

The A-Z of Offering a Pupillage in Commerce and Industry

Becoming an Approved Pupillage Training Organisation

In order to offer pupillage, an organisation must be approved by the BSB as a Pupillage Training Organisation (a “**PTO**”). All organisations which already had pupils on 1 September 2006 are deemed to have been authorised without needing to make an application, unless prior authorisation has been withdrawn formally by the BSB. Under current arrangements, approval of PTOs is normally without time limit, however, the BSB has indicated that it plans to introduce a re-accreditation process as part of the Future Bar Training programme of work.

To become a PTO, an organisation must complete an application for authorisation, using the application form that is current at the time the application is made and accompanied by the supporting documentation required by the BSB and payment of the required fee, presently £200 (the “**PTO Application**”).¹

The PTO Application must specify the name of the applicant organisation, its address and contact details, and the nature of the organisation and the types of legal work carried out. The applicant organisation must appoint a pupillage training principle and list at least one pupil supervisor per pupillage that the applicant organisation wishes to offer and at least one other barrister or solicitor practising from the office where the pupil will be based. Guidance notes and criteria for applications may be found on the BSB's website (<https://www.barstandardsboard.org.uk/qualifying-as-a-barrister/current-requirements/forms-and-guidelines/applications-authorisations.-exemptions.-waivers-and-reviews/>).

The applicant organisation must attach supporting documentation with its application (which is listed on the PTO Application), including the applicant organisation's pupillage policy document, and details of the applicant organisation's pupillage programme. It is recommended that you allow sufficient time for your application to be processed and to allow adequate time to respond to any further information that the BSB may require.

The pupillage policy document should include details of:

- The number and type of pupilages on offer (i.e., area(s) of law);
- The recruitment of pupils;
- The roles and duties of pupils;
- The roles and duties of pupil supervisors;
- Funding/salary arrangements for pupils;

¹ For further information, see <https://www.barstandardsboard.org.uk/regulPTOry-requirements/for-public-access-providers-and-approved-pupillage-organisations/approved-pupillage-training-organisations/>

- Payment for travelling expenses and compulsory courses;
- The pattern of pupillage (i.e., the proposed day-to-day pupillage arrangements, including any variation of these arrangements on a weekly/monthly basis);
- The pupillage checklists(s) used;
- The method for fairly distributing work amongst working pupils where you have more than one pupil at any time;
- Your procedures for providing pupils with an objective assessment of their progress at regular intervals during pupillage;
- Your complaints and grievance procedures for use by pupils;
- Your general policy as to the recruitment of tenants/employed barristers and any future assistance offered to those not taken on as tenants/employed barristers

The pupillage programme should include details on how the organisation will ensure that pupils satisfy each of the following Collyear outcomes of pupillage:

- an understanding and appreciation of the operation in practice of the rules of conduct and etiquette at the Bar;
- experience in undertaking legal research to solve real problems, of drafting and of opinion writing;
- sufficient exposure to the work undertaken by his/her pupil–supervisor to gain an understanding and some experience of working in that type of practice;
- experience of how to prepare, factually, legally and procedurally a case for hearing;
- experience through observation or otherwise of negotiation and conference skills;
- experience through observation or otherwise of trials and appeal proceedings in the higher courts; and
- practical experience of advocacy.

The BSB has stated that it is good practice for pupils who aim to practise as employed barristers after pupillage to understand how sets of chambers and clerking arrangements work. PTOs at the Employed Bar are, therefore, encouraged to arrange placements or exchange schemes with sets of chambers, to give pupils the opportunity to experience self-employed practice.

The PTO Application and Guidelines may be found on the BSB's website at: <https://www.barstandardsboard.org.uk/qualifying-as-a-barrister/current-requirements/forms-and-guidelines/applications-authorisations,-exemptions,-waivers-and-reviews/#GenWaivExempts>

Becoming a Pupil Supervisor

In order to offer pupillage, the applicant organisation must have at least one pupil supervisor per pupillage.

Applications for approval as a pupil supervisor must be submitted to the barrister's own Inn of Court, by submitting the relevant form and accompanying documentation. The barrister will then be required to attend a pupil supervisor training session, which may be at any Inn or on circuit. There are a number of training sessions each year.

To become a Pupil Supervisor, a barrister must:

- hold a current practising certificate;
- satisfy the Inn that he/she has the necessary experience and is otherwise suitable to act as a pupil supervisor;
- have been in practice for at least 6 of the previous 8 years;
- have his/her practice as his/her primary occupation;
- have been entitled to exercise a right of audience as a barrister during the 2 years immediately preceding the date of his/her application.

For further information, please see the relevant sections of the BSB Handbook and the Pupillage Handbook, together with the Inn's websites at:

- Gray's Inn: <https://www.graysinn.org.uk/education/pupil-supervisors>
- Inner Temple: <https://www.innertemple.org.uk/education/practitioners-continued-professional-development/pupil-supervisors/>
- Lincoln's Inn: <https://www.lincolnsinn.org.uk/index.php/education/barristers-education/pupil-supervisor-training>
- Middle Temple: <http://www.middletemple.org.uk/education-and-training/education-and-training/pupil-supervisors>

Advertising Requirements

All pupillages must be advertised on the website designated by the Bar Council: the Pupillage Gateway. Although PTOs have the choice to use the Pupillage Gateway to administer their recruitment process, according to that system's timetable, there is no requirement to do so. Waivers from advertising requirements will only be granted in exceptional circumstances. Each case will be considered on its own merits and a formal application must be made to the BSB by the PTO, by way of the relevant form. Details of the procedure and guidelines are provided on the BSB website.

Pupillage Funding Requirements

All pupillages must be funded in accordance with the Pupillage Funding Rules in the BSB Handbook. In summary, all pupils must be paid no less than £12,000 per annum, which is £1,000 per month plus reasonable travel expenses where applicable. PTOs at the Employed Bar must also consider their requirements to abide by the Minimum Wage legislation.

In addition to the minimum funding requirement, PTOs are required to pay such further sum as may be necessary to reimburse expenses reasonably incurred by the pupil for travel for the purposes of their pupillage during that month and attendance during that month at courses which they are required to attend as part of their pupillage.

Further Information

For further information, please see:

- Pupillage Handbook
- BSB Handbook
- <https://www.barstandardsboard.org.uk/qualifying-as-a-barrister/current-requirements/forms-and-guidelines/applications-authorisations,-exemptions,-waivers-and-reviews/>
- <https://www.barstandardsboard.org.uk/regulatory-requirements/for-public-access-providers-and-approved-pupillage-organisations/approved-pupillage-training-organisations/>