harcourt

Family Law

HARCOURT PUPILLAGE POLICY

2028-2029

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1. Description of Chambers

1.1 Harcourt is a thriving and dynamic family law set with a rich tradition of attracting and developing the strongest emerging legal talent. We have premises in the Temple and Oxford and serve a wide geographical area: principally across London, the South East and the Midlands, but also further afield. This provides opportunities for a varied and progressive practice. We are committed to expansion and aim to recruit each of our pupils who have achieved the required standard. We are a friendly set and place considerable importance on the well-being of our pupils and their integration into Chambers. Our retention rate in the last 5 years has been second to none.

1.2 Widely recognised as a leading family law set in London and the South East, Harcourt undertakes the full range of family finance, children and international family law work. We have a well-established reputation within the field of children law: encompassing public and private law arenas and international children's cases; providing representation to parents, local authorities, extended family members, children, prospective adopters and agencies such as the Official Solicitor and the police. Our strong family finance and property team undertakes matrimonial, cohabitee and civil partnership litigation. Further areas of expertise include: trusts, wills and inheritance disputes, divorce, nullity, Court of Protection cases, forced marriage, domestic violence and harassment.

1.3 Many members of Harcourt accept Public Access instructions and some undertake collaborative law cases, mediation and family arbitration. We are often instructed in cases which are reported in the law reports

and by the media and regularly give lectures and chair seminars. Members of Harcourt have written textbooks on pensions, contact, relocation, and adoption and contribute to leading publications, such as Butterworths Family Law Service and Jordans Family Law. Members of Harcourt include part-time deputy High Court judges, criminal, civil and family recorders, deputy district judges and university lecturers and sit on the national committee of the FLBA. Past members of Harcourt have been appointed to the High Court and Court of Appeal.

2. The Pupillage Committee

2.1 The Pupillage Committee manages all matters relating to Pupillage, overseen by the Head of Chambers. The Committee comprises 11 members of Chambers who are appointed on an annual basis by Chambers at the Annual General Meeting. Members of the Committee who deal with pupillage recruitment have been trained in fair recruitment and selection processes through appropriate internal and/or external training.

3. Pupillages and Award

3.1 Harcourt offers up to two funded 12 month pupillages each year. Our pupils receive an award of equal amount.

3.2 The pupillage award for pupils starting pupillage in October 2028 will be £50,000, plus receipts received in the second six months practising period. The award is paid in the following way:

a) £35,000 in the first six months of pupillage, ordinarily paid as six monthly instalments of £5,500, and an additional £2,000 towards travel costs

b) £15,000 in the second six months ordinarily paid as six monthly instalments of £2,500. In addition, pupils retain all earned income on receipts receive during the practising period (save for income tax liability).

3.3.. A pupil may request to draw the award in a different arrangement, which will be considered by the pupillage committee and ManCom on an individual basis.

3.4 Although the amount of earnings can vary depending on conditions at the time, over the last three years our pupils have earned on average around £25,000 to £35,000 in their second six months.

3.5 The instalments of the award will usually be made by BACS direct into the pupil's bank or building society account on the first day of each month.

3.6 For the avoidance of doubt, travel expenses are not reimbursed as the award has been fixed for pupillages in 2028 to 2029 at a level to reflect, and take into account, likely travel expenses based on those incurred in recent years by pupils. Where a pupil has earnings during the second six months, any remuneration for travel costs in accordance with the Family Advocacy Scheme will be retained by the pupil.

3.7 The award will be reduced pro rata:

(a) in relation to any period during which the pupil undertakes a period of pupillage at another Authorised Education and Training Organisation; and

(b) in the event that the pupil does not complete the full 12 months pupillage for whatever reason; in that event, no further monthly payments would be made by Chambers.

3.8 Harcourt reviews its pupillage award on an annual basis.

4. Procedure for Applying for Pupillage at Harcourt

4.1 Applications to Harcourt for 12 month funded pupillages are made through the Bar Council's Pupillage Gateway in accordance with the timetable prescribed

for the Gateway and applications made outside this scheme will not be considered.

4.2 Vacancies for pupillage at Harcourt are advertised on the Pupillage Gateway. Applicants are required to have a minimum of a 2:1 at first degree level, but candidates who fall short of this will be considered where there are genuine extenuating circumstances and evidence of other outstanding attributes in their applications. We welcome applications from students from all backgrounds and we do not have a preference for applicants who have a degree in law. Nor do we require applicants to have undertaken a mini-pupillage at Harcourt. Applicants will be asked to explain why they want to practice at the Family Bar and undertake a pupillage at Harcourt, in particular.

4.2.3 Harcourt elects to receive all applications on an anonymised basis when shortlisting candidates to invite to first-round interview.

5. Selection Criteria

5.1 At Harcourt we are looking for candidates who can demonstrate good advocacy and communication skills, analytical thinking and inter-personal skills required to develop an independent practice at the bar. Examples of significant achievements showing elements of leadership, or demonstrations of resilience, whether law related or not may evidence wider skills. Candidates should be able to evidence a commitment to a career in family law.

5.2 We are committed to equal opportunities and diversity in all its forms and strive to ensure accessibility. This commitment is enshrined in our Equality and Diversity Policy which can be accessed via Chambers' website, or a copy can be provided on request.

5.3 Members of the Pupillage Committee, who are responsible for assessing and scoring applications, will be trained in fair recruitment and selection processes. These members will meet within seven days of Chambers downloading the applications from the Gateway, in order to discuss and agree the selection criteria to be applied, the marks to be awarded to each criterion and how they

will be applied in order to ensure a fair, objective and consistent approach. The applications will then be divided between those members who will score them applying the selection criteria. The highest scoring applications will be put on a short-list for a first-round interview.

5.4 The short-list for interview is prepared primarily in accordance with the following criteria:

- educational achievement

- relevant experience of the profession, particularly in Family Law (eg. mini pupillages/marshalling/unpaid legal work experience)

- relevant communication skills (eg. evidence of mooting, debating, public speaking, drama, teaching, LAMDA etc etc.)

- other relevant law/jurisprudence experience/skills (eg. scholarships, paralegal work, legal voluntary work)

- success/ experiences and life skills in other areas (eg. non-legal employment and/or non-legal voluntary work) demonstrating a motivation and determination to succeed and particularly where leadership and initiative are shown.

- other outstanding qualities/factors (eg. demonstrable commitment to Harcourt, relevant post-graduate qualification, further exceptional work experience or employment (whether law-related or not)

- exceptional written advocacy on the application form)

5.5 The applications of all candidates who have scored just above and just below the cut-off for a first round interview are moderated by two senior members of the Pupillage Committee, as are a number of other applications selected randomly. This is to ensure that a consistent marking approach is being taken.

5.6 Once the shortlist has been prepared, short-listed candidates will be invited to a first round interview and applicants who have not been successful will be notified via the Pupillage Gateway.

5.7 All applicants who are invited to an interview may be requested to provide to the Committee such evidence as the Committee considers reasonably necessary to demonstrate that they meet the mandatory requirements for pupillage at Harcourt. In the event that an applicant is unable to provide such evidence, the Committee shall consider whether it is necessary to report that applicant to the BSB and/or the applicant's Inn of Court and, if so, shall make such a report.

5.8 We strive to ensure that all first-round interviews are conducted by the same panel, which shall comprise at least three members of the Pupillage Committee. If the Pupillage Committee appoints an additional member of Chambers to sit on the interview panel, that member will nevertheless be familiar with fair recruitment and selection processes.

5.9 Members on the interview panel for first and second interviews will meet discuss and agree the selection criteria to be applied, the marks to be awarded to each criterion and how they will be applied, before each interview round, in order to ensure a fair, objective and consistent approach. They will apply the selection criteria and mark the candidates accordingly during the interviews.

5.10 We are ordinarily unable to offer alternative interview dates, however, at all stages of the selection process, consideration will be given to genuine extenuating circumstances (eg. serious illness/injury, bereavement, caring for a seriously unwell family member). We will also make reasonable adjustments for any applicant who requires them by virtue of a disability.

5.11 When invited to first and second interviews, applicants will be given a brief explanation of the format which the interview is expected to take. The first round will ordinarily take place remotely and the second round in person.

5.12 Approximately 20 minutes before the first interview starts the applicant will be provided with a written scenario about which questions will be asked during the interview. Other topics will also be discussed in the interview. Questions will not be designed to test the applicant's existing legal knowledge as we appreciate that some applicants may have had more experience of Family

Law than others. The scenario and other interview questions are designed to provide the applicant with an opportunity to demonstrate:

- their analytical thinking (eg. the ability to absorb and process detailed and complex information accurately and quickly, extract relevant information to formulate an argument, and adapt/develop an argument in response to questions or the emergence of further information)

- advocacy skills (the ability to present a strong/logical case regardless of one's own perspective; confidence and impact of delivery; structure and focus of communication)

- interpersonal skills (including communication skills, the ability to connect with the audience and demonstrate emotional warmth; determination, and the ability to respond to challenges)

- their commitment to and interest in a career at the Family Bar and at Harcourt, in particular. This is a relevant criteria as it is our hope and expectation that every candidate we select as a pupil will want to become a tenant at Harcourt upon successful completion of their pupillage.

5.13 Following the first interview, the panel members will mark each applicant in accordance with these selection criteria and select the candidates who are to proceed to second interview. A member of the interview panel will contact candidates to invite them to a second round interview. Unsuccessful candidates will be notified via the Pupillage Gateway system.

5.14 Approximately 30 minutes before the second interview starts the applicant will be given a written advocacy exercise which will form the basis of part of the interview. As with the first interview, it will not be designed to test the applicant's existing legal knowledge. This advocacy exercise and the questions during the interview are designed to provide the applicant with an opportunity to demonstrate:

- their analytical thinking (the ability to absorb and process detailed and complex information accurately and quickly, and relate relevant facts to the key aspects of the law, which will be provided/explained)

- advocacy skills (the ability to present a logical, rational argument based on fact and an understanding of the relevant law; the ability to anticipate objections and have arguments in place to deal with them; confidence and impact of delivery)

- interpersonal skills (the potential to build effective working relationships with clients including understanding the need for empathy while maintaining professional objectivity; skills in handling conflict; to demonstrate drive/motivation/leadership across a broad range of skills and experiences)

- effective communication skills (the ability to connect with the audience and demonstrate emotional warmth and communicate clearly with structure to aid the audience's understanding).

5.15 Following the second round of interviews, the Pupillage Committee and selected members of Chambers will, after full discussion and consideration of the second-round interview scores, select up to two successful candidates for Pupillage. .

5.16 After each round of interviews, scores will be recorded independently by each member of the interviewing panel in an agreed format. The Committee (or a nominated member of it) will use reasonable endeavours to provide feedback to unsuccessful applicants who request in writing feedback within 14 days of being notified that their application has been unsuccessful. The feedback will be provided to them within 28 days from the date when the Pupillage Committee receives their written request. We regret that we are unable to provide feedback to candidates who are unsuccessful in securing an interview.

6. Structure and Supervision of Pupillage

6.1 Harcourt acknowledges that there is a significant length of time between pupillage offers being made through the Pupillage Gateway system and pupillage commencing. In order to maintain communication and support with pupils during this time, Harcourt will undertake the following:

a) Allocate the pupils a "buddy" (see paragraph 9.3);

b) Arrange for the pupils to attend chambers for an informal tour and drinks, to meet the clerks and start introducing them to members of chambers;
c) Ensure that the pupils are aware that they can attend chambers for a 1-2 day mini-pupillage should this be of assistance to the pupil prior to starting their pupillage;
d) Fund student membership of the FLBA and Family Law Week.
e) Invite the pupils to suitable webinars/seminars/marketing events, with it being made clear to the pupil that there is no obligation on them to attend such events prior to starting their pupillage;
f) Ensure that the Written Agreement, Training Programme and associated documents (see paragraph 6.2) are provided to the pupil no later than one month before the commencement of their pupillage;
g) Ensure that they have their induction meeting with their first supervisor no later than 3 days prior to commencing their pupillage.

6.2 Should it be agreed that the pupil be offered a 1-2 day mini-pupillage as part of their induction process as set out above and the mini-pupillage will involve the pupil attending remote hearings, arrangements may be made for the pupil to attend any remote hearing from Chambers' premises.

6.3 Before starting pupillage, pupils shall sign a Written Agreement, which has the Training Programme attached to it and sets out lots of information about pupillage at Harcourt (and the duties of pupil supervisors). At Harcourt, pupillages are arranged and supervised in a manner which is fair and equitable, including the fair distribution of training opportunities to each pupil. Pupils shall be exposed to the full range of family work that Harcourt undertakes and pupils can expect to attend Court hearings very regularly with their pupil supervisors (either remotely or in person). They undertake written exercises, drafting and legal research. In general, if a pupil supervisor is working in Chambers, their pupil should expect to work in Chambers and to attend all court appearances and conferences with them during the normal working week, unless specific assignments require their attendance

elsewhere and this is agreed in advance with their supervisor. Harcourt recognises, however, the principle of flexibility which is set out in the Authorisation Framework. Pupil supervisors shall have regard to this principle and a pupil's personal circumstances or any caring commitments when considering any request from their pupil to adopt a different pattern of working.

6.4 The pupillage is divided between three successive pupil supervisors in four month periods, providing an opportunity to see different work and practice styles whilst ensuring that a pupil is strongly supported and has continuity of the same pupil supervisor during the transition to 'second six'. Consideration will be given to the pupil's interests and circumstances when they are being allocated a pupil supervisor. A minimum of two of the pupil supervisors will have previous experience of supervising pupils and all will have been appropriately trained.

6.5 Sometimes it is necessary to vary the supervision arrangements during the pupillage, including to take account of a supervisor's changing commitments or the type of training they are able to offer to pupils during the year. If that happens, the pupil's circumstances will be taken into account in the allocation of their pupil supervisor and the pupil will be assisted by Chambers to notify the BSB promptly about the change in supervision arrangements.

6.6 Chambers' core business hours are 9am to 6pm Monday to Friday (inclusive). There are no fixed training hours, but to get the most out of pupillage at Harcourt, pupils will be expected to spend at least eight hours a day undertaking education and training. The majority of this time will be during Chambers' core business hours, save for periods when pupils are unable to work due to illness, or injury, or are on holiday. Pupils may on occasion be invited to attend evening or weekend events relevant to their education and training at the pupils' option. Expectations about minimum and additional attendance are

provided in our Training Programme which we provide to pupils before they start pupillage.

6.7 At Harcourt pupils pay their own travel expenses, but Chambers funds their attendance on compulsory courses required by the BSB; the details of which are provided in the Training Programme. Currently, pupils must attend the advocacy course (which must be completed prior to the start of the practising period of pupillage), the negotiations course and pass the professional ethics examination. The BSB has proposed that the cost of the professional ethics examination and any first resit will be met from the barristers' practising certificate fees and not by the pupil or their Chambers.

6.8 Should any part of the pupillage include elements of remote supervision, the pupil supervisor will ensure that their pupil's training is supported through regular video discussions on Teams, regular telephone calls and emails and where possible, to attend remote hearings with the pupil supervisor from chambers. Any other measures that can be taken to ensure that the pupil's training is accessible will be considered by the pupil supervisor, in consultation with the Head of the Pupillage Committee.

6.9 Additional training courses will be considered by Chambers if and when they arise. In-house training sessions are provided to pupils from time to time by members of Chambers. Pupils are invited to attend external training provided to members of Chambers and are encouraged to attend Harcourt events, such as seminars, presentations, and social events, with members of Chambers. Pupils are also encouraged to attend relevant seminars organised by specialist organisations such as the Family Law Bar Association.

6.10 Pupillage is divided into a six-month non-practising period and a six-month practising period. During their second six months, pupils are covered by the insurance of their pupil supervisors for any legal services supplied to the public.

Work will be distributed in a fair and equitable way and Chambers' policy on work distribution is set out in the pupils' Training Programme.

6.11 Pupil supervisors will monitor their pupil's diary and discuss a pupil's diary with their pupil to ensure that pupils feel that they have adequate time to prepare for their cases and that they are competent to take on a case, by reference to their skill level and their professional duties. Pupil supervisors will be able to provide advice to pupils on record-keeping, time-management and managing workload, diarising and managing absences/time-off.

6.12 During pupillage at Harcourt, pupils spend time with other members of Chambers to experience a variety of work, such as attending conferences, negotiations/mediations and Court, including Court of Appeal and Supreme Court cases. This increases the pupils' proficiency in a range of areas of Family Law at different levels, provides an opportunity for other members of Harcourt at all levels of seniority to provide constructive advice and feedback, consider ethical challenges as they may arise and enables pupils to observe different approaches and styles of advocacy. It also ensures that they integrate into Chambers and are introduced to our professional clients. Towards the end of their first six months non-practising period, pupil supervisors arrange for their pupils to accompany junior tenants so that the pupils can experience the type of work they will undertake in their second six month practicing period. Observing cases in person enables pupils to interact directly with lay and professional clients and litigants in person from diverse backgrounds and to develop an understanding of how to respond to clients' individual needs and sensitivities, as well as being mindful of the additional responsibilities when communicating with litigants in person.

6.13 In addition, pupils will be able to participate in any training sessions, such as those that are organised by Chambers for local authorities to assist social workers in understanding public law proceedings as well as experience cross-

examination. This will provide pupils with an opportunity to practice their cross-examination skills with real professional witnesses.

7. Assessment

7.1 The BSB requires that pupils are assessed during pupillage against the competencies in the BSB's Professional Statement. Each piece of work completed by a pupil is appraised by their pupil supervisor, or by the member of Chambers for whom the work was completed. Pupils may be asked to prepare any, if not all, of the following pieces of work:

a) Position Statements/Case Summaries;
b) Skeleton Arguments;
c) Orders;
d) Chronologies;
e) Research Notes;
f) Opinions.

7.2 When a pupil's work is being assessed, the matters for consideration will include accuracy, in terms of the law and its application and in terms of the facts of the case, analytical ability, style, presentation and the general appropriateness of the work in relation to the instructions given.

7.3 After receiving feedback from their pupil supervisor or member of Chambers, a pupil may be asked (or may request) to prepare the same piece of work again so as provide them with an opportunity to reflect on piece of work.

7.4 Where the work involves advocacy, or negotiations outside of court, and the Instructing Solicitor concerned or the opponent or any other source qualified to comment chooses to make a comment either to the pupil supervisor or to any other member of Chambers or member of staff in Chambers, those comments will be recorded and passed on to the pupil's supervisor (who will provide feedback to the pupil as appropriate) and to the Pupillage Committee.

7.5 Throughout pupillage, pupil supervisors will regularly provide feedback to their pupils. At the end of their "term" of pupillage with a particular pupil supervisor, the pupil will be expected to attend a formal Progress Meeting to consider the pupil's progress. This will take place no later than 7 days before the end of each "term". During the meeting, the pupil supervisor and the pupil will complete the "Progress Report", which is attached to this policy **(Appendix 1**). At least one other member of the Pupillage Committee may attend the Progress Meeting if the pupil or pupil supervisor so wish. The pupil in question will be offered a full opportunity to contribute during the course of this meeting and to the completion of the Progress Report. This document will be copied and passed to the pupil's next supervisor, as well provided to the Head of Pupillage and filed by the Pupillage Committee (on a confidential basis). The respective pupil supervisors will discuss areas of strength and weakness and how best to further the pupil's training.

7.6 The Progress Reports will inform:

a) an assessment which will be undertaken of pupils in the last month of their non-practising period (their "first six") to determine whether they are achieving to a satisfactory standard the required competencies in the BSB's Professional Statement (Authorisation Framework).

b) a final assessment to determine whether the pupil has achieved the competencies in the BSB's Professional Statement will be conducted in the last month of the pupil's practising period of pupillage (their "second six") before the pupil can be certified for the purpose of obtaining a full practising certificate.

c) The Tenancy Committee's decision-making process about each pupil.

7.7 The assessments in 7.4 (a) and (b) above will be based on Chambers' Appraisal and Feedback Form, which is attached to this Policy (**Appendix 2**). This form

is completed by the pupil supervisor towards the end of the first and second six months, in order that Chambers can certify that the pupil has achieved the required Professional Competencies to a satisfactory standard, so that they can obtain practising certificates. Pupils will be expected to keep a diary throughout pupillage, so that they can evidence the information on the Appraisal and Feedback Form can be evidenced.

7.8 Should a pupil's progress or conduct be considered in any formal chambers meeting, any observations will be recorded in the Minutes of the Meeting, and will in general terms be communicated to the pupil in question after the meeting. However, pupils' progress or conduct are not as a matter of routine considered in such chambers' meetings.

7.9 At the end of pupillage, subject to satisfactory completion of a final assessment against the competencies in the BSB's Professional Statement, the pupil supervisor will give the required notification to the BSB. In the event that a pupil does not pass an assessment against the competencies of the BSB's Professional Statement at the end of the non-practising period, Chambers is likely to exercise its right to terminate the pupillage if the training provided to the pupil provided the pupil with the opportunity to meet the competencies in the Professional Statement to the threshold standard. If, however, Chambers considers that the pupil's failure to demonstrate the required competencies is due to genuine extenuating circumstances, the pupillage can be extended or deferred to enable the pupil to demonstrate competence. Where pupillage is extended, the pupil supervisor will set clear and measurable objectives as to what is expected of the pupil during the extended period. Chambers and the pupil must notify the BSB of the new pupillage completion date by submitting the relevant form.

7.10 At the end of a pupillage, Chambers will provide a pupil on request copies of their Progress reports and Appraisal and Feedback Forms recording the extent to which the pupil demonstrated the achievement of the competencies set out in the BSB's Professional Statement during their period of training in Chambers.

8. The Conduct of Pupils

8.1 Pupils are expected to comply with Chambers' policies and procedures in so far as they are applicable to the pupils.

8.2 As pupils will be dealing with and observing confidential and usually privileged matters with their pupil supervisors (and other members of Harcourt), they are not to discuss such matters with anyone other than their pupil supervisor (or the relevant member of Chambers). Pupils shall at the commencement of pupillage sign a confidentiality agreement and data protection agreement relating to the use of information and communication systems. Pupil supervisors are to explain the importance of complying with best practice for data management and protection. Members of Chambers regularly attend briefing sessions with Chambers' external IT security consultants and pupils are invited to attend.

8.3 Prior to the start of pupillage, Chambers is required by the BSB to undertake due diligence by obtaining documentary evidence from each pupil of the satisfactory achievement of the academic and vocational stages of their training and certain other matters. Chambers will write to each pupil requesting clear documentary evidence of the following information:

(1) the official certificates/transcripts of the university examinations referred to in the pupil's application form;

(2) the official certificate/transcripts of any examination taken or notified between the acceptance of pupillage and its commencement;

(3) documentary evidence:

a) of their satisfactory completion of the vocational component of Bar Training;

b) that they are a member of an Inn; and
c) that their nationality or immigration status allows them to undertake pupillage.

8.4 Pupillage is conditional on the pupil providing this information before the commencement of pupillage in order to satisfy the Pupillage Committee of their credentials. In the event that the documentation has not been provided by the required date and the pupil is unable to provide it, the offer of pupillage will be automatically withdrawn and the Pupillage Committee will consider whether it is necessary to report the candidate to the BSB and/or their Inn of Court.

8.5 Pupils shall:

(1) keep adequate training records throughout pupillage; in particular to assist their pupil supervisor with the final assessment against the competences in the BSB's Professional Statement.

(2) be fully familiar with and comply in full with their professional and regulatory obligations, including those set out in the BSB Handbook and the necessary requirements to register pupillage with the BSB, register changes of pupil supervisor with the BSB and the steps needed to apply for provisional and full practising certificates.

(3) ensure that they have registered their pupillage with the BSB prior to the commencement of pupillage.

(4) ensure that at all material times throughout their pupillage they have been granted and have maintained any necessary waivers by the BSB.

(5) ensure that any material changes to pupillage are notified to the BSB promptly (material changes include changes of pupil supervisor who will sign forms necessary for the pupil to obtain their provisional and full practising

certificates, and changes in the date of commencement or date of expected completion of pupillage);

(6) not provide legal services as a barrister during the non-practising period of pupillage. The exception is doing a noting brief (taking notes during a trial) which pupils are permitted to do with the permission of their pupil supervisor or the Head of Chambers;

(7) ensure that prior to starting the practising period of pupillage, they have:
   a) registered with the Information Commissioner's Office;
   b) been called to the Bar; and
   c) obtained a provisional practising certificate from the BSB.

(8) Undertake the Professional Ethics assessment during their pupillage and other course or assessment as may be mandated by the BSB.

(9) undertake to immediately notify Chambers if at any time they cease to be eligible to undertake the pupillage.

(10) take the necessary steps at the conclusion of pupillage to apply for a full practising certificate in a timely manner.

9. Support for Pupils

9.1 At Harcourt we are committed to providing a supportive environment to our pupils.

9.2 Although the well-being of the pupil during pupillage is the responsibility of their pupil supervisor, it will be overseen by the Head and Vice-head of the Pupillage Committee, who will meet with each pupil every 3-4 months (or more often if the pupil wishes) to discuss any concerns the pupil might have.

If the Head or Vice-head of the Pupillage Committee are acting as pupil supervisors for the pupil when such meetings take place, another senior member of the Pupillage Committee will attend the meeting in their place.

9.3 Additional support is provided to pupils before and during their pupillages by junior members of Harcourt under a "buddy system". Each pupil is allocated a buddy to support them and answer in an informal and supportive way questions they might have about pupillage in the months leading up to pupillage and beyond.

10. Absence from training and sickness

10.1 Pupils are entitled to four weeks' absence from training during a 12-month pupillage (ie. 20 days in addition to Bank Holidays) or two weeks' absence from training during the case of a 6-month pupillage.

10.2 Pupils are expected to discuss planned periods of absence in advance with their pupil supervisors and exercise their judgement to ensure that periods of absence do not hinder their attainment of learning objectives. No more than two weeks should be taken consecutively unless this has been expressly agreed and ordinarily time off should be taken in both the practising and non-practising periods. Pupils should take their full holiday entitlement.

10.3 Should a pupil wish to make travel arrangements or has known dates of absence to request prior to the allocation of supervisors, they communicate the same to the Head of Pupillage.

10.4 In the event that a pupil wishes to take further periods of absence from training, they must seek permission from their pupil supervisor. In the event that the proposed period of absence from training is for more than a day, the pupil request (and the reasons for it) shall be made in writing/by email to their pupil supervisor, copying in the Head of Pupillage. The pupil supervisor will discuss the request for the period of absence with the pupil and notify

them of their decision in a timely manner. In the event of bereavement of a close family member, the pupil may take a period of absence from training for one week (5 working days) without having to seek permission. supervisor.

10.5 In the event that the pupil fails (or is considered by the pupil and/or the pupil supervisor to be at risk of failing) to demonstrate competence as a result of absence from training due to sickness or other extenuating circumstances, Chambers will consider whether an extension or deferral of pupillage might be appropriate to enable the pupil to complete their training. In such circumstances, the duration of any permitted extension must reflect the period necessary to enable the pupil to demonstrate they have met the threshold for the required competencies set out in the Professional Statement, rather than the period of absence. In the event that the pupil fails to demonstrate competence:

(1) the Head of Pupillage and pupil supervisor will discuss with the pupil the option of extending their pupillage for a defined period, the duration of any extension, and any additional measures the pupil considers will assist them to demonstrate that they have achieved the professional competencies.

(2) the Head of Pupillage will report to the Pupillage Committee and the Pupillage Committee will make a recommendation in writing to the Head of Chambers, which will be considered at a Mancom meeting.

(3) the pupil will be notified by the Head of Pupillage of the decision about an extension (the duration and supervision arrangements) in a timely manner after the Mancom meeting.

(4) In the event that a pupillage is extended, the Head of the Pupillage Committee will confirm in writing the length of the extension and any funding the pupil may, as a matter of discretion subject to sub-paragraph (7) below, receive during the extension and the Head of Pupillage will

notify the Bar Council of the new pupillage completion date by completing the Notification of Material Change in Pupillage Form.

(5) Where a pupillage is extended, the supervisor is to set clear and measurable objectives as to what is expected of the pupil during the extended period.

(6) Chambers should continue to meet its obligations to fund a pupil during any period of illness, subject to the terms of the Written Agreement in relation to the Pupillage Award and that funding for extended periods of illness will be at the discretion of Chambers in consultation with the pupil.

(7) In the event that a pupillage is extended or suspended, the level of funding for the pupil is at the discretion of Chambers, save that Chambers is obliged (under mandatory criterion 45.2 of the Authorisation Framework and rules C113-118 of the BSB Handbook) to ensure that the pupil receives the minimum level of pupillage funding. The minimum pupillage funding is currently set in relation to the Living Wage Foundation's hourly rate recommendations.

(8) The pupil must apply to the BSB for dispensation if they need to take a substantial break from pupillage and extending the pupillage would not be appropriate in the circumstances.

10.4 There is no specified maximum amount of time that a pupil supervisor may be absent or unavailable (eg. ill or overseas) before an alternative pupil supervisor must be appointed. However, it is the duty of the supervisor to ensure that:

(1) the Head of Pupillage is notified as soon as it becomes evident to the supervisor that their absence is likely to impact on their ability to fulfil their obligations as a pupil supervisor which are set out in the Written Agreement, and

(2) the BSB is contacted for advice when a material change occurs so that special provision can be made where necessary.

11. Grievances and Complaints

At Harcourt we are committed to providing a working environment in which all individuals including members, pupils, mini-pupils, employees, clients and the public are treated with dignity, respect and fairness. At the commencement of pupillage, pupils are a copy of Chambers' Complaints and Grievances Policy which sets out the process for making and dealing with a complaint. Confidentiality will be maintained as far as possible and appropriate in the circumstances. Pupils are encouraged to discuss any grievances which they may have during their pupillage with their pupil-supervisors. In some cases this may not be possible or appropriate and the pupil should then approach the nominated informal adviser. If resolution of the complaint is not possible, the pupil should set out the complaint in writing to the nominated recipient of formal complaints for investigation.

12. Tenancy Recruitment

12.1All pupils at Harcourt are assumed to have made an application for tenancy at the relevant time unless they express a wish in writing to the tenancy committee not to be considered for tenancy. We endeavour to take decisions about tenancy at the earliest opportunity so as to give unsuccessful applicants time to find themselves an alternative position. Usually that will be by the end of July following the commencement of pupillage. If this is not possible, pupils will be given notice and an explanation as to why additional time is necessary.

12.2Decisions regarding tenancy are taken by a vote of all members of Chambers upon the recommendation of the tenancy committee. The tenancy committee consists of at least three members of Chambers appointed each year at the annual general meeting of Chambers. The appointed committee may co-opt additional members to the committee as from time to time it considers necessary to carry out its function. If a member of the committee is also a

pupil supervisor to one or more of the pupils being considered by the committee, that member will not participate in making the committee's recommendation to Chambers.

12.3 The tenancy committee will make its recommendation based on its assessment of such of the following information as is available to it:

(a) Pupil supervisor reports;

(b) Informal references from:

(i) Judges with whom the pupil has marshalled;

(ii) Judges before whom the pupil has appeared as an advocate;

(iii) Advocates against whom the pupil has appeared in court;

(iv) Solicitors who have instructed the pupil;

(v) The clerks;

(c) Any other relevant information, for example:

(i) A report produced following an interview;

(ii) A report produced following an assessed advocacy exercise;

(iii) Written work produced by the pupil during pupillage.

12.4 If the committee or Chambers as a whole decides that an interview and/or assessed advocacy exercise will form a necessary part of the assessment process, the pupil and the relevant pupil supervisor will be given at least 21 days' notice.

12.5 An interview or assessed advocacy exercise will be conducted by an interview/assessment panel appointed by the tenancy committee from amongst its full or co-opted members. Before either process takes place, the panel will discuss and agree the required criteria to be achieved by the pupil and the method of rating. Ratings will be recorded independently by each member of the panel in an agreed format.

12.6 After the interview and/or advocacy exercise a report will be prepared by the interviewing/assessment panel that will include the panel's assessment of the

pupil having regard to the agreed criteria, the method of rating used and the ratings in relation to the pupil. The tenancy committee will retain this document for a period of no less than twelve months from the date of its completion.

12.7 Ordinarily, the tenancy committee's recommendation will be put to an electronic vote of Chambers in which the pupil must achieve the support of at least 75% of all members to be offered tenancy. An extraordinary general meeting may be convened in accordance with the constitution of Chambers for the purpose of considering the tenancy decision, either in addition to or in place of an electronic vote.

12.8 As soon as reasonably practical after it has been made, the decision of Chambers will be communicated to the pupil by the Head of Chambers or another member nominated by him.

12.9 A record of the entire decision-making process will be kept by Chambers, together with all of the appraisal and assessment material for a period not exceeding twelve months from the date of the decision.

12.10 In the event that a pupil is not offered tenancy, the pupil may request a summary of the reasons for the decision within twelve months of being notified of the decision. Any complaint about the decision must be made also within twelve months of notification of the decision.

12.11 Chambers' general policy in the event that a pupil is unsuccessful in obtaining a tenancy at Harcourt is:

- to allow an unsuccessful pupil to squat for up to 3 months ("the squatting period"); this period may be extended at Chambers' discretion;
- Harcourt will waive Chambers' fees on the pupil's earnings during the squatting period

- to support the unsuccessful pupil during this period in their efforts to secure a probationary tenancy or employment elsewhere. Pupil supervisors, the Pupillage Committee, and Chambers' Director would assist a pupil to identify organisations with vacancies for probationary tenancies.
- If there is genuine financial hardship, Chambers may provide at its discretion financial support during the squatting period. It is anticipated, however, that the unsuccessful pupil will be in receipt of earnings during the period when they are squatting in Chambers.

harcourt
Family Law

Pupillage Training Programme & Appraisal Form

Name of Pupil	
Name of Pupil Supervisor	
Name and Address of Approved Training Organisation where pupillage was undertaken	
Dates of Pupillage	From: To:

Declaration by Pupil	
I certify that I have completed the relevant items set out in this Appraisal Form	
Signed: (Pupil)	Date:
Print name:	

Declaration by Supervisor(s)	
I have completed the relevant parts of this Appraisal Form and discussed its contents with the above pupil. I confirm that to the best of my knowledge and belief it has been completed accurately and satisfactorily in terms of the standards and competencies as defined in the Professional Statement.	
Signed: (Pupil Supervisor)	Date:
Print Name:	

The pupil supervisor at the conclusion of each pupillage seat should complete these forms with their pupil, ensure they and the pupil have both signed the form, and send it the Head of the Pupillage Committee, together with a copy of the pupil's Work Diary for the period of supervision by that pupil supervisor.

Introductory Notes

1. This document sets out Harcourt's Training Programme for pupils. The pupil and their supervisor must be fully familiar with the contents of this document at the outset of the pupil's pupillage seat.

2. Pupils must keep a Work Diary (anonymised so that the names of parties to a case are not recognisable) during pupillage to record the work done, amount of time spent on it and learning points. The Work Diary should cross refer to the 'Competencies' in the BSB's Professional Statement for Barristers. This may be completed in whichever format the pupil finds best fits their learning needs. The pupil should be willing to share it with their supervisor where requested to monitor the pupil's progress and achievement of the required competencies.

3. Supervisors and pupils should be familiar with the contents of all policies for pupillage provided to them at the start of the pupil's pupillage. Supervisors should, in particular, be familiar with the policy on Duties of Pupil Supervisors.

Part A – Pupillage Appraisal/Feedback Form

4. Part A is a 'Competency Checklist' which ensures that the pupil achieves the required competencies identified in the BSB's Professional Statement to the necessary standards and provides evidence of the same. It should be read together with the BSB's Professional Statement and the Bar Training: Curriculum and Assessment Strategy. These documents are found here:

   (a) bsbprofessionalstatementandcompetences2016.pdf

   (b) Curriculum-and-Assessment-Strategy-August-2024.pdf

5. In assessing their pupil's progress against the 'Competencies', the following tools will be used by the supervisor. This list is not exhaustive and discretion is given to any further methods of assessment which the supervisor may choose to use. The tools include:
   (a) General day-to-day discussions between supervisor and pupil;
   (b) Analysis of the Work Diary;
   (c) Feedback sessions;
   (d) Informal teaching sessions;

(e) Discussion and debrief sessions;
(f) Written work assignments;
(g) Informal advocacy sessions;
(h) The pupil's completion of the compulsory Advocacy Training;
(i) The pupil's completion of the compulsory Negotiation Training (when available);
(j) The Professional Ethics Exam;
(k) Active oversight of the pupil's work in their second six;
(l) Active oversight of the pupil's workload in their second six including their ability to manage their practice/time;
(m) Feedback from other members of chambers, barristers, members of the judiciary, solicitors and clerks;
(n) Self-assessment/self-reflection by the pupil;
(o) Formal Progress Meetings (as set out in the Duties of Pupil Supervisor's policy).

6. The competencies are listed under general areas. It is mandatory that these are made out to the full standard at the conclusion of pupillage to achieve the threshold level. The competencies should be made out to at least a provisional standard for the supervisor to complete the Non-Practising Pupillage Completion Form for their pupil.

<u>Part B – Pupillage Progress Report</u>

7. This an overview report on the pupil's progress. It is intended to assist the pupil and next supervisor to keep track of the pupil's progress and areas for development. It will, in due course, assist the tenancy committee in making their recommendations on tenancy.

8. The report should set out a concise summary of the pupil's seat, the pupil's strengths, the areas for further development and record any feedback received, both positive and negative, from other members of chambers, clerks, other barristers and members of the judiciary.

9. As part of this process, the pupil supervisor should ensure that the pupil has had experience of a cross-section of chambers' work across practice areas, different tribunals and seniority. In particular, the pupil supervisor has ensured the pupil has seen by the end of their 12-month pupillage:
   (a) Examples of advocacy before the magistrates, a district judge, a circuit judge, a high court judge and an ADR tribunal (i.e. an arbitration or private FDR etc);
   (b) An interim care order hearing;
   (c) A case management hearing;
   (d) An issues resolution hearing;

(e) A final hearing in care proceedings;
(f) A fact-finding hearing in public law children case or private law children case;
(g) A FHDRA;
(h) A DRA;
(i) A final hearing in a private law children case;
(j) A first appointment;
(k) A FDR;
(l) An MPS application;
(m) A final hearing in a finance case;
(n) An FLA 1996 application
(o) Interlocutory and final hearings in international child abduction;
(p) A child relocation final hearing (international and/or internal);
(q) A conference;
(r) An advocates meeting;
(s) Any other relevant areas of chambers work.

10. By the end of their first six, the pupil should have had experience of drafting the following documents:
(a) A position statement;
(b) A case summary on behalf of a local authority;
(c) A skeleton argument;
(d) A schedule of assets in a finance case;
(e) A note in a finance case;
(f) A threshold document and/or schedule of allegations in a children case;
(g) An order in a finance case;
(h) An order in a public law children case;
(i) An order in a private law children case;
(j) An order in a child abduction case.

11. The examples set out in paragraphs 9 and 10 above are intended as a guide to assist supervisors in planning their pupil's training. Whilst desirable for the pupil to have had the above experience, it is not mandatory provided that the competencies are achieved to the requisite standard as set out in Part A.

APPRAISAL FORMS

PART A – Pupillage Appraisal/Feedback Form

Competency:	**Has the pupil developed an understanding of this Competency to**	**Comments/ observations by pupil supervisor**	**Comments/ observations by pupil**

	a satisfactory standard? **"P"= Competenc y achieved to a provisional standard** **F = Competenc y to a full standard**	**Where applicable please provide examples or evidence or reference to the pupil's Work Diary.** **PLEASE INITIAL ALL COMMENTS SO THE FORM CAN BE UPDATED BY THE NEXT SUPERVISOR**	
BARRISTERS' DISTINCTIVE CHARACTERISTIC S			
Legal Knowledge, Skills and Attributes			
1.1 Uphold the reputation of the Bar and observe their duty to the court in the administration of justice.			
1.2 Have a knowledge and understanding of the key concepts of public and private law.			
1.3 Have knowledge and understanding of the law and procedure relevant to their area(s) of practice.			
1.4 Have an awareness of the wide range of organisations supporting the administration of justice.			
1.5 Apply effective analytical and			

evaluative skills to their work.			
1.6 Provide clear, concise and accurate advice in writing and orally and take responsibility for it.			
1.7 Negotiate effectively.			
Practical Knowledge, Skills and Attributes			
1.8 Exercise good English language skills.			
1.9 Exercise good communication skills through any appropriate medium and with any audience as required in their work.			
1.10 Make sound judgments in their work.			
1.11 Ensure they are fully prepared in order to act in the best interests of the client and provide a competent standard of work and service to the client.			
1.12 Employ effective research skills.			
Advocacy			
1.13 Draft court and other legal documents which are clear, concise, accurate and written so as to reflect fairly the arguments advanced by both sides.			
1.14 Draft skeleton arguments which			

present the relevant facts, law and arguments in a clear, concise and well-structured manner.			
1.15 Have persuasive oral advocacy skills (including witness handling)			
Professional Standards			
1.16 Comply with the regulatory requirements set down by the BSB including the Code of Conduct.			
1.17 Know how to conduct themselves appropriately in court.			
1.18 Only accept work which they believe they are competent to undertake.			
PERSONAL VALUES AND STANDARDS			
Values, Characteristics and Behaviours			
2.1 Act with the utmost integrity and independence at all times, in the interests of justice, representing clients with courage, perseverance and fearlessness.			
2.2 Be honest in their dealings with others.			
2.3 Be aware and active in the pursuit of equality and respect for diversity,			

not tolerating unlawful discrimination, in themselves or others.			
2.4 Ensure their work does not incur unnecessary fees.			
2.5 Adopt a reflective approach to work, enabling them to correct errors and admit if they have made mistakes.			
2.6 Ensure they practice with adaptability and flexibility, by being self-aware and self-directed, recognising and acting upon the continual need to maintain and develop their knowledge and skills.			
WORKING WITH OTHERS			
At Work			
3.1 Understand and exercise their duty to act in the best interests of their client.			
3.2 Understand and apply the principles of team working where appropriate.			
3.3 Respond appropriately to those from diverse backgrounds and to the needs and sensitivities created by individual circumstances.			
3.4 Treat all people with respect and			

courtesy, regardless of their background or circumstances.			
3.5 Where appropriate, keep clients, whether lay or professional, informed of case progress in a clear and timely manner and manage their expectations.			
Lay Individuals			
3.6 Demonstrate a good awareness of their additional responsibilities in cases involving direct access clients and litigants in person.			
MANAGEMENT OF PRACTICE			
Personal Practice Management			
4.1 Possess a strong understanding of the specific implications of being a self-employed barrister.			
4.2 Possess sufficient understanding of organisational and management skills to be able to maintain an effective and efficient practice.			
4.3 Plan their personal workload and absences so as to ensure they deliver on all work commitments they have made.			
At Workplace Level			

4.4 Understand the organisational systems or structures within which they work and which support their delivery of a professional service.			
Professional Compliance and Work			
4.5 Maintain the confidentiality of their client's affairs, adopting secure technology where appropriate.			
4.6 Exercise good time-keeping in face-to-face or telephone/video encounters.			
4.7 Where necessary, be diligent in keeping good records and files of cases.			

PART B – Pupillage Progress Report

	Pupil Supervisor's feedback **Please initial comments so the form can be updated by the next supervisor.**	Pupil's comments
Overview of 4-month seat		
Pupil's Strengths		

Skills requiring further development/practise.		
Areas of work requiring further experience.		
Feedback from others (written feedback can be attached)		

Reviewed 2026-2027