

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

Becoming an Approved Authorised Education and Training Organisation

In order to offer pupillage, an organisation must be approved by the BSB as an Authorised Education and Training Organisation (an “**AETO**”). Such organisations must meet the mandatory criteria set out in the Authorisation Framework relevant to the application, and be a suitable provider for the purposes of the Authorisation Framework. The Authorisation Framework is a lengthy document which the BSB have fairly recently altered in order to develop an accessible, more affordable, and flexible training system that will continue to attract the brightest talent to the Bar and develop it in such a way as to sustain the high standards rightly expected of barristers. The Authorisation Framework is therefore structured around these four principles, and the authorisation decision by the BSB will reflect the extent to which you have addressed these four principles. They are looking for more than just written policies; they are looking how those principles are applied in the Authorised Education and Training Organisation (AETO) and the impact they have. Further details can be found here: <https://www.barstandardsboard.org.uk/training-qualification/information-for-aetos.html> .

To become an AETO, an organisation must complete an application for authorisation (which can be found on the link above) and accompanied by the supporting documentation required by the BSB and payment of the required fee. The application form is fairly lengthy and comprises of four sections. In section 1 contact information is required for the purposes of the application. In section 2 you must confirm certain specific conditions of authorisation which are explained on the form. In section 3 you can apply for specific authorisation for certain arrangements which are again explained on the form. In section 4 you are required to show that you meet the “mandatory” criteria of the Authorisation Framework. In addition, where the provision of evidence is not mandated by this framework, a “comply or explain” approach has been adopted, whereby prospective AETOs are expected to provide evidence about the indicator in question. The application for AETO status will require you to submit details of your pupillage training programme, setting out how you will ensure that those whom you train satisfy the Threshold Standard and Competences of the BSB’s Professional Statement, as well as details of how your training will meet the principles of flexibility, accessibility, affordability and maintaining high standards. Detailed guidance on the application process for AETO status may be found in **Part 4B** of the [Bar Qualification Manual](#).

Detailed guidance on becoming an AETO is on the BSB website: <https://www.barstandardsboard.org.uk/training-qualification/information-for-aetos/guidance-for-orgs-providing-wbl-training.html>

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. AETOs 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.

Becoming a Pupil Supervisor

A pupil supervisor must normally be a practising barrister. If alternative supervision is proposed, the AETO needs to set this out in the application for authorisation to the BSB.

In considering the suitability and competence of a barrister to act as a pupil supervisor, AETOs should check the disciplinary record of the barrister with reference to the Barristers' Register on the BSB website and seek a declaration from the barrister that no other disciplinary action is in progress. Other considerations are likely to include:

- professional experience;
- nature of their practice and whether it offers appropriate learning opportunities;
- the time they can devote to a pupil;
- aptitude to create an appropriate learning environment; and
- competence to provide effective feedback.

AETOs must ensure that their pupil supervisors have received appropriate training before supervising a pupil and continue to receive appropriate training in accordance with the outcomes and frequency specified by the BSB. This must be confirmed by the AETO when the pupillage is registered. Training records should be maintained by the AETO for the purpose of supervision by the BSB. Training is not accredited by the BSB and providers can include the AETO, the Inns, the Circuits, the Bar Council and other trainers specialising in particular fields such as equality, diversity and inclusion, bullying and harassment, learning styles, coaching skills, giving effective feedback and wellbeing.

Refresher training is mandatory for all pupil supervisors, and is required every five years, or after three years for someone who has not supervised any pupils in the intervening time.

Greater flexibility is permitted in the structure of pupillage supervision for the employed Bar. It is for the AETO to propose an alternative organisational structure of pupil supervision as part of its authorisation application, if it chooses to do so. Each case will be assessed on its merits, recognising that larger employers might have the organisational resources to support bespoke arrangements

For further information please see : <https://www.barstandardsboard.org.uk/training-qualification/bar-qualification-manual/part-2-for-students-pupils--transferring-lawyers/c2-responsibilities-of-aetos/c2-1-pupil-supervisors.html>

Recruitment

All AETOs are required to abide by the Equality Act 2010, which includes some specific provisions in relation to recruitment of pupils. In addition, the BSB Handbook and the Authorisation Framework have a number of requirements relating to recruitment in relation to equality and the principles of flexibility, accessibility and affordability.

All AETOs should recruit pupils through a fair and transparent process. All vacancies for pupillage (including assessed mini pupillages) must be advertised on the Pupillage Gateway to ensure equality of opportunity. The requirement to advertise now forms a condition of authorisation.

AETOs can choose to use the Pupillage Gateway to administer the application process. Alternatively, applications can be made directly to AETOs.

From 1 November 2020, as a condition of authorisation, all pupillage recruitment must adhere to the mandatory timetable specified by the BSB. AETOs must ensure that each stage of the advertising and recruitment process takes place in accordance with the published timetable (whether they administer their recruitment process on or off the Gateway website). This timetable and further information can be found on <https://www.barstandardsboard.org.uk/training-qualification/bar-qualification-manual/part-2-for-students-pupils--transferring-lawyers/c2-responsibilities-of-aetos/c2-2-fair-recruitment-and-equality-and-diversity.html> .

Pupillage Funding Requirements

All pupillages of self-employed barristers, chambers and BSB authorised bodies must be funded in accordance with the Pupillage Funding Rules in the BSB Handbook. The responsibility to fund pupils lies with the AETO. The purpose of these rules is to ensure that pupils receive a regular, minimum income throughout pupillage and it supports equality of opportunity.

The rate for the period 1 January 2020 to 31 December 2020 is as follows:

£18,866 for 12-month pupillages in London

£16,322 for 12-month pupillages outside London

Other expenses reasonably incurred by the pupil such as travel for the purposes of their pupillage and attendance at courses which they are required to attend as part of their pupillage will also need to be reimbursed by the AETO.

For further information: <https://www.barstandardsboard.org.uk/training-qualification/bar-qualification-manual/part-2-for-students-pupils--transferring-lawyers/c2-responsibilities-of-aetos/c2-4-pupillage-funding.html>

Further Information

For further information, please see:

- The Bar Qualification Manual: <https://www.barstandardsboard.org.uk/training-qualification/bar-qualification-manual.html>
- BSB Handbook: <https://www.barstandardsboard.org.uk/for-barristers/bsb-handbook-and-code-guidance/the-bsb-handbook.html>

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