

Bar Training

Professional Ethics examination during pupillage/work-based learning

Examination results and feedback policy and procedures

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1. Introduction

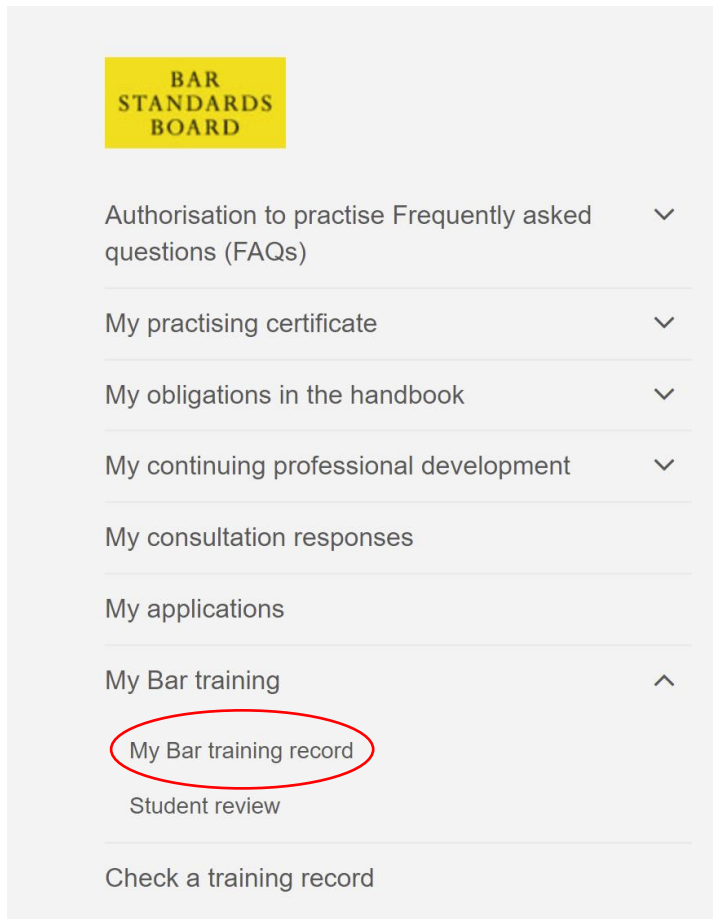
- 1.1 We are committed to providing supportive and fair opportunities to all candidates taking the Professional Ethics exam during the pupillage/work-based learning component of training. This policy covers our procedures for sharing results and feedback with candidates.

2. Format of the assessment

- 2.1. Unless you have an agreed adjustment in place which states otherwise, all candidates will take the Professional Ethics exam via Surpass, an online platform. This is the case whether you opt to sit at a test centre or at home (online proctored).
- 2.2. The exam comprises six short answer questions, each in two parts. All parts are equally weighted. Responses are required in the form of narrative prose (short answers). Questions consist of scenarios set within professional practice, each of which require you to engage with one or more issues, applying ethical principles in order to identify, critically analyse, and address the matters raised and to reach an appropriate resolution of those issues.
- 2.3. Each of your 12 responses will be marked as either Satisfactory or Unsatisfactory. It is expected that competent candidates will have provided at least eight Satisfactory answers out of 12, but there will be a review of all candidates on either side of this borderline, involving a holistic view of the candidate's entire script as a whole.

3. Receiving your result

- 3.1. Your result will typically be available **eight weeks** after taking the exam. Please refer to the key dates for each sitting on our website for expected results release dates.
- 3.2. Your overall result for the Professional Ethics assessment will be either Competent or Not Competent.
- 3.3. Your result will be uploaded to your Bar training record on MyBar. You will receive an email from the BSB once your result is ready to view. Your Bar Training Record can be found by selecting "My Bar training" > "My Bar training record" on MyBar:



- 3.4. If there are any outstanding fees on your account (eg for a third or subsequent sit), your result may be withheld until all payments have been settled.
- 3.5. If your result is not displayed on MyBar after the advertised release date, please contact us at EthicsExam@barstandardsboard.org.uk.
- 3.6. You must achieve a Competent in this assessment before your pupil supervisor can sign your pupillage off as being successfully completed and before you can apply for a Full Practising Certificate.

4. Sharing your result with your pupil supervisor

- 4.1. Once you have passed the Ethics exam, you will need to authorise your pupil supervisor to view the result on MyBar. They will need your Unique Identification Number to do this.
- 4.2. Your Unique Identification Number can be found in your MyBar training record (the same page as your result):

Name

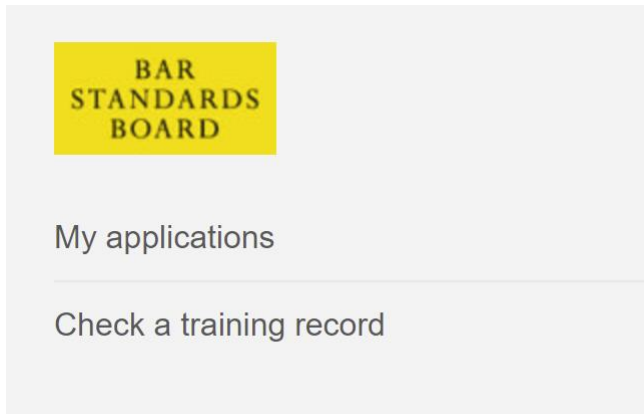
Unique identification number

BCAT number

* BCAT result and date

Pass - 25 June 2020

- 4.3. Your pupil supervisor can then check your result by visiting www.mybar.org.uk and selecting “Check a training record”:



- 4.4. They will be prompted to enter your Unique Identification Number. They will then be able to view your training record, including your Professional Ethics result.
- 4.5. Your pupil supervisor will only be able to view your training record and will not have access to any other areas of your MyBar account (such as personal information).

5. Receiving examination feedback

What is feedback?

- 5.1. Feedback is specific information about the comparison between a candidate's performance and a threshold standard and is given with the intention to enable a candidate to understand how to improve their performance. Feedback should help a candidate to understand and interpret an overall examination result of Not Competent. It should indicate specific areas of content or skill, and weaknesses, but need not attempt to justify the overall result.

Generic feedback

- 5.2. Generic feedback will be available in the Chair's Report for each examination session, which will be released shortly after results. The generic feedback will

summarise any common issues arising in candidates' responses for each question, with the intention of aiding both candidates and pupil supervisors at future sittings of the examinations. We strongly recommend that candidates who receive a result of Not Competent read this feedback and share it with their pupil supervisor.

Personalised feedback

- 5.3. If you have not passed the exam (and have therefore received a Not Competent result), you will also be provided with personalised feedback intended to help you improve your performance. This will be provided via email within one week of your results being available.
- 5.4. Feedback will be provided relating to all question items for which you did not receive a Satisfactory grade. The next page provides an example of feedback given to a candidate receiving a grade of Not Competent.

Question	Feedback
<u>1a</u>	Satisfactory
<u>1b</u>	Unsatisfactory Thorough discussion and conclusion as to why Peter's assertions re: misleading the court are unsubstantiated and recognises CD6 breach and the need to comply with BSB requests. However, doesn't identify data breach or negligence/mismanagement of documents. Nor are CD2 or 5 referenced.
<u>2a</u>	Satisfactory
<u>2b</u>	Satisfactory
<u>3a</u>	Satisfactory
<u>3b</u>	Satisfactory
<u>4a</u>	Satisfactory
<u>4b</u>	Unsatisfactory Does not make the crucial point that Raheem is permitted to take the statement. However, does warn against coaching.
<u>5a</u>	Unsatisfactory This answer fails to clearly identify the material issues and/or relevant principles and puts the client and administration of justice at risk.
<u>5b</u>	Unsatisfactory While the candidate has correctly identified that Jamie has 'refused to comply' there are omissions including the duty to respond promptly and the need to reimburse Jeevan.
<u>6a</u>	Unsatisfactory No answer given.
<u>6b</u>	Unsatisfactory The answer shows a lack of understanding as to context. The question is set at the trial stage not sentencing stage. Accordingly, the focus of the answer appears to be wrong, as it is considering the barrister's duties at the sentencing stage.

5.5. We suggest that you share this feedback with your pupil supervisor so they can assist with any remediation.

6. Appeals and reviews

6.1. No re-marking is offered under our candidate review processes. Challenges against the academic judgement of examiners are not permitted.

6.2. You may request an enhanced clerical error check (ECEC) if you believe there has been an error in how your results have been captured and processed.

6.3. To apply for an ECEC, you should submit a request on the appropriate ECEC form, which will be available on the BSB website soon. We will also soon be publishing the regulations governing candidate review which will include further details, including the fee, how to apply and deadlines for application.

6.4. A request for review may be submitted in respect of a decision taken by the Central Examination Board (CEB) in confirming individual and cohort results for the centralised assessment in Professional Ethics. The permissible ground for a request is that, in exercising its discretion to confirm individual and/or cohort results, the CEB acted irrationally and/or in breach of natural justice. Please see the regulations governing candidate review when published for further details, including the fee, how to apply, deadlines for application and appeals processes.