

## **Complaints Procedure**

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## **Complaints Procedure**

1. Our aim is to give you a good service at all times. However, if you have a complaint you are invited to let us know as soon as possible. It is not necessary to involve solicitors in order to make your complaint but you are free to do so should you wish.
2. Chambers conforms to the same time limits adhered to by the Legal Ombudsman (LeO). Complaints will be considered under the Chambers Complaints Policy when made no later than six years from the act or omission or three years from when the complainant should reasonably have known there was cause for complaint, unless, in the absolute discretion of the Chief Executive/ equivalent or the Chair of the Management Board, this time limit is waived.
3. The LeO will also only deal with complaints from consumers. This means that only complaints from the barrister's client are within their jurisdiction. Non-clients who are not satisfied with the outcome of the Chambers' investigation should contact the Bar Standards Board rather than the Legal Ombudsman.
4. It should be noted that it may not always be possible to investigate a complaint brought by a non-client. This is because the ability of Chambers to satisfactorily investigate and resolve such matters is limited and complaints of this nature are often better suited to the disciplinary processes maintained by the Bar Standards Board. Therefore, Chambers will make an initial assessment of the complaint and, if they feel that the issues raised cannot be satisfactorily resolved through the Chambers complaints process, they will refer the complainant to the Bar Standards Board.

### **Complaints Made by Telephone**

5. You should make your complaint in writing (preferably by e-mail), and follow the procedure in paragraph 7 below. However, if you would rather speak initially on the telephone about your complaint, in order to seek an informal resolution, or because you feel you may need help in formulating it then please telephone the relevant Senior Practice Manager, Sian Wilkins (Civil) or Matthew Butchard (Crime). If the complaint is about the aforementioned person, you can telephone the Chair of the Management Board, Tim Moloney QC. The person you contact will make a note of the details of your complaint and what you would like to have done about it. Your concerns will then be informally discussed with an aim to resolve them. If the matter is resolved the outcome will be recorded. We will check that you are satisfied with the outcome and record that you are satisfied. You may also wish to record the outcome of the telephone discussion in writing.
6. If your complaint is not resolved on the telephone you will be invited to write to us about it so it can be investigated formally.

## **Complaints made in Writing**

7. Please give the following details:
  - Your name and address;
  - Which member(s) of Chambers you are complaining about;
  - The detail of the complaint; and
  - What you would like done about it.
8. Please address your letter to the persons as advised in paragraph 5. We will, where possible, acknowledge receipt of your complaint within five working days and provide you with details of how your complaint will be dealt with.
9. Chambers has a Complaints Panel made up of senior members of Chambers and a senior member of staff, which considers any written complaint. The person conducting the investigation [“the investigator”] or the Chief Executive/ equivalent at the request of the investigator shall within ten working days of the letter of acknowledgement under paragraph 8 (or as soon thereafter as is reasonably practicable) write to the client and inform him or her that s/ he is to investigate the complaint and will provide a written report of the investigation. The investigation must be completed and the report sent to the complainant within eight weeks of receipt of the written complaint. If there are exceptional circumstances which mean that the investigation cannot be concluded within that time, the client will be informed accordingly and a realistic time frame set.
10. The investigator will prepare a report to the client which will set out:
  - a. the nature and scope of the investigations carried out in respect of each complaint; and
  - b. the conclusions reached and the reasons for those conclusions.
11. The report will, so far as possible, be drafted using clear and concise language.
12. Where a complaint is found to be justified (in whole or in part), the report will provide proposals for resolution. If the investigator considers it appropriate, the proposals may involve a recommendation of informal resolution.
13. The report will be sent to the client within the period set under paragraph 9 and a copy of the report will be provided to the barrister/member of staff complained against.

## **Confidentiality**

14. All conversations and documents relating to complaints considered under the Complaints Procedure shall be confidential and disclosed only to the extent

necessary. They may be disclosed to the complainant, the person complained about, the Chief Executive/equivalent, the Chair of the Management Board, the investigator, and any other individual with whom enquiries need to be made for the purpose of the investigation. The details of complaint investigations and their outcome may be disclosed to the Management Board, staff and individual members (including practice team leaders), only in so far as is necessary to secure resolution of the complaint, and /or the ongoing and continued good management of chambers and its practitioners.

## **Our Policy**

15. As part of our commitment to client care we keep a record of any complaint received and retain all documents and correspondence generated by the complaint for a period of six years.

## **Complaints to the Legal Ombudsman**

16. The Legal Ombudsman is the independent complaints body for complaints about lawyers. If you are unhappy with the outcome of our investigation and you fall within their jurisdiction you may take up your complaint with the LeO. The LeO is not able to consider your complaint until it has first been investigated by Chambers. Please note the timeframe for referral of complaints to the LeO is set out in paragraph 2 above.

*You can write to them at:*

Legal Ombudsman  
PO Box 6806  
Wolverhampton  
WV1 9WJ

*Or telephone on:*

0300 555 0333

*Or Email on:*

[enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk)

## **Complaints to the Bar Standards Board**

17. If you are not the barrister's client and are unhappy with the outcome of our investigation then please contact the Bar Standards Board.

*You can write to them at:*

Bar Standards Board  
Professional Conduct Department  
289-293 High Holborn  
London  
WC1V 7JZ

*Or telephone on:*

0207 6111 444

*Or visit their website on:*

[www.barstandardsboard.org.uk](http://www.barstandardsboard.org.uk)