

## **REASONABLE ADJUSTMENTS POLICY**

*References to Chambers in this policy include Brick Court Chambers and its service company, Little Essex Street Service Company Ltd. References to employees are to former employees of Brick Court Chambers and current and former employees of Little Essex Street Service Company Ltd, as appropriate.*

### **A. Introduction**

1. This is Brick Court Chambers (“**Chambers**”) Reasonable Adjustments Policy. It is effective, in this version, as of the date of its approval by the Executive Committee, set out below. It reflects and supplements the Bar Council’s Equality and Diversity Guide on Reasonable Adjustments and Model Policy dated June 2021.
2. This is one of several specific policies aimed at achieving the objectives of Chambers’ Equality and Diversity Policy, which sets out Chambers’ overarching rules, principles and procedures for preventing discrimination, ensuring equality of opportunity, and promoting diversity, and which should be read together with this policy. Any queries, concerns, issues, complaints or grievances in respect of this policy should be raised by one of the means set out in the Equality and Diversity Policy. Breaches of this policy will be dealt with as set out in the Equality and Diversity Policy.

### **B. Purpose and scope**

3. This policy covers all Members of Chambers including Kings Counsel, juniors, door tenants, arbitrators and mediators (together “**MOCs**”), employees, pupils, mini-pupils, applicants for such roles, and visitors to Chambers.
4. For the avoidance of doubt, this policy applies only to persons with a “disability” as defined, below. There may be circumstances in which adjustments to normal practices may be appropriate, at the

person's request, to assist persons who are not disabled (including, for example, needs arising from neurodiversity insofar as not within the definition of disability) but otherwise have particular difficulties or needs but this policy does not apply to such requests.

#### **C. Definition of disability**

5. For the purposes of this policy the definition of disability follows that set out in the Equality Act 2010 s.6. A person is therefore disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. This may include neurodiverse conditions, although not everyone with such a condition may regard their condition as a disability.
6. "Substantial" means more than minor or trivial and "long-term" means 12 months or more.

#### **D. Nature of the duty to make reasonable adjustments**

7. 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 it is reasonable to have to take to avoid the disadvantage.
8. The question which should be considered in each case is whether the adjustment sought or proposed gives the service user the closest approximation to the use of the service that a non-disabled person would have.

#### **E. Types of reasonable adjustment**

9. This policy does not provide an exhaustive list of the reasonable adjustments that Chambers will make, but such adjustments may for example include:
  - (1) provision of information in alternative formats (e.g. large print, Braille etc);
  - (2) paid disability leave, for example where a disabled employee of chambers needs to take time off work for treatment, rehabilitation or assessment related to their disability;

- (3) provision of auxiliary aids e.g. induction loops;
- (4) provision of accessible conference room facilities; and/or
- (5) provision of a reader or interpreter

**F. Reasonable adjustments - procedure**

- 10. The degree to which Chambers can consider or make reasonable adjustments will depend upon the extent to which the individual in question consents to the disclosure of their disability and its effects and of information about the particular disadvantage and how it might be alleviated. Normally, it will only be possible to make reasonable adjustments if the person or persons with responsibility for the function in question have sufficient information to enable them to make an informed decision. However, Chambers will be sensitive to issues of confidentiality and, in cases in which individuals do not wish details of their disability to be disclosed, will seek to identify alternative ways in which decisions might be made.
- 11. Within a reasonable time after a person known to be disabled accepts an offer to join Chambers as a MOC, employee, pupil or mini-pupil, an appropriate person at Chambers should normally consider what, if any, reasonable adjustments they require and what, if any, steps might be required to identify such adjustments. The appropriate person will normally be: in the case of an employee, one of the Senior Clerks; in the case of a pupil, the Pupillage Manager or their first pupil supervisor; in the case of a mini-pupil, the Pupillage Manager; in the case of a MOC, the Heads of Chambers. The appropriate person should consult with the disabled person and Chambers' Equality and Diversity Officer. Consideration should normally be given to whether an occupational health assessment should be carried out.
- 12. In addition, a disabled person to whom this policy applies may make, and should feel free to make, a request for a reasonable adjustment at any time. A request by an employee should be made to one of the Senior Clerks or the Director of Finance and Operations, in accordance with paragraph 8 of the Employee Capability (Sickness) Policy. Pupils and mini-pupils should make a request to the Pupillage Manager. MOCs should make a request to one of the Heads of Chambers.

13. A disabled person may also request an occupational health assessment at any time by the same means.
14. All requests for reasonable adjustments or occupational health assessments will be considered on a case by case basis with the advice and assistance of Chambers' Equality and Diversity Officer. The person(s) responsible for the decision will depend on the nature of the step requested and the extent to which the disabled person has consented to disclosure (as to which, see what is said above). In some cases, it may be necessary to request additional evidence – whether medical or otherwise – from the disabled person.
15. The person responsible for the decision will decide whether or not it is reasonable to take the step requested, taking into account all the circumstances including the extent to which the step would be likely to address any disadvantage, the cost of taking the step, and the impact of taking the step on the efficient and effective operation of *Chambers* and on other persons. If not, alternatives will be discussed with the disabled person where this is viable.
16. Where it is not possible to make the adjustment requested, the person responsible for the decision will discuss such viable alternatives as may exist with the applicant.
17. If the disabled person is dissatisfied with the outcome they may ask for their request to be considered by the Heads of Chambers.

#### **G. Reasonable adjustments during an emergency evacuation**

18. The HR Manager (in the case of employees) and the EDI Officer (in the case of Members of Chambers and pupils) are responsible for considering whether a disabled person to whom this policy applies requires 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.

#### **H. Review of reasonable adjustments**

19. Where reasonable adjustments have been agreed they may thereafter be reviewed (a) at the individual's request; (b) at the request of one of the Heads of Chambers.

**I.      Visitors to chambers**

20. Individual staff, MOCs and others in Chambers who are receiving visitors in Chambers are responsible for considering reasonable adjustment requests for those visitors. They are also responsible for anticipating any likely reasonable adjustments that will need to be made for visitors whom they know to be disabled or to have a neurodivergent condition and likely to require such adjustments. Visitor requests for specific reasonable adjustments may be made by contacting one of the Senior Clerks.

**J.      Cost of making reasonable adjustments**

21. In no circumstances will Brick Court Chambers pass on the cost of a reasonable adjustment to a disabled person.

*Approved by Executive Committee in December 2025*

*To be reviewed by the Equality and Diversity Committee regularly*