

### Pupillage for the Scottish Branch Panel of Adjudicators

#### 1. Introduction

- 1.1. The Prior Conditions for an Application to the Scottish Branch Panel of Adjudicators is set out in the Application Form as:
  - 1.1.1. A candidate must be a Fellow of the Institute.
  - 1.1.2. A candidate must provide evidence of relevant experience. This evidence must include experience as: (i) a party representative in at least 1 adjudication; or (ii) adjudicator in at least 2 adjudications which have proceeded to a decision. The Institute reserves the right to seek references from parties, party representatives and arbitrators involved in any such proceedings.
  - 1.1.3. The candidate must confirm that he / she, has not been the subject of any successful professional disciplinary proceeding.
  - 1.1.4. A candidate must provide evidence of Continuing Professional Development meeting the Institute's relevant policy.
  - 1.1.5. A candidate must have completed the Branch's application form for Scottish Branch Panel of Adjudicators ("Scottish Branch Panel") membership.
- 1.2. The criteria on the Application to the Scottish Branch Panel of Adjudicators states that Candidates will be assessed on relevant knowledge, understanding and experience. To be successful a candidate will require to demonstrate, in particular;
  - 1.2.1. A thorough practical understanding of the process of adjudication, including (without any limitation) the duties, powers and obligations of an adjudicator.
  - 1.2.2. Up to date knowledge, and a thorough understanding, of the Scots law relevant to adjudication, including, for the avoidance of any doubt, of Part II of the Housing Grants, Construction and Regeneration Act 1996 and any amendments thereto.
  - 1.2.3. The reality of any relevant experience claimed.
  - 1.2.4. A thorough understanding of the Institute's Code of Professional and Ethical Conduct and its application in practice.

## 2. Pupillage

- 2.1. Pupillage is obtaining experience on the practical side of adjudication. The missing period between obtaining the Fellowship through examination and the interview to gaining entry onto the Adjudication Panel.
- 2.2. The branch acknowledges that the reality and the experience gained in practice is difficult to obtain before any candidate is appointed by the Branch.
- 2.3. Pupillage is not compulsory prior to gaining entry to the Adjudication Panel but is actively encouraged. It is a process that facilitates the less experienced aspiring Adjudicator to obtain such experience.
- 2.4. The process is relatively simple.
  - 2.4.1. The pupil is allotted a pupil master who is an experienced Adjudicator from the list of Panel members.
  - 2.4.2. Subject to parties' approval, the pupil shadows the pupil master in say three adjudications. Actual number of adjudications to be determined by the pupil master or the Convenor to learn:
    - 2.4.2.1. How to accept the nomination.
    - 2.4.2.2. The Adjudicator's Terms of business.
    - 2.4.2.3. The powers of the Adjudicator.
    - 2.4.2.4. Issue directions.
    - 2.4.2.5. Management of the process.
    - 2.4.2.6. Attend and hold meetings.
    - 2.4.2.7. The role of the factual Witnesses.
    - 2.4.2.8. The role of the Experts.
    - 2.4.2.9. Ascertaining the facts.
    - 2.4.2.10. Draft Decision.
  - 2.4.3. All being performed in a confidential manner with no input from the pupil in the actual Decision.
  - 2.4.4. It is envisaged that the pupillage will run circa two weeks behind the actual real time adjudication. The delay period to be determined by the Adjudicator, thus allowing time for the Adjudicator and the pupil to discuss matters after the Decision has been published to the Parties.
  - 2.4.5. Once the pupil master is satisfied that the pupil has attained the requisite skill and ability, the pupil master will sign-off the pupil's work, confirming the tasks performed

by the pupil were completed to reasonable and satisfactory standard. A copy of the sign-off is provided to the Convenor.

2.4.6. Two of the competed decisions performed under Pupillage may be used to substantiate the Scottish Branch Criteria of “reality of any relevant experience claimed”.

2.4.7. The experience gained does not necessarily come from Ciarb appointments.

2.5. The pupil should maintain an anonymised logbook of her/his directions and decisions for the perusal of the interview panel.

### 3. Pupillage Convenor

3.1. The Scottish Branch has appointed Lisa Cattanach to be the Convenor and manager for pupillage.

3.2. Lisa will be the candidates’ go to person, to liaise and appoint the pupil master.

3.3. Lisa’s email is [mentor@Ciarb.scot](mailto:mentor@Ciarb.scot)

### 4. Qualifications

4.1. Pupils, who have successfully completed pupillage, will still have to be assessed by the Scottish Branch and interviewed to ensure the candidate achieves the Criteria required for entry to the Panel.

4.2. Pupillage does not guarantee entry to the Panel.

4.3. Ciarb’s “The Guidance” is a Ciarb’s publication of what is expected at the interview of the candidates is found at <https://Ciarb.org/media/25174/the-guidance.pdf> of the Ciarb’s website.