

## COMPLAINTS HANDLING PROCEDURE

We are sorry that, on this occasion, our service did not meet your expectations. The procedure below sets out the steps we will take to try to resolve your complaint. This should be read in conjunction with our Complaints Policy.

### PROCEDURE

Within 2 working days of receiving your complaint we will:

- (a) write to you to formally acknowledge your complaint;
- (b) provide you with the name of the person who will deal with your complaint and a description of that person's role in Chambers;
- (c) provide you with a copy of Chambers' Complaints Policy and Procedure; and
- (d) advise you of the date by which you will next hear from us.

### WHAT HAPPENS NEXT?

We will start to investigate your concerns. Sometimes a complaint may arise due to a simple misunderstanding, or it may be capable of quick resolution. In those circumstances, unless you have asked us not to, the complaint will be referred to the person the subject of the complaint for their comment. Those comments will be sent to you to see if the matter can be resolved quickly. This will happen within 14 days of receiving your complaint.

If it is not possible to resolve your complaint in this way, Chambers' Head of Governance will take responsibility for your complaint. He may conduct the investigation into your complaint himself (either alone or in conjunction with another senior member of Chambers with specialist knowledge, if required) or he may appoint another, experienced practitioner to do so. The appointed person will be someone other than the person you are complaining about. If the Head of Governance is the subject of the complaint, another member of

Chambers with appropriate experience will automatically be asked to investigate your complaint.

The appointed person (be that the Head of Governance or another practitioner) will write to you as soon as possible to let you know they have been appointed. As part of their investigation they will speak to the person complained against, and any other people they identify as having something to contribute. They will review all relevant documents. If necessary, they will revert to you for further information and clarification.

The appointed person will prepare a report (with a copy to the person complained about). This will set out the nature and scope of the investigations, their conclusion and the basis for their conclusions. You will hear from us, following investigation of your complaint, within the following timeframes:

1. If your complaint has already been considered by the person with conduct of your matter but has not been resolved, within 14 days of you indicating that you are not satisfied with the original response.
2. If your complaint is immediately referred to the Head of Governance for investigation, within 28 days of your original complaint.

If we cannot investigate your complaint within the timeframes set out, we will write to you again with a revised timeframe.

If your complaint is found to be unjustified, the appointed person will explain why s/he has reached this decision. If your complaint is justified, the appointed person will apologise and set out their proposals for resolving your complaint.

## IF YOU ARE DISSATISFIED WITH THE OUTCOME OF YOUR COMPLAINT

If you are not satisfied with the outcome of our investigation and you fall within their jurisdiction, you have the right to make a complaint to the Legal Ombudsman, the independent complaints body for service complaints against lawyers. Please note that the Ombudsman is not able to consider your complaint until it has first been investigated by Chambers. The time limits are:

a) The problem or when you found out about it happened after 5 October 2010; **and**

b) You must refer the complaint to the Legal Ombudsman no later than six years from the problem happening or three years from when you should reasonably have known there was cause for complaint; **and**

c) You must refer the complaint to the Legal Ombudsman within **six months** of receiving our final response, provided that response complies with the requirements in rule 4.4 of the Scheme Rules (which requires the response to include prominently an explanation that the Legal Ombudsman was available if the you remained dissatisfied, and the provision of full contact details for the Ombudsman and a warning that the complaint must be referred to them within six months).

Chambers must have regard to that timeframe when deciding whether they are able to investigate your complaint. We will therefore not usually deal with complaints that fall outside the Legal Ombudsman's time limits. The Ombudsman can extend the time limit in exceptional circumstances.

You can contact the Legal Ombudsman at PO Box 6806, Wolverhampton, WV1 9WJ, email: [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk) or telephone 0300 555 0333.

Those clients who are able to complain to the Legal Ombudsman are as follows:

- *Individuals;*
- *Businesses or enterprises that are micro-enterprises within the meaning of Article 1 and Article 2(1) and (3) of the Annex to Commission Recommendation 2003/361/EC (broadly businesses or enterprises with fewer than 10 employees and turnover or assets not exceeding €2 million);*
- *Charities with an annual income net of tax of less than £1 million;*
- *Clubs, associations or organisations, the affairs of which are managed by its members or a committee of its members, with an annual income net of tax of less than £1 million;*
- *Trustees of trusts with an asset value of less than £1 million; and*
- *Personal representatives or beneficiaries of the estates of persons who, before they died, had not referred the complaint to the Legal Ombudsman.*

If you are unhappy with the outcome of the investigation, alternative complaints bodies such as ProMediate (<https://www.promediate.co.uk>) also exist, which are competent to deal with complaints about legal services, should you and the barrister(s) in question both wish to use such a scheme. If you wish to use ProMediate, please contact us to discuss this. Please also note that: (1) the time limit for contacting ProMediate is one month after our final conclusion is sent to you and (2) if mediation is used, neither you nor the barrister is required to accept the proposed resolution. If mediation does not resolve the complaint, you may still make a complaint to the Legal Ombudsman (provided you fall within their jurisdiction and you do so within the time limit).

If you are not the barrister's client and are unhappy with the outcome of our investigation you should contact the Bar Standards Board rather than the Legal Ombudsman. The contact details for the BSB are:

Bar Standards Board 289-293 High Holborn London WC1V 7HZ  
Telephone: 0207 6111 444 Website: [www.barstandardsboard.org.uk](http://www.barstandardsboard.org.uk)  
Email: [contactus@barstandardsboard.org.uk](mailto:contactus@barstandardsboard.org.uk)