

## Policy for the OTC Extended Pupillage Scheme in association with FRU

### Introduction

1. Outer Temple Chambers [Chambers] has set up an extended pupillage in association with, and to assist the work of, the Free Representation Unit [FRU]. This OTC Extended pupillage Scheme in association with FRU [‘extended pupillage’] constitutes 18 months of training in total across Chambers and at FRU, incorporating a twelve month pupillage [to be] approved by the Bar Standards Board [BSB].
2. Chambers and FRU attach great importance to fair recruitment and professional training and they aim to select individuals of the requisite intelligence, personality and all round ability to contribute positively to our environment and reputations. This document sets out the policy and procedures relevant to the eighteen month training scheme operated by Chambers in association with FRU.

### Responsibilities

3. Under the BSB Handbook Chambers has responsibility for the management and organisation of the extended pupillage. Chambers will ensure that all the normal requirements of training and supervision of pupils in this scheme are met. For the avoidance of doubt, it is not proposed to delegate to FRU any such regulatory requirements and duties.

### Scheme Outline

4. This scheme combines the opportunity to undertake casework with FRU in a preliminary 6 month placement, followed by a 12 month structured pupillage. The successful candidate will undertake eighteen months of training in all, as follows:
  - a. Initial 6 months at FRU doing casework: time will be divided between employment tribunal cases and social security appeals. The purpose of this period is to give experience of practical advocacy before a formal pupillage begins at the next stage. Where possible a short marshalling placement with an EAT judge will be incorporated into this 6 months;
  - b. 6 months at Chambers doing a first six pupillage in areas of law other than employment: all the requirements of a first six shall be met, including completion of the relevant checklist(s);
  - c. 6 months of a practising pupillage including casework through Chambers and FRU. A Chambers supervisor will manage all the requirements of this second-six pupillage including completion of the relevant checklist.
5. This scheme is separate from Chambers’ traditional recruitment scheme for 12 months pupillage. Applicants for that scheme must apply through Pupillage Gateway for a twelve month funded pupillage. Details will be found at: [www.pupillagegateway.co.uk](http://www.pupillagegateway.co.uk) and at [www.outertemple.com](http://www.outertemple.com)

6. The extended pupillage will be advertised at the relevant time on the Chambers and FRU websites, through Pupillage Gateway, the FRU mailing list and any other press and social media considered appropriate.
7. Chambers in association with FRU will offer one eighteen month pupillage every two years. This will normally commence on an agreed date in early September. The extended pupillage will end 18 months after it has begun, unless terminated early. A pupil may terminate the pupillage at any time. If the extended pupillage is terminated by any party before the end of the 18 month period, the pupil will retain so much of the award (see parag. 12) as has already been paid, but will not receive any unpaid portion of that award.
8. The successful candidate will hold the position of Assistant Legal Officer within FRU for the first six month period and will report to the Principal Legal Officer (Employment).

#### **Equality and Diversity**

9. Chambers and FRU each operate an equality and diversity policy. No applicant for pupillage will be discriminated against on the basis of any 'protected characteristic'.
10. Chambers, through its BSB-mandated Diversity Data Officer (current role-holder is the policy and regulatory standards manager), will monitor applications in line with E&D monitoring undertaken through the Pupillage Gateway, for comparative purposes.

#### **Extended Pupillage Award**

11. Each pupil will receive an award of £28,548<sup>1</sup> (plus C.P.I.). This will be paid by Chambers to the pupil in 18 equal monthly installments over the 18 month period.
12. (Note: The Bar Council has agreed with HMRC that each pupil may choose in which of the two ways<sup>2</sup> they should be taxed. The options are as follows:
  - a. Option 1: the pupillage award in respect of the pupil's first six months (with this scheme this will apply to the first twelve months) will continue to be tax-free, but the award in respect of the second (or subsequent) six months will be included as normal professional earnings in the year of receipt;

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<sup>1</sup> Each new extended pupillage award will increase by C.P.I. The C.P.I. figure is not released by the Government until September each year.

<sup>2</sup> Option 1 will result in the first six award being tax free but there is a potential for the second six award to be taxed, in part, on two separate occasions should the accounting period end early in the tax year. In these circumstances Option 2 is likely to result in less tax being paid but with the liability arising sooner. One other factor is the liability to Class 4 National Insurance Contributions (NICs). Under Option 1 the pupillage award would be chargeable, but under Option 2 it is exempt. The NIC is [in tax year commencing April 2017] 9% on profits between £8,164 and £45,000 and 2% on profits above £45,000 so this is an important consideration. Under Option 1 no expenses (e.g. travelling) incurred in the first six months would be deductible. Under Option 2 HMRC accept that they would be deductible, subject to the normal tax rules. Those pupils with Student Loans should refer to the following website <http://www.studentloanrepayment.co.uk> for details as to how their student loan repayments will be calculated. Chambers' finance manager will answer any questions you may have on the options and how best they fit in with your own personal tax circumstances.

- b. Option 2: all award payments relating to each of the three 6 month periods of the Extended pupillage (first six months at FRU; then the second and third six month periods at OTC/FRU) will be taxable in their fiscal year of receipt under the general sweep-up provisions).
13. The pupillage award is paid monthly in advance over the 18 months of pupillage. The Chambers finance manager will discuss the details of payment as part of the induction session for new pupils.

#### **The pupillage committee**

14. Chambers has a pupillage committee consisting of:
- a. the Head of pupillage (currently James Counsell);
  - b. the pupillage secretary (currently Saul Margo);
  - c. at least five registered pupil supervisors as well as other members of Chambers.
15. The pupillage committee meets at least three times per year and has responsibility for:
- a. recruitment processes including the timetable, Pupillage Gateway, advertising in the pupillage handbook, the short-listing process, interviews and selection, and recommendations for budget provision for pupillage matters;
  - b. allocation of supervisors and introductions to Chambers;
  - c. setting up and implementing a training programme for pupils;
  - d. ensuring that appraisals take place and pupils are properly supervised;
  - e. the tenancy selection process and recommendations to Chambers;
  - f. reviewing the pupillage selection process and making improvements where necessary.

#### **The Extended Pupillage working group**

16. Chambers also has a separate working group of the pupillage committee for the operation and review of the extended pupillage scheme, consisting of:

James Counsell (currently Head of pupillage committee; registered pupil supervisor)  
 Naomi Cunningham (member of the pupillage committee; registered pupil supervisor and liaison with FRU)  
 James Arnold (member of the pupillage committee; registered pupil supervisor)  
 Christine Kings (commercial director; one of Chambers' Equality Officers)  
 Shiraz Oshidar (policy & regulatory standards manager; Chambers' Diversity Data Officer)  
 Chief Executive, FRU  
 Michael Reed, Principal Legal Officer (Employment), FRU

#### **Selection Procedure for extended pupillage**

17. The pupil will be selected by an open competition timed to take place after the close of the Pupillage Gateway process used to recruit under Chambers' traditional 12 month pupillage selection round. Both Chambers and FRU will be involved at different stages of the selection process. Details of the selection procedure, criteria for assessment and timetable will be set out in a publically available notice entitled "Outer Temple Chambers' Extended Pupillage in

association with FRU – [date] Selection Process”. This will be made public prior to the formal opening of each selection round.

18. Applications will initially be screened by administrative staff, to determine eligibility to proceed to the 1<sup>st</sup> written exercise, on the basis of the following: A. intellectual ability (a pass in the BPTC is the minimum requirement) B. absence in any jurisdiction of adverse professional or academic disciplinary findings; or of outstanding professional complaints of any nature; or of any criminal convictions or police cautions (includes spent convictions, but not minor road traffic offences such as speeding and parking fines).
19. Those involved in short-listing and interview will use agreed, written selection criteria, and will be familiar with BSB Fair Recruitment guidance. Every written test response (at both stages) will be independently marked by a minimum of two assessors. Assessors marking both the 1<sup>st</sup> stage and 2<sup>nd</sup> stage written exercises will not have seen any candidate’s application form. The current selection criteria are set out below. All records pertaining to the selection of candidates for interview are kept by the policy & regulatory standards manager.
20. The interview panel will usually consist of up to five representatives of both Chambers and FRU, including the OTC Head of pupillage or a deputy nominated by him and a pupil supervisor.
21. Final decisions on choice of the prospective pupil will be taken by the interview panel as soon as possible after interview and candidates will be notified as soon as possible.

#### **Criteria for assessment**

22. The two written exercises will be assessed according to the following criterion:
  - a. ability to articulate a clear, relevant and effective argument in writing;
23. The criteria used at interview are:
  - a. potential as an advocate, including the ability to articulate clear, effective and relevant arguments;
  - b. motivation/ drive;
  - c. interest/ experience in the areas of work undertaken by Chambers and FRU;
  - d. commitment to, and experience of, pro bono work (as demonstrated by your application form as well as performance in the interview).
24. All interviewers will be familiar with BSB Fair Recruitment guidance.

#### **Offers of Extended Pupillage**

25. Offers will be made in writing by the Head of pupillage and will contain the amount of the award offered, the basis on which pupillage is offered and a copy of this policy document.

#### **Roles and Duties of Pupils in Chambers and at FRU**

26. A pupil’s primary role is to learn. All pupils are expected to familiarise themselves with their pupil supervisors’ practices, produce their own attempts at opinions and pleadings, research

points of law and generally to shadow their supervisors.

27. A pupil is required to maintain and to respect the confidentiality of each of the supervisor's client's affairs. The same applies where a pupil is accompanying another member of Chambers and with respect to casework for FRU.
28. Written work should be produced within the time specified, or within a reasonable time.
29. Pupils will attend court, conferences and negotiations with their supervisors during the formal first six stage of pupillage. If a hearing or conference takes place some distance out of London, a pupil is not required to accompany the supervisor unless expressly requested to do so. In the event of a pupil's travelling/ accommodation expenses exceeding £200 in any of the four three month periods, Chambers will pay that pupil's reasonable travelling/ accommodation expenses for the rest of that three month period.
30. At FRU pupils will be allocated desk space for the first six month period of the extended pupillage. In Chambers, the pupil will sit in her/ his supervisor's room, save in exceptional circumstances where lack of space makes this impossible. In such cases, a desk will be found for the pupil within easy access of her/ his supervisor's room.
31. Pupils must complete the relevant checklist(s) during pupillage, attend all training organised internally and all compulsory training courses, and make sure that all required forms related to the progress and completion of pupillage are signed and sent off as appropriate. See s.8 of the BSB's Pupillage Handbook.

#### **Supervisors and Mentors**

32. The pupillage committee, acting through the Head of pupillage, will allocate pupils to supervisors. This is based on the availability of supervisors, the overriding need to provide a balanced pupillage covering different areas of Chambers' work and, if possible, expressed preferences in specific areas of work by the pupil(s).
33. The pupillage committee aims at all times to ensure that supervisors are representative of Chambers and that both male and female supervisors are involved in the training and education of pupils.
34. Pupils will be invited by the Head of Pupillage to consider seeking a mentor either through Chambers' mentoring scheme or through FRU's auspices (or both). The mentor's role is to provide informal support and assistance. Where appropriate, pupils may request additional or alternative mentors. The Chambers' Mentoring Scheme is administered by the policy & regulatory standards manager.
35. The Head of pupillage will be the "responsible person" overseeing the management and operation of the entire extended pupillage and be available to the pupil at all times.
36. The extended pupillage will be supervised as follows:

- a. during the initial 6 months at FRU, the pupil will hold the position of Assistant Legal Officer and will be managed by the FRU Principal Legal Officers. The pupil will also have a nominated supervisor from Chambers who will oversee this first six months, liaise with FRU Legal Officers, be available to the pupil to offer guidance and support and review progress with the pupil. That person may be the same person who supervises the pupil in the second six month period (c. below);
- b. during the 6 months in Chambers undertaking first-six pupillage, the pupil will have no fewer than two supervisors (three months each) in areas of work other than employment;
- c. during the 6 months practising pupillage period, the pupil will be working with FRU under the formal supervision of a qualified supervisor in Chambers. The pupil will be required to enter all court and tribunal commitments in the Chambers diary and liaise on a daily basis with the clerks in order to manage casework from Chambers. Desk space will be available in Chambers, ideally with the supervisor; and at FRU, if possible. The Chambers supervisor will meet with the pupil on a weekly basis in person, by telephone or videoconference, for an update on progress, casework and checklist review. In addition, the pupil supervisor must meet face to face with the pupil as a minimum every two months, and review the range of work required for completion of the pupillage checklist.

#### **Roles and Duties of Pupil Supervisors at Chambers**

37. At the end of the first six months of the extended pupillage period the pupil supervisor will liaise with the Legal Officers at FRU to produce a written report on the performance of the pupil. This report will be submitted to the Head of pupillage for use at the first review which will take place at the end of that six month period (see below).
38. During the formal first six pupillage period, the pupil supervisors will ensure that the pupil does written work for other members of Chambers. Pupil supervisors should endeavour to obtain written feedback on each piece of work from the member of Chambers concerned, to submit to the Head of pupillage for use at the quarterly reviews. Those other members of Chambers for whom work is done are expected to provide feedback to the pupil and to the supervisor. If feedback is not provided, the pupil should take this up with his or her pupil supervisor.
39. At the end of each three months of the pupillage period which is registered with the BSB, pupil supervisors will write a short report on the pupil. The report will contain the pupil supervisor's assessment of the pupil's written work, both advice and pleadings, and an assessment of her/ his potential as an advocate. This report is to be submitted to the Head of pupillage at the end of each quarter and will form part of the three monthly review carried out by the Head of pupillage (see below).

#### **Checklists**

40. All pupils work to the common law checklist provided by the BSB. Further details are in the most current BSB Pupillage Handbook (2017 edition).

#### **Structure of Pupillage**

41. A pupil will have at least three pupil supervisors during their pupillage period with Chambers.

42. In addition to working with her/ his allocated pupil supervisor, a pupil will accompany tenants to court and conferences.
43. A pupil may also accompany other members of Chambers to court where the case is particularly interesting, unusual or it would otherwise be of benefit for a pupil to attend the hearing.
44. A pupil will be expected to produce written work for other members of Chambers in addition to her/ his pupil supervisors, but only with the prior consent of the pupil supervisor(s).
45. In the formal second six months of pupillage work for all Chambers' pupils (including pupils undertaking Chambers' standard 12 month pupillage scheme and the OTC Extended Pupillage in association with FRU) will be distributed evenly (taking into account availability through work with FRU, in the case of the extended pupillage) amongst Chambers' pupils, subject to the relevant pupil supervisor being of the opinion that the work is within the abilities of her/ his pupil. The Lex system is used to record all work undertaken by pupils and this, together with earnings and exposure to different types of work/ court appearances, is reviewed every two months by the relevant business development director.
46. No pupil is required to pay room rent in Chambers or at FRU during the 18 months of pupillage.
47. No pupillage may be terminated without a resolution of the members of Chambers in general meeting.

#### **Bar Standards Board Approval**

48. The pupil shall make an application to the Bar Standards Board for approval to undertake external training under this scheme. This is because while FRU is accredited by the Bar Standards Board as a course provider for the purposes of Continuing Professional Development, it is not currently authorised as an Approved Training Organisation. The Bar Standards Board makes provision for the practising period of pupillage to be satisfied by an organisation which provides suitable training and experience<sup>3</sup>.
49. Although an application for approval of a form of external training may be made to the Bar Standards Board before, during, or after the non-practising period of pupillage, the pupil is required by Chambers under this scheme to apply soon after acceptance of the offer of pupillage.
50. The Chambers commercial director and policy and regulatory standards manager will assist the pupil to make the application and Chambers will cover the fee payable to the BSB.

#### **Commencement of Pupillage**

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<sup>3</sup> Regulations 30 and 42 of the Bar Training Regulations state:

30. Except as provided in Regulation 42, any period of pupillage must be undertaken:

(a) in an Approved Training Organisation; and  
 (b) with a barrister who is a registered pupil supervisor.

42. With the written permission of the Board, part or all of the practising period of pupillage may be satisfied by training:

(a) with a solicitor, judge or other suitably qualified lawyer who is not a registered pupil supervisor; and/or  
 (b) in an organisation which is not an Approved Training Organisation but which, in the opinion of the Board, provides suitable training and experience.

51. Pupillage is not valid until it has been registered with the Bar Standards Board. All pupils will receive confirmation of registration by email. Pupils are advised to follow the requirements in the BSB's Pupillage Handbook regarding registration of the non-practising (second 6 month period of the eighteen month period) and practising part (the third six month period of the eighteen month period) of the pupillage.
52. The common law checklist which must be completed during pupillage, forms for any change in pupillage arrangements, outline of duties of pupils, financial matters, training and other relevant matters are set out on the BSB website and in the BSB's Pupillage Handbook, with which the pupil must familiarise him/herself.
53. The checklist is the responsibility of pupils during pupillage. The pupil should consult regularly with the supervisor over progress and action points.

#### **Induction**

54. The pupil will be given an induction by FRU and by Chambers at the start of the 18 month pupillage and again by Chambers at the start of their formal 'first six' pupillage. The Chambers commercial director will cover pupillage, the organisation of Chambers and policy documents. The Chambers office manager will cover H&S, security, keys and other practical arrangements and the finance manager will deal with financial arrangements and options.
55. Pupils are requested to provide an up to date biography/ CV and a photograph when they attend their induction session. These will be circulated within FRU and Chambers and may be put on the FRU and Chambers websites.
56. There will be a short induction session with the clerks at the beginning of the 'first six' and an-depth induction at the end of the formal 'first six' prior to practice.

#### **Compulsory External Pupillage Courses**

57. All registered pupils will be sent information from the BSB about the following compulsory pupillage courses:
  - a. the pupillage advocacy course;
  - b. the practice management course;
  - c. the forensic accounting course.
58. Pupillage advocacy courses will be provided by the pupil's Inn or a relevant Circuit, and must be completed as part of the non-practising period of formal pupillage. If a course is not satisfactorily completed in the formal 'first six' pupillage, pupils will not be able to commence the formal 'second six'.
59. All pupils are required to undertake the practice management course during their pupillage and are strongly advised to do so in the non-practising (formal 'first six') period of pupillage. If not, the full qualification certificate will not be issued and practice as a barrister will not be allowed.



60. The forensic accounting course can be undertaken during pupillage or during the first three years of practice.
61. Chambers will cover the cost of all compulsory pupillage courses undertaken during pupillage. Pupils should see the finance manager who will provide a cheque for the course or arrange a refund on evidence of payment. There is no guarantee of funding for compulsory pupillage courses taken after pupillage. At Chambers' discretion, consideration will be given for funding towards other relevant training, upon request to the commercial director.

### **Training**

62. Chambers recognises the importance of advocacy training during pupillage. All pupils (including those under the standard 12 month pupillage scheme) will, where practicable, undergo a series of non-assessed advocacy training sessions during pupillage. These are scheduled to take place in the first three months of the 18 month pupillage. Pupils are asked to prepare a variety of 'briefs', each focusing on a different area of law and the sessions are attended by the pupils, the trainer and, where practical, their current Chambers supervisor. Constructive feedback is a crucial and integral part of every advocacy training session.
63. In addition, pupils undergo advocacy "appraisal exercises" between October and January with a final exercise in June in which they are asked to perform a piece of advocacy before a chairperson and an audience of members of Chambers. Constructive feedback is a crucial and integral part of every advocacy assessment session; and will be provided by the chair person, in consultation with the other attendees both orally after the exercise and by way of a written report. These reports do form part of the appraisal of pupils' performance.
- a. the first is with pupil supervisors, the Head of pupillage, and the pupillage secretary, if available;
  - b. the second and third are with members of the pupillage committee; and
  - c. the fourth and fifth are open to all members of Chambers.
64. FRU maintains a programme of training for its volunteers and staff, both internally and by attendance at external events organised by the Employment Lawyers Association, Employment Law Bar Association, Discrimination Law Association and others. The pupil will be expected to participate in this programme.

### **Quarterly Reviews**

65. The pupil will take part in a review at the end of the initial six months (spent with FRU) and at the end of each three month period of supervision thereafter. Those reviews (called "quarterly reviews") will be conducted by the Head of pupillage and/or a deputy nominated by him and will be attended by the nominated Chambers supervisor (with the assistance of the FRU Legal Officer in the case of the first review occurring at the end of the first six months of the 18 month period).
66. The reviews will consist of an appraisal of work done, a self-assessment by the pupil, a review of the checklist, an agreed statement of progress and objectives for the following three months. A review report will be prepared and should be signed by the pupil. Where practicable, the pupil

supervisors for each pupil will attend each pupil's review meeting. In the last six months, FRU supervisors will be invited to attend the pupil reviews.

67. All signed appraisal forms should be sent to, and will be kept centrally by, the policy & regulatory standards manager.

#### **Hours and Holidays**

68. Normal working hours are between 9.00 am and 6.00 pm. Pupils are not usually expected to work outside these hours although it may be necessary for them to do so from time to time. In particular cases it may be possible to adjust a pupil's normal working hours, but FRU's and Chambers' ability to make such adjustments will be restricted by the courts' opening hours and other professional commitments.
69. All pupils have a leave entitlement of 26 days pro rata in the first six month period at FRU and 20 days holiday during the formal 12 month pupillage excluding public bank holidays. Additional breaks may be taken by arrangement with the pupil supervisor.
70. All holiday leave must be notified in advance to the pupil's supervisor(s) and, during practising pupillage, to the relevant senior clerk(s). Holiday leave should be booked into the diary during the first and second six months of pupillage.

#### **End of non-practising pupillage**

71. If a pupil is approaching the end of her/his non-practising pupillage then s/he must ensure that s/he has complied with BSB requirements.
72. Pupils need to ensure that their supervisor signs the Certificate of Satisfactory Completion of Pupillage. The Certificate should be submitted to the BSB immediately.
73. The checklist for non-practising pupillage needs to be completed and submitted to the BSB
74. Pupils need to have completed the pupillage advocacy course as part of the non-practising period of pupillage. If a pupil has not satisfactorily completed the pupillage advocacy course, s/he will not be issued with a provisional qualification certificate and so will not be eligible to commence the practising period of pupillage until the course has been completed.
75. Pupils are reminded that it is an offence to practise without having been issued with a practising certificate. In addition, pupils should be aware that, during the practising period of pupillage, they may only exercise rights of audience with the permission of the supervisor or the Head of Chambers.

#### **Completion of pupillage**

76. Pupils must ensure that they have submitted their certificate of satisfactory completion, together with their completed checklist, to the Bar Standards Board and that they have completed their pupillage courses.

## Grievance Procedure

77. The following paragraphs set out the procedure which will be adopted in the event of a pupil wishing to pursue a complaint or grievance in respect of any aspect of his or her pupillage during the 18 months. With necessary amendments, the procedure is intended to mirror the grievance procedure open to any member of Chambers wishing to pursue a grievance. For the avoidance of doubt, however, where the alleged acts or omissions giving rise to dissatisfaction pertain solely, or predominantly, to the period and activities conducted at FRU (initial 6 month period of the 18 month programme), any complaint or grievance shall be addressed under the FRU's own complaints procedures.
78. At any stage of the grievance procedure the pupil may be accompanied by a member of Chambers of her/his choice.
79. Grievances will be dealt with, insofar as the investigation process allows, in the strictest confidence and without fear of recrimination, intimidation, harassment or anxiety that the raising of a grievance will adversely impact on any application for tenancy, third-six pupillage or employment with FRU or Chambers at the completion of her/his pupillage.

### Informal Process

80. A grievance should be raised, in the first instance, with the pupil supervisor, an E & D Officer or the commercial director (whichever is most appropriate), who will seek to clarify details of the grievance. Chambers will seek to resolve the grievance informally within seven days but this can be extended to fifteen days if necessary. Where a grievance is felt to warrant it, the matter will be referred to the Head of Governance. The grievance will be investigated and a written record will be kept of the facts arising, action taken and the outcome or decision which will be notified to the pupil. This is the first (informal) level of the grievance procedure.

### Formal Process: stage 1

81. Where the grievance is not, or cannot, be resolved at the informal level, and the pupil continues to feel aggrieved, the pupil should write to the Head of Chambers (or another member of the Chambers Senior Management Team, in the event that the Head of Governance is perceived to be compromised in some way) within seven working days of notification of the outcome of the informal review into the grievance. The pupil should indicate that the formal process is being invoked, should outline the grounds for the grievance and should explain why s/he is or remains dissatisfied with the outcome of the first level of investigation, and how s/he would seek to have the grievance resolved.
82. The Head of Governance (or other member of the Senior Management Team) will carry out a full investigation into the grievance and will decide whether to uphold the grievance or reject it. S/he should provide a decision in writing within seven (exceptionally fifteen) working days of receipt of the letter from the pupil concerned.

### Formal Process: stage 2 - appeal

83. If the grievance is still not resolved, or if the pupil still considers s/he has not been fairly treated, the pupil may appeal by letter to the Management Committee within seven working days of

being notified of the decision of the Head of Governance' (or that of another member of the Senior Management Team). The letter setting out the intention to appeal should be addressed to the commercial director, should indicate that the second (appeal) stage of the formal process is being invoked and should outline the reason(s) for the appeal, the redress which is sought and the reason why the pupil is, or remains, dissatisfied with the decision of the Head of Governance and/or the decision at the first stage.

84. In the event of a grievance being referred to the Chambers' Management Committee, the commercial director will arrange for a panel of two senior members of the Committee (if available, to consist of a Head of Chambers and the next available most senior member) to investigate the grievance giving rise to the appeal. Having fully investigated the grievance, the Panel will inform the pupil, in writing, of its decision within seven working days of the appeal being received.
85. The decision of the Chambers' Management Committee shall be final. There will be no further appeal or challenge to the decision of the Panel.

#### **Complaint about a pupil**

86. If a complaint is received about a pupil this will be handled in line with the complaints procedure operated by FRU if it arises in the first six months of the 18 month period, and in accordance with the complaints procedure operated by Chambers if it arises in the following twelve months (in the first and second six of the formal pupillage). This is subject always to the proviso that the procedure under which any complaint shall be heard will normally be determined by whether the alleged acts or omissions giving rise to the complaint pertained solely or predominantly to the period and activities conducted either at FRU or at OTC. The relevant organisation's disciplinary procedure will apply.
87. No pupil supervisor should be appointed as an investigator in any formal complaints procedure or appeal hearing.

#### **After Pupillage**

88. The pupil will be entitled to apply for any suitable vacancy through the usual recruitment processes but there is no automatic entitlement to be considered for an employment post with FRU or a tenancy with Chambers.
89. Applications for squatting in Chambers are not usually entertained but would be considered on a case by case basis.

Agreed, OTC/FRU Extended Pupillage Working Group July 2013  
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