



## **REASONABLE ADJUSTMENTS POLICY**

### **INTRODUCTION**

1. Chambers is committed to making reasonable adjustments in order to remove or reduce substantial disadvantage for disabled people working with Chambers or receiving legal services. This policy covers all members of chambers, employees of Chambers, pupils, and mini-pupils and other visitors to Chambers.

### **CIRCULATION**

2. This policy will be circulated to all members of Chambers, staff and pupils.

### **TYPES OF REASONABLE ADJUSTMENTS**

4. This policy does not provide an exhaustive list of the reasonable adjustments that Chambers will make for members, staff, pupils or visitors, however, the following types of adjustment are examples of adjustments that may be made:
  - (a) provision of information in alternative formats (e.g. large print, braille etc.);
  - (b) provision of auxiliary aids e.g. induction loops;
  - (c) provision of accessible conference room facilities;
  - (d) provision of a reader or interpreter.

### **STAFF, BARRISTERS AND OTHERS IN CHAMBERS**

5. Members, Staff or pupils with specific requirements should make requests to the Head of Chambers for reasonable adjustment decisions. All requests for reasonable adjustments will be considered on a case by case basis with the advice and assistance of a Chambers' Equality and Diversity Officers and, where it is not possible to make the adjustment requested, Chambers will discuss viable alternatives with the applicant.
6. Head of Chambers is responsible for considering whether or not disabled members, staff, or pupils require assistance during an emergency evacuation and, if so, whether or not a personal evacuation plan is required for the individual or individuals 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.

### **VISITORS TO CHAMBERS**

7. Barristers are responsible for considering reasonable adjustment requests for their visitors. They are also responsible for anticipating any likely reasonable adjustments that would need to be made for visitors whom they know to be disabled and are likely to require assistance. Requests for specific reasonable adjustments for visitors may be made by contacting one of Chambers' Equality and Diversity Officers.

#### **MONITORING AND REVIEW**

8. This policy is reviewed by a Chambers' Equality and Diversity Officer at regular intervals.

#### **COURT HEARINGS**

9. The clerks will help smooth the process of any disabled solicitors or clients attending court with any members of chambers. When asked for assistance, the clerks will give the court, in good time, full details of the dates and times when the disabled person(s) will be attending. The clerks will also pass on all of these details to the solicitor or client so they can contact the court directly in the event of any problems arising.

#### **DISABILITY COMMUNICATIONS GUIDE**

10. A Disability Communications Guide is at Schedule 1.

**Approved by the MB September 2020**

# Schedule 1 - Disability Communication Guide

## The Basics

**The overriding rule is not to be daunted by lists of rights and wrongs. If in doubt, ask yourself how you would want to be treated and always be willing to adapt to a person's individual preference.**

- The majority of difficulties faced by disabled people are caused by other people's misunderstanding of their capabilities.
- Improving access means removing barriers; it is not just about spending money on structural alterations. It also involves adjusting policies, procedures and outdated attitudes towards disabled people.
- The word 'access' should be applied in its broadest sense to all forms of communication and opportunity.
- The general health of most disabled people is as good as that of anyone else.

## Communication Skills

Communication skills are vital in developing relationships with disabled and non-disabled clients, members and employees alike. Common sense and common courtesy tell us:

- Be patient and listen attentively.
- Use a normal tone of voice when extending a verbal welcome.
- Exercise patience when listening.
- Do not attempt to speak or finish a sentence for the person you are speaking. Never ask 'What happened to you?' Restrain your curiosity.
- Address a disabled person by their first name only if addressing everyone with the same familiarity.
- Speak directly to a disabled person, even if accompanied by an interpreter or companion.

## Words and Phrases

**Certain words and phrases may give offence. Although there are no concrete rules it is helpful to understand why some terms are preferred to others. Preferences vary, so be prepared to ask the individual.**

**People are increasingly sensitive to the way in which the 'language of disability' can lead inadvertently reinforce negative stereotypes.**

## General Guidance

Most people who see disability as an equality issue strongly prefer the term 'disabled people' as they regard themselves as people with impairments or medical conditions who

are ‘disabled’ by a society that fails to remove unnecessary obstacles. Some prefer the term ‘people with disabilities’ because it puts the person first.

Others, such as many who are pre-lingually deaf (i.e. deaf from birth or an early age) and use British Sign Language or those with a long-term medical condition may not see themselves as disabled at all, even though the law may define them as such.

- A disabled person is not defined by their impairment. Nobody wants to be given a medical label.
- Labels say nothing about the person, they simply reinforce the stereotype that disabled people are ‘sick’ and dependent on the medical profession.
- References such as ‘an epileptic’ or ‘a diabetic’ are dehumanising. If you need to refer to a person’s condition, say ‘a person who has diabetes’. (Exceptions do, however, exist. The Dyslexia Association advocates the use of the phrase ‘dyslexic people’ as opposed to ‘people with dyslexia’).
- Do not be embarrassed about using common expressions that could relate to someone’s impairment, e.g. “see you later” or “I’ll be running along then”.
- Avoid using language that suggests disabled people are always frail or dependent on others, or which could make disabled people objects of pity, such as ‘sufferers from’ or ‘victim of’.
- Do not use collective nouns such as ‘the disabled’ or ‘the blind’. These terms imply people are part of a uniform group. The exception is ‘the Deaf’ with a capital ‘D’. This is the preferred term for many pre-lingually deaf people who use British Sign Language and see themselves as a cultural minority rather than part of a disabled community.
- Do not ask people to ‘declare or disclose’ their disability, use non-emotive language such as, “please let us know how we can meet your needs”.

<b>Instead of</b>	<b>Use</b>
Mental, mental patient, schizophrenic, lunatic, psycho, etc.	A person with a mental health condition.
Cripple, or invalid	Disabled person, or person with a disability or, if appropriate, a person with a mobility impairment.
Deaf and dumb, deaf-mute	A person who is deaf without speech or a deaf person.
Midget, or dwarf	A person of short stature, or a person of restricted growth. Although some individuals do prefer to be called a dwarf.
Fits, spells, attacks	Seizures
Mentally handicapped, subnormal	A person with a learning disability or difficulty.
Wheelchair-bound, confined to a wheelchair	A wheelchair user.

## **Disability Etiquette**

**The one universal rule is never to assume you know what assistance, if any, a disabled person requires. Ask if, and what, assistance may be needed.**

**However, here are a few more general pointers that may be useful:**

- Treat a disabled person in the same manner and with the same respect and courtesy you would anyone else.
- Treat adults as adults.
- Do not make assumptions about the existence or absence of a disability' many people have disabilities that are not visible or immediately apparent.
- Use appropriate physical contact, such as a handshake, as you would with anyone else.
- A disabled individual may not introduce a personal assistant or human aid to communications (e.g. an interpreter). Take your lead from the person using their services.
- Assistant dogs are working dogs. They should not be treated as pets. They will, however, need water and somewhere outside to relieve themselves if it is a long meeting.
- Know where accessible (and other) toilets, drinking fountains, water coolers and telephones are located.

## **Meeting People with a visual impairment**

- Identify yourself clearly and introduce any other people present. Clearly indicate where people are located.
- If speaking in a group, it is helpful to identify the name of the person you are speaking to. People should introduce themselves before speaking.
- To shake hands, say "Shall we shake hands?"
- Before offering assistance ask the individual how you may help. If the person asks for assistance, ask "May I offer you an arm?" rather than taking their arm. This enables you to guide, rather than 'propel' the person.
- Remember that most people with impaired vision do have some residual sight.
- If you are guiding someone, tell them when steps, stairs, ramps or other obstacles occur. And in the case of steps, stairs and ramps, whether they are up or down.
- When you are offering a seat, guide the person's hand to the back or the arm of the seat, and say this is what you are going to do.
- If leaving someone with a visual impairment in an area unfamiliar to them, inform the person you are leaving and connect them with someone else.
- When entering an unfamiliar area, give a brief description of the layout.
- Where someone might normally take notes ask if they would like to record the meeting or conversation.

- Provide written communication in an accessible format and if possible in the person's preferred format, such as large print, Braille or an electronic version.
- Papers for meetings should be available in advance, including minutes and any papers to be tabled.

### **Meeting People who are deaf or hard of hearing**

**There are many different degrees and types of deafness, and different ways for deaf people or those who are hard of hearing to communicate. It is estimated that 689,000 people are profoundly deaf and 50,000 use British Sign Language (BSL) as their first language.**

- Try not to feel uncomfortable about communicating with a deaf or hard of hearing person, even if the communication feels awkward at first.
- If you do not understand what someone has said, ask him or her to repeat the sentence.
- Do not pretend you have understood when you have not.
- For interviews and meetings use a qualified British Sign Language interpreter.
- Qualified interpreters are either CACDP Council for the Advancement of Communication with Deaf People) registered interpreters or registered trainee interpreters.
- Ask the person to tell you how they prefer to communicate.
- Speak one at a time in meetings or gatherings. This enables lip-reading or interpreter communication.
- Written notes may help you present complicated information but remember that the person cannot read and lip-read or look at an interpreter at the same time.
- Make sure a deaf person is looking at you before you begin speaking as he or she may need to lip-read. A gentle touch on the shoulder or arm will capture their attention.
- Keep background noise as low as possible.
- Check regularly that you have been understood.
- If a sign language interpreter is present, speak to the individual not the interpreter.
- Many people reinforce what they hear with lip-reading. A few deaf people with no hearing at all use this alone. This is a demanding and tiring skill.
- Look directly at the person you are speaking to.
- Do not speak with your back to a light source as this will put your lips in shadow.
- Make sure you are visible and in good lighting when talking.
- Speak clearly and at an even pace, but do not distort or exaggerate your lip movements.
- Stop talking if you must turn away.
- Do not use exaggerated gestures.
- Do not block your mouth with your hands, cigarettes or food.

## **Meeting people who are deafblind**

**While deaf-blindness is a combination of hearing and sight impairments, remember that deafblind people are not always completely deaf and blind. In fact, most deafblind people do have some residual hearing or sight or both. The advice provided in the sections on people with impaired vision or hearing may therefore also apply.**

A deafblind person may speak to you but may not hear your voice. Let the person know you are there. Approach from the front and touch the person lightly on the arm or shoulder to attract their attention.

Many deafblind people need to be guided. Individuals will have their particular preference as to how they wish to be guided. Some deafblind people experience poor balance.

A deafblind person may be supported by a communicator-guide or interpreter. Remember to speak to the individual rather than their assistant.

Do not grab or 'propel' a person. Let them know you are offering to escort them by guiding their hand to your elbow.

## **Meeting people with speech difficulties**

- Be attentive, encouraging and patient, but not patronising. Slowness or impaired speech does not reflect a person's intelligence.
- Refrain from correcting or speaking for the person.
- Wait quietly while the person speaks and resist the temptation to finish sentences for them.
- If you need more information, break down your questions to deal with individual points that require short answers.
- If you do not understand what someone has said, ask the individual to say it again.
- Never pretend to understand when you do not.

## **Meeting people who use a wheelchair, cane, walking frame or crutches**

**Learning on a wheelchair is the equivalent of learning or hanging onto a person. A wheelchair is a user's personal space. If you are talking for more than a few moments to someone in a wheelchair, try to position yourself so you are at the same level, or at least ask the person if they would like you to sit down.**

- Be aware of your manner when you kneel or crouch to speak with the person.
- Remember to treat adults as adults.
- If there is a high desk or counter, move to the front. Never touch or move crutches, canes or walking frames, or push a wheelchair without the user's consent.
- Offer a seat to someone who may need one.
- Speak directly to a wheelchair user, not their companion.
- Unless you know it is easy to move around your building in a wheelchair, offer to help. Heavy doors or deep-pile carpets are just some of the hazards to watch for.

- Do not assume ramps solve everything; they may be too steep or too slippery.
- Do not be offended if your offer of help is refused. Many wheelchair users prefer to travel independently whenever possible.

### **Meeting people with learning disabilities**

**Many people born with learning disabilities, those in the early stages of dementia or people who acquire a brain injury, live full and independent lives. Most can make their own choices, with varying levels of support. The following may apply to any of these individuals:**

- Begin by assuming the person will understand you.
- Speak to the person as you would anyone else. Do not assume you can predict from your initial impression what the person will or will not understand.
- Keep all your communication simple. Avoid jargon.
- Consider putting information in writing, including your name and phone number.
- Provide straightforward summaries of written information.
- Perhaps offer the person an appropriate record of the conversation (e.g. electronic version or 'easy read' notes) so they can consider it again later and keep a record.

### **Meeting people with mental health problems**

**Everyone is different so be perceptive and open to possible adjustments; remember that you may not know if the person has a mental health problem.**

- If they are displaying non-typical or distressed behaviour ask, preferably in private, if there is anything you can do to help.
- Always ensure people can complete their business without feeling humiliated or a failure.

**Often the most significant disability people with mental health problems experience is created by the attitudes of others.**

- Be patient and non-judgemental.
- Give the person time to make decisions.
- Remove any sources of stress and confusion such as noise or flashing lights.
- Provide clear and timely information with the aim of ensuring people arrive at meetings as unstressed as possible.
- Remember that the individual may require an advocate to help access information or attend a meeting or interview.

## **Meeting people with facial disfigurement**

**Some people are born with disfigurement and others acquire it through accident or illness. Disfigurement is usually only skin deep, but it can be associated with facial paralysis and other impairment such as speech difficulties.**

- It does not mean the person is any different and certainly does not affect his or her intelligence.
- Make eye contact as you would with anyone else. Do not stare. Smile if you would for someone else.
- Listen carefully and do not let the person's appearance distract you.

## **Interviews**

**When preparing to interview a disabled person you may need to adjust your usual arrangements. Do not assume you know what will be needed. Ask the individual.**

- Describe the interview process and ask all candidates if they have any particular requests.
- Although you should be prepared to make reasonable adjustments, do not make assumptions about what a person can or cannot do.
- Disabled people often develop their own creative solution to work-based challenges.
- Focus on the main tasks and requirements of the job and on the person's skills.
- Restrict questions about the effect of the person's disability to those that potentially affect their ability to do the job, such as 'How can we help you be successful in this role?' Also consider reasonable adjustments they might need.
- Only ask about the person's life outside work if you would ask such questions of every other candidate.
- Do not ask "What happened to you?"

## **Adjustments include:**

- Changing the venue to a more accessible interview room for a wheelchair user.
- Re-arranging the seating or lighting so that a deaf person can lip-read more easily.
- Arranging for an appropriate person to help you communicate, such as a sign language interpreter.
- Allowing the individual to bring an assistant or companion to the interview.

## **Meetings and Events**

**When planning a meeting or event remember that 'access' refers to facilities as well as buildings. It covers approaches, entrances, floor surfaces, lifts, speaker platforms, lecterns, catering and toilets, as well as providing extra time, interpreters and communicates support, electronic or Braille versions of notes, large print programmes and auxiliary aids such as portable hearing loops.**

- If you think there may be access problems, either give advance warning of the problem or preferably find a better venue.
- Make sure reception staff know you are expecting disabled people. Ensure they have read this guide and tell them about any particular requests. If it is a meeting that is open to the public to drop in you should always expect disabled people and ensure in advance that it will be accessible.
- Ensure there is room for people with visual or mobility impairments to move about easily, both at the meeting and when taking refreshments.
- Make sure help, and seats and tables, are available. It is difficult to sign with glass of wine in your hand.
- Reduce or remove any background noise.
- Offer clipboards to wheelchair users.
- Clearly sign accessible toilet facilities and ensure staff know where they are.
- Everyone should be aware of the evacuation plan, including refuge point and evacuation procedure.
- Ideally, the building should be equipped with a 'deaf-alert' (i.e. visual) fire alarm.

## **Invitations**

**Remember to include written instructions of how to get to the meeting or event as well as providing a map. Also, provide contact details in the case one of your guests requires assistance on their way to the venue.**

Rather than referring to 'special needs', ask if people have 'particular requirements'. Use phrases such as:

- 'Please let us know what we can do to make our reception fully accessible to you?'
- 'Do you need us to change anything to make sure you play a full part in this meeting?'
- 'Do you have any access or dietary requirements?'

## **Disability and the law**

**It is unlawful for employers, education providers and providers of goods, facilities, services and public functions to discriminate against disabled people.**

**This means that reasonable adjustments or changes to policies, practices and buildings must be made to enable disabled people to access all of these.**

**The legal definition of disability is very wide and does not just apply to people who have a visual or hearing impairment.**

**It can cover:**

- People who have problems moving around whether or not they use a wheelchair or crutches.

- People with learning disabilities or difficulties interacting with other people in social settings, or example someone who has dyslexia or Asperger's syndrome.
- People who have medical conditions that are controlled by drugs or other treatments. This could include someone with diabetes, epilepsy or asthma.
- People who have mental health problems. This could be someone with post-traumatic stress or depression.