

Academic Panel Policy

KCH Garden Square Barristers
Nottingham & Leicester



OBJECTIVES OF THE ACADEMIC PANEL

1. KCH Garden Square intends to recruit and maintain a panel of legal academics who have a status similar to that of a 'Door Tenant' within chambers. This panel shall be known as the KCH Garden Square Academic Panel ("the Academic Panel").
2. The objectives in establishing and maintaining the Academic Panel, are:
 - a. To promote links between KCH Garden Square and the academic community, including local academic institutions.
 - b. To facilitate easier access for legal academics and members of KCH Garden Square to one another for mutual professional benefit, including training, research, practice and cross qualification.
 - c. To provide research resources to members of KCH Garden Square in relation to their practice.
 - d. To promote high standards of training for CPD and pupillage training purposes both internally and as a service to clients.

GENERAL PROVISIONS

3. Operation of and recruitment to the Academic Panel is supervised by the Head of the Academic Panel. KCH Garden Square's board of directors may appoint any member of KCH Garden Square to the role of Head of the Academic Panel, for such term as it sees fit.
4. The Head of the Academic Panel may, at their discretion, appoint other members of KCH Garden Square to support them in their administration of the Academic Panel and seek assistance from KCH Garden Square's Administration Team.

5. Membership of the Academic Panel at KCH Garden Square does not amount to ‘member’ or ‘tenant’ status within the meaning of KCH Garden Square’s constitution. Members of the Academic Panel at KCH Garden Square do not have voting rights in relation to matters decided upon by any management committee, KCH Garden Square’s board of directors, or by the membership of the Crime and/or Civil & Family Team.
6. Members of the Academic Panel are at liberty to apply for tenancy with KCH Garden Square, such applications being considered in accordance with KCH Garden Square’s recruitment policy, as in force from time to time.
7. Applications for membership of the Academic Panel will be considered in accordance with fair recruitment standards and principles of equality & diversity as per the BSB Handbook and in accordance with KCH Garden Square’s Equality & Diversity Policy, as in force from time to time.
8. The names and details of members of the Academic Panel (an “Academic”) shall be published on KCH Garden Square’s website. Academics may refer to and publicise their membership of the Academic Panel as they see fit, but in doing so, must not suggest or give the impression that they are full members or tenants of KCH Garden Square, or that they are practising barristers (unless they are such full members and practising barristers, being regulated by and acting in accordance with the requirements, of the BSB).

ADVERTISING FOR MEMBERS OF THE ACADEMIC PANEL

9. The Head of the Academic Panel may invite applications to be made for membership of the Academic Panel as they see fit, including but not limited to:
 - a. Writing to academic institutions.
 - b. Adverts in legal and academic publications.
 - c. Adverts on KCH Garden Square’s website.
 - d. Use of social media.

METHOD OF APPLICATION FOR MEMBERSHIP OF THE ACADEMIC PANEL

10. The Head of the Academic Panel may receive applications for membership of the Academic Panel by way of pro forma application form (“the Application Form”), so to ensure consistency and transparency.
11. The Head of the Academic Panel has discretion as to the form of application form to be used from time to time, save that the Application Form should be consistent with KCH Garden Square’s (and the BSB’s) principles of fair recruitment, equality, diversity and inclusivity.
12. A copy of the Application Form shall be available for download from KCH Garden Square’s website.
13. References shall be sought in support of an application for membership of the Academic Panel, nominated referees only being contacted once a provisional decision has been made to make an offer of membership to a potential Academic.

INTERVIEW AND SELECTION

14. The selection criteria (“the Selection Criteria”) is as follows:
 - a. Superior expertise and excellence in legal research, relevant to:
 - i. The practice of KCH Garden Square’s members.
 - ii. An area of law in which KCH Garden Square’s members wish to increase/commence practice.
 - b. The ability to offer research support to members of KCH Garden Square.
 - c. Excellent intellectual ability.
 - d. Excellent research skills, including by reference to the Research Excellence Framework (“REF”).

- e. Excellent teaching skill and practice, including by reference to the requirements for fellowship of the Higher Education Academy and the Teaching Excellence Framework (“TEF”).
 - f. Excellent written and oral communication skills.
 - g. Commitment to supporting KCH Garden Square and its members.
 - h. Ability and willingness to deliver training to pupils, members and clients of KCH Garden Square.
15. Successful applicants for membership of the Academic Panel will typically:
- a. Hold a PhD or have equivalent legal practice and/or academic experience.
 - b. Have recent and consistent excellent results in REF & TEF.
 - c. Have a track record of quality, peer reviewed, published articles.
 - d. Be a Fellow of the Higher Education Academy.
 - e. Hold a position at a University commensurate with the position of at least Senior Lecturer or Teaching Fellow.
16. Upon receipt of an application for membership of an Academic Panel, the Head of the Academic Panel shall initially review the application, drawing upon assistance from other members of KCH Garden Square as they see fit.
17. Should the Head of the Academic Panel consider that an applicant for membership of the Academic Panel may satisfy the Selection Criteria, the Head of the Academic Panel shall convene an interview panel of at least 3 panellists (including the Head of the Academic Panel). At least one member of the interview panel shall be a member of the practice team to which the applicant’s field of research is relevant.
18. The interview panel shall assess an applicant at interview in accordance with fair recruitment standards, adopting a primarily competency based approach, by reference to the Selection Criteria.

19. Should the interview panel and Head of the Academic Panel consider that an applicant meets the Selection Criteria, the Head of the Academic Panel shall make a recommendation to KCH Garden Square's board of directors for appointment of that applicant to the Academic Panel.
20. The rebuttable presumption is that the board of directors will follow the Head of the Academic Panel's recommendation as to appointment or rejection of an applicant.
21. The board of directors' decision as to whether or not to accept the Head of the Academic Panel's recommendation will be final.

APPOINTMENT

22. Appointment to the Academic Panel is subject to the Academic complying with the requirements of membership, below.
23. Appointment to the Academic Panel does not constitute a contract of employment between KCH Garden Square and the Academic.
24. Appointment to the Academic Panel is for a period of 2 years. Upon application by an Academic to the Head of the Academic Panel, that appointment may be renewed for a further period of 2 years, at the Head of the Academic Panel's absolute discretion, their decision upon such an application being final.
25. There is no limit to the number of occasions upon which an appointment can be renewed.
26. An Academic may resign their membership of the Academic Panel on 7 days' written notice to the Head of the Academic Panel.
27. The Head of the Academic Panel, and/or KCH Garden Square's board of directors may terminate an Academic's membership of the Academic Panel on 7 days' written notice, at their absolute discretion. Such a decision to so terminate membership will be final.

28. Upon appointment to the Academic Panel, an Academic must comply with all terms, conditions and policies applicable to members of KCH Garden Square, and the requirements of membership of the Academic Panel as detailed within this policy, as in force from time to time.
29. Members of the Academic Panel must carry on their business and conduct themselves in accordance with the BSB Handbook and Code of Conduct, as in force from time to time.
30. Members of the Academic Panel may participate in CPD and other training events, arranged through and delivered by members of KCH Garden Square, including training provided for the benefit of pupils, providing the organisers/deliverers of such CPD and/or training consent.
 - a. Such consent will not unreasonably be refused but will typically be withheld if the training involves dealing with case material of sensitive/confidential nature, or if the training in question is designed to be delivered to a specific individual or individuals.
31. Members of the Academic Panel may draw upon their experience within KCH Garden Square as part of any application for cross qualification/entry to the Bar, made to the BSB.
32. Academics are welcome to participate in social events at KCH Garden Square, including but not limited to internal events, dinners and attendance at Law Society dinners.
33. Upon appointment to the Academic Panel, Academics become part of the wider, collegiate KCH Garden Square ‘family’ and are encouraged/at liberty to participate in chambers life accordingly.

REQUIREMENTS OF MEMBERSHIP OF THE ACADEMIC PANEL

34. It is a condition of membership of the Academic Panel that Academics comply with the requirements of membership, as detailed herein.
35. Academics must comply with all matters contained within this policy document, including paragraphs 8, 28 & 29, above.

36. Academics must, at least once every 12 months, deliver a CPD training event, seminar or lecture of at least 1 hour duration, for the benefit of KCH Garden Square's members, pupils, Academics and/or staff.
- a. It is presumed that such an event would be 'face to face' but may be held remotely or on a 'hybrid' basis with the consent of the Head of the Academic Panel.
 - b. Such an event should be relevant to the Academic's research areas and/or practice areas of KCH Garden Square.
37. Academics must also write at least one short article every 12 months for publication upon KCH Garden Square's website.
- a. Such an article should be relevant to the Academic's research area and/or practice areas of KCH Garden Square.
 - b. Such articles will typically be at least 1,500 words in length.

ACADEMICS' WORK THROUGH KCH GARDEN SQUARE

38. Academics are exempt from paying rent to KCH Garden Square at the prevailing monthly rate. Any fee paid work undertaken through KCH Garden Square is subject to fees being collected by, and commission at the prevailing rate chargeable to members being retained by, KCH Garden Square, as detailed herein.

39. Academics may accept fee paid work, such as providing written opinions, through KCH Garden Square.
- a. In doing so, Academics must comply with paragraph 8 of this policy, above and insofar as appropriate, ensure they have a policy of professional indemnity insurance in place which provides a suitable level of cover, which will typically be at least £1,000,000.
 - b. Such opinions should not constitute legal advice, but may provide hypothetical academic based answers to posed scenarios, whether based on real world events or otherwise.
 - c. Opinions must be academic in nature, including but not limited to, guidance on research materials and process in certain areas.
40. Academics may provide (and are encouraged to provide) training to clients through KCH Garden Square on a paid or unpaid basis. Academics may make use of KCH Garden Square's resources, including venue space and remote conferencing facilities, when delivering training through KCH Garden Square.
41. Where such training is to be fee paid, fees will be collected by KCH Garden Square and will be subject to commission at the prevailing rate in force, from time to time, as charged on the fees of members and pupils of KCH Garden Square.
- a. Members, pupils, staff and Academics of KCH Garden Square will be exempt from paying any attendance fee for training provided by an Academic through KCH Garden Square.
42. Training materials produced should bear KCH Garden Square's logo. Support and guidance on materials, format and venue for such training will be available from the Head of the Academic Panel.

43. It is expected that Academics will offer support to members, pupils and/or staff of KCH Garden Square upon request. Such support will typically involve a short oral or written conversation, offering brief guidance on an academic point or research question.
- a. For example, a member may call an Academic for a suggestion as to a research resource which could be consulted for a specific problem. Alternatively, a member may ask for some guidance on recent caselaw developments in a certain area.
 - b. It is expected that such a brief discussion would typically warrant no more than 15 minutes or so.
44. Where any more than a brief conversation would be warranted, members, pupils and/or staff together with the Academic in question are at liberty to discuss a work share arrangement, including a fee share, proportionate to the amount of work/research the Academic is requested to undertake.
- a. An Academic is under no obligation to accept such an arrangement or embark upon a work share arrangement.
 - b. In the event a work share arrangement is entered into, the fees to be shared with the Academic will be collected by KCH Garden Square and be subject to commission at the prevailing rate in force from time to time.
45. Members, pupils and staff at KCH Garden Square must not take advantage of Academics on the Academic Panel, or expect to be able to use the Academic Panel as a ‘free research resource’.
46. Members and Academics should expect a work and fee sharing arrangement to be required where the work done/research guidance offered by an Academic amounts to any more than the equivalent of collegiate discussion between colleagues, as one may expect from a discussion between two barristers in chambers.

47. Academics may decline to provide any advice or guidance at their discretion.
48. Academics may request members and pupils of KCH Garden Square to participate in careers and employability events at their academic institutions. Members and pupils are encouraged to accede to such requests, insofar as their availability and professional commitments allow.

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