
nexus

THE CHAMBERS OF

MICHAEL MANSFIELD Q.C.

Pupillage

Policy

Document

2020

Introduction

Nexus, the Chambers of Michael Mansfield QC ('Nexus' or 'Nexus Chambers'), is committed to the principles of Equality & Diversity and Fair Recruitment & Selection.

We administer our pupillages in accordance with the requirements of the Bar Standards Board Handbook, the Bar Qualification Manual, and the Equality & Diversity Rules.

The pupillage application process is taken very seriously by Nexus Chambers; we select and recruit pupils fairly. We are committed to: establishing and following well-defined selection procedures, ensuring that all pupils are funded in accordance with the Bar Qualification Manual; establishing and following a written training programme based upon the Professional Statement for Barristers; ensuring the fair distribution of work between pupils; complying with pupillage monitoring requirements; and upholding our Equality & Diversity policy.¹

Under the Bar Qualification Rules, the three stages of education and training have been reclassified as: (i) the academic component; (ii) the vocational component; and (iii) the pupillage or work-based component. We do not offer the academic or vocational components of training for the Bar. The training that we do offer is pupillage (also known as the work-based component) which is leaning to be a barrister 'on the job'. We accept application from those who are training for the Bar by means of the three-step pathway, the four-step pathway, or the integrated academic and vocational pathway. We do not offer training for candidates on the apprenticeship pathway. We accept applications from candidates who are yet to complete the academic component and the vocational component(s); however, we do require candidates to have completed those academic and vocational components before commencing their Pupillage with us.

Our Pupillage is designed to allow our Pupils to exceed the requirements of the threshold Standard and Competences contained in the Professional Statement for Barristers. Our successful Pupils will have achieved a thorough understanding and grasp of all of the Professional Statement Competences which are broadly summarised as:

- (i) Barristers' distinctive characteristics;
- (ii) Personal values and standards;
- (iii) Working with others; and
- (iv) Management of practice.

Since we began offering pupillage in 2015 we have trained two Pupils per year. All of our pupils have successfully qualified at the end of their twelve-month Pupillage with us. Over the last three years, of the six pupils who have qualified with us, five have been invited to apply for tenancy with us. Of those five, four made applications for tenancy. All of those four applicants received and accepted offers of tenancy with us and remain practising tenants in our chambers. The one Pupil who was invited to apply for tenancy but did not do so is now an employed barrister in a government department.

¹ Nexus' Chambers' Equality & Diversity Policy can be viewed on our website and our Equality & Diversity Officer is available to discuss any issues that may arise in Chambers.

Pupillage Award

At present, we offer two twelve-month pupillages per year. We stagger the start dates of our pupillages, so that one pupil will commence in April and the other will commence in October.

From 2021 Nexus will endeavour to offer pupillage awards in excess of the Living Wage Foundation's living wage for London. This figure is set annually. For those starting on or after 1st September 2019 our pupillages are funded with an award of at least £18,436, rising to £18,866 from 1st January 2020 (this figure is in line with the living wage for London). From April 2021 our pupillages will carry an award of at least £20,000 and will be calculated and paid in accordance with the Bar Qualification Manual (Part 2C2.3 – Pupillage Funding) and the BSB Handbook. This figure is expected to be in excess of the living wage for London.

Half of our pupillage awards are paid during the non-practising period of pupillage (“first six”) in six equal monthly payments (the specified amount). Pupils will also be reimbursed for reasonable travel expenses incurred during first six. These sums will be paid by electronic transfer on the last working day of the month.

During second six, our pupils are ‘on their feet’ and earning their own fees. We guarantee our second six pupils a minimum monthly income of one twelfth of their pupillage award (the specified amount). This will be paid at the end of each month, by electronic transfer. During this period, we will also pay to our pupils such further sum as may be necessary to reimburse expenses incurred by them on:

- (a) Travel for the purposes of pupillage during that month (but excluding expenses for travel for purposes of practice as a barrister, *i.e.* for work for which pupils will receive fees);
- (b) Attendance during that month at courses which pupils are required to attend as part of their pupillage; less
- (c) Such amount, if any, as pupils may receive during that month from practice as a barrister; and less
- (d) Such amounts, if any, that pupils may have received during the preceding months of their practising pupillage from their practice as a barrister, save to the extent that the amount paid to them in respect of any such month was less than the total of the sums at (a) and (b) above.²

The successful applicant, thereby becoming a pupil of Nexus Chambers, will be both allocated and told of their pupil supervisor at least 10 days before the start of their pupillage.

Nexus operates and runs its pupillage scheme in accordance with the BSB Handbook³ and the Bar Qualification Manual⁴.

² See BQM Part 2C2.3.9 for further details: <https://www.barstandardsboard.org.uk/training-qualification/bar-qualification-manual/part-2-for-students-pupils--transferring-lawyers/c2-responsibilities-of-aetos.html>

³ <https://www.barstandardsboard.org.uk/for-barristers/bsb-handbook-and-code-guidance/the-bsb-handbook.html>

⁴ <https://www.barstandardsboard.org.uk/training-qualification/bar-qualification-manual.html>

The pupillage award or remuneration during pupillage is paid to pupils in lieu of payment for any individual item of work.

During pupillage, pupils are not charged any chambers rent, nor are they required to contribute towards photocopying or chambers' other administrative costs. During the practising period of pupillage, pupils are required to pay clerks' fees at the reduced rate of 10%, which will be levied on all fees collected by chambers during the practising period of pupillage. If pupils undertake a noting brief during first six they will be required to pay clerks' fees at 10% on those fees if they are collected by chambers during first six or second six. In the event that pupils leave chambers during pupillage or at the conclusion of second six, work done through Nexus Chambers must be billed and collected through Nexus Chambers and clerks' fees will remain payable on fees collected.

Pupillage Committee

The Pupillage Committee will be made up of three members of Nexus Chambers including the Head of Pupillage. The Head of Pupillage will appoint two other members of chambers to sit on the Pupillage Committee. The Head of Pupillage sits on Chambers' Management Committee and will chair the Pupillage Committee.

The Pupillage Committee will be responsible for pupils' training and support during pupillage. The Pupillage Committee will also be responsible for advertising any pupillages offered and the arrangement and conduct of the interviews of the candidates. This will include:

- (a) setting the interview questions and marking system that will be used to assess the candidates;
- (b) setting and organising the procedure and timetabling for interviews, together with convening the interview panel;
- (c) formulating an appropriate topical problem together with model answer and agreeing the marking system to be used to assess the candidates.

All members of the Pupillage Committee must have attended Equality & Diversity Training and Fair Recruitment & Selection Training and must keep themselves abreast of developments in this area.

The Pupillage Committee will also be responsible for:

- (a) ensuring that at the end of each period of pupillage the certificate of satisfactory completion of pupillage is signed and submitted to the BSB by the pupil; and
- (b) reviewing and revising this Pupillage & Recruitment Policy Document.

Selection Procedure

Nexus Chambers aims to ensure that the opportunity to undertake pupillage is open to all and that selection is based upon merit, ability, and potential. We are looking for pupils with proven academic ability and with a character that we believe will fit in and work well at Nexus. We are committed to maintaining high standards in our Pupillage and training for the Bar whilst also being conscious of the need to maintain access to the profession.

We do not accept applications through the Pupillage Gateway; rather applications are to be made on our application form which can be downloaded here: <http://nexuschambers.com/nexus/pupillage/>.

All pupillages at Nexus are advertised on the Pupillage Gateway at www.pupillagegateway.com.

The Head of Pupillage will convene a selection panel. The selection panel will conduct the process of selecting pupils, with the procedure being overseen by the Head of Pupillage. Except in unforeseen and exceptional circumstances, the person with lead responsibility for the selection panel and at least one member of the selection panel (who may be the same person) will have received recent and appropriate training in fair recruitment and selection processes. Save in exceptional circumstances, every member of all selection panels must be trained in fair recruitment and selection processes. The recruitment and selection processes use objective and fair criteria.

We understand that the selection process is generally very demanding and stressful to candidates, so it is conducted with efficiency and courtesy.

Initially, all applications received are reviewed by more than one member of Chambers. Each application is assessed in accordance with relevant pre-determined selection criteria which will be applied consistently to all applicants. No application is rejected unless at least two members of Chambers have reached the same conclusion; any discrepancies/disagreements are passed to the Head of Pupillage whose decision will prevail.

We encourage applications from suitably qualified candidates, including those yet to undertake the BPTC. Applicants must be able to demonstrate:

- (a) integrity;
- (b) educational achievement;
- (c) hard work and enterprise;
- (d) advocacy ability or potential;
- (e) a commitment to chambers' practice areas; and
- (f) a desire to join a growing and forward-looking set.

It should be noted that Chambers requires a minimum of a 2:i classification at undergraduate degree (not necessarily a law degree). We also require a 2.i or equivalent (commendation) in the qualifying law degree. We do require applicants to have completed the academic and vocational stages of training for the Bar with us before commencing pupillage with us (although we accept applications from those who are yet to complete those stages of training).

Following this initial stage, a shortlist will be drawn up from all applications of those who are to be invited for a First Interview. We normally hold our interviews on weekday evenings (Monday – Thursday). All interviewees will be directed to view this Policy, available on chambers website www.nexuschambers.com. We regret that we are unable to cover expenses for candidates to attend for interview.

Those who are invited for a First Interview will be informed of the date and time of their interview. We regret that it will not normally be possible to accommodate requests from interviewees with regards to the time and date of interviews (save for reasonable adjustments). Requests for reasonable adjustments should be made in writing at the time of submitting application forms.

Candidates will be required to arrive 15 minutes prior to their First Interview and may be given a short advocacy exercise to prepare. The purpose of the interview is to gain a general understanding of each applicant's reasoning, analytical skills, oral advocacy, and character.

Following this First Interview, successful applicants will be invited for a Second Interview. Our interviews are normally held on weekday evenings (Monday – Thursday). Second Interviewees will be required to attend 30 minutes prior to their interview time and may be given a short advocacy or ethics exercise to prepare.

The advocacy exercise will usually entail either a bail application or plea in mitigation. Following the advocacy exercise, applicants may be asked some questions in order that the interviewing panel may gain more of an understanding of the applicant.

At the conclusion of the selection procedure, the successful applicants will be notified in writing and will be asked to respond to the offer as soon as possible and in any event within 14 days. A reserve list will also be created and those on the reserve list will be notified in writing.

Records of all applicants and documentation relating to selection decisions will be kept for a period of two years. All paperwork will then be securely disposed using Chambers' ordinary method of disposing of confidential paperwork.

Chambers will require the details of two referees to be provided. We also now require applicants to contact their referees directly. We require the applicant to arrange for two reference to be sent directly to us by email (recruitment@nexuschambers.com) prior to the application deadline. At least one of these references may be an academic reference from the qualifying law degree. Please note that references are vital and it is the responsibility of the applicant to ensure that they are sent to us. We will not ourselves seek or chase up references if they are missing and it could seriously delay or forestall your application if the references are not supplied to us. You may supply more than two references if you wish. References should address the selection criteria above.

Applicants will be required to sign the ‘Applicant’s declaration’ on their application form at the time of submitting their application. By signing the declaration they will confirm, amongst other things, that: the contents of their application form are true; they are of good professional standing; they have no pending criminal or professional disciplinary proceedings or investigations; they have no unspent criminal convictions or cautions; they no know of no other good reason why they would not reasonably be considered a fit and proper person to practise at the self-employed Bar.

If we were to discover that an applicant had made a false declaration when submitting their application form we would consider this to be incompatible with the Core Duties and gross misconduct which would justify immediate termination of Pupillage.

Successful applicants for pupillage with us will be required to provide (prior to commencing pupillage) evidence of their credentials. This is a condition of our pupillage offer. We will require Pupils to provide to us as soon as possible:

- (1) a certified copy of their undergraduate degree certificate;
- (2) a certified copy of their undergraduate examination results (if necessary to demonstrate a minimum *2.i* degree classification);
- (3) certified evidence of *2.i* or equivalent (commendation) in the qualifying law degree completed within the five-year limit;
- (4) certified evidence of satisfactory completion of the vocational component within the five-year limit;
- (5) evidence that they are a member of an Inn of Court and that they have been Called to the Bar;
- (6) evidence that immigration visas have been obtained, where relevant; and
- (7) evidence that waivers have been granted by the BSB, where relevant.

Offers of Pupillage

Once a decision has been made to offer an applicant a pupillage, a Pupillage Offer Letter (‘offer letter’) is sent (by email only). That offer letter will set out the dates of the pupillage that is being offered (both the non-practising and non-practising periods) and the details of the award, amongst other things. Our offers of pupillage remain for 14 days. We ask that successful applicants notify us of their decision as to whether they accept our offer of pupillage as soon as possible (by email to recruitment@nexuschambers.com) and in any event by the 14 day deadline after which the offer will lapse. As per the Bar Qualification Manual, the offer of a pupillage and its acceptance by the person to whom it is made will give rise to a legally binding contract for education and training (‘the pupillage contract’).

The terms of the pupillage contract between the Pupil and Nexus Chambers are set out in (a) the Pupillage Offer Letter; and (b) in this Pupillage Policy Document. For the avoidance of doubt, it is a condition of our Pupillage offers that if you accept our offer you must withdraw any other pending application that you have made to other chambers.

Pupillage

A successful applicant, thereby becoming a pupil of Nexus Chambers, will be both allocated and told of their pupil supervisor at least 10 days before the start of their pupillage.

The responsibility for registering pupillage (and any material change during pupillage) is with the pupil, who must register his/her pupillage (and any material change) with the BSB in accordance with the Bar Qualification Manual and on the prescribed form.

Chambers will arrange an induction visit before the start of pupillage in order that the prospective pupil may be shown around chambers and introduced to other members of chambers and staff.

On the first day of pupillage, pupils will, if not already received, be provided with or directed to:

- (a) this Pupillage Policy Document; and
- (b) an introduction to the general layout of Nexus Chambers, including details of the location of the clerks' room, photocopier/printer, internet passwords and finally the Nexus locks and security systems.

Over the course of pupillage, it is likely that pupils will rotate through different pupil supervisors. This is so that pupils are able to see a range of different work and methods of practise.

Working hours

Pupils' working hours will, ordinarily, be 9am – 6.30pm. It will be necessary, from time-to-time, to start earlier than 9am or finish later than 6.30pm. Pupils will sometimes be required to do research or paperwork in the evenings, either in chambers, in the library, or at home.

During the non-practising period of pupillage, pupils are not required to work on Saturdays (although they will be required to assist at the Bar Council's Pupillage Fair, which usually takes place on a Saturday in October).

During the practising period of pupillage, pupils are required to be available to go to court on Saturdays and Bank Holidays. It is unlikely that a pupil will be required to go to court on a Bank Holiday, but if they are then they will be afforded an additional day of holiday in lieu. Pupils must be contactable by telephone on Friday evenings/nights and on Saturdays so that they can be instructed to go to court on Saturday if necessary. It should of course be noted that it is not only pupils who attend Saturday and Bank Holiday courts – tenants also do from time-to-time.

Annual leave

Although pupils are not employees, we consider it a matter of good practice that pupils are permitted to take up to four weeks' leave per annum (*i.e.* 20 working days per annum, not including Bank Holidays). According to the BSB, pupils should take no more than two weeks' leave in each period of pupillage and it would be necessary to apply to the BSB for dispensation from the regulations in the event that a longer break is anticipated.

All requests for holiday must in the first instance be made in writing (by email) to the Head of Pupillage. If approved, the Head of Pupillage will notify the clerks by email (copying in the pupil

and the pupil-supervisor) with the holiday dates. Holidays taken on Saturdays during second six will count towards the ten days leave permitted in second six.

Sick leave

If you are sick you must notify your Pupil Supervisor and the clerks immediately by email and/or telephone. If you have an excessive number of days' sick leave (at the discretion of your Pupil Supervisor) in any six-month period of pupillage, your pupillage may be extended by the period of absence.

Pupillage Training

Pupillage Training at Nexus Chambers focuses on the knowledge, skills, and attributes that are required for practice on day one of authorisation as described in the Professional Statement, (Incorporating the Threshold Standard and Competences) and to meet the requirements of a barrister's professional service to their client.

By the end of pupillage, pupils will have a thorough understanding and appreciation of the operation in practice of rules of conduct and etiquette at the Bar and achieve a working knowledge and understanding of the BSB Handbook.

A fundamental objective of pupillage is that the pupil should develop and practise the skills necessary to be an effective advocate. Pupils must pass the Advocacy Training Course provided by their Inn or Circuit in the non-practising period of pupillage. Pupil Supervisors will ensure that their pupil is given sufficient time to prepare properly for their Advocacy Training Course.

Pupils can expect to participate in our in-house advocacy programme consisting of practical exercises aimed at developing up to date knowledge of the law, court procedure, professional ethics, and advocacy.

Pupils will sit in on conferences and negotiations and will develop their skills in this regard, largely through observation and discussion with the pupil supervisor. Pupils will also develop writing and drafting skills through feedback on written example of work, and their legal research skills will also be further enhanced. Pupils will be given the opportunity of producing their own work and receiving constructive feedback from their pupil supervisor.

Throughout pupillage, pupils must maintain a record of relevant work done and issues considered, demonstrating the outcomes that have been met and making reference to the relevant section of the Professional Statement.

At the end of the two periods of pupillage an appraisal of skills will take place by reference to the pupillage checklists and the Professional Statement; a written record should be kept.

Compulsory courses

Pupils are required to attend and pass the compulsory Pupils Advocacy Course administered by the Inns of Court during the non-practising period of pupillage ('first six'). Pupil Supervisors will ensure that Pupils are given sufficient time to be fully prepared for this course.

Our Pupils are encouraged to attend this course as early as possible during their first six, in order that there is time to undertake a re-sit if necessary.

Our policy staggering pupillage start dates (*i.e.* April and October) has caused some difficulty with respect to this course because most Inns of Court only offer pupils' courses for non-practising period starting in Autumn. Middle Temple offers a pupils' course for April starting pupils and our April starters are encouraged to sign for this course at Middle Temple as soon as possible, irrespective of which Inn they are a member of. Although it is preferable to undertake the course with your own Inn, that is not a requirement and the course can be undertaken with any Inn.

The Advocacy Course must be satisfactorily completed in the non-practising period of pupillage. If the course is not satisfactorily completed, the non-practising period of pupillage can be extended.

In the event that a pupil fails to satisfactorily complete the Advocacy Training Course at the first or second attempt, a Stage 3 procedure will be invoked at the request of an Inn or Circuit. This is administered on behalf of the BSB by the Inns of Court College of Advocacy (ICCA). Details of that procedure can be found on the ICCA website⁵.

⁵ <https://www.icca.ac.uk/stage-3-pupil-advocacy-procedure/>

Pupillage Assessment

Nexus Chambers will continue to use the BSB's pupillage checklists alongside the Professional Statement. At the end of pupillage, pupils are required to lodge with the Pupillage Committee copies of their completed checklists, signed by their supervisor(s).

Pupils are required to maintain a work diary throughout their Pupillage with cross-references to the relevant sections of the checklists and the Professional Statement.

Support

Wellbeing

Nexus Chambers is committed to wellbeing at the Bar. Resources relating to this important topic can be found here: <https://www.wellbeingatthebar.org.uk>

The wellbeing of Pupils during pupillage will be the responsibility of their Pupil Supervisor and the Pupillage Committee.

Buddy / Pupillage Mentoring scheme

At the start of pupillage, Pupils will be allocated a ‘buddy’ who will be a junior tenant in chambers. The idea of this is to provide an informal and friendly point of contact for questions or issues that the pupil may wish to raise to someone other than their pupil supervisor.

Pupils’ ethics helpline

In addition to the general ethics helpline, the Bar Council now provides a dedicated Pupils Helpline. This allows pupils to contact confidentially experienced and independent barristers who can help with problems encountered during pupillage.

In many cases, pupils will be able to obtain appropriate advice and support from their pupil supervisor and / or chambers. The Inns’ Education and Training Departments can often also help. However, there will be occasions when pupils may prefer to discuss their concern with a member of the Bar who is unconnected with their chambers. For this reason, the Bar Council has established a panel of advisers to offer pupils a confidential and objective advice service. All of the advisers are barristers of at least five years’ call who have received training from the Bar Council. Contact can be made, anonymously if wished, by email or telephone.

To access the helpline, please call 020 7611 1415 or email [**PupilHelpline@BarCouncil.org.uk**](mailto:PupilHelpline@BarCouncil.org.uk).

Talk to Spot

The Bar Council is working with Spot, an online tool which allows anonymous and confidential recording and optional reporting of bullying, harassment, and discrimination.

If Pupils have any difficulty they should in the first instance raise it with their Pupil Supervisor, their Pupillage Buddy, or any other member of chambers. Pupils are reminded that they always have the option of Talking to Spot if they need it: <https://talktospot.com>

Complaints

Pupil's complaints

We hope that pupillage will be a positive and constructive experience for all pupils. If a pupil has a complaint about pupillage and/or their pupil supervisor they should raise their complaint as soon as possible, with their pupil supervisor in the first instance if appropriate. A written record will be kept by the pupil supervisor of any complaint made. If the complaint is made in writing it will be acknowledged as soon as possible.

If the complaint cannot be resolved through discussion with the pupil supervisor, or it is not appropriate for that to occur, then the complaint should be referred to the Head of the Pupillage Committee, or if not available or appropriate, one of the other members of the Pupillage Committee or the Management Committee. If the complaint is still not resolved it should be referred to the Management Committee which will decide how to proceed on a case-by-case basis.

If any party is dissatisfied with the outcome of the complaint then there will be an appeal process ultimately to the Head of Chambers or the deputy Head of Chambers. If the pupil remains dissatisfied with the outcome of any complaint they may raise the matter with the Bar Standards Board.

All conversations, records kept and documents relating to the complaint will be treated as confidential. They will only be disclosed as necessary.

Complaints about pupils

Clearly we hope that it will not be necessary for us to resolve complaints about pupils. However, in the event that a complaint is made about a pupil it will be directed in the first instance to the pupil supervisor, if appropriate. If the complaint cannot be resolved through discussion with the pupil, or it is not appropriate for that to occur, then the complaint should be referred to the Head of the Pupillage Committee, or if not available or appropriate, one of the other members of the Pupillage Committee or the Management Committee. If the complaint is still not resolved it should be referred to the Management Committee which will decide how to proceed on a case-by-case basis.

If any party is dissatisfied with the outcome of the complaint then there will be an appeal process ultimately to the Head of Chambers or the deputy Head of Chambers.

All conversations, records kept and documents relating to the complaint will be treated as confidential. They will only be disclosed as necessary.

Pupils' Code of Conduct

Our pupils, including those who have accepted offers of pupillage but are yet to commence their pupillage with us, are expected to conduct themselves at all times in accordance with the BSB Handbook and the Bar Qualification Manual.

In addition to the above, chambers specific rules on the following during pupillage: dress; alcohol and work related social events; social media use; and the personal use of mobile phones. Pupils are also required to abide by chambers' Bring Your Own Device Policy (which is available separately and will be sent to pupils during induction).

Dress

Pupils are expected to be appropriately dressed at all times.

Second six pupils will need to have their own court dress. "Court dress" means wigs, gowns, wing collars and bands or collarettes⁶. Some pupil supervisors will require their pupils to robe (*i.e.* to wear court dress) when accompanying them to court and it is therefore preferable for first six pupils to have purchased their wig and gown *etc.* before commencing pupillage.

At all other times during pupillage, including when in chambers, pupils should wear dark-coloured formal non-court dress. An example of this would be a dark sober business suit (black, navy blue, or dark grey), white shirt, sober tie, black shoes, and plain dark-coloured socks. Another example of this would be dark-coloured (black, navy blue, or dark grey) skirt or dress (no higher than knee-length), dark opaque tights, black or navy pumps or court shoes.

Longer length should be neatly tied back when robed. Cosmetics (including scent) and jewellery if worn must be discrete.

Alcohol & work-related social events

Pupils (including those who have accepted an offer of pupillage but have not yet started) will sometimes be invited to participate in work-related social events. These events will usually take place away from chambers but will occasionally take place in chambers.

None of these events are compulsory for pupils and pupils should not feel compelled to attend or participate in social events, or to drink alcohol if they do chose to attend. Social events play no part in the assessment of pupillage.

If pupils choose to drink alcohol they should do so sensibly and in moderation. Whilst it is not chambers' intention to place unnecessary restrictions on attendees' enjoyment of such events, for the avoidance of doubt, it is in everyone's interests that the highest standards of behaviour are maintained at all times including at work-related social events.

⁶Please see 'Court Dress: Revised Guidance from the Chairman of the Bar Council:
https://www.barcouncilethics.co.uk/wp-content/uploads/2017/10/court_dress_020609.pdf

Social media use

In 2019 the Bar Standards Board published updated guidance on social media use for barristers⁷. Pupils should be particularly aware of the following:

- (a) All social media is inherently “public” and so anything you say or do on social media is subject to regulatory oversight because anything you publish online may be read by anyone and could be linked back to your status as a barrister.
- (b) All barristers are bound by Core Duty 5 not to behave in a way which is likely to diminish the trust and confidence which the public places in the profession at all times.
- (c) Social media includes (but is not limited to) sites such as Twitter, YouTube, Facebook, LinkedIn and internet forums.
- (d) Comments designed to demean or insult are likely to diminish public trust and confidence in the profession. It is advisable to avoid being drawn into heated debates or arguments. Such behaviour could compromise the requirements for barrister to act with honest and integrity and not to unlawfully discriminate against any person. Barristers should always take care to consider the content and tone of what they are posting online or sharing. Comments that you reasonably consider to be in good taste may be considered distasteful by others.
- (e) Barristers (including pupils) must bear in mind the duty to keep your client’s affairs confidential.

We recommend pupils to also be conscious of Core Duty 4 (‘You must maintain your independence’). With social media being (generally) public, instantaneous, and everlasting, there is a danger that a barrister (including a pupil) might express an opinion that in the future could be said to have compromised their independence.

Pupils should not make reference on social media to: (i) their status as a “barrister”; or (ii) their status as a pupil at Nexus Chambers. Pupils must also be conscious of the rules on “holding out” and therefore should not describe themselves as a “barrister” on social media (or anywhere for that matter) without making it clear that they are, at this stage, not fully qualified.

For the avoidance of doubt, pupils should not use social media during working hours.

The personal use of mobile phones

Pupils will not be provided with a mobile phone by chambers. It is expected that pupils will use their own mobile phone (and this is covered by the separate ‘Bring Your Own Device’ policy). Pupils should refrain from using their phones (or other devices) to make personal calls or send personal messages during working hours, save in exceptional circumstances.

⁷ <https://www.barstandardsboard.org.uk/uploads/assets/c7cea537-53f8-42a8-9f6d8ef1832a7db9/Social-Media.pdf>

Pupil Supervisors

Responsibilities of the Pupil Supervisor

The formal obligations and functions of Pupil Supervisors are set out in the BSB Handbook and the Bar Qualification Manual.

The role of the pupil supervisor is to provide the pupil with:

- a suitable training programme that enables them to meet the competences in the Professional Statement to the threshold standard in accordance with the Curriculum and Assessment Strategy; and
- all necessary assistance in complying with their regulatory obligations.

If at any stage the Pupil Supervisor is informed or becomes aware of any weakness in the pupil's performance, then the Pupil Supervisor, together with the Pupillage Committee, will provide such extra support as is needed.

General duties of the Pupil Supervisor include organising regular appraisals which will provide an opportunity for the Pupil Supervisor to give feedback on the Pupil's work and also for the Pupil to reflect on their own work and to give feedback if any to the Pupil Supervisor.

Pupils will often be required to read their Pupil Supervisor's papers and draft pleadings and other documents, including opinions, where applicable. The Pupil will regularly be required to accompany their Pupil Supervisor (and likely another member of Nexus), to court. The purpose of this is to allow the pupil the opportunity to observe all such work and gain all such experience as is appropriate for a person commencing practice in the area of work undertaken by the Pupil Supervisor, and in particular to enable the pupil to meet the requirements of the Professional Statement to the threshold standard.

Pupil Supervisors will seek to ensure that pupils, by the end of their pupillage, have the knowledge, skills and attributes to meet The Threshold Standard and Competences. At Nexus we are aiming to deliver a high standard of training and expect our pupils to comfortably exceed the threshold competences; however, at a minimum we aim to ensure that our pupils by 'day one' of qualified practice will:

- (a) always perform at an acceptable standard, that is the standard of performance must be at least satisfactory (fit for purpose though not necessarily outstanding or perfect);
- (b) always achieve a standard of service to the client that is appropriate to the purpose for which the barrister has been instructed;
- (c) perform within a reasonable time frame (a reasonable timeframe for a newly qualified barrister may be longer than it is for an experienced barrister);
- (d) be able to deal with straightforward or uncomplicated or familiar work unaided;
- (e) ask for support when it is needed in order to complete more complex or unfamiliar work.

In addition, Pupil Supervisors at Nexus will aim to ensure that Pupils have the necessary skills:

- (a) to understand and appreciate the operation in practice of rules of conduct and etiquette at the Bar;
- (b) of advocacy in order that the pupil is able to prepare and present a case competently;
- (c) of conferences and negotiation in order that the pupil is able to conduct the same competently; and
- (d) of legal research and the preparation of drafts and opinions in order that the pupil is able to undertake the same competently.

All Pupil Supervisors at Nexus Chambers are familiar with the Equality & Diversity Rules, the Bar Qualification Manual, and the Professional Statement for Barristers (incorporating the Threshold Standard and Competences), the Curriculum and Assessment Strategy as well as any material that the BSB and/or Bar Council publish from time-to-time.

All Pupil Supervisors at Nexus Chambers satisfy themselves that all reasonable steps are taken to ensure that, during pupillage, no pupil is discriminated against on the grounds of any of the protected characteristics.

During the practising period of pupillage, the Pupil Supervisors will review the distribution of work to pupils to ensure that the pupils are given a fair and equal access to all opportunities that are offered to pupils during pupillage as far as is possible. Prompt remedial action will be taken where required.

Pupil Supervisor selection and approval

We are committed to high standards in the supervision of Pupils. Nexus Chambers has a specific policy for the approval of Pupil Supervisors. We do not train our own supervisors; rather we require our prospective Pupil Supervisors to attend a formal Pupil Supervisor Training session in an Inn of Court. We also require our prospective Pupil Supervisors to provide a reference from a QC or Circuit Judge. Our Pupil Supervisors should be at least 7 years call, must have practised for at least five years, have a current practising certificate, and be insured with the BMIF. Those who wish to be approved as a Pupil Supervisor will be required to complete a form containing all the information that is required by the Pupillage Committee to decide whether or not to approve the applicant as a Pupil Supervisor; reference will be made to: the amount of time that the prospective Pupil Supervisor spends in chambers and so can devote to contact with the Pupil; the types of work undertaken by the Pupil Supervisor; the prospective supervisor's professional seniority; what other extra professional training the prospective supervisor has undertaken; and any other experience of teaching, advocacy training, tutoring, or professional supervision the individual may have.

The Pupillage Committee will make a decision as to whether to approve prospective Pupil Supervisors based on the information provided by the prospective supervisor in their form. Once a decision has been made, the Head of Pupillage will write to the prospective supervisor notifying them of the outcome of their application to be approved as a pupil supervisor.

The Pupillage Committee will determine the allocation of pupils to supervisors. If there is a surplus of supervisors, not all supervisors will necessarily be allocated a pupil. The objective will be to guarantee high standards in the delivery of our pupillages.

Work for other members of chambers

With respect to undertaking work for other members of Nexus Chambers, all pupils will be given an opportunity to work for other members of Chambers, subject to gaining the permission of their Pupil Supervisor. Any requests for work to be undertaken by pupils for anyone other than their Pupil Supervisor must be made through the pupil's Pupil Supervisor; this is so that the Pupil Supervisor is aware of the work being undertaken, can adequately supervise the pupil, ensure that the pupil has sufficient time to undertake all work expected of them, and protect the pupil's wellbeing. Feedback will be provided by any Member of Chambers that has had work conducted by the Pupil, to both the Pupil, the Pupillage Committee, and the Pupil Supervisor.

Guidance, Feedback, and Appraisal

The Pupil Supervisor should hold regular formal appraisal meetings with their pupil in addition to providing regular opportunities for informal feedback. We recommend Pupil Supervisors to hold formal appraisal meetings once every six weeks. A written record of these appraisal meetings should be made and shared with the Pupil and the Pupillage Committee. These are part of the formal assessment of Pupillage.

The Pupil Supervisor will be available to provide guidance and feedback to the Pupil, particularly during the practising period when the pupil will be practising 'on their feet'. All members of Nexus Chambers will be available to provide informal support and guidance, in particular the Pupil's buddy.

The Pupil Supervisor will ensure that the pupil is provided with and retains a copy of the Professional Statement for Barristers and the appropriate checklist(s). The Pupil Supervisor will also ensure that the Pupil: (a) maintains a detailed pupillage diary with cross-references to the Professional Statement for Barristers; (b) completes their checklist(s) conscientiously and accurately. The Pupil Supervisor will sign and date the checklist at the end of the period for which s/he has responsibility for the pupil.

At the end of the non-practising period of pupillage it is the responsibility of the Pupil to send the necessary documentation to the BSB in order to apply for a Provisional Practising Certificate. When sending the paperwork to the BSB the Pupil should copy in their Pupil Supervisor and the Head of the Pupillage Committee in order that the Pupil Supervisor can ensure that this step has been taken. The Pupil should then confirm by email to the Head of the Pupillage Committee (copying in the Practice Manager) when the BSB have granted a Provisional Practising Certificate.

Certificates of satisfactory completion

At the end of the non-practising period of pupillage, the Pupil must submit a certificate from their Pupil Supervisor to the BSB certifying that the non-practising period has been satisfactorily completed. It is at the discretion of the Pupil Supervisor whether to sign the pupil off as having satisfactorily completed the non-practising period of pupillage. Progress towards this target should be discussed at appraisal meetings and the Pupil Supervisor should give notice to the Pupil if there are reasons to believe the Pupil may not be able to be signed off, in order that remedial action can be taken. In the event that the Pupil Supervisor considers that there is a risk that the Pupil will not be signed off they must draw this to the attention of the Pupillage Committee as early as possible with reasons. A meeting should be held between the Pupil Supervisor, the Head of the Pupillage Committee, if necessary the Chairman of the Management Committee, and the Pupil. In the event

that the Pupil is not signed off as having satisfactorily completed the non-practising period of pupillage and they disagree with the decision they may appeal to the Head of Pupillage or to the Chairman of the Management Committee, whose decision will be final.

At the successful conclusion of the practising period of pupillage, the Pupil Supervisor must complete the Practising Period Completion Form to confirm that the Pupil has met the competences in the Professional Statement. The Pupil Supervisor must not confirm that requirement have been met if the Pupil has not reached the required standards. It is the responsibility of the Pupil to send the form to the BSB in order to apply for a Practising Certificate. When sending the paperwork to the BSB the Pupil should copy in their Pupil Supervisor and the Head of the Pupillage Committee in order that the Pupil Supervisor can ensure that this step has been taken. The Pupil should then confirm by email to the Head of the Pupillage Committee (copying in the Practice Manager) when the BSB have granted a full Practising Certificate. It is at the discretion of the Pupil Supervisor whether to sign Practising Period Completion Form. The Pupil Supervisor must be satisfied that the Pupil has met the competences in the Professional Statement. Progress towards this target should be discussed at appraisal meetings and the Pupil Supervisor should give notice to the Pupil if there are reasons to believe the Pupil may not be able to be signed off, in order that remedial action can be taken. In the event that the Pupil Supervisor considers that there is a risk that the Pupil will not be signed off they must draw this to the attention of the Pupillage Committee as early as possible with reasons. A meeting should be held between the Pupil Supervisor, the Head of the Pupillage Committee, if necessary the Chairman of the Management Committee, and the Pupil. In the event that the Pupil Supervisor declines to sign the Practising Period Completion Form and the Pupil disagrees with the decision, they may appeal to the Head of Pupillage or to the Chairman of the Management Committee, whose decision will be final.

At Nexus Chambers, pupils are encouraged to discuss any problems and questions relating to practice with any member of Chambers, not just their Pupil Supervisor.

Completed checklists, forms, and the final copy of the Pupil's work diary should be forwarded by email by the Pupil to the Head of the Pupillage Committee so that copies of these training records can be retained by us for a period of at least five years in compliance with the requirements of the Bar Qualification Manual.

If the pupil supervisor leaves chambers they should where possible make arrangements to ensure the continuity of the pupillage in conjunction with the Pupillage Committee.

Tenancy

Towards the end of the practising period of pupillage, pupils may be invited to apply for tenancy at Nexus Chambers. It is possible that, at the conclusion of the practising period of pupillage, pupils may be asked to undertake an additional period of training, assessment or probation (a further period of practise) prior to any tenancy decision being made.

Pupils who are invited to apply for tenancy at Nexus Chambers will be asked to put together a tenancy application file comprising: the Pupil's pupillage work diary; a sample of written work undertaken; confidential references from a solicitor and a Pupil Supervisor; and a cover letter. The exact procedure for tenancy applications shall be a matter for the Tenancy Committee. Sometimes an interview is held at the conclusion of Pupillage.

The decision as to whether a Pupil is offered tenancy at Chambers will be based on their performance as a Pupil. This will include, *inter alia*, the standard of the Pupil's work undertaken, the pupil's performance in any training exercises, the pupil's commitment to Chambers, feedback from members of Chambers, and feedback from instructing solicitors.

The decision to offer tenancy is initially made by the Recruitment Committee who then pass this recommendation on to the Management Committee. If ratified at Management Committee, the decision is put before the whole of Chambers. A secret ballot is held with each Member of Chambers having one vote. A 75% majority of the votes cast in favour of approving the offer of Tenancy being made is required before moving onto the final stage of an offer being made.

In the event of a pupil receiving less than 75% of the vote in favour of an offer, a Chambers Meeting is called in order to discuss the future of the pupil (wherein a decision will be made on

whether a tenancy can be offered, a further third sixth pupillage offered, squatting rights or a rejection).

In the event of over 75% being obtained in support of an offer of Tenancy, the final stage is that during a period of one week (7 days) from the result of the secret ballot all Tenants are informed of the outcome of the result. Each member of Chambers is then asked whether they agree with the majority consensus that tenancy should be offered. If during this one week period any member of Chambers opposes the offer of tenancy ('A Veto') then a whole Chambers Meeting is called in order to discuss the future of the pupil (wherein a decision will be made on whether: a tenancy can be offered; an additional period of training, assessment or probation can be offered; squatting rights can be given; or a rejection). In the event that either 100% of the vote in the secret ballot is to offer tenancy, or during the one-week period following the >75% result there is not a 'Veto', the pupil will be offered tenancy at Nexus Chambers.

For those pupils not offered tenancy, Chambers will provide assistance in finding opportunities elsewhere. References will be supplied upon request. Applications for squatting are not usually entertained but would be considered on a case-by-case basis.

Earnings potential

The members of Nexus Chambers practice across a broad range of practice areas including both publicly and privately funded work. Accordingly there is a wide range of incomes that can be expected and it is therefore difficult to predict with any certainty what a member of chambers will earn. However, the majority of junior members of chambers undertake a substantial amount of publicly funded work and therefore candidates should be realistic about their expectations. Having said that, junior tenants are encouraged to diversify their practices, including by undertaking Public Access training. Many of our recently qualified members are regularly instructed in serious work including before appellate courts. All members of chambers are actively supported in developing their practices and ultimately there is potential for substantial growth in earnings for successful, hard-working members of chambers.

Nexus Chambers has a very competitive rent and percentage model which means that our members keep more of what they earn than those who practise at most other sets of chambers undertaking similar work.