the end of your non-practising period certifying satisfactory completion.



| Practising period

Once your Provisional Practising Certificate has been granted, you must provide this to your pupil supervisor who will ensure it is satisfactorily registered. At this stage, if your practising Training Plan has not already been drafted and agreed, you should make appropriate arrangements with your pupil supervisor.

In order to undertake the practising period of pupillage, you must be Called to the Bar. You are entitled to supply legal services and exercise rights of audience provided that you have our permission and that a provisional practising certificate has been issued by the BSB.

At this stage, you may accept client instructions so long as you hold a valid provisional practising certificate.

As a pupil in the practising period, you may provide unreserved legal services in any other capacity outside of your pupillage. You may provide pro bono advice or undertake voluntary work for appropriate organisations. However, in this instance, you should not describe yourself as a barrister or a pupil barrister and should follow the rules and guidance for unregistered barristers set out in the BSB Handbook.

You may take part time work with the permission of your pupil supervisor, provided it does not materially interfere with your training. Such experience may usefully form part of your training programme, enabling you to meet the competences in the Professional Statement that may otherwise be difficult to achieve.

In the practising period of pupillage, you may supply legal services at a designated Legal Advice Centre on a voluntary basis, provided you do not receive any fee or reward for your services, and you do not have any financial interest in the venture or any of the circumstances where you deliver services.

If, as pupil in the practising period of pupillage, you intend to accept instructions in Youth Courts, you must register this activity with the BSB. All barristers, including pupil barristers, must declare that they have the specialist skills, knowledge and attributes necessary to work effectively with young people, as set out in the [Youth proceedings competences and guidance](#). It is important to remember that by declaring yourself as intending to do the work, you are declaring that you meet the requirements set out within the competences. This does not mean that you are competent to undertake any case in the Youth Court, simply that you meet the competences as they apply to the cases in which you are likely to be instructed.

1

2

3

| Completion of training

Upon completion of pupillage, it is your responsibility and privilege to apply for a Full Practising Certificate.

Clerksroom do not require so-called “third six” pupillages. If your circumstances are such that (for whatever reason) you are not ready to receive your Full Practising Certificate at the conclusion of 12 months (or the part-time equivalent), this will have been addressed with you during your pupillage and arrangements made with you to support achievement of the competencies in the Professional Statement and an application made to the BSB for an extension of your pupillage as we are obliged to inform the BSB.

An arrangement for an extension will naturally have to be agreed by both the Pupillage Academy and the pupil and it should be noted that there is no obligation imposed on us by the BSB to provide such an extension. However, the Pupillage Academy is committed to carrying out its best endeavours to support pupils in achieving the competencies in the Professional Statement. We can only follow through with this commitment if there is equal determination and effort from the pupil.

Therefore, there is no need for the probationary period (as generally intended by “third six” pupillages) in relation to membership of Clerksroom.

At the conclusion of your pupillage, you will be invited to apply for membership of Clerksroom using the same process and on the same terms as any other person eligible to apply which can be found here: [Join us](#)

We would hope that your pupillage was a good experience and as such, that you wish to join the Clerksroom team.

Pupil responsibilities

Our expectation of all pupils is that they will be professional at all times and ensure that they communicate in a concise and clear manner including with your pupil supervisor, the Pupillage Academy, the clerking team, lay and professional clients and other professional interactions. In our considerable experience, this approach is key to building your reputation in the legal profession and can make the singular difference as to whether a barrister develops a successful practice or not.

Before starting any period of pupillage, you must apply to the BSB for registration of the pupillage by submitting an application on a form prescribed by the BSB. You should ensure that your registration form is submitted at least two weeks prior to commencement of your pupillage, if possible.

The timing of this is important because if you apply for registration of a pupillage to the BSB after the pupillage has started, the pupillage will be treated as having started on the date the application is received, unless the BSB permits otherwise.

You must provide the name of your designated pupil supervisor and the commencement date of your pupillage.

If any of the information provided in an application for registration of the pupillage changes before the pupillage has been completed, as a pupil you must promptly notify the BSB in writing of the change using the BSB prescribed form.

The declaration must be signed by the Head of Chambers or other person authorised by the Head of Chambers.

Pupils must understand their responsibilities to be insured, comply with the Data Protection Act and manage their personal tax obligations. The BSB handbook states that you must:

- Ensure that you have adequate insurance, taking into account the nature of your practice, which covers all the legal services you supply to the public; and
- As a BSB authorised person, in the event that the BSB stipulates a minimum level of insurance and/or minimum terms for the insurance which must be taken out, you must ensure that you have put in place within the time specified in such notice will insurance meeting such requirements as apply to you.

As a pupil, you will be covered by your pupil supervisor's Bar Mutual Indemnity Fund ("BMIF") insurance for work performed during pupillage. However, it is your responsibility to ensure that this is the case.

Once pupillage ceases, you must apply immediately to the BMIF for your own cover for legal services offered in self-employed practice. If you become an employed barrister, you should ensure that your employer has appropriate professional indemnity insurance in place for you.

As a self-employed practising barrister, you are a data controller. As such, you are required to comply with the Data Protection Act 2018 if you process personal data. When registering as a data controller with the Information Commissioners Office, you are required to pay a data protection fee unless you are exempt.

As a pupil, you should become familiar with your tax requirements, including VAT and National Insurance, for self-employed practice.

Guidance on all of these matters is provided by the Pupillage Academy during your pupillage and further information is available on the Bar Council website.



Pupillage Funding

Clerksroom's strategy in relation to pupillage funding is to deliberately maintain the strict financial payment at the level mandated by the BSB so that we can offer the most pupillages possible. In addition to the strict financial payment, we offer valuable resources which we believe offer an incomparable enhancement to the pupillage award.

First of all, it's important to clarify that as a self-employed individual, you are not paid a salary or on a "PAYE" basis. The Pupillage Academy as an AETO and charitable organisation is either funding or facilitating from another Chambers or BSB entity, an award or grant (which is tax free) mandated by the BSB.

The provisions below will apply across-the-board unless Clerksroom have made an application for a waiver from the pupillage funding requirements. Such circumstances will be in agreement with any relevant pupil, who will be fully aware of the circumstances and their pupillage agreement will reflect their particular circumstances.

The minimum pupillage award is set annually by the BSB, having regard to the Living Wage Foundation's hourly rate recommendations the annual increase applies from January each year to all pupils, regardless of when they started pupillage. Monthly payments to pupils will be adjusted accordingly.

Clerksroom will ensure that all pupils are paid no less than the minimum amount specified by the BSB from time to time.

Minimum monthly payments to pupils are mandatory but flexibility is permitted to allow upfront payments. Clerksroom will consider this on a case-by-case basis upon request by a pupil.

In the practising period, we will cover the difference between a pupil's earnings and the minimum monthly amount.

In the practising period, Clerksroom are permitted to recoup some or all of the payments made during the practising period of pupillage from earnings the pupil receives over the minimum amount up to the amount that we have funded. This is only permissible provided the pupil earns at least the monthly minimum amount.

Under no circumstances will Clerksroom profit from any pupillage.

Clerksroom will not seek or accept repayment from a pupil of any of the sums paid in relation to the pupillage, whether before or after they cease to be a pupil of Clerksroom, save in the case of misconduct on their part.

Clerksroom members will pay any Chambers pupil for any work done for them which because its value to them warrants payment unless the pupil is receiving an award or remuneration which is paid on terms that it is in lieu of payment for any individual item of work.

| Travel expenses and training courses

We will also pay such further sums as may be necessary to reimburse expenses reasonably incurred by you in relation to:

- Travel for the purposes of pupillage during that month unless the travel expenses were incurred for the purpose of practice as a barrister (for which fees will be received); and
- Attendance during that month courses which they are required to attend as part of their pupillage.

| Resources

In addition to the pupillage award, given that Clerksroom are recognised leaders in innovation and quality, pupils will be provided with practical and invaluable resources which will not only serve to enhance the learning experience but will allow them start developing the “business of being a barrister” from day one.

We are constantly developing and adding to our resources, and for now they comprise of:

Online tools and modules to monitor your own performance against the competencies in the Professional Statement.

An integrated suite of the most up-to-date Microsoft365 package.

Chambers365 case management system.

Xero book keeping software.

Full access to all products in the Lexis Nexis digital library.

An IT support desk.

Clerksroom Operations Manual which contains valuable guidance which supports maintaining individual compliance and business development.

My clerksroom intranet access with many easy to navigate resources as well as the opportunity to contribute towards Clerksroom continuous improvement.

Induction

The Pupillage Academy induction process will introduce you to key people in the organisation, explain how it operates, type of work undertaken, how training is organised and how pupils are assessed.

Once you have accepted your offer to join Clerksroom, and ahead of your commencement date, you will be sent a form/link to complete which allows us to set up access to all systems and facilities needed as well as creating a profile for you. This process will also allow us to gather all of the necessary information needed from you and to comply with the BSB notification requirements.

Whilst the Pupillage Academy is an open and collaborative environment, it is often useful and confidence building, particularly in the early days, to have particular points of contact. Therefore, you will be allocated a “go to team” consisting of: a location manager or member of the clerking team, who you can approach if you have matters which are more appropriately discussed with someone on the administrative side of the business; and a buddy, who will be an existing pupil or newly practising barrister, with whom you can raise questions that you have or matters that you would prefer to discuss with someone other than your pupil supervisor.

Emails will be sent formally introducing you to:

- The Head of Chambers;
- Your pupil supervisor;
- Your buddy; and
- Your nominated location manager or clerk.

You will be invited to HQ for a day to meet the team, go through any queries and see how things work first-hand. You will be introduced to key contacts who will run through the various internal processes. Particular importance will be given to the role of the barrister’s clerk and developing a good working relationship with clerks.

Either face-to-face or virtually you will be guided through the IT systems and processes and provided with guidance on obtaining additional support and training.

You will be introduced to our marketing team to support you in establishing your profile and any relevant material needed.

You will be given instructions on how to carry out a remote working risk assessment and it will be your responsibility to ensure and maintain a comfortable and safe working environment.

Once the administrative and introductory systems have been established and you are comfortable with these, you will hold your first formal meeting with your pupil supervisor during which you will start the process of developing your Training Plan.

Working hours, holidays, and sickness

The Pupillage Academy adopts the European Working Time Directive in relation to pupillage as a matter of good practice. Pupils will receive a minimum of four weeks' leave per annum, i.e., 20 working days not including Bank Holidays.

If you are currently or know that you will be unable to attend work or an event at a time when you would be expected, then you should report sickness, absence or a commitment that may affect your availability to your pupil supervisor and nominated location manager or clerk.

In the unfortunate circumstances that you have to take a longer period of leave (for example due to illness or bereavement), you, your pupil supervisor and other members of the Pupillage Team as necessary will consider any impact this may have on your ability to meet the competences in the Professional Statement and whether or not this results in a need to extend the pupillage.

If a pupillage is extended, we must notify the BSB of the new completion date and the pupil supervisor will agree clear and measurable objectives for the expectations during the extended period.

If a substantial break from pupillage is necessary, then the BSB does not consider it appropriate for an extension to be agreed in the circumstances and instead recommend an application is made for dispensation. This will be discussed agreed and arranged between the pupil, pupil supervisor and other members of the Pupillage Team, as necessary.

Parental leave arrangements should be made in accordance with Clerksroom Parental Leave Policy which is located within Clerksroom Operating Manual in "Myclerksroom".

Flexible working

As set out in our Flexible Working and Learning Policy, Clerksroom is committed to providing a flexible learning environment and offering students and pupils choice in how, what, when and where they learn.

The Pupillage Academy is constantly evaluating its approach to flexibility for training for students, pupils and pupil supervisors. Part of this strategy is to consult on an open basis with all stakeholders, particularly students, pupils and recent practising barristers. Another factor in our approach is to develop and promote technology to improve the learning experience which is naturally improved when the experience is eased through flexibility.

We automatically offer choice by involving you in the decision-making process and design of your pupillage and training programme, as set out below. This is balanced against ensuring the development of the Competencies in the Professional Statement.

Naturally, one area where there is less flexibility, is court attendance and learning to balance these requirements will form part of the pupil's development.



Curriculum, development and progression

The curriculum has been designed and will be monitored and reviewed in accordance with the Professional Statement. This sets out the knowledge, skills and attributes that all barristers should have as soon as they commence practice.

Our curriculum is specifically designed to ensure that as a minimum, pupils meet the threshold standards in the Professional Statement. Naturally, as a consequence, we are required to assess pupils in line with the threshold standards and competencies set out in the Professional Statement. Prospective and current pupils experience transparency about how each competency is developed, assessed and how feedback is given.

There is also a strong focus on self-analysis and pupils play a very active role in developing and managing their training plan. In this way, pupils are developing the required skills at 1.5, 1.11, 2.5, 2.6, 4.2 and 4.3 of the Professional Statement. The Pupillage Academy online system promotes self-reflection in such a way that it instructs and encourages an appropriate balance so that pupils can develop this skill effectively.

With the use of technology, pupils and pupil supervisors are able to track and monitor development and achievement of the requirements in the Professional Statement allowing a flexible and targeted approach so that there can be transparent focus on areas for development.

This approach means that pupils can clearly identify where they stand in relation to development of the competencies in the Professional Statement as well as have control over their own development. It also ensures that self-reflection becomes second nature as this will be required for the CPD requirements as well as for future career progression.

We have mapped each competence in the Professional Statement to ensure that we have all of the necessary resources, skills and processes in place to provide fully rounded achievement of the competencies. We also use the mapping to identify:

1. The relevant learning opportunities, such as:

- a. Sitting with the pupil supervisor
- b. Interaction with the clerks
- c. Interaction with solicitors
- d. Observation in Court
- e. In-house training course
- f. Online modules
- g. Practising drafting
- h. Completing work for the pupil supervisor and other barristers within Clerksroom
- i. Practising as a pupil
- j. Secondment
- k. Other work using transferable skills which match the Professional Statement competencies

2. How we assess the competencies, such as:

- a. Oral and written feedback from solicitors, clients, clerks, pupil supervisors and other barristers
- b. Assessment of in-house exercises
- c. Assessment of online modules
- d. Assessment of internal training

Training plan

Ahead of your first formal meeting with your pupil supervisor, you will be invited to consider and undertake a first draft of our template Training Plan. There will be online guidance as you proceed through this and it will give you the opportunity to reflect upon your learning styles and needs, your personal circumstances and any specific accessibility support or reasonable adjustments you may need. It will also allow you to undertake self-analysis against the competencies in the Professional Statement.

You will then meet with your pupil supervisor to discuss your draft and formalise your Training Plan. You will also agree the necessary timing of assessment and review of your Training Plan.

Your involvement in this decision-making process from the outset allows you to develop some of the skills required by the Professional Statement for Barristers, particularly Competencies 1.7, 1.9, 2.2, 2.5, 2.6, 3.2, 4.1, 4.2 and 4.3.

Monitoring and evaluation

As part of our authorisation and to ensure that you have an effective learning experience, it is necessary for us to provide evidence of the application of fair and objective evaluation, assessment and appraisal methods that support the development and achievement of the competencies in the Professional Statement.

In order to effectively and consistently achieve this, we ensure that our pupil supervisors have the relevant skills, tools and support. This forms part of our suitability assessment and training of pupil supervisors, more detail of which can be found in our Pupil Supervisor Handbook.

Once you have reached the practising period of your pupillage and before doing a case of your own, as a pupil, you should consult your pupil supervisor for advice and guidance and your pupil supervisor will provide an opportunity for discussion afterwards. Supervisors will make time available to observe their pupils' performance in court. This will assist both the supervisor and the pupil to identify any strengths and weaknesses in their competences.

Assessment/appraisal

Ongoing assessments and appraisals, both in a formal format as well as regular informal feedback and monitoring, help to ensure that your development in meeting the competencies in the Professional Statement is progressing appropriately and that your learning experience is supportive. This provides clarity of the progress made and any areas for development.

You will be invited to formal appraisal meetings every three months. This gives both you and your pupil supervisor a structured way of reviewing performance, providing objective feedback, identifying strengths and areas for development as well as setting objectives to develop skills and competencies. The appraisal meetings will also give you an opportunity to provide feedback on your progress, the work you have undertaken and the impact of supervision.

The process and documents for undertaking and recording this appraisal form part of the online system which ensure that appraisals are conducted in a fair and consistent manner.

As well as the formal appraisal system, as set out above, at the beginning of the pupillage, you and your pupil supervisor will have discussed and agreed your Training Plan which will govern your pupillage. One of the factors which will have been discussed and agreed is how constructive feedback and effective appraisals would be conducted including the frequency over and above the requirement set out above. This allows you to take an element of responsibility for this aspect of your development as well as ensuring that the feedback and assessment takes place in a way that is most conducive to your learning style and needs.

The formal assessments are reviewed by an independent party (which may be the Head of the Pupillage Management Team, a member of the team delegated or an independent auditor) to ensure that high standards are maintained, that a consistent approach is being taken and for the purpose of continuous improvement. Any matters arising from the independent review are discussed with the affected parties as well as with the Pupillage Management Team.

In addition to the formal appraisal system and informal feedback system agreed in the training plan, we will ensure that there is the opportunity for others who you have interacted with to provide feedback in line with transparent assessment criteria which is based on the competencies in the Professional Statement. Such feedback could be from clerks, solicitors, clients and members of the judiciary.

Consistency of assessment

We recognise that your learning experience is improved when a consistent approach is taken, particularly in relation to the assessment of the competencies in the Professional Statement. This would be especially important in circumstances where you have more than one pupil supervisor over the course of your pupillage or you undertake a period of secondment.

Our online systems ensure that a structured approach is taken with good quality record-keeping and monitoring providing a consistent and transparent framework for assessment.

Feedback

Appraisal and feedback mechanisms should be a two-way process that provide you with the opportunity to flag any difficulties or concerns with your progress, your work, the supervision you are getting or relationships with others in the organisation. We will ensure that you have the opportunity for you and your pupil supervisor to work together to address them. At all times, you will have a safe environment to provide feedback about training.



Wellbeing

The Pupillage Academy understands how stressful and isolating it can be searching for, securing and starting a pupillage. We ensure that we communicate effectively and provide all the information you will need as far in advance as possible. We also provide methods to establish an open line of communication to ensure that you can have a smooth and effective transition into pupillage.

Our induction process as set out above is structured to provide you with the information needed for you to settle in quickly and build effective working relationships. The process will introduce you to key people in the organisation, explain how it operates, type of work undertaken, how training is organised and how pupils are assessed.

Stage two of the induction process will entail a discussion with your supervisor establishing and negotiating the design of your Training Plan as set out above.

Clerksroom Equality, Diversity and Inclusion Policy and subsidiary policies together with Clerksroom Behaviour Policy and Culture Policy contain valuable information which sets out our commitment to all of these principles, as well as the principles of fair and equal access to opportunities. It would be useful for you to read these policies which can be found in the Clerksroom Operating Manual on the myclerksroom intranet.



Work
together

Pupillage has a clear and defined framework which allows development and demonstration of the competencies to the threshold standard in the Professional Statement. A Training Plan will have been discussed, designed and agreed with your input. The Pupillage Academy is a collaborative environment, and everyone will undertake differing tasks at times and contribute to the good of all. However, you should not experience the imposition of excessive unskilled work to the detriment of focus on meeting the competencies in the Professional Statement as this would undermine the purpose of pupillage.

In such circumstances, where you are comfortable, you should discuss this with your pupil supervisor. If you are not comfortable to do so, you can discuss matters with your buddy, Head of Team, Chief Clerk or Head of Chambers. If you wish to discuss matters with someone outside of the organisation, there are many sources of help available to pupils as well as the opportunity to report a concern about your training to the BSB. The sources of help are all signposted within the myclerksroom intranet.

We will provide regular opportunities for you to engage with and speak to the Pupillage Academy management team so that feedback or concerns can also be addressed in this way.

In addition, the use of available technology allows us to monitor stress levels and the wellbeing of all users to “flag up” potential concerns. Our bank of willing supporters will be on hand to help with additional telephone support, 1-1 video support and confidential, anonymous support. Our helpline will provide immediate support throughout the process.

Misconduct and grievances

We hope that most problems can be resolved informally to everyone’s satisfaction. However, in circumstances where you have not been able to resolve any concerns informally, you are entitled to invoke the complaints procedure which can be found within the myclerksroom intranet.

| BSB reports and investigations

In accordance with the BSB Handbook, anyone who has a concern about the conduct of a pupil who has been Called to the Bar can make a report to the BSB.

If a pupil has been Called to the Bar, the pupil’s Inn of Court plays no formal part in the disciplinary system, except via the Council of the Inns of Court which arranges tribunals. An individual Inn would have a role in pronouncing any findings of a Disciplinary Tribunal.

Any concern about a pupil who has not been Called to the Bar will be reported to the pupil's Inn of Court.

The BSB has information on its website for pupils facing an investigation into a concern reported about them to the BSB.

If such circumstances arise during your pupillage with the Pupillage Academy you will be signposted information and given any appropriate support from either your buddy or pupil supervisor or another person designated by the Head of Chambers.

You should be aware that plagiarism or cheating will be properly investigated and reported to the BSB if you have been Called to the Bar and also to your Inn. It may be a reason for disciplinary action.

Transfer of pupillage

The Pupillage Academy will do everything it can to enable you to complete your pupillage. However, if circumstances arise which mean this is not possible, we will do everything we can to support you in achieving the competencies in the Professional Statement. We will also ensure that we liaise with the Supervision team at the BSB.

If it becomes necessary for you to transfer from The Pupillage Academy to another AETO or vice versa at any stage of the pupillage, it is likely that the new AETO will need to make applications to the BSB for waivers in relation to the advertising requirements and pupil funding requirements.

The former AETO must make available copies of their training records to date to both the pupil and the new AETO. This ensures that the pupil supervisor at the new AETO can ascertain the skills and experience gained so far allowing them to plan the remainder of the pupillage accordingly.

Secondments

In the event that the Pupillage Academy intends or agrees to second you to another organisation for part of your pupillage, we will ensure that appropriate governance arrangements are in place and that the BSB have been informed.

The circumstances where we may consider secondments are where this gives flexibility in the delivery of pupillage allowing the pupils to get a wider range of experience in order to demonstrate the requirements of the Professional Statement.

During secondment, The Pupillage Academy remain ultimately responsible for your training and as such we will consider and document respective responsibilities in an agreement with the organisation delivering the secondment. Such considerations may include:

- What the objectives of the secondment are and specifically what training will be delivered to meet those objectives;
- What arrangements are in place to monitor the quality of training received by pupils whilst on secondment or where training is delivered by another organisation;
- Opportunities for pupils to provide with feedback about the standard of training;
- How pupils will be assessed while on secondment, particularly in relation to the competences in the Professional Statement, and how that will be communicated to the pupil and Clerksroom;
- Funding arrangements;
- Insurance arrangements; and
- Information given to clients of the host organisation about the pupil's status.

If there is any risk of conflicts of interest between The Pupillage Academy and the secondment organisation, the agreement will ensure that the following steps are taken in order to mitigate the risk, or the perception of risk, that the secondment pupil's obligations have been affected. In particular the pupil must act independently and in the client's best interest.

- Whilst seconded, the pupil barrister owes all relevant duties to the host organisation and the client;
- Responsibility for assessing performance during the secondment lies solely with the host supervisor;
- Information that the host organisation has that might create a conflict of interest within The Pupillage Academy is not shared; and
- Whilst seconded, the pupil barrister will not be able to access Clerksroom digital systems or confidential information but may be able to access the Pupillage Academy systems if the Pupillage is still being managed through the Pupillage Academy portal.

Compulsory courses

During pupillage, all pupils must attend certain compulsory courses and pass certain assessments to build on training received during the vocational component and to supplement work-based learning during pupillage so that you can meet the competencies in the Professional Statement.

There are ongoing developments and changes to the requirements for and timing of compulsory courses and therefore, we will not set them out in this guidance but will ensure that up-to-date information is published both on our website, and personally to the Academy pupils.

If a pupil fails to satisfactorily complete a compulsory course or to pass an exam, it will be for the Academy to decide whether the funded pupillage will be extended. This will be set out in the written agreement at the commencement of pupillage.

Public access training

Pupils who intend to provide public access services once qualified will have this supported during their pupillage. We will fund pupils to attend public access training so that pupils can apply for accreditation for public access work promptly upon full qualification.

After pupillage

We will provide you with information about the process and timing for applying for membership with us set out in the [join us section](#) of our website. This will include the retention rate or other destination post qualification; earning potential when fully qualified and support given to pupils to enable them to find alternative work if they are unsuccessful in their membership application.



Pupil Supervisor Handbook

SECTIONS

Regulatory matters	52
Eligibility	52
Knowledge and compliance	53
Registration of pupil supervisors	53
Flexibility and high standards	53
Training delivery	54
Outcomes	54
Flexible working/hours of work	56
Absence of pupil supervisor	56
Training plan	57
Monitoring and evaluation	57
Assessment / appraisal	57
Consistency of assessment	58
Feedback	59
Training records and refresher training	59

Regulatory matters

The Pupillage Academy will ensure that its pupil supervisors are trained in accordance with the outcomes specified by the BSB in the Bar Qualification Manual and comply with the appropriate policies, standards and continuous improvement processes that the Academy have put in place in pursuance of our authorisation as an AETO.

A pupil supervisor's responsibilities will entail:

- An appropriate training programme that enables pupils to meet the competencies in the Professional Statement to the threshold standard; and
- Assistance and guidance to pupils in complying with their regulatory obligations such as registering pupillage with the BSB, applying for any necessary waivers, and obtaining a provisional practising certificate.

The Bar Qualification Manual sets out that a supervisor at the self-employed Bar can supervise one non-practising and one practising pupil at the same time.

We will notify the BSB Authorisations Team, as a material change, if there is a change in the duration of a pupil's training programme or timeline for applying for a Provisional Practising Certificate.

Eligibility

The following factors will be taken into account when The Pupillage Academy is considering the suitability and competence of a barrister to act as a pupil supervisor:

- The disciplinary record;
- A declaration that no other disciplinary action is in progress;
- Their professional experience;
- The nature of their practice and whether it offers appropriate learning opportunities;
- The time they can devote to a pupil;
- Their aptitude to create an appropriate learning environment; and
- Their competence to provide effective feedback.

There is no longer a requirement for pupil supervisors to apply to their Inn for approval. As an AETO, we may decide to seek references from the relevant Inn or others. In doing so, we will be clear in what information, relevant to being an effective pupil supervisor we are seeking to obtain.

If the BSB designates an individual as unsuitable to be a pupil supervisor, we will abide by this regulatory decision.

Knowledge and compliance

An important part of the role of a pupil supervisor will be helping the pupil to navigate the environment in which they will be working. Therefore, it will be important that the pupil supervisor is familiar with our policies and procedures, particularly those relevant to pupillage or policies and procedures useful to the pupil. Not only does this ensure that the pupil receives the appropriate level of information and support, but it also maintains high standards on a consistent basis.

Registration of pupil supervisors

As required by the Bar Qualification Manual, all pupils will have a named pupil supervisor who is responsible for confirming that the non-practising and the practising periods of pupillage have been satisfactorily completed in accordance with the Curriculum and Assessment Strategy.

When we register a pupillage, the BSB will maintain a record of which pupil supervisor is responsible for signing off each particular pupil for each relevant period of pupillage. Where more than one supervisor has responsibility for signing off a period of pupillage, we will register each supervisor with the BSB, either when the pupillage is first registered or subsequently.

Flexibility and high standards

It is possible for us to rotate pupils through two or more placements either internally or with external organisations. This allows pupils to have a wider range of experience and offers opportunity for a more rounded assessment of their pupillage.

In circumstances where we take advantage of this flexibility, this is balanced against ensuring high standards are maintained. We will ensure:

- All supervisors are appropriately trained;
- An overall supervision plan is agreed between all parties to ensure everyone is aware of their roles;
- There is consistency of supervision and quality of training is maintained; and
- There is effective handover between supervisors.

Training delivery

For the short-term until our own course is ready:

At present, we do not have the facility to offer pupil supervisor training in full. Therefore, we are content for prospective pupil supervisors to attend courses delivered by others with particular expertise, such as: the Inns, the Circuits and the Bar Council; so long as we are satisfied that the outcomes in the Bar Qualification Manual have been met by such training. In addition, we will deliver an enhancement to that course which we consider provides “best practice” in the interests of providing an exemplary pupillage experience.

As soon as is practical, a hybrid version may be available:

We will undertake delivery of the pupil supervisor course under licence from one of the existing recognised providers. We will satisfy ourselves that this course meets the outcomes in the Bar Qualification Manual. In addition, we will deliver an enhancement to that course which we consider provides “best practice” in the interests of providing an exemplary pupillage experience.

We are working towards, the ideal scenario:

We will design a pupil supervisor training programme which we are satisfied meets the outcomes in the Bar Qualification Manual and also contains enhancements which we consider provides “best practice” in the interests of providing an exemplary pupillage experience.

We also encourage prospective or existing pupil supervisors to attend training programs on topics which are relevant provided by organisations such as the Bar Council. When such a program has been attended, we expect the benefit of that training to be communicated to all other prospective or existing pupil supervisors as part of our dedication to continuous improvement.

Outcomes

The BSB has set out the outcomes which it expects pupil supervisor training to achieve in the Bar Qualification Manual. We have used these outcomes to design our own pupil supervisor training programme. We use technology to deliver this training and develop the correct skills more effectively and efficiently. By doing so, we consider that this will attract more pupil supervisors which in turn should increase the number of pupillages which can be offered.

The broad requirements of the outcomes are:

1. Familiarity with the most up-to-date regulatory requirements concerning pupillage, including:
 - Familiarity with the Equality and Diversity Rules of the Code of Conduct and the Equality Act;
 - The administrative procedures for registering pupillage, applying for the Provisional Practising Certificate and Full Practising Certificate; and
 - Understanding the role of the pupil supervisor.
2. Familiarity with the AETOs training programme, policies and processes relating to pupillage.
 - Part of the pupil supervisor's role in this area is to provide constructive challenge to the Pupillage Academy as the AETO in relation to any matters over which they have concern or which they feel would benefit from review.
 - In any event, the Pupillage Academy adopts a transparent and collaborative strategy and anticipates that all stakeholders involved in the Pupillage Academy contributes towards its continuous improvement.
3. Understanding what makes and developing the skills to become an effective pupil supervisor. This involves developing the skills to:
 - Identify how pupils learn effectively and assess learning needs and styles in order to develop a suitable and agreed training plan;
 - Recognise the time commitment required to be effective as a pupil supervisor and develop an appropriate and agreed communication plan and timetable;
 - Understand the behaviours which constitute unacceptable supervision practices;
 - Competently assess pupils progress in meeting the Competencies in the Professional Statement;
 - Undertake effective appraisal and feedback during the pupillage; and
 - Identify and act on development needs required to be an effective pupil supervisor.
3. Ensuring pupil well-being. This involves:
 - Understanding the impact that pupillage can have on the well-being of pupils and how issues relating to well-being may manifest themselves;
 - Ability to have conversations around well-being issues including stressful or distressing situations;

- Familiarity with our policies and support mechanisms enabling pupils to complete their training and support those who experience difficulties. These provisions are more particularly set out in the Pupil Handbook, and include the buddy system and complaints policy;
- Familiarity with the options available to pupils to find external support if needed. This will include the signposting set out on our website and within myclerksroom;
- Ability to apply the policies and support mechanisms available and develop a positive relationship with pupils. This will enable pupils to complete their training and also support those who experience difficulties;
- Contributing and promoting a culture in which pupils feel that if they have any concerns, these can be raised formally or informally with the pupil supervisor or any other appropriate person within our organisation.

Flexible working/hours of work

As the authorised AETO, it is for us to determine how contact time between the pupil and supervisor is structured. However, it is not in the interests of either pupil or supervisor for us to be overly prescriptive. This is why pupil supervisors are trained to explore and agree, with any pupil that they supervise, a Training Plan which includes the timing and level of communication. This plan takes into account the needs of both parties as well as the need to ensure high standards in developing the competencies in the Professional Statement.

Technology allows us to use an online template Training Plan which automatically feeds agreed review and discussion timetables into individual online calendars.

We will undertake regular monitoring and review of Training Plans both to ensure high standards are maintained and to support continuous improvement of our training programmes.

Absence of pupil supervisor

There is no prescribed period of time for an alternative supervisor to be registered. However, in order to ensure maximum support and the highest standards in relation to pupillage, we will ensure that:

- For planned absences of less than one month, that the supervisor makes suitable alternative arrangements which are agreed by all parties; and
- For unplanned absences of less than one month, a temporary alternative supervisor who is appropriately trained will be agreed;
- For planned or unplanned absences greater than one month, a replacement supervisor who is appropriately trained will be agreed. In these circumstances, we will consider this to be a material change and notify the BSB by registering the replacement supervisor.

Training Plan

Ahead of your first formal meeting with your pupil, you will invite them to consider and undertake a first draft of our template Training Plan. There will be online guidance as they proceed through this and it will give them opportunity to reflect upon their learning styles and needs, their personal circumstances and any specific accessibility support or reasonable adjustments they may need. It will also allow them to undertake self-analysis against the competencies in the Professional Statement.

As a pupil supervisor, once you have received the draft Training Plan, you should review this to consider any recommendations you may have and develop your approach taking into account the pupils learning styles, needs and personal circumstances.

You will then meet with your pupil to discuss the draft and formulate their Training Plan. You will also agree the necessary timing of assessment and review of their Training Plan.

Monitoring and evaluation

As part of our authorisation and to ensure that the Academy provides an effective learning experience, it is necessary for us to provide evidence of the application of fair and objective evaluation, assessment and appraisal methods that support the development and achievement of the competencies in the Professional Statement.

In order to effectively and consistently achieve this, we ensure that our pupil supervisors have the relevant skills, tools and support.

Once your pupil has reached the practising period of their pupillage and before doing a case of their own, as a pupil, they should consult you for advice and guidance and you should provide an opportunity for discussion afterwards. You will make time available to observe your pupils' performance in court. This will assist both supervisor and pupil to identify strengths and weaknesses in their competences.

Assessment/appraisal

Ongoing assessment and appraisal, both in a formal format as well as regular informal feedback and monitoring, help to ensure that pupil development in meeting the competencies in the Professional Statement is progressing appropriately and that the learning experience is supportive. This provides clarity of the progress made and areas for development.

You will invite your pupil to structured formal appraisal meetings every three months. This gives both you and your pupil a structured way of reviewing performance, providing objective feedback, identifying strengths and areas for development as well as setting objectives to develop skills and competencies. The appraisal meetings will also give the pupil an opportunity to provide feedback on their progress, the work they have undertaken and the impact of supervision.

The process and documents for undertaking and recording this appraisal form part of the online system which ensure that appraisals are conducted in a fair and consistent manner.

As well as the formal appraisal system, as set out above, at the beginning of the pupillage, you and your pupil will have discussed and agreed their Training Plan which will govern the pupillage. One of the factors which will have been discussed and agreed is how constructive feedback and effective appraisals will be conducted including the frequency over and above the requirement set out above. This allows the pupil to take an element of responsibility for this aspect of their development as well as ensuring that the feedback and assessment takes place in a way that is most conducive to their learning style and needs.

The formal assessments are reviewed by an independent party (which may be the Head of the Pupillage Management Team, a member of the team delegated or an independent auditor) to ensure that high standards are maintained, that a consistent approach is being taken and for purposes of continuous improvement. Any matters arising from the independent review are discussed with the affected parties as well as with the Pupillage Management Team.

In addition to the formal appraisal system and informal feedback system agreed in the Training Plan, we will ensure that there is the opportunity for others who the pupil has interacted with to provide feedback in line with transparent assessment criteria which is based on the competencies in the Professional Statement. Such feedback could be from clerks, solicitors, clients and members of the judiciary.

Consistency of assessment

We recognise that the pupil learning experience is improved when a consistent approach is taken, particularly in relation to the assessment of the competencies in the Professional Statement. This would be especially important in circumstances where the pupil has more than one pupil supervisor over the course of their pupillage or they undertake a period of secondment.

Our online systems ensure that a structured approach is taken with good quality record-keeping and monitoring providing a consistent and transparent framework for assessment.

Feedback

Appraisal and feedback mechanisms should be a two-way process that provide both the pupil and pupil supervisor with the opportunity to flag any difficulties or concerns with progress, work, the supervision or relationships with others in the organisation. We will ensure that pupils have the opportunity to work with you as their pupil supervisor to work together to address them. At all times, pupils will have a safe environment to provide feedback about training.

Training records and refresher training

The Academy will ensure that training records are maintained for pupil supervisors along with a record of when refresher training is required.

Refresher training for pupil supervisors is mandatory every five years, or after three years if the individual has not been a pupil supervisor during that time. Whilst we maintain records and will issue a reminder, it is the responsibility of each pupil supervisor to manage and arrange their own refresher training.

There is no prescription for the content of refresher training and therefore, as a matter of policy we consider that refresher training should be a repeat of the initial training. This has the benefit of experienced and new pupil supervisors attending each course, enhancing the course experience. In any event, it is expected that pupil supervisors will reflect on their competence in this area as part of their annual reflection under the Continuing Professional Development rules.



Pupil Stories

SECTIONS

Introduction	61
Yaa Dankwa Ampadu-Sackey	62
Joanne Phillipson	63
David Carey	64

Introduction

At the Pupillage Academy we believe that when delivering professional training, we should be surpassing standards, not simply meeting the minimum requirement set by the regulator.

Our main focus is on promoting the overarching principles of; flexibility, accessibility, affordability and high standards. We believe that our attitude towards recruitment creates an accessible learning environment, which allows pupils to progress into successful self-employed practitioners; and our process specifically aims to remove barriers to entry for those who are currently under-represented at the Bar.

We value individuals who have taken a different approach in their legal career and those applicants who have gathered a variety of experience outside of the traditional 'norms'. In applying these values, we believe we have increased opportunities, specifically in relation to social mobility, diversity and overall inclusion at the Bar. This in turn is helping to create a Bar that better reflects, and can meet the changing needs of, the society it serves.

Several of our recent pupils have had some form of reduction in pupillage based on their previous experience. We have found that there is a direct correlation between pupillage candidates who have been given a pupillage reduction and pupillage candidates who are: from under-represented groups; have come to the Bar later in life; have taken untraditional routes; have had difficult personal circumstances or have had a lack of financial support.

A waiver from the BSB demonstrates that the candidate has obtained significant relevant knowledge and experience, by coupling this fact with our attitude towards inclusivity we are implementing our policies of equality, diversity and inclusion on a practical level.



Value
individuals





Yaa Dankwa Ampadu- Sackey

YAA'S STORY

Yaa Dankwa was called to the Bar in 2007 and, after several unsuccessful attempts to secure pupillage, she opted to study abroad in 2009. Later that year, she was called as a Barrister and Solicitor of the Supreme Court of Ghana, working as an Associate for a Legal 500 firm within the Litigation Department. Yaa Dankwa continued with her litigation work until 2013 when she returned to the UK and successfully obtained a reduction in her pupillage requirement; she was required to complete a 6-month pupillage before December 2019. Despite all of the work and effort Yaa Dankwa had been putting into finding a pupillage, as December 2019 began approaching, she had still been unsuccessful in securing pupillage through the usual channels.

After seeing information concerning the Pupillage Academy on LinkedIn, Yaa Dankwa approached Clerksroom. Yaa Dankwa mentioned she had a reduction in pupillage time and Stephen Ward, the Managing Director of Clerksroom, organised an interview with Yaa Dankwa.

After a successful interview, Stephen explained that he could not offer Yaa Dankwa a pupillage until the BSB had approved an application for waiver of advertisement and an extension of time in relation to her reduction, which he quickly drafted and submitted to the BSB. Both applications were approved by the BSB and Yaa Dankwa was able to begin pupillage in January 2020. After successfully completing her pupillage in July 2020, Yaa Dankwa is an active and supportive member of the Clerksroom team and is building a successful practice.

When asked how the pupillage process has impacted her, Yaa Dankwa explained that overall, it was hugely demoralising having spent nearly 13 years trying to enter a profession, for which she was qualified, but was unable to do so due to a 6-month pupillage requirement. Every failed attempt at securing pupillage had left Yaa Dankwa feeling as though she was a failure, and she described the mental drain as being "beyond explanation". Had Stephen and Clerksroom not stepped in, Yaa Dankwa would have had no choice but to continue working as a County Court Advocate. Yaa Dankwa explained that being able to work as a fully qualified barrister has made a huge impact on her psychologically and financially.

Joanne Phillipson



JOANNE'S STORY

In between her law degree and the BVC, Joanne worked as a Crown Court Caseworker in a law firm. In 2008, after completing the academic components required to become a barrister, Joanne started working as a County Court Advocate. During this time and until 2012, she continued to apply unsuccessfully for pupillage. As a result of the recession and its financial impacts, there were very few pupillages on offer.

Due to ill-health and the arrival of her children in 2013 and 2016, Joanne was unable to commit to the rigid pupillage requirements. As well as managing her own health problems, Joanne also had to manage some health complications of her children. Despite this, Joanne continued working in the legal profession; although due to a combination of maternity leave and health issues, there were periods where she worked part-time.

In 2019, Joanne submitted an application to the BSB for a reduction in the pupillage requirement, referencing her work within the legal industry and outlining the experience she had gained outside of the usual pupillage structure. Joanne could demonstrate she had several of the competencies she would have otherwise acquired during a 12-month pupillage and she had references from judges and solicitors alike. The BSB approved the application and reduced Joanne's pupillage by 7 months, with a 3:2 month split in the non-practising and practising portions. The application for a reduction also granted Joanne permission to commence pupillage outside of the 5-year restriction.

The lack of pupillages and personal circumstances had led Joanne to believe she would not be able to achieve her ambition of becoming a practising barrister. Without applying for a reduction, Joanne would have been prohibited from entering the profession. By the BSB granting her application, it was an endorsement of the experience she had received over many years she had worked in the legal industry – despite the personal and professional hurdles she had faced over the years.

Joanne contacted Clerksroom in 2020 after realising that Clerksroom's ethos would be the perfect fit for her personal circumstances. She felt she was greatly assisted by the management team when she had to apply for an extension of her reduction to enable her to be able to accept her offer of pupillage with Clerksroom, which she commenced in November 2020.

Joanne explained that she had a modest upbringing and when she embarked on her legal career, she had no connections to the legal profession. When applying for pupillage Joanne found that most pupillage providers overlooked her prior experience and connections with solicitors and other members of the legal profession; however, Clerksroom correctly identified it as an asset.

When asked what impact the reduction had on her application, she stated she believed the reduction demonstrated that she could transition from pupillage to practising barrister with relative ease and with a solid following from clients.

David Carey



DAVID'S STORY

David completed the Bar course later in life, after having worked as a consultant doctor, an expert witness, an educational supervisor, an examiner for the Royal College of Physicians of England and as a medical panellist on the Medical Practitioner's Tribunal Service (MPTS) which made determinations as to a doctor's fitness to practice.

David was, as he put it, closer to 60 than 16 and he was concerned that chambers would either appreciate his life experience or run a mile as he could not be easily 'moulded'. David's discussions and interactions with members of the Bar generally had led him to believe, despite his impressive CV, that pupillage providers would not be accepting of his route to the Bar and he would not be successful in the application process. David realised he was very much a "Marmite" candidate.

By a chance introduction with a Clerksroom pupil, David learned about BSB waivers which he was informed may be suitable for him, given his background. Had it not been for this chance encounter, David would not have known anything about waivers. As an expert David was regularly in conference and he was often in court during his quasi-judicial role as an MPTS panellist; repeatedly hearing evidence from witnesses and submissions from barristers. As a consultant he had scrutinised large bundles of documents, paying keen attention to detail for the relevant and helpful documents, before he moved on to analyse the individual case, identify the issues and formulate a management plan before discussing the options with the patient.

David gathered as much information as he could to provide to the BSB, including feedback and references from a variety of organisations. The application was submitted in March 2020, just before the Covid-19 pandemic hit and David became overwhelmed with his workload as a doctor. The BSB also became exceptionally busy due to the pandemic and it was not until October 2020 that David found out that his pupillage had been reduced by around 20%.

In November 2020, after reaching out to Clerksroom and discussing his background and life experience, David began his pupillage with Clerksroom. It was as a direct result of this waiver that David was able to obtain pupillage; at Clerksroom his life experience was instantly valued, his age completely disregarded and he received the right support to begin his career at the Bar.

V1.1 JAN
2021



WWW.PUPILLAGEACADEMY.CO.UK

BAR
STANDARDS
BOARD




HM Revenue
& Customs

ico.
Information Commissioner's Office