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## **KENWORTHY'S CHAMBERS REASONABLE ADJUSTMENT POLICY**

### **Statement of Policy**

Kenworthy's Chambers recognises the need to make reasonable adjustments in the way that we work with disabled people, so they are not disadvantaged in comparison to people who are not disabled. This policy covers all employees of Chambers, Barristers, Pupils, Mini-Pupils, and all visitors.

### **Definitions**

For the purposes of this policy, the definition of disability follows that set out in section 6 of the Equality Act 2010. A person is disabled if they have a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. "Substantial" means more than minor or trivial, and "long term" means 12 months or more. The duty to make reasonable adjustments arises where a provision, criterion, or practice, or a physical feature, or the lack of an auxiliary aid, places disabled people at a substantial disadvantage compared with persons who are not disabled. The duty is to take such steps as are reasonably necessary to avoid the disadvantage. The duty to make reasonable adjustments in respect of employees applies to the employer, i.e., Chambers. The duty to make reasonable adjustments in respect of

members, trainees, associates, or academics applies to each individual member or employee who has responsibility for any disadvantage to the disabled person if the adjustment is not made.

**This policy will be circulated to all members, staff, and Pupils annually. It will also form part of all induction procedures.**

1. This policy does not seek to explain how we will approach every situation; it is intended as a general statement of our policy and:
  - (i) confirms our commitment to improving accessibility for everybody that we deal with
  - (ii) sets out some of the basic principles of our legal duty to provide reasonable adjustments for disabled people; and
  - (iii) sets out the factors that we will consider in dealing with requests for reasonable adjustments.
2. Many of the arrangements that we offer for disabled people can also be made available for those who do not have disabilities. For example, a person may find it easier to read our information leaflets in a larger-than-usual font.
3. A reasonable adjustment involves making a change to the way that we usually do things to ensure that we are fair to disabled people. This may involve:
  - (i) providing specialist equipment or additional support, such as a sign language interpreter for training we provide to Solicitors; or
  - (ii) making sure our building does not present obstacles for disabled people, for instance by providing lift access.
4. We will not make assumptions about whether a disabled person requires any adjustments or about what those adjustments should be. We will discuss the requirements with the person concerned and seek to reach an agreement on what may be reasonable in the circumstances.

5. This will, in some circumstances, mean that disabled people receive more favourable treatment than non-disabled people, which is lawful in the context of disability.
6. Our legal duties can be different depending on the nature of a person's involvement with the Chambers. We have set out below the two main reasonable adjustment duties that apply to Chambers.

### **Reasonable Adjustments as a Service Provider**

7. In some circumstances, Chambers is a "service provider" as we provide advice and information to our lay clients.
8. Our duty to adjust as a service provider applies if the way that we carry out these functions, the absence of an auxiliary aid, or any physical feature, places the disabled person at a "substantial disadvantage" compared to someone who is not disabled.
9. The duty requires Chambers to consider what can be done to overcome any such disadvantage, and whether an adjustment can be made which is reasonable in all the circumstances of the case.

### **Reasonable Adjustments for Members, Employees, and Visitors of Chambers**

10. Chambers recognises that disabled members may require reasonable adjustments as described within this policy.

### **Awareness of Reasonable Adjustments**

11. We will let people know that we can provide reasonable adjustments, for example, in the following ways:
  - (i) by asking whether an adjustment might be required over the telephone.
  - (ii) by including a note on our published documents indicating that we can provide the document in an alternative format on request.
  - (iii) by publishing this policy on our website; and

- (iv) by working with key representative groups and others to raise awareness of this policy, such as 'Access to work programme' where practical advice and support with associated costs may be available for specialist equipment or adaptation of premises, also 'The Bar Council's Panel of Disability Advisors' is available for support and assistance.
- (v) Where an individual's needs are complex and potentially difficult to accommodate, an expert assessment from an Occupational Health Specialist may be required to assist.

### **Types of Adjustments We Can Offer.**

12. Whilst we will consider each request for reasonable adjustments individually, there are some common adjustments which we will offer as a matter of course, and some other adjustments for which we can make particular arrangements to provide.

13. The adjustments will always be agreed with the person concerned to avoid making incorrect assumptions about a person's needs.

14. Some examples of the simple, reasonable adjustments that we can make may include:

- (i) provision of documents or correspondence in large print or Braille.
- (ii) providing documents on coloured paper or with a specific colour contrast, which can often help people with conditions such as dyslexia.
- (iii) allowing a person who has a learning disability or mental health problems more time than would usually be allowed to provide further information, except where there is a statutory deadline which we have no power to change.
- (iv) using email or the telephone in preference to hard copy letters where appropriate, which may assist those with a vision impairment.
- (v) providing audio information, either informally or through a specialist transcription agency.
- (vi) providing a sign language interpreter, either in person or in video format
- (vii) providing auxiliary aids e.g., induction loops.
- (viii) speaking clearly to the people we deal with and offering additional time to cover the issues they need to discuss, this will help everyone understand our processes and procedures.

- (ix) using plain English appropriate to the person we are dealing with and avoiding jargon.
- (x) arranging meetings in rooms that have appropriate facilities and accessibility.
- (xi) helping someone who has mental health problems to understand the support we can provide.

15. A minority of requests may require more detailed consideration, and our approach to these requests is discussed in the section below.

### **Requests for Reasonable Adjustment**

Staff or Members with specific requirements should make requests through the Management Committee. All requests will be considered on a case-by-case basis with the support and advice from Chambers Equality and Diversity Officer. In the majority of cases, we will be able to agree to and deliver the required reasonable adjustments with minimal delay. In some cases, we may need to consider in more detail how best to overcome the difficulty a disabled person may be experiencing. For example, where the requested adjustment may be difficult to provide or may interfere with our regulatory obligations. Chambers will seek specialist support and advice from the relevant groups that assist the disabled. In all circumstances, Chambers will discuss viable alternatives for the applicant.

The Management Committee is responsible for considering whether assistance is required in emergency evacuation. This will be dealt with on a case-by-case basis and developed with the individual concerned to ensure adjustments during an emergency evacuation may be made.

### **How we Decide What is Reasonable**

16. The Equality Act does not define what is "reasonable," but guidance from the Equality and Human Rights Commission suggests that the most relevant factors are:

- (i) Will the adjustment help in overcoming the difficulty that the disabled person may have?
- (ii) How practical is it to provide the adjustment?

**(iii)** What are the resource implications of making the adjustment?

**(iv)** Would the adjustment cause disruption to others?

### **Monitoring**

17. Chambers will record and monitor the reasonable adjustments that have been requested and made. This will allow us to review the services we provide and help us identify whether there are any wider steps that we can take to improve our services.

### **Complaints**

18. We are committed to providing a high standard of service, dealing with everyone in a way that is fair and free from discrimination.

19. If someone, such as a member of Chambers or a person to whom we provide a service, is dissatisfied with the arrangements we have made for providing reasonable adjustments, they should make a written complaint to our Practice Manager.

### **Monitoring and Review**

20. This policy will be reviewed by Chambers Management Committee and The Equality and Diversity Officer (annually).