



# The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

## Reasonable Adjustment Policy

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#### **The Bar Tribunals & Adjudication Service**

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## 1. Introduction

- 1.1 The Bar Tribunals and Adjudication Service ('BTAS') is responsible for recruiting; appointing, administering and adjudicating Disciplinary Tribunals, including Tribunals which consider the most serious allegations of professional misconduct against barristers.
- 1.2 In addition to Disciplinary Tribunals, BTAS has similar responsibilities for Fitness to Practise hearings and Interim Suspension Panels for barristers.
- 1.3 BTAS also administers and supports the Inns' Conduct Committee (ICC), a committee responsible for adjudicating on any misconduct issues arising from applications for admission to an Inn of Court or misconduct matters relating to student members of an Inn.

## 2. Scope of the Policy

- 2.1 BTAS legal duties under the Equality Act 2010 may differ depending on the nature of a person's involvement with BTAS. Under the Equality Act 2010 BTAS is a service provider; providing the service of constituting Disciplinary Tribunals and Conduct Committees for the public or a section of the public. BTAS is also an employer and recruiter.
- 2.2 BTAS is committed to improving accessibility for service users, candidates, employees and the public. BTAS is committed to ensuring that disabled people are not discriminated against.
- 2.3 This policy does not intend to be an exhaustive list of the reasonable adjustments available, but a general policy outlining BTAS's legal duties and commitment. Many of the reasonable adjustments referred to in this policy may also be available to those without disabilities, for example large print documents.

## 3. The Equality Act 2010

- 3.1 Under s6(1) Equality Act 2010 a disability is defined as a person having a physical or mental impairment and the impairment has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities
- 3.2 Under s20 Equality Act 2010 there is a duty to make reasonable adjustments. The duty has three requirements:

- a. *Where a provision, criterion or practice of A's puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to avoid the disadvantage.*
- b. *Where a physical feature puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to avoid the disadvantage.*
- c. *Where a disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to provide the auxiliary aid.*

## 4. Reasonable Adjustment

- 4.1 To make an adjustment means to make a physical change to premises or to change work practices to avoid or correct the disadvantage to a person with a disability.
- 4.2 When deciding what is reasonable, BTAS will consider the following:
  - a. how effective the change will be in assisting disabled people in general or a particular service user or staff member;
  - b. whether it can actually be done;
  - c. BTAS resources and size, and
  - d. the cost.
- 4.3 There is no prescribed list of reasonable adjustments; the adjustment will depend on the individual's needs. BTAS will not make any assumptions about what reasonable adjustment is suitable. BTAS will discuss the reasonable adjustment with the person concerned.
- 4.4 Some examples of the reasonable adjustments BTAS can provide include:
  - a. Large print text.
  - b. Extra time for candidates at interview or during written tests.

- c. Translating documents or producing documents in Braille.
- d. Helping someone with a mental impairment understand the Tribunal process and/or offering a pre hearing visit to the Tribunal Suite.
- e. Induction loop in the Tribunal Suite.
- f. Communicating with someone through their representative.
- g. Providing documents on coloured paper or with a specific colour contrast (as requested).
- h. Wheelchair access.
- i. Disabled and assisted washroom facilities.
- j. Provision of a car parking space.
- k. Expenses for taxis.
- l. Special dietary requirements.
- m. Accessibility provisions on the BTAS website.

## 5. Requesting a Reasonable Adjustment

- 5.1 BTAS will make candidates, service users, employees and the public aware that BTAS can provide reasonable adjustments by:
- a. Asking people in the first correspondence; do they require reasonable adjustments?
  - b. As part of our Equality & Diversity monitoring, asking our panellists and committee members whether they require any reasonable adjustments in order to undertake their respective role with BTAS.
  - c. Working with service users to ensure that referrals have been asked about reasonable adjustments.
  - d. Ensuring the facilities already in place in the premises are well signposted e.g. induction loop sign on display.
  - e. Noting any reasonable adjustments required on personnel and/or case files.
  - f. The publication of this policy on the BTAS website [www.tbts.org.uk](http://www.tbts.org.uk)

## **6. Complaints**

- 6.1 Complaints about this policy or its operation will be dealt with in accordance with the BTAS Service Complaints Policy.

## **7. Review**

- 7.1 This policy will be monitored and reviewed annually.