



The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

Disclosure Policy

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Date of implementation: July 2013

Date of last review: September 2022

Date of next review: September 2023

The Bar Tribunals & Adjudication Service

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The Council of the Inns of Court. Limited by Guarantee

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1. Introduction

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. In addition to Disciplinary Tribunals, BTAS has similar responsibilities for Fitness to Practise hearings and Interim Suspension Panels for barristers.

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. Freedom of Information Act

The Freedom of Information Act 2000 provides public access to information held by public authorities. Public authorities are required to publish certain information about their activities and members of the public are entitled to request that information from public authorities.

The Freedom of Information Act 2000 does not apply to BTAS as it is not a public authority. However, BTAS has elected to follow the spirit of the Freedom of Information Act as far as possible to ensure organisational transparency and to also instil confidence in members of bar and the public.

Information means all recorded information held. It is not limited to official documents; it includes, for example, drafts, emails, and notes, recordings of telephone conversations and CCTV recordings. It is not limited to information BTAS has created, it also includes, for example, letters received from the public, although there may be a just reason not to release these.

3. Purpose of the Policy

The purpose of this policy is to promote openness and transparency across the disciplinary and adjudication services BTAS provides.

4. Scope of the Policy

This policy is informed by the model publication scheme as set out by the Information Commissioner's office.

As BTAS is not a public authority and not bound by the Act, there is no right of appeal of any of BTAS's disclosure decisions, although BTAS at its discretion may review any decision made.

5. Personal Information

To request personal information please refer to BTAS' Information Security policy. Information held about an individual is covered by the General Data Protection Regulation (GDPR).

6. Publication: Disciplinary Tribunals and other adjudication hearings

Please refer to the BTAS Publication Policy.

7. Model Publication Scheme (as set out by the Information Commissioner's office)

This model publication scheme has been prepared and approved by the Information Commissioner.

This publication scheme commits BTAS to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by BTAS.

The scheme commits BTAS:

- To proactively disclose or otherwise make available as a matter of routine, information, including environmental information, which is held by BTAS and falls within the classifications below.
- To proactively disclose or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.

- To review and update on a regular basis the information BTAS makes available under this scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this disclosure policy available to the public.

8. Classes of Information

i. Who we are and what we do

Organisational information, locations and contacts, constitutional and legal governance.

ii. What our priorities are and how we are doing

Strategy and performance information, plans, assessments, inspections and reviews.

iii. How we make decisions

Policy proposals and decisions, decision making processes, internal criteria and procedures, consultations.

iv. Our policies and procedures

Current written protocols for delivering our functions and responsibilities.

v. Lists and Registers

Information held in registers required by law and other lists and registers relating to the functions of BTAS.

vi. The Services we offer

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage or is difficult to access for similar reasons.

The method by which information disclosed under this scheme will be made available

BTAS will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the capability of BTAS, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, BTAS will indicate how information can be obtained by other means and provide it by those means.

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where BTAS is required to translate any information, it will do so.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

Charges which may be made for Information published under this scheme

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public.

Material which is published and accessed on a website will be provided free of charge.

Charges will only be made where the cost of production for disclosure exceeds £50.00.

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

Charges may also be made for information disclosed under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

Written Requests

Information held by BTAS that is not disclosed under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.