

ATKIN CHAMBERS' REASONABLE ADJUSTMENTS POLICY

STATEMENT OF PRINCIPLE

1. Atkin Chambers is committed to making reasonable adjustments to reduce disadvantage for disabled people working with Chambers or receiving legal services.

THIS POLICY

2. This policy sets out practical guidance on reasonable adjustments, including adjustments that can be made which would allow a disabled person to remain working in Chambers while reducing the risk presented by coronavirus (COVID-19) to an acceptable level. This policy covers all employees, staff, management and clients of Chambers, barristers, clerks, mini-pupils, pupils and other visitors to Chambers.

CIRCULATION

3. This policy shall be made available on Chambers' website and intranet in order for it to be available to all members, staff, management, mini-pupils, pupils, clerks and those who are required to read and understand it.

DEFINITION OF DISABILITY

4. For the purposes of this policy the definition of disability follows that set out in the Equality Act 2010 s.6 and in Schedule 1 to the Act.¹

REASONABLE OF ADJUSTMENTS

5. This policy does not provide an exhaustive list of the reasonable adjustments that Chambers will make for employees, clients, barristers, pupils or other visitors. Examples of the types of adjustment that may be made in appropriate cases are:

- Provision of information in alternative formats (e.g. large print)
- Provision of auxiliary aids e.g. induction loops

¹ That definition of a disability and a disabled person under the Equality Act 2010 for ease of reference is

(1). A person (P) has a disability if (a)P has a physical or mental impairment, and(b)the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day-to-day activities.

(2)A reference to a disabled person is a reference to a person who has a disability.

See also Schedule 1 to the Equality Act – Disability Supplementary Provision

For further information it is recommended to see the Guidance on the Equality Act 2010 <https://www.hesa.ac.uk/collection/c15054/ea-guide.pdf> or speak to the EDO re any queries or concerns including about what may or may not constitute a disability under this Policy.

- Provision of accessible conference room facilities
- An understanding and support of pupils, barristers and staff with dyslexia, and reasonable adjustment for the same

6. There is and can be no fixed list of reasonable adjustments: everything depends on the circumstances of each case. Every situation in which a reasonable adjustment is requested or might be needed must be considered on its merits.

7. In considering a possible reasonable adjustment, it is important to bear in mind:

- The costs of making a reasonable adjustment must not be passed on to a disabled person. However, in the case of members of Chambers who pay Chambers contribution, where the costs of making reasonable adjustments form part of the general expenses of Chambers, they will be shared in the ordinary way between all members of Chambers, including any member for whom they are made. However, the costs to Chambers of making reasonable adjustments will not be treated as an individual expense to a particular Member.
- It is everyone's responsibility to identify reasonable adjustments that may be required, whether or not a disabled person has asked specifically for them.
- Under no circumstances should the process of considering reasonable adjustments be carried out in such a way as to place a disabled person at a disadvantage or perceived disadvantage. For example, in recruitment, it is important that questions of reasonable adjustment are not approached in a way that might lead a person to believe that they could be disadvantaged in the recruitment process because of disability.

DECISIONS ABOUT BUILDINGS AND SYSTEMS

8. Whenever Chambers is considering changes or refurbishment to buildings, or the introduction of new systems (for example new software), those concerned should think about the implications of what is being proposed for disabled people. Wherever reasonable, plans and projects should be drawn up in a way that maximises access.

9. In the allocation of rooms and working space, Chambers should consider whether reasonable adjustments might need to be made. For example, it might be reasonable to alter the usual rule for allocating rooms by seniority to meet the needs of a disabled member of Chambers.

10. The Management Committee is responsible for considering whether disabled staff, barristers or pupils require assistance during an emergency evacuation and, if so, whether a personal emergency evacuation plan is required for the individual/s concerned. If so, the plan will be developed in partnership with the individual concerned to ensure that adjustments to the emergency evacuation procedure may be made.

RECRUITMENT

11. When recruiting (whether staff, pupils, mini-pupils or tenants) those involved should consider whether reasonable adjustments are needed to the recruitment process, for example, the provision of recruitment materials in large print or braille, making allowance for candidates and applicants with

dyslexia, ensuring that meetings and interviews are located in a manner so as to provide proper access to disabled candidates.

12. Those responsible for the administration of any recruitment process who become aware that one of the candidates is disabled and may require a reasonable adjustment, should consider what adjustment might be required (for example, arranging interviews at a time which makes access as easy as possible, or providing a reader to assist a candidate in preparing a problem).

13. Such arrangements should, where possible, be made by someone who has responsibility for organising the recruitment but is not a decision-maker. With regards to applicants for pupillage, mini pupillage or tenancy, any discussions or concerns as to reasonable adjustments for disability can be raised with the clerk to the Pupillage and Recruitment Committee and the Chambers' Equality and Diversity Officer ("**EDO**") whose email and contacts will be published on the website.

14. Such adjustments are not relevant to the recruitment decision and it should be made clear that the person concerned will not be disadvantaged by them compared to other candidates. Disabled persons must not be made to feel that because an adjustment is asked for or offered, they will be seen as having 'caused trouble' or that this will in any way count against them in the recruitment decision.

15. Where someone recruited as a mini-pupil, pupil, Member or staff is a disabled person it will be necessary to consider what reasonable adjustments should be made once they join Chambers. This should not form part of any interview process. It should be done after the recruitment decision has been taken on fair and objective criteria.

STAFF, PUPILS, MEMBERS

16. All those involved in managing staff should consider whether reasonable adjustments are required for anyone they manage whom they know is disabled. They should do this without waiting for a request; they should involve the person concerned in the decisions and actively seek that person's views.

17. Any pupil-supervisor and the head of the pupillage committee should consider whether reasonable adjustments are required for any mini-pupil or pupil who they know is disabled. They should do this without waiting for a request; they should involve the person concerned in the decisions and actively seek that person's views.

18. The Head of Chambers, the Chief Operational Officer (COO) and the EDO should consider whether reasonable adjustments are required for any member who they know is disabled. They should do this without waiting for a request; they should involve the person concerned in the decisions and actively seek that person's views.

19. Any member of Chambers, pupil, mini-pupil, or member of staff who is disabled and wishes to request a reasonable adjustment should speak to an appropriate person (that is, to one of those identified below) with the request. Members may approach the EDO or any member of the Management Committee, staff may approach the EDO, the COO or their line managers and mini-pupils and pupils may approach the EDO, the head of the Pupillage and Recruitment Committee or

their Supervisor. The COO may approach the EDO, the Head of Chambers or the Management Committee.

20. Clients may request an adjustment by contacting the barrister they are instructing or any clerk.

21. In any case where reasonable adjustments have been requested or are being considered, the EDO can provide advice and information.

22. Where an adjustment is not possible or reasonable, alternative adjustments should always be explored.

CLIENTS AND VISITORS TO CHAMBERS

23. Barristers and clerks should consider reasonable adjustment requests made for their visitors and should also anticipate reasonable adjustments which may be required for visitors who they know are disabled. They should consult with the CEO or appropriate members of staff in relation to those adjustments.

COST OF MAKING REASONABLE ADJUSTMENTS

24. Subject to the explanation in Paragraph 6 above (sharing of expenses) in no circumstances will Atkin Chambers pass on the cost of a reasonable adjustment to a disabled person.

MONITORING AND REVIEW

25. This policy was approved by the Management Committee on 29.9.17, updated on **3 September 2020** and will be reviewed by Chambers' EDO every two years.