

APPENDIX 6: TO CHAMBERS CONSTITUTION
4 NEW SQUARE EQUALITY & DIVERSITY POLICY

1. Statement of Policy

The aim of this policy is to communicate the commitment of Chambers to the promotion of equality of opportunity and diversity at 4 New Square (“4NS”).

It is our policy to provide employment equality in Chambers to all, irrespective of:

- Age;
- Disability;
- Gender reassignment
- Being married or in a civil partnership
- Being pregnant or on maternity leave
- Race (including colour, nationality, ethnic or national origin)
- Religion or belief (including political belief)
- Sex;
- Sexual orientation;
- Caring responsibilities; or
- Social or economic background.

We are opposed to all forms of unlawful and unfair discrimination, including direct & indirect discrimination, victimisation and harassment. Although we work together in pursuit of a common purpose, it is the contribution which we make as individuals which creates our success. This is the reason that Chambers sets out its policy clearly and adheres to it. We recognise that the provision of equal opportunities in Chambers will help all of us to develop their full potential, talent and resources and allow us as an organisation to succeed.

All members of Chambers and members of staff are requested and required to uphold principles of equal opportunities. Breach of this policy may result in professional misconduct or disciplinary action, and individuals may be personally liable in law.

2. Scope of the policy

This policy applies to members of Chambers and members of staff, pupils, mini-pupils, pupillage and tenancy applicants, job applicants, contract workers, agency workers, trainee workers and students on work experience or placements, volunteer workers, former members of Chambers and former members of staff. Our clients (both lay and professional) are also protected from discrimination.

This policy applies to all activities in respect of: recruitment and selection; fair access to work; the allocation of unassigned work; equality monitoring; complaints and grievances. This is not intended to be an exclusive list of the areas covered by this policy.

3. Implementation of the policy

In order to implement our Equality & Diversity policy we shall:

- Communicate the policy to all members of Chambers, pupils and all members of staff. The policy shall also be posted on our website.
- Provide equality training and guidance as appropriate.

- Ensure that those who are involved in assessing candidates for recruitment of pupils, tenants and members of staff, or the promotion of members of staff, are trained in nondiscriminatory selection techniques.
- Ensure that adequate resources are made available to fulfil the objectives of this policy.

4. **Monitoring and Review**

Chambers has appointed Equality & Diversity Officers (“the EDOs”) in accordance with **Annex 1** to this policy. Together with other appropriate members of Chambers, the EDOs will monitor the effective implementation of our Equality & Diversity Policy as well as review the policy’s effectiveness regularly.

The EDOs are responsible for preparing, reviewing and implementing an action plan. The general action plan for 4NS is set out herein at paragraphs 3 and 4. The EDOs are also responsible for preparing and implementing a specific action plan which will be produced to run for each calendar year and is annexed to this policy at **Annex 2**. By its nature this action plan will change and be updated as its specific aims and targets are met.

4New Square’s Equality & Diversity Action Plan 2018 is at Annex 2.

5. **What is discrimination?**

Essentially, there are 4 types of discrimination or prohibited conduct: direct discrimination, indirect discrimination, victimisation and harassment. Under the Equality Act 2010, there are 9 protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation). Discrimination because of a protected characteristic is prohibited by law. Further, we will not tolerate discrimination because of the grounds mentioned above in our Statement of Policy.

1. Direct discrimination

This occurs when a person in the workplace is treated less favourably than someone else because of a protected characteristic, for example, their race or gender or age or religion, or perhaps because of their partner’s protected characteristic. This could include, for example, decisions, actions or omissions such as:

- Refusing to employ someone or refusing to offer that person a pupillage;
- Dismissing someone;
- Denying employment opportunities, such as training or promotion;
- Unfair allocation of work; or
- Subjecting someone to a detriment

b. Indirect discrimination

In contrast to direct discrimination, indirect direct discrimination occurs where a provision, criterion or practice is applied *equally* to other members of Chambers or members of staff, but that equal treatment puts a particular class of persons in the workplace, such as women or Muslims or homosexuals, at a particular disadvantage compared to others in the workplace. If the imposition of that provision, criterion or practice cannot then be justified, it will be unlawful.

Such treatment may not be obviously discriminatory at first sight. It could happen if, for example, Chambers applied a provision, criterion or practice that, in order to be considered for cases lasting 20 days or more, candidates must be 12 year’s call or above. Such treatment would particular disadvantage younger members of Chambers, who are less likely to be 12 year’s call. In those circumstances, Chambers would have to show that it was a justified requirement of the business, perhaps due to the experience required for such cases.

c. Victimization

There would be little point in conferring equal opportunity rights upon members of Chambers and members of staff if Chambers was free to take detrimental action against those members whenever they assert those rights. To prevent any such detrimental action occurring, those who assert their right in good faith are protected, even if the assertion is proven false. Those who, in good faith, assist others in asserting their rights are also protected, even if their evidence is proven false.

If, for example, a member of staff uses the Grievance Procedure to complain of discrimination or harassment, he or she must not be subjected to a detriment because they made such a complaint. To do so amounts to victimisation, which is a form of discrimination in itself.

d. Harassment

Irrespective of whether it is related to one of the protected characteristics or grounds mentioned above, such as someone's race, gender, age or disability, harassment (or bullying) which is unwanted, unreasonable and offensive to the recipient will not be tolerated or condoned within Chambers.

Harassment may occur when the harassing or bullying behaviour is aimed at the person directly, or perhaps indirectly by being aimed at someone associated with that person, and violates that person's dignity, or where the conduct creates an intimidating, hostile, degrading, humiliating or offensive work environment for the recipient. In an appropriate case, a one-off incident will be treated as harassment. In some circumstances, the individual member of Chambers or member of staff who breaches this may also be held personally liable.

4 New Square's Harassment Policy is at Annex 3.

6. Disability discrimination

Chambers is committed to providing equality of opportunity to all those to whom the policy applies who have a disability, or have done in the past.

A disability within the meaning of the Equality Act 2010 is 'any physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out their normal day-to-day activities'. Such a disability may include, but is not limited to:

- Deficiencies in sight, smell and hearing
- Progressive conditions such as cancer, multiple sclerosis and muscular dystrophy
- Severe disfigurement such as scars and skin diseases
- Limb or postural deformities, including conditions which require wheelchair use
- Mental illnesses, such as depression or bi-polar disorder.

Such persons who are disabled will not be:

- Less favourably treated in Chambers because of a disability, whether it be their disability or someone else's disability who is associated with that person;
- Treated unfavourably for an unjustified reason arising from disability; or
- Indirectly disability discriminated against without justification.

Chambers will also make all reasonable adjustments required by law to remove any provision, criterion or practice, or any physical feature of Chambers which places a disabled person, be it a client, member of Chambers, member of staff, pupil or visitor at a substantial disadvantage to someone who is not disabled, or to provide an auxiliary aid to remove such a disadvantage. However, Chambers can only make those reasonable adjustments if we know about that disability, or ought reasonably to know about it.

4 New Square's Reasonable Adjustment Policy is at Annex 4.

Chambers understands that those people with a disability may wish for this to be considered more confidentially than with other issues. In these circumstances, they should raise any such matters confidentially with an appropriate person, such as one of the Equality & Diversity officers, the Head of Chambers or Senior Clerk.

7. Equal pay

Chambers acknowledges that men and women are entitled to be paid equally without any bias on the grounds of sex and that this right is set out in the Treaty of Rome and is enforceable under UK Law, and particularly the Equality Act 2010.

All steps will be taken to ensure that male and female members of Chambers and members of staff receive equal remuneration for the same work and for work rated as equivalent and for work of equal value.

8. Rehabilitation of offenders

It is Chambers' policy not to discriminate against anyone who has a spent conviction under the Rehabilitation of Offenders Act 1974. Under that Act it is unlawful to refuse to engage or to dismiss on the grounds of a spent conviction. A conviction becomes spent after a period of time which runs from the start of the sentence. It is Chambers' policy to comply with the Act.

9. Complaint

In the case of a complaint of discrimination or harassment that cannot be resolved informally, Chambers' Grievance Procedure must be used. All complaints of discrimination or harassment will be dealt with seriously, promptly, confidentially and in accordance with the Grievance Procedure.

ANNEX 1 TO EQUALITY & DIVERSITY POLICY
4 New Square
Equality & Diversity Officers & Diversity Data Officer

A. Introduction

1. Appendix M to the Bar Standards Board's "Equality and Diversity Code for the Bar" provides that all sets of Chambers must appoint a Member of Chambers who will have responsibility for equal opportunities issues within Chambers.
2. This paper sets out Chambers' policy on the appointment of Equality & Diversity Officers ("EDOs") and their role within Chambers. It forms an annexure to Chambers' Equality & Diversity Policy.

B. Appointment and Term of Office of EDOs

3. Chambers has four Equality & Diversity Officers ("EDOs") one of whom will be a silk.
4. The EDOs will be selected by the Head of Chambers but such selection shall be subject to the approval of the Chambers Management Committee.
5. EDOs shall hold office for two years, the period of office being from 1st January in year one to 31st December in year two. One new EDO shall be selected each year.
6. Where a junior EDO takes silk, or any of the EDOs cease to be a Member of Chambers or resigns from office during their two year term another EDO will be selected and the newly selected EDO will hold office for the same term as the outgoing EDO.
7. The names of the EDOs will be published to all Members of Chambers, pupils and staff.

C. Role of Chambers' EDOs

8. The EDOs will act as a confidential point of reference for Members of Chambers, pupils and/or members of staff who consider that any equality and diversity issue has arisen concerning their membership of, or employment by, Chambers. Where such an issue does arise then the EDOs will, if all parties consent, seek to resolve that issue informally. Otherwise, the EDOs will refer the complainant to the Chambers' Grievance Procedure as appropriate.
9. One EDO will be a member of the Chambers Management Committee.
10. The EDOs will assist the Head of Chambers, Senior Clerk and/or committees within Chambers by:
 - a. Acting as a point of reference regarding their compliance with the Bar Standards Board Equality and Diversity Rules;
 - b. Administering and considering Equality Impact Assessments completed by the Head of Chambers, Senior Clerk and/or committees within Chambers when a new policy/procedure is implemented, or where an existing policy/procedure is to be reviewed, amended, updated or revised; and
 - c. Where appropriate carrying out such Equality Impact Assessments.
11. The EDOs will arrange external equality and diversity training to be provided:

- a. To all Members of Chambers and staff every three years.
 - b. To the Recruitment Committee and employees (who are involved in recruitment) as required in accordance with Rule 408.2 of the Code of Conduct. This training should focus specifically upon equality and diversity issues which arise in the context of recruitment, as well as fair recruitment and selection processes.
12. The EDOs will carry out equality monitoring within Chambers in order to comply with Rule 408.2; and/or “Attorney General’s Equality and Diversity Expectations Statement for the Civil and Criminal Panel Counsel and their Chambers”, and/or COMBAR reporting requirements.
13. Every two years the EDOs will review the following sections of Chambers’ constitution:
- a. The Equal Opportunities Policy (and any related policy documents);
 - b. The parenthood leave policy; and
 - c. The flexible working arrangements
14. The EDOs will regularly review:
- a. the number and percentages of staff, barristers, pupils and mini-pupils from different groups;
 - b. applications for mini-pupillage, pupillage, staff and membership of chambers;
 - c. The Chambers Management Committee, which includes one EDO, will regularly review the allocation of unassigned work to ensure the fair distribution of work amongst pupils and members of chambers.

This review will include:

- a. collecting and analysing data broken down by race, disability and gender;
- b. investigating the reasons for any disparities in that data; and
- c. taking appropriate remedial action, which means (as defined by Rule 1001) any action aimed at removing or reducing the disadvantage experienced by particular groups;

‘regular review’ in this paragraph means as often as is necessary in order to ensure effective monitoring and review takes place. In respect of data on pupils and tenants it is likely to be considered reasonable that ‘regularly’ should mean annually.

‘investigating’ in this paragraph means considering the reasons for disparities in data such as:

- Under- or over-representation of particular groups, e.g. men, women, different ethnic groups or disabled people;
- Absence of particular groups, e.g. men, women, different ethnic groups or disabled people;
- Success rates of particular groups;
- Over- or under-allocation of unassigned work to particular groups.

15. The EDOs will hold quarterly meetings in conjunction with the Senior Clerk. The date of the meeting will be published at least 2 weeks in advance to enable any Member of Chambers, pupil or member of staff to raise an issue to be discussed at that meeting. Minutes of the non-confidential aspects of the EDO meetings will be published to all Members of Chambers, pupils and staff.

Role of Diversity Data Officer

16. The Bar Standards Board Equality & Diversity Rules of the Code of Conduct provides that Chambers must appoint a Diversity Data Officer (DDO), whose name and contact details will be provided to the Bar Standards Board (BSB).
17. Any change to the identity of the DDO will be notified to the BSB as soon as reasonably practicable.
18. The DDO shall comply with the requirements in relation to the collection, processing and publication of Diversity Data set out in the paragraphs a. to f. below.
- a. The DDO shall invite the Members of the Workforce to provide Diversity Data in respect of themselves to the DDO using the model questionnaire at Annex C of the BSB Guidance on these rules.
 - b. The DDO shall ensure that such data is anonymised and that an accurate and updated summary of it is published on Chambers' website every three years.
 - c. The published summary of anonymised data shall:
 - i. exclude Diversity Data relating to the characteristics of sexual orientation and religion or belief, unless there is consent from each of the Members of the Workforce; and
 - ii. exclude Diversity Data in relation to any characteristic where there is a real risk that individuals could be identified, unless all affected individuals consent; and
 - iii. subject to the foregoing, include anonymised data in relation to each characteristic, categorised by reference to the job title and seniority of the Members of the Workforce.
 - d. The DDO shall:
 - i. ensure that Chambers has in place a written policy statement on the collection, publication, retention and destruction of Diversity Data which shall include an explanation that the provision of Diversity Data is voluntary;
 - ii. notify the Members of the Workforce of the contents of the written policy statement; and
 - iii. obtain explicit consent from individual Members of the Workforce to the provision and processing of their Diversity Data in accordance with the written policy statement and these rules, in advance of collecting their Diversity Data.
 - e. The DDO shall have effective systems and controls in place to ensure that any Diversity Data provided to the DDO is collected and held securely and in accordance with the Data Protection Act 1998.
 - f. The DDO shall take all reasonable steps to ensure that the Diversity Data is not shared with any third parties except as permitted under these rules.
19. The following definitions shall apply for the purposes of paragraph 18 above:

'Diversity Data' means information relating to the following characteristics in respect of an individual:

- Age;
- Gender;

- Disability;
- Ethnic group;
- Religion or belief;
- Sexual orientation;
- Socio-economic background; and
- Caring responsibilities.

'Members of the Workforce' in respect of Chambers will include barristers, pupils, clerks and staff.

E&D Action plan for 2019

1. The aim of our Equality & Diversity Policy is to communicate our commitment to the promotion of equality of opportunity and diversity at 4NS. It applies to all members of chambers (MOCs), door tenants, pupils, and staff. Chambers' Equality and Diversity Policy is appended to the Chambers Constitution at [Appendix 6](#); the roles of the EDOs are also set out in that appendix.
2. Chambers Equality and Diversity Officers are PSM, DS, HME, SP, JF.
3. The Equality and Diversity Committee is currently made up of PSM, DS, HME, SP, AJ (no longer an EDO), JF, and LS.
4. The Policy requires the EDOs to prepare, review and implement an Action Plan for each calendar year. This Action Plan 2019 builds on the work in previous years and replaces the previous Action Plan. The Action Plan is required by the BSB.

Aim 1: diversity

5. We intend to promote the availability of this committee as a confidential recipient of queries raised by members of chambers and staff regarding issues within our remit. We will also host a sandwich lunch in chambers to explain our remit to members and to staff and encourage people to make use of this committee.
6. We intend to consider the responses to a questionnaire seeking feedback from members of chambers about equality and diversity in chambers.
7. We will continue to work with Chambers' Management Committee on fair access to work and in this regard will:
 - a. Encourage MOCs to complete diversity data on Lex;
 - b. Consider how to improve the review of fair access to work in respect of protected characteristics other than gender;
 - c. Work with Management Committee to improve the new system of monitoring fair access to work. In that regard, there is to be in 2019 a further review of the opportunities for access to "ritzy work", in which we will participate.
8. We are aware that TecBar is investigating the question of retention of female barristers generally. We intend to maintain a watching brief on TecBar's investigation, and any parallel investigation

that might be undertaken by the Chancery Bar Association (whose meeting about retention of female barristers HME is due to attend in March 2019), and in the event that specific issues are uncovered that appear to be relevant to these chambers, we will formulate a plan for a specific investigation. We will also ask MOCs to report to us any concerns about brief fee levels (which is a particular issue that has been raised by TecBar).

9. We will formulate a specific E&D focussed set of questions to be put to departing members of chambers as part of their exit interviews, to ensure that we understand whether E&D issues played any part in a member's decision to leave chambers.
10. We will review the extent to which those members of chambers who are not often physically present in chambers for any reason connected with E&D issues (e.g., parental responsibilities) are becoming alienated from the support available to practitioners in chambers.
11. We will henceforth review the annual submissions to the directories, seeking to ensure that the highlighting of barristers in the submissions fairly reflects the diverse composition of chambers.

Aim 2: Mentoring

12. We intend to understand the mentoring that is currently provided to:
 - a. MOCs (particularly those who are part of an under-represented group);
 - b. Staff, particularly those working in parts of chambers where they are part of an under-represented group (e.g. women in the clerks' room).
13. Junior MOCs are already allocated a mentor, and informal mentoring and support are already going on. We intend to identify best practice with a view to producing guidance and encouraging more mentoring.

Aim 3: chambers staff

14. In addition to encouraging members of staff to be aware of the work of this committee and bring any relevant issues to it, we intend to review the parental leave policy currently applicable to staff, which is now probably less favourable than the policy applicable to members of chambers.

ANNEX 3 TO EQUALITY & DIVERSITY POLICY

4 New Square Harassment Policy

1. This is the 4NS Harassment Policy, and should be read in conjunction with Section 5(d) of the 4NS Equality & Diversity Policy. This policy covers all those working in chambers, visiting chambers and providing services to Chambers. It covers, amongst others, tenants, pupils, members of staff and instructing solicitors.
2. 4NS is committed to providing a work environment in which all individuals, clients and the public are treated with dignity and respect. 4NS is determined to promote a work environment in which everyone is treated equally and with dignity and can flourish. This policy is a central plank of Chamber's commitment and will be applied rigorously. Harassment will not be tolerated or condoned at 4NS and managers, employees, members of chambers, pupils and others temporarily in chambers such as mini-pupils have a right to complain if it occurs.
3. Harassment includes any unwanted conduct related to sex, race, disability, gender reassignment, religion or belief, sexual orientation or age. Such behaviour may take many forms including:
 - conduct which is unwanted by the recipient and perceived as hostile or threatening;
 - conduct which gives rise to a hostile or threatening work environment;
 - conduct which creates an atmosphere in which it is feared that rejection or submission will be used as a basis for decisions which have an impact on the recipient at work such as an allocation of work or tenancy decision.
4. The following are examples of types of behaviour which may amount to harassment:
 - physical or sexual assault;
 - requests for sexual favours in return for career advancement;
 - unnecessary physical contact;
 - exclusion from social networks and activities or other forms of isolation;
 - bullying;
 - compromising suggestions or invitations;
 - suggestive remarks or looks;
 - display of offensive materials, including on a computer screen;
 - tasteless jokes or verbal abuse, including any sent by email;
 - offensive remarks or ridicule;
 - dealing inappropriately or inadequately with complaints of harassment.
5. Harassment is unlawful under the Equality Act 2010¹. In addition to the above unwanted conduct, it can arise where a person engages in any kind of unwanted sexual behaviour (or gender reassignment or sex related behaviour).

6. Complaints of harassment may be raised informally in the first instance with any of the 4NS EDOs, the Head of Chambers or another senior member of chambers who will agree an appropriate response. Formal complaints should be made under the 4NS Grievance Procedure.
7. Harassment is misconduct or gross misconduct for employees or a breach of the Bar Handbook for barristers. Allegations of harassment will be dealt with under the 4NS's Disciplinary Procedure.
8. If an individual does not wish to raise the issue with Chambers or is unsure of how they wish to proceed following an incident of bullying, harassment or discrimination, the Bar Council have created an online tool (Spot) where an individual can record the details of inappropriate behaviour completely confidentially. This information will be stored on the online platform with a date stamp, but nobody will have access to this information unless the individual decides that they wish to report the incident to Chambers, their employer or regulator. The report can be also be submitted to police if required in relation to a criminal investigation. Spot can be accessed via <http://talktospot.com/barcouncil>. The tool can also be used by third party witnesses of such behaviour, however this does not take away from a barrister's duty to report to the BSB any harassment by another barrister which may amount to serious misconduct under rules rC66 to 69 of the Bar Code of Conduct
9. Chambers is committed to ensuring that no-one who makes an allegation of harassment in good faith should be subjected to any detriment as a result. Any victimisation of a complainant, witness or anyone else involved in the investigation of a complaint will be viewed as a disciplinary matter.
10. From time to time training will be provided. Attendance at any such training whether in person or by listening to a recording of that training will be mandatory for all members of chambers, door tenants, pupils and staff.
11. A copy of this policy is available on the Chambers' P-drive, or upon request, to all those for whom chambers constitutes a working environment, including members of chambers, pupils, squatters, clerks and other employees, temporary workers, those who provide services to chambers such as contract cleaners, accountants and IT consultants, mini-pupils and work experience students.
12. This policy was adopted in September 2012, reviewed in September 2014, reviewed and amended in March 2016, reviewed and amended in March 2018 and will be further reviewed by March 2020.

ANNEX 4 TO EQUALITY & DIVERSITY POLICY
4 New Square Reasonable Adjustments Policy

1. This is the 4NS Reasonable Adjustments Policy, and should be read in conjunction with Section 6 of the 4NS Equality & Diversity Policy.

Aim and remit of Policy

2. Aim: To set out what chambers wishes to achieve through the development of this Policy.
3. 4NS is committed to making reasonable adjustments in order to remove or reduce substantial disadvantage for disabled people applying to or working with chambers or receiving legal services. This policy covers all employees of chambers, barristers, clerks, pupils, mini-pupils, clients and visitors to chambers.

Circulation

4. This policy is circulated to all members, staff, pupils, clerks and those who are required to read and understand it.

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 s/he has a physical or mental impairment which has a substantial and long term adverse effect on his/her ability to carry out normal day-to-day activities. "Substantial" means more than minor or trivial and "long term" means "12 months or more".

Types of reasonable adjustment

6. This Policy does not offer an exhaustive list of the reasonable adjustments that chambers will make for staff, barristers, pupils or visitors; however the types of adjustment that may be made are:
 - a. Provision of information in alternative formats, e.g. large print, Braille etc.
 - b. Paid leave for medical purposes relating to the disability of disabled employees of chambers.
 - c. Provision of auxiliary aids e.g. induction loops.
 - d. Provision of accessible conference room facilities.
 - e. Provision of a reader or interpreter.
7. When deciding whether an adjustment is reasonable, Chambers will consider, in addition to Chambers' resources and size, the following:
 - a. how effective the change will be in avoiding the disadvantage the disabled person would otherwise experience;
 - b. its practicality;
 - c. the cost;
 - d. the availability of financial support;
 - e. any suggestion by the disabled person as to what adjustment(s) ought to be made;
 - f. any medical information supplied by the disabled person as to his or her disability and its effects.

Chambers strongly encourages the disabled person to supply any relevant information in relation to the above, which will be treated in confidence.

Staff, barristers, pupils and others in chambers

8. Staff, barristers or pupils with specific requirements should make requests to the EDOs for reasonable adjustment decisions. All requests for reasonable adjustments will be considered on a case by case basis and where it is not possible to make the adjustment requested 4NS will discuss viable alternatives with the applicant.
9. The Head of Chambers is responsible for considering whether or not disabled staff, barristers, pupils or others require assistance during an emergency evacuation and if so whether or not 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 in order to ensure that adjustments to the emergency evacuation procedure may be made.

Applicants for pupillage

10. The process for notifying chambers of a disability/requirement for reasonable adjustments is set out in a separate "Policy for Reasonable Adjustments within Pupillage Recruitment" which together with a Reasonable Adjustments Form is available alongside the Pupillage Application form on the Recruitment Overview section of the website. For completeness, that separate Policy is set out at Annex A hereto.

Visitors to chambers

11. Barristers are responsible for considering reasonable adjustment requests for their 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 and are likely to require assistance. Visitor requests for specific reasonable adjustments may be made by contacting the Senior Clerk.

Cost of making reasonable adjustments

12. In no circumstances will 4NS pass on the cost of a reasonable adjustment to a disabled person.

Monitoring and review

13. This Policy is to be reviewed by the EDOs every two years. The date of the last review was February 2018.

Annex A
Policy for Reasonable Adjustments within Pupillage Recruitment

1. The process for notifying chambers of a disability/requirement of reasonable adjustments is set out in the Explanatory Notes which are available alongside the Pupillage Application form on the website, and is set out below.
2. Applicants will be asked if they consider themselves disabled within the meaning of the Equality Act and if so whether they require reasonable adjustments in relation to their application for pupillage of Chambers on the Equality and Diversity Monitoring Questionnaire. This is a separate document from the Application Form, and is intended for data monitoring.
3. Applicants will not be asked on the Pupillage Application Form whether reasonable adjustments need to be made for any stage of the recruitment process.
4. A separate form (“the Reasonable Adjustments Form”) is available on our website for candidates who identify themselves as being subject to a disability (see 5 below). This form will be aimed at establishing if any candidates need reasonable adjustments in relation to the application for pupillage process, from completing the form through to interview.
5. Any candidate who identifies as being subject to a disability will:
 - 5.1. Complete the Reasonable Adjustments Form, which explains more about the application process (in order to assist the applicant when deciding whether they require reasonable adjustments) and asks the candidate to set out what reasonable adjustments they may require.
 - 5.2. In most cases, it is envisaged that the form will be returned with the application form. However, where a candidate requests an adjustment at a stage prior to that (e.g. in relation to completion of the form) they can return the form independently of the application form. Any queries or difficulties will be dealt with by the Pupillage Administrator.
 - 5.3. The Pupillage Administrator will perform a check against the Equality and Diversity Monitoring Questionnaires, when they come in, that any candidates requesting adjustments have been sent, and have returned, a copy of this form.
 - 5.4. Upon receipt of the returned reasonable adjustments form, the Pupillage Administrator will forward it to the EDOs.
 - 5.5. The EDOs will then consider the request for adjustments and, to the extent that they consider those adjustments to be reasonable, ensure that they are put in place in time.
 - 5.6. If necessary the EDOs will consult with the Finance, and/or Executive Committee, as to the feasibility and financing of implementation of reasonable adjustments.
6. Members of the interview panel(s) will not be informed of any disability or reasonable adjustments that have been made e.g. extra reading time, and will not include any such enquiries in the interview process.

February 2018