

**BLACKSTONE CHAMBERS**

**POLICY STATEMENT**

**Recruitment of Pupils, Tenants and Associates**

**I. GENERAL**

1. This Policy Statement reflects Chambers' adherence to the principles of Equality and Diversity set out in the BSB Handbook. It has been formulated taking account of the Guidelines set out in the BSB Handbook Equality Rules Supporting Information document ("the Guidelines").
2. This Policy Statement sets out the policy of Chambers regarding:
  - a. Recruitment of Pupils;
  - b. Recruitment of Starter Tenants;
  - c. Recruitment of Established Practitioners; and
  - d. Recruitment of Associates.
3. Recruitment of Academic Research Panellists is set out in a separate policy statement.
4. A copy of this Policy Statement will be published on Chambers' website and will be available on request to all Candidates for Pupillage, Starter Tenancy or recruitment as Established Practitioners, to all candidates for Associate membership and to all Pupils on commencement of Pupillage. The policy statement relating to the recruitment of Academic Research Panellists will be published on Chambers' website and will be available on request.

**II. SELECTION CRITERIA**

5. The criterion for selection for Mini-Pupillage is: whether the Candidate has shown sufficient excellence to be a Mini-Pupil in Chambers. In assessing this, Chambers will have regard to the Candidate's abilities in the following categories, assessed objectively, in accordance with the procedures set out below:
  - (1) Intellectual Ability;
  - (2) Motivation for a career at the Bar and Pupillage at Chambers;

- (3) Interpersonal Skills;
  - (4) Temperament; and
  - (5) Oral Communication and Advocacy Skills.
6. The criterion for selection for Pupillage is: whether the Candidate has shown sufficient excellence to be a Pupil in Chambers. In assessing this, Chambers will have regard to the Candidate's abilities and performance during Mini-Pupillage in the following categories, assessed objectively, in accordance with the procedures set out below:
- (1) Intellectual Ability;
  - (2) Motivation for a career at the Bar and Pupillage at Chambers;
  - (3) Interpersonal Skills;
  - (4) Temperament; and
  - (5) Oral Communication and Advocacy Skills.
7. The criterion for selection for Starter Tenancy is: whether the Candidate has shown, throughout his or her Pupillage that he or she has attained, as at the time of the Tenancy Decision, a sufficiently high standard of excellence to be a Tenant in Chambers. In reaching this decision, Chambers will have regard to Candidate's performance in the following categories, assessed objectively, in accordance with the procedures set out below:
- (1) General Legal Skills;
  - (2) Written Skills;
  - (3) Oral communication and Advocacy Skills;
  - (4) Interpersonal Skills; and
  - (5) Temperament.
8. The criteria for recruitment of an Established Practitioner are as follows:
- (1) That Chambers has identified a Business Need for an Established Practitioner in the area in which the Candidate practises; and

- (2) That the Candidate is assessed, objectively in accordance with the procedures set out below, as an outstanding practitioner in the relevant area of practice.

The first of these criteria may be waived for a Candidate of exceptional merit.

9. The criteria for the recruitment of an Associate are as follows:

- (1) There is a genuine prospect of the candidate being able to assist Chambers in addressing one or more of Chambers' Business Needs;
- (2) There is a genuine prospect of the candidate participating meaningfully in the professional activities of Chambers or parts of Chambers; and
- (3) The candidate is someone of calibre with whom Chambers would wish to be associated.

### **III. COMPOSITION OF SELECTION COMMITTEES AND SELECTION OF PUPIL AND MINI-PUPIL SUPERVISORS**

10. The Chambers Committee shall nominate from time to time Members of Chambers to form the Pupillage Committee which shall be composed as follows:

- (1) The Chair of the Pupillage Committee shall be a Queen's Counsel;
- (2) There shall be at least two members of the Interview Committee;
- (3) The members shall be selected having regard to the need for maintaining appropriate diversity;
- (4) The Chambers Director shall also sit on the Pupillage Committee;
- (5) Each member of the Pupillage Committee will be familiar with the BSB Handbook and the Bar Council's Fair Recruitment Guide for the Bar and will have received classroom based training in fair recruitment and selection methods.

11. Interview Committees for Mini-Pupillage and Pupillage interviews shall be constituted as follows:

- (1) An Interview Committee shall have a minimum membership of two interviewers including the Chambers Director;
- (2) The Members of Chambers will be members of the Pupillage Committee, if possible;
- (3) The Interview Committee shall be selected having regard to the need for maintaining appropriate diversity;

- (4) Each member of an Interview Committee will be familiar with the BSB Handbook and the Bar Council's Fair Recruitment Guide for the Bar and/or will have received classroom based training in fair recruitment and selection methods.
12. The Pupillage Committee will select a panel of junior Members of Chambers to be Mini-Pupil Supervisors. Each Mini-Pupil Supervisor will be familiar with the BSB Handbook and the Bar Council's Fair Recruitment Guide for the Bar. So far as is practicable, each Mini-Pupil Supervisor will have received classroom based training in fair selection methods.
13. The Pupillage Committee will select a panel of Members of Chambers who are qualified to be Pupil Supervisors to be the Pupil Supervisors of Pupils in Chambers. Each Pupil Supervisor will be familiar with the BSB Handbook and the Bar Council's Fair Recruitment Guide for the Bar and will have received classroom based training in fair selection methods.
14. At an appropriate time during the year, the Chambers Committee shall nominate Members of Chambers to form the Tenancy Committee which shall assist in the assessment of applicants for Starter Tenancy. The Tenancy Committee will be composed as follows:
  - (1) The Chair of the Tenancy Committee shall be a Queen's Counsel or senior Member of Chambers;
  - (2) There shall be three other members;
  - (3) The members may not include Pupil Supervisors who have supervised a Pupil applying for a Starter Tenancy;
  - (4) The members shall be selected having regard to the need for maintaining appropriate diversity;
  - (5) Each member of the Tenancy Committee will be familiar with the BSB Handbook and the Bar Council's Fair Recruitment Guide for the Bar and/or will have received classroom based training in fair selection methods.
15. In the event of an application to Chambers by an Established Practitioner, which is determined by the Chambers Committee to merit detailed assessment, the Chambers Committee shall nominate Members of Chambers to sit on an ad hoc Assessment Committee to interview and assess the Candidate. This Committee shall be composed as follows:
  - (1) There shall be at least two members of the Interview Committee;

- (2) The members shall be selected having regard to the need for maintaining appropriate diversity;
  - (3) The Senior Clerk and/or Chambers Director may also sit on the Committee;
  - (4) Each member of the Committee will be familiar with the BSB Handbook and the Bar Council's Fair Recruitment Guide for the Bar and/or will have received classroom based training in fair selection methods.
16. All Chambers Tenancy selection decisions will be taken by a full Meeting of Chambers, in accordance with the Chambers' Constitution.

#### **IV. ADVERTISEMENTS AND APPLICATION FORMS**

17. Chambers will advertise in appropriate media all vacancies for Pupillages or Established Practitioner Tenancies.
18. Chambers uses a standard application form for Mini-Pupillage, a copy of which is available on Chambers' website or on request from Chambers.
19. Where, in accordance with the procedure set out below, Chambers decides to take up references it will contact the referee and direct the referee as to the relevant selection criterion or criteria being applied and the type of information sought.

#### **V. PROCEDURE FOR SELECTING MINI-PUPILS AND PUPILS**

20. Chambers selects Pupils from those who apply for and undertake assessed Mini-Pupillages with Chambers. The Chambers selection procedure for Mini-Pupils and Pupils is as set out below.
21. A Candidate for Mini-Pupillage (and thereafter Pupillage) must fill in and submit to Chambers a standard Mini-Pupillage Application Form (available on the Chambers' website or on request).
22. The Candidate's Application Form for Mini-Pupillage is reviewed by two Members of the Pupillage Committee, who assess whether the Candidate's Application Form demonstrates that the Candidate may satisfy the selection criterion for Mini-Pupillage set out above. If the Members agree that the Candidate will certainly not satisfy the criterion, then the Candidate's application is rejected. If the Members agree that the Candidate may satisfy the criterion, then the Candidate's references are taken up. If the Members disagree, then the Application Form is referred to a third Member of the Pupillage Committee for determination.
23. If references are taken up, then the Candidate's Application Form together with references are reviewed by two Members of the Pupillage Committee, who assess whether the

Candidate's Application Form and references together demonstrate that the Candidate is sufficiently likely to satisfy the selection criterion set out above that an interview is merited. If the Members agree that the Candidate will not satisfy the criterion, then the Candidate's application is rejected. If the Members agree that the Candidate is sufficiently likely to satisfy the criterion to merit an interview, then the Candidate is offered an interview. If the Members disagree, then the Application Form is referred to a third Member of the Pupillage Committee for determination.

24. A Candidate who is offered an Interview will be interviewed by an Interview Committee constituted as set out above. The Interview Committee will interview the Candidate. After the Interview, the Interview Committee will determine whether, applying the selection criterion for Mini-Pupillage set out above, the Candidate satisfies the selection criterion. If the Candidate satisfied the selection criterion, Chambers will offer the Candidate a Mini-Pupillage.
25. A Mini-Pupillage in Chambers typically comprises one week in Chambers under the supervision of a Mini-Pupil Supervisor, although variations to this may be permitted in light of the circumstances of individual Candidates. During the Mini-Pupillage, the Mini-Pupil will be asked to complete a written exercise. After the conclusion of the Mini-Pupillage, the Mini-Pupil Supervisor will submit a written report in standard form to the Pupillage Committee assessing the performance of the Mini-Pupil by reference to the selection criterion for Pupillage.
26. Following the completion of all Mini-Pupillages, the Pupillage Committee will meet to review the Mini-Pupillage Reports of each Candidate who undertook a Mini-Pupillage, in order to assess, by reference to the selection criterion for Pupillage set out above, which Candidates may meet this criterion. The Pupillage Committee will short-list the Candidates who it assesses are most likely to meet these criteria. These short-listed Candidates will be offered final interviews for Pupillage.
27. A Candidate who is offered a final Interview for Pupillage will be interviewed by the whole Pupillage Committee (with appropriate substitutes where this is not possible). The Pupillage Committee will interview the Candidate. After the Interview, the Pupillage Committee will assess, applying the selection criterion for Pupillage set out above, which Candidates satisfy the selection criterion for Pupillage. In the event that there are more than six such Candidates, the Pupillage Committee will determine which Candidates most clearly satisfy the criterion. The Pupillage Committee will make Pupillage offers (through the Bar Council's Gateway scheme) to up to 4 Candidates, and two reserves, to those Candidates whom it assesses most clearly satisfy the criterion.
28. Chambers will keep written records of each step set out above.
29. Chambers will ask Candidates to complete monitoring forms for review by Chambers.

## **VI. PUPILLAGE**

30. A Pupillage in Chambers comprises four periods (each of approximately 3 months) with four different Pupil Supervisors. The Pupil will be expected to participate fully in the work of his or her Pupil Supervisor. In addition, Chambers organises written exercises and advocacy training, some of which are assessed. Further details of Pupillage in Chambers are set out in Chambers' Pupillage Information brochure.
31. During a Pupillage, the Pupil will be assessed by his or her Pupil Supervisor, in accordance with the selection criterion for Starter Tenancy set out above. The Pupil Supervisor will give written feedback in standard form to the Pupil at the conclusion of the Pupil's period with the Pupil Supervisor and will submit a written report to Chambers, in standard form.
32. For each piece of written work which is assessed, the assessor(s) will give oral feedback to the Pupil regarding the work and will submit a written report to Chambers, in standard form.
33. Chambers will keep records of all written reports and written feedback.
34. Chambers will ask Pupils to complete monitoring forms for review by Chambers.

## **VII. SELECTION OF STARTER TENANTS**

35. It is the Policy of Chambers to recruit Starter Tenants only from its own Pupils. Chambers does not have a limit on the number of Starter Tenancies which it will offer. It is the Policy of Chambers to offer Starter Tenancies to all Pupils who are determined (by a full Chambers Meeting) to have met the Selection Criterion for Starter Tenants.
36. In order to assist Chambers select Starter Tenants, the Tenancy Committee will:
  - (1) Collate and analyse all Pupil Supervisor and Assessor Reports for each Pupil; and
  - (2) Prepare a Report assessing whether it considers that each Pupil has achieved the selection criterion for Starter Tenancy set out above, and making such recommendations as are appropriate.
37. Starter Tenants will be selected at a full Chambers Meeting convened in accordance with the Chambers' constitution. Prior to the Meeting, each Member will be provided with a copy of the Tenancy Committee Report, all the Pupil Supervisors' Reports, and such other documents as are appropriate. At the full Meeting, all Members of Chambers may vote in accordance with the Constitution and a new Tenant will be selected if he or she received the specified majority of votes as set out in the Constitution.
38. Chambers will keep a written record of the steps set out above.

## VIII. RECRUITMENT OF ESTABLISHED PRACTITIONERS

39. It is the Policy of Chambers only to recruit Established Practitioners where:

- (1) Chambers has identified a Business Need for an Established Practitioner in the area in which the Candidate practises; and
- (2) The Candidate is assessed, objectively, in accordance with the procedures set out below, as an outstanding practitioner in the relevant area of practice.

The first of these criteria may, however, be waived for a Candidate of exceptional merit.

40. The procedure for recruitment of an Established Practitioner is as follows:

- (1) In the event that a group of Members of Chambers considers that there is a Business Need for an Established Practitioner, then it will submit a report to Chambers Committee identifying the Business Need and setting out the basis for the Business Need;
- (2) If Chambers Committee agrees that there is a Business Need for an Established Practitioner it may authorise advertising for such an Established Practitioner;
- (3) In the event that Chambers receives applications following advertising, Chambers Committee shall determine whether there are any applications which may satisfy the selection criterion for an Established Practitioner. If it concludes that there are, then it will establish an ad hoc Assessment Committee as set out above;
- (4) The Assessment Committee will assess the Candidate by taking references, and if it considers it appropriate, by interviewing the Candidate in accordance with the Code;
- (5) The Assessment Committee will prepare a Report stating whether the Candidate meets the selection criterion for Established Candidates;
- (6) If, in the view of the Assessment Committee, the Candidate meets the selection criterion, the Chambers Committee shall convene a full Chambers Meeting to determine the Candidate's Application in accordance with Chambers' Constitution;
- (7) At the full Meeting, all Members of Chambers may vote in accordance with the Constitution and the Established Practitioner will be selected as a Tenant if he or she received the specified majority of votes as set out in the Constitution.

41. In the event that Chambers received an unsolicited application from an Established Practitioner and Chambers Committee determines that the Established Practitioner is a sufficiently outstanding Candidate that it is appropriate to treat the application as an exceptional case, then the Chambers Committee may make such variations to the



procedure set out above as it considers appropriate, save that the decision in respect of Tenancy Selection must always be determined by a full Chambers Meeting in accordance with Chambers' Constitution.

42. Chambers will keep a written record of the steps set out above.

#### **IX. RECRUITMENT OF ASSOCIATES**

43. It is the Policy of Chambers only to recruit Associates where:

- (1) There is a genuine prospect of the candidate being able to assist Chambers in addressing one or more of Chambers' Business Needs; and
- (2) There is a genuine prospect of the candidate participating meaningfully in the professional activities of Chambers or part of Chambers; and
- (3) The candidate is someone of calibre with whom Chambers would wish to be associated.

44. Each Associate shall be appointed initially for a renewable term of 3 years.

45. It is not the policy of Chambers ordinarily to admit as an Associate:

- (1) An Established Practitioner or a retiring Member merely by reason of the fact that the person is retiring; or
- (2) A candidate who would be eligible for selection as an Established Practitioner member.

46. The procedure for recruitment of an Associate is as follows:

- (1) In the event that a group of Members of Chambers considers that there is a Business Need for an Associate, then it will submit a report to the Chambers Committee identifying the Business Need and setting out the basis for the Business Need;
- (2) If the Chambers Committee agrees that there is a Business Need for an Associate it may (but is not bound to) authorise advertising for such an Associate in accordance with the Code;
- (3) In the event that Chambers receives applications following advertising, the Chambers Committee shall determine whether there are any applications which may satisfy the selection criteria for an Associate. If it concludes that there are, then it will establish an ad hoc Assessment Committee as set out above;

- (4) The Assessment Committee will assess the Candidate by taking references, and if it considers it appropriate, by interviewing the Candidate;
- (5) The Assessment Committee will prepare a Report stating whether the Candidate meets the selection criteria for Associates;
- (6) If, in the view of the Assessment Committee, the Candidate meets the selection criteria, the Chambers Committee shall convene a full Chambers Meeting to determine the Candidate's Application in accordance with Chambers' Constitution;
- (7) At the full Meeting, all Members of Chambers may vote on the Candidate's Application in accordance with the Constitution;
- (8) In the event that Chambers received an unsolicited application from a potential Candidate for Associate status and the Chambers Committee determines that the candidate is of sufficient calibre, the Chambers Committee shall normally proceed as set out in paras IX 46 (4) - (7) above but may make such variations to the procedure set out above as it considers appropriate, save that the decision in respect of the selection of an Associate must always be determined by a full Chambers Meeting in accordance with Chambers' Constitution;
- (9) Chambers will keep a written record of the steps set out above.

47. Any application for the renewal or removal of Associate status shall be considered by a full Chambers Meeting.

## **X. MONITORING AND REVIEW**

48. The Chambers Equality and Diversity Officers will ensure that there is a periodic review (at least annually) of the compliance by Chambers with this Policy.

49. The Chambers Equality and Diversity Officers will ensure that there is a periodic review (at least annually) of the monitoring data generated pursuant to this Policy, in order to enable them to take such further actions as are necessary to secure the aims of the Equality and Diversity Policy.

50. Where, following such review, the Chambers Equality and Diversity Officers are of the view that there are significant unjustifiable differences between those applying and those appointed to pupillage and as members, the Chambers Equality and Diversity Officers will propose corrective action to the Chambers Committee which will decide, according to the Chambers Constitution, what corrective action must be taken. Such corrective action may include, but not be limited to, focused marketing of the employment, pupillage and tenancy opportunities in Chambers.

51. Following each such review, Chambers Committee will decide whether or not it is necessary to take steps to help secure a more representative Chambers (including staff, members and pupils). Where it is decided that such steps are necessary, the Chambers Committee will decide, according to the Chambers Constitution, the steps to be taken by Chambers.
52. Candidates are referred to our Blackstone Chambers Limited: Recruitment Privacy Notice.
53. In respect of all of the above selection processes Chambers will make all reasonable adjustments in order to remove or reduce substantial disadvantage for disabled people in compliance with our Reasonable Adjustments Policy.

**Approved by the Chambers Committee 15 July 2020**