



## COMPLAINTS PROCEDURE

Our aim is to always give all our clients a good service. However, if you have a complaint you are invited to let Charles Kimmins QC or one of the individuals identified in paragraph 3 below know as soon as possible. It is not necessary to involve solicitors to make your complaint, but you are free to do so should you wish.

Please note that the Legal Ombudsman, the independent complaints body for service complaints about lawyers, has time limits in which a complaint must be raised with them. Details can be found in section 4 of the Ombudsman's Rules at

<http://www.legalombudsman.org.uk/downloads/documents/publications/Scheme-Rules.pdf> but in summary the following requirements must ordinarily be satisfied:

### **1. Time Limit from Final Response.**

The complaint must be referred to the Ombudsman within six months from the date of the lawyer's final response to the complaint, provided the response complies with the Ombudsman's rules.

### **2. Time Limit from Act/omission.**

The act or omission, or when you should reasonably have known there was cause for complaint, must have been after 5 October 2010.

You must refer the complaint to the Ombudsman no later than:

- a) Six years from the act or omission; or
- b) Three years from when you should reasonably have known there was cause for complaint.

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

The Ombudsman 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.

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 you to the Bar Standards Board.



### 3. Complaints Made by Telephone

You may wish to make a complaint in writing and, if so, please follow the procedure in paragraph 4 below. However, if you would rather speak on the telephone about your complaint then please telephone one of the individuals nominated under the Chambers' Complaints Procedure to deal with complaints – our Chief Executive Officer (if the complaint is about a barrister, a member of the practice management team or practice support staff) or our Compliance and Governance Manager (if any other member of Chambers' staff). If the complaint concerns a member of the Chambers' senior management team, please telephone the chair of our Employee Committee, David Lewis QC. The person you contact will make a note of the details of your complaint and what you would like done about it. They will discuss your concerns with you and aim to resolve them. If the matter is resolved they will record the outcome, 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.

If your complaint is not resolved on the telephone, you will be invited to write to us about it within the next 14 days so it can be investigated formally.

Please telephone 0207 842 1200

### 4. Complaints made in Writing

Please give the following details:

- Your name and address;
- Which member(s) of Chambers or staff you are complaining about;
- The detail of the complaint; and
- What you would like done about it.

Please address your letter to the appropriate individual nominated under paragraph 3 above, at 20 Essex Street, London, WC2R 3AL. We will, where possible, acknowledge receipt of your complaint within two days and provide you with details of how your complaint will be dealt with.

Our Chambers has a panel headed by Charles Kimmins QC and made up of experienced members of Chambers and a senior member of staff, which considers any written complaint. Within 14 days of your letter being received the head of the panel or his deputy in his absence will appoint a member of the panel to investigate it. If your complaint is against the head of the panel, 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 will write to you as soon as possible to let you know they have been appointed and that they will reply to your complaint within 14 days. If they find later that they are not going to be able to reply within 14 days, they will set a new date for their reply and inform you. The reply will set out:

- The nature and scope of the investigation;
- The conclusion on each complaint and the basis for the conclusion; and
- If they find that you are justified in your complaint, their proposals for resolving the complaint.



## **5. Confidentiality**

All conversations and documents relating to the complaint will be treated as confidential and will be disclosed only to the extent that is necessary. Disclosure will be to the Head of Chambers, members of our management committee and to anyone involved in the complaint and its investigation. Such people will include the barrister member or staff who you have complained about, the head or relevant senior member of the panel 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.

## **6. Our Policy**

As part of our commitment to client care we make a written record of any complaint and retain all documents and correspondence generated by the complaint for a period of six years. Our management committee inspects an anonymised record regularly with a view to improving services.

## **7. Complaints to the Legal Ombudsman**

If you are unhappy with the outcome of our investigation and you fall within the jurisdiction you may take up your complaint with the Legal Ombudsman, the independent complaints body for complaints about lawyers, at the conclusion of our consideration of your complaint. The Ombudsman 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 Ombudsman as set out at paragraph 2 above.

You can write to them at:

Legal Ombudsman PO Box 6806  
Wolverhampton WV1 9WJ  
Telephone number: 0300 555 0333  
Email: [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk)

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

Bar Standards Board Professional Conduct Department  
289-293 High Holborn  
London WC1V 7JZ  
Telephone number: 0207 6111 444  
Website : [www.barstandardsboard.org.uk](http://www.barstandardsboard.org.uk)