

Pupillage Procedure 2011

*Approved by the Dispute Resolution Board of Engineers Ireland,
19 May 2011*



Preamble

This Pupillage Procedure has been prepared by the Board in an effort to facilitate the growth of expertise in dispute resolution through a mentoring approach. Understandably, parties, once they become involved in a dispute, seek to refer the matter to persons with training and a proven track record; a side effect of this is that suitably qualified persons with an aptitude and the personal qualities for dispute resolution work find it very difficult initially to gain worthwhile direct experience. The purpose of this document is to put such persons who are seeking experience in contact with working practitioners in a situation where they can observe and learn.

This Procedure has been developed for use with the Engineers Ireland panels of arbitrators and conciliators, whose members will be actively encouraged to take on and mentor suitable candidates as the opportunity presents itself. The Procedure may be used by third-party neutrals who are not members of the Engineers Ireland panels, and also by other institutions engaged in the dispute resolution area.

The document will be reviewed and updated as required, and parties using it are advised to check that they are using the current version. Finally, the Board would welcome comments and suggestions from those using the document.

Ciaran Fahy,
Chairman, Dispute Resolution Board,
Engineers Ireland,
22 Clyde Road,
Dublin 4.
May 2011

1.0 Aims and objectives

- 1.1 The purpose of this Procedure is to foster the growth of expertise in dispute resolution. Engineers Ireland is conscious that many persons with a strong professional background and experience, together with training in dispute resolution, find it difficult to obtain first-hand experience in the various processes used to resolve disputes.
- 1.2 This Procedure is an attempt to bring about a mentoring approach, whereby such persons work as a pupil with a mentor who is an experienced third-party neutral engaged as such, for example as arbitrator, conciliator, mediator, expert or adjudicator. The intention is that the pupil will gain experience and develop expertise by close observation of the process and discussion with the mentor.

2.0 Pupils

- 2.1 Engineers Ireland will maintain a list of persons who are interested in acting as pupils using this Procedure. Anybody interested in having their name on this list should make contact with the Engineers Ireland secretariat in the first instance.
- 2.2 Engineers Ireland will set up and maintain a list of pupils at its absolute discretion and may add to or remove names from the list as it sees fit. The approach will be to ensure a list of pupils at any time who are likely to benefit from the process, and it is not intended that any one person should remain on the list for longer than three years.
- 2.3 The list of pupils is open to any person seeking experience in dispute resolution but preference will be given to Chartered members of Engineers Ireland with suitable training in dispute resolution.

3.0 Mentors

- 3.1 Engineers Ireland will seek to encourage all those on its panels, currently arbitrators and conciliators, to accept a pupil from the list once appointed, whether by Presidential appointment or agreement.
- 3.2 When choosing a pupil the mentor will have access to the Engineers Ireland list of pupils and may select a candidate that the mentor believes most likely to benefit from the experience. The mentor will then make contact with the pupil and make the necessary arrangements.

4.0 Process

- 4.1 The mentor may only take on a pupil after the parties to the dispute have been consulted and have given their approval.
- 4.2 The pupil shall confirm in writing to the mentor that the pupil shall treat any information obtained during the pupillage in strictest confidence. In particular, the pupil shall confirm that any documentation provided will be either returned to the mentor at the end of the pupillage or, alternatively, shredded, and that no copies will be made or retained.
- 4.3 The pupil shall not be compensated in any way during the pupillage.
- 4.4 The pupil shall take no active part in the process but will be allowed to attend meetings, hearings, etc., and may be provided with copies of relevant documentation. The pupil may, by agreement between the mentor and the pupil, be asked to carry out research.

5.0 Miscellaneous

5.1 It is intended to review and amend this Procedure on an occasional basis as deemed necessary by the Dispute Resolution Board of Engineers Ireland. Any person using the Procedure, whether as a pupil or mentor, is encouraged to provide observations and suggestions to the Board.

5.2 Engineers Ireland, together with the President, its servants and agents, shall not be liable for any act or omission in connection with the use of this Procedure.