

COMPLAINTS PROCEDURE

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 so that we can try and resolve it to your satisfaction. It is not necessary to involve solicitors in order to make a complaint but you are free to do so if you so wish. The procedure set out below is applicable to professional clients, lay clients and other members of the public and relates to barristers as well as the clerks and other staff at Chambers. This procedure can also be found on the 'About Us' page of Chambers' website, under the 'Chambers Policies' heading -

<http://1chancerylane.com/about-us/chambers-policies/>

Please note that Chambers will only consider complaints from clients that are raised within 6 years of the act or omission complained of or within 3 years of the time a complainant could reasonably be aware of the act or omission complained of (if it arose before 6 October 2010 or was more than 6 years ago). Chambers will only consider complaints from non-clients that are raised within 12 months of the problem arising or from the time a complainant could reasonably be aware of it arising.

You may wish to make a complaint orally or in writing.

Complaints made orally

If you would like to speak to us about your complaint, please contact:-

- The barrister concerned or our Senior Clerk, Clark Chessis, if the complaint is about a barrister
- The Senior Clerk, Clark Chessis, if the complaint is about a member of staff
- The Head of Chambers (John Ross QC) or the Deputy Head of Chambers (Simon Readhead QC), if the complaint is about a senior member of staff

The person you contact will make a note of the details of your complaint and will need the following information:-

- The name, address and other contact details (telephone number and email address) of the complainant.
- The date of the complaint.
- Against whom the complaint is made.
- The detail of the complaint.
- What the complainant believes should be done about the complaint.

Where a complaint is made orally, the complainant will be informed that there is a formal Chambers Complaints Procedure and copy of that procedure shall be sent to him, either by email or post.

If it is appropriate to handle your complaint orally, the person you contact will discuss your concerns with you and aim to resolve them. If the matter is resolved, he/ she will record the outcome, ensure that you are satisfied with this and record this in writing. We would also recommend that you record the outcome of this process in writing.

If your complaint cannot be resolved by direct discussion, you will be invited to write to us about it within the following 14 days so that it can be investigated formally.

Complaints made in writing

If you would prefer to make your complaint in writing, or are asked to do so, please provide the following details:-

- The name, address and other contact details (telephone number and email address) of the complainant.
- The date of the complaint.
- Against whom the complaint is made.
- The detail of the complaint.
- What the complainant believes should be done about the complaint.

Your complaint should be addressed to the same individual as set out above for complaints made orally. Please address your letter to:

[name of preferred recipient]
1 Chancery Lane
London
WC2A 1LF

We will acknowledge receipt of your complaint in writing within 2 days and provide you with details of how your complaint will be dealt with.

Chambers has a Complaints Panel chaired by the Head of Chambers and comprising experienced members of Chambers together with a senior member of staff which considers any written complaint. Within 14 days of your letter being received, the Panel Chair (or his/ her deputy in his/ her absence), will appoint a member of the panel to investigate the complaint. If your complaint is against the Chair, the next most senior member of the panel will investigate it. In any case, the person appointed will be someone other than the person you are complaining about.

The person appointed to investigate the matter will write to you within 3 days to let you know that he/ she has been appointed and that he will reply to your complaint within the next 14 days. If for any reason he/

she finds later that he/ she is not going to be able to reply within 14 days, a new date will be set for the response and will be advised to you. The response will set out:-

- (1) the nature and scope of the investigation;
- (2) the Panel member’s conclusion on each complaint and the basis for this;
- (3) if the Panel member finds your complaint to be justified, proposals for resolving it including any action which he/ she proposes to take;
- (4) request for you to acknowledge the response and either confirm acceptance of the findings (including any actions proposed) or advise Chambers if you wish to pursue the matter further.

In the event that you wish to pursue the matter following our investigation, we would direct you to the Bar Standards Board and/ or the Legal Ombudsman (see below).

The timescale for the written complaints procedure is illustrated in the diagram below.

| Written complaints - timescale for procedure | | | | | | |
|---|---|---------|--|--------|---------|--|
| Complaint received in Chambers | 0 | | | | | |
| Acknowledgement letter sent to complainant | | 2 days | | | | |
| Panel member appointed to investigate complaint | | 14 days | | | | |
| Panel member to advise complainant of his/ her appointment | | | | 3 days | | |
| Panel member to respond to complaint | | | | | 14 days | |
| Panel member to advise if response will take longer to compile and provide revised date | | | | | → | |

All steps taken by Chambers to handle your complaint will be recorded in Chambers’ electronic complaints log.

Confidentiality

All conversations and documents relating to the complaint will be treated as confidential and will be disclosed only to the extent that it is necessary. Disclosure will be to the Head of Chambers, members of our Executive Committee and to anyone involved in the complaint and its investigation. Such people will include the barrister or member of staff about whom you have complained and the person who investigates the complaint. The Bar Standards Board is entitled to inspect the documents and seek information about the complaint when discharging its auditing and monitoring functions.

Complainants' Unreasonable Behaviour

Chambers retains the right to cease all communications with any vexatious or frivolous complainants and with any complainant who threatens members or employees of Chambers or who acts abusively during the course of the complaints process.

Complaints to the Bar Standards Board and Legal Ombudsman

We hope that you will use our procedure. Complainants should however be aware that Chambers is unable to impose disciplinary sanctions on members of Chambers. Therefore, if having used the procedure, you are not satisfied with the outcome or the forms of redress which may be offered to you once your complaint has been considered (such as an apology or a return of fees), you may wish to direct your complaint to the Bar Standards Board or the Legal Ombudsman

The Legal Ombudsman will deal with complaints from clients about the services provided by barristers or their staff. The Legal Ombudsman acts as a single point of contact for all such complaints and will ensure that any complaints relating to professional misconduct are referred to the Bar Standards Board. The Legal Ombudsman cannot consider a complaint unless it has first been investigated by Chambers. The complaint must be made to the Ombudsman within 6 years of the problem arising or within 3 years of you becoming aware of the problem (if it arose before 6 October 2010 or was more than 6 years ago). Should you wish to refer the complaint to the Ombudsman, you must also do so within 6 months from the date of the determination of Chambers' internal investigation of the complaint. The Ombudsman has discretion to extend time limits in exceptional circumstances.

The Bar Standards Board will deal with complaints about professional misconduct and disciplinary matters. Should you choose to make a complaint to the Bar Standards Board, the complaint may be referred back to Chambers to be handled in accordance with our complaints procedure. In the event your complaint is referred to Chambers, we will ensure that the outcome of our consideration of the complaint is reported back to the Bar Standards Board and that regular updates are provided if it takes longer than 6 weeks to consider the complaint.

The contact details for the Bar Standards Board and Legal Ombudsman are below:

Complaints Team

Bar Standards Board

289-293 High Holborn
London
WC1V 7HZ
DX: 240 LDE
T: 020 7611 1444
F: 020 7831 9217

See also: www.barstandardsboard.org.uk

Legal Ombudsman

PO Box 6806
Wolverhampton
WV1 9WJ
T: 0300 555 0333

E: enquiries@legalombudsman.org.uk

See also: www.legalombudsman.org.uk

| Date Reviewed | Notes |
|----------------------|---|
| April 2008 | |
| July 2008 | Complaints panel created following Altior complaints handling training (recommended by the BSB) |
| April 2009 | Amendments made pursuant to BSB changes to complaints and disciplinary system |
| September 2009 | Reviewed – no amendments required |
| October 2010 | Amendments made pursuant to new complaints procedure introduced by the Bar Standards Board |
| April 2012 | Amendments and update of complaints process, timeframe, format and full details of contact of BSB and LO and an explanation of their authority. |
| March 2013 | Amendments and update of timeframe due to new timescales set by the BSB and the Legal Ombudsman. |
| September 2014 | Clarity provided on details to be recorded with complaints made orally and timescale for written procedures |