

MOUNTFORD

C H A M B E R S

**PROBATIONARY TENANCY:
RECRUITMENT POLICY**

Issued by:

Management Committee

Last updated:

January 2023

Probationary Tenancy: Recruitment Policy

Application and scope

1. This policy sets out the manner in which Mountford Chambers advertises for, processes, and considers applications for probationary tenancies. We use the term “probationary tenancy” for convenience to describe the period of between:
 - a. successful completion of a 12-month pupillage (or shorter period where the BSB has approved a reduction to the length of a qualifying pupillage); and
 - b. commencement of the barrister’s first tenancy.
2. This policy applies to applications from barristers who have completed pupillage at another set of chambers but have not previously been a tenant of another set of chambers.
3. This policy does not apply to the recruitment of established practitioners, Door Tenants, pupils who have completed 12-month pupillage at Mountford Chambers, or applications for 12-month pupillage at Mountford Chambers.

Policy Statement

Confidentiality

4. All applications received by Chambers, informal discussions relating to or preceding applications, and matters relating to the application process are treated in the strictest confidence.
5. We will not contact any referee without your express prior consent.

Equality and diversity (i)

6. Chambers is committed to ensuring that no candidate receives less favourable treatment on the grounds of age, race, colour, ethnic or national origin, nationality/citizenship, social background, gender or gender identity, sexual orientation, marital status, disability, HIV/AIDS status, religious or political persuasion, whether by way of direct or indirect discrimination, harassment or victimisation.
7. **We encourage applications from candidates of all backgrounds.**
8. For details on reasonable adjustments, see paragraph 20 below.

Our approach to probationary tenant recruitment

9. It is the policy of Chambers to recruit probationary tenants where:
 - a. Chambers has identified a business need for a probationary tenancy in the area in which the candidate practises or intends to practise; and
 - b. the candidate is assessed, objectively, in accordance with the procedures set out below, and considered to be an outstanding practitioner in the relevant area of practice.

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

Applications

Advertised recruitment

11. Chambers shall from time-to-time invite applications for probationary tenancy. Such invitations shall be premised on the perceived business needs of Chambers and shall be publicised through:

- a. Our website;
- b. Social media such as our LinkedIn and Twitter accounts; and/or
- c. Through other services such as the Bar Council website and Counsel magazine.

12. Where Chambers invites applications publicly, advertisements shall give details of how to apply. Typically, application shall be by way of CV and covering letter sent to the Senior Clerk or Head of Chambers.

Unsolicited applications

13. Unsolicited applications will be considered by Chambers as and when received. Speculative applications should be made by way of CV and covering letter sent to the Senior Clerk or Head of Chambers.

Application process

Responsibility

14. The Recruitment Committee is responsible for the administration and scrutiny of applications from prospective probationary tenants. Recruitment decisions are made by the Management Committee.

Variations to process

15. In respect of other applications, in cases of exceptional merit or urgency, the process detailed below may be abridged. Any abridgement must be agreed by a simple majority vote of the Management Committee.

Meetings/interview panels

16. The Recruitment Committee may nominate such members of the committee or Chambers as it considers appropriate to meet with the candidate.

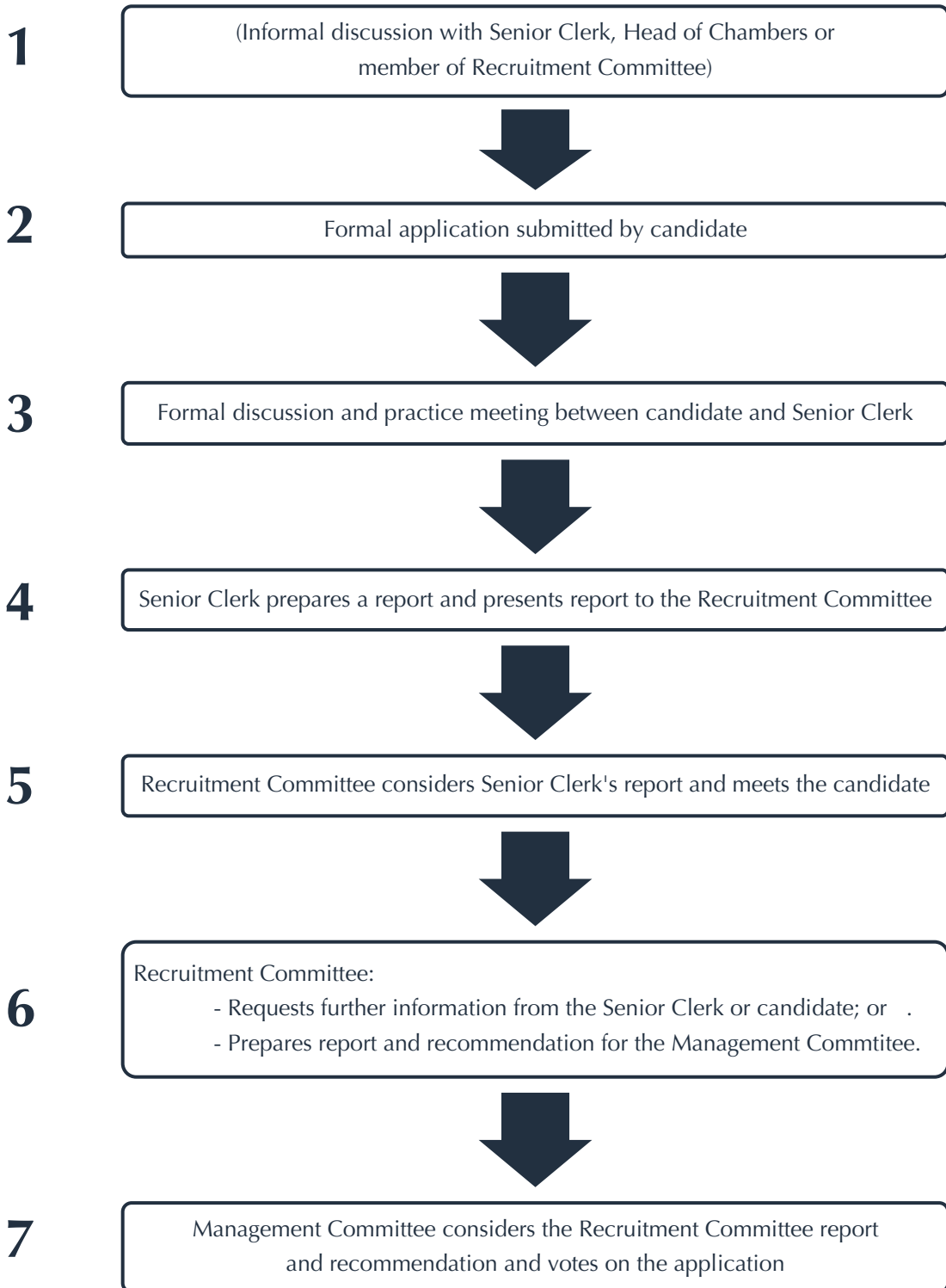
Quora

17. The quorum for decisions of the Recruitment Committee is two thirds of members. Decisions made by the Recruitment Committee require simple majority of voting members.

18. The quorum for decisions on probationary tenancy by the Management Committee is eight members. A decision to grant a probationary tenancy requires a two-thirds vote of voting members.

Process

19. The process for the consideration of applications for probationary tenancy is as follows:



Reasonable adjustments

20. Chambers aims to support all candidates, barristers and visitors to Chambers by making all reasonable adjustments to avoid any disadvantage.
21. If you require reasonable adjustments, or for documents to be sent in more accessible formats, please let the Senior Clerk know when submitting your application, or sooner if appropriate.

Objective assessment criteria

22. The Recruitment Committee will consider all applications by reference to objective assessment criteria. The Management shall have regard to those same criteria.
23. The criteria are:
 - a. There is a genuine prospect of the candidate being able to assist Chambers in addressing one or more of Chambers' business needs; and
 - b. There is a genuine prospect of the candidate participating meaningfully in the professional activities of Chambers; and
 - c. The candidate is someone of sufficient calibre with whom Chambers would wish to be associated.
24. When considering applications, the Recruitment Committee will consider the merits of each application by reference to the standards by which any subsequent application of tenancy shall be judged, and shall look for evidence of:
 - a. the candidate's personal qualities generally;
 - b. the standard of the candidate's written work;
 - c. the standard of the candidate's advocacy;
 - d. the candidate's knowledge and application of ethics, including familiarity with and adherence to rules of conduct of the BSB Handbook;
 - e. the candidate's suitability for probationary tenancy; and
 - f. any other relevant matters.

Provision of further information (candidates)

25. If, at any stage of the application process, the Recruitment Committee identifies further information required to consider an application properly, it may request such information from the candidate via the Senior Clerk.
26. Such information may include, for example:
 - a. Examples of the candidate's written work;

- b. Details of the candidate's case history; or
- c. Professional referees.

Offers of probationary tenancy and acceptance

- 27. Offers of probationary tenancy will be made or confirmed in writing. The candidate will be provided with a copy of Chambers' relevant policies and 'Transition to Tenancy' document.
- 28. An offer of probationary tenancy shall only be deemed to have been accepted upon Chambers receiving:
 - a. written confirmation from the candidate of their acceptance of the offer;
 - b. a signed copy of Chambers' induction materials including such data protection documentation as is necessary; and
 - c. a signed declaration that the candidate has no declarable regulatory or criminal sanctions history, and no outstanding disciplinary or criminal matters.

Unsuccessful applications

- 29. Where an application is unsuccessful, we shall inform the candidate as soon as possible.
- 30. Formal feedback is not usually provided, but informal feedback may be requested at the candidate's discretion.

Repeat applications

- 31. A second or subsequent application for probationary tenancy made within 12 months of an unsuccessful application is unlikely to be successful in the absence of exceptional circumstances.

Withdrawing an application

- 32. A candidate may withdraw their application at any stage of the process by informing the Senior Clerk or Head of Chambers.

Data protection

- 33. All applications will be treated in the strictest confidence. All material received and any record made of an application shall be processed, stored, retained and destroyed in accordance with Chambers' Data Protection and Privacy Policy.
- 34. Chambers' Data Protection and Privacy Policy can be found on our website at:

<https://www.mountfordchambers.com/privacy-policy/>

Equality and diversity (ii)

35. Chambers is committed to ensuring that no candidate receives less favourable treatment on the grounds protected characteristics. Members of the Recruitment and Management Committees receive Equality & Diversity training.
36. Chambers' Equality & Diversity policy can be found on our website at:
<https://www.mountfordchambers.com/equality-and-diversity/>
37. At least one member of Chambers' Equality and Diversity Committee shall attend every meeting of and with the Recruitment and Management Committees.

Monitoring and review

38. During the application process, all candidates will be asked to complete and return an Equality & Diversity Monitoring questionnaire. The questionnaire used by Chambers is the model questionnaire provided by the Bar Standards Board. The provision of Equality & Diversity data is optional, though we encourage candidates to return completed questionnaires.
39. The Chambers Equality and Diversity Officer will ensure that there is a periodic review (at least annually) of the compliance by Chambers with this Policy.
40. The Chambers Equality and Diversity Officer will review (at least annually) 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.

Review of this policy

41. This policy shall be reviewed at least annually by the Recruitment Committee. The policy may, therefore, change from time-to-time.

Contact details

Chris Henley KC – Head of Chambers

Email chrishenleykc@cmountfordchambers.com
Phone 02079366300

Ben Heaviside – Senior Clerk

Email benheaviside@mountfordchambers.com
Phone 02079366300

The Management Committee

Last reviewed: *January 2023*