

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.
2. 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. Their time limits are:
 - a) one year from the act/omission; or
 - b) one year from when the complainant should reasonably have known there was cause for complaint (says Scheme Rule 4.5) when the act/omission took place before the 6 October 2010 or was more than six years ago, three years from the date that the complainant should reasonably have known there were grounds for complaint
 - c) within six months of the complaint receiving a final response from chambers Complaint Handler (if that response complies with the requirements in rule 4.4 of the Scheme Rules).

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

3. Chambers Complaints Handler will make an initial assessment of the complaint and if it is felt that the issues raised cannot be satisfactorily resolved through the Chambers complaints process the handler will refer you to the Bar Standards Board.
4. The Legal Ombudsman will only deal with complaints from consumers of lawyers' services. This means that generally complaints from barristers' clients fall within the Ombudsman's jurisdiction, although they will accept complaints from non-clients where permitted by their Scheme Rules See the Legal Ombudsman guidance⁴ and their Scheme Rules for further details.
5. This does not mean that non-client complaints which do not fall within the jurisdiction of the Legal Ombudsman should not be investigated by chambers. Some non-client complaints, such as discourtesy, may be capable of resolution by chambers. However, the BSB recognises that chambers' ability to resolve many kinds of non-client complaints is limited and that they are more suited to consideration under the disciplinary processes of the BSB. Accordingly, if chambers feel that the issues raised by non-clients cannot be satisfactorily resolved through the chambers complaints process they should refer the complainant to the BSB.

COMPLAINTS MADE BY TELEPHONE

6. If you wish to make a complaint by telephone then please ask for Chambers Manager. If she is not immediately available, we will arrange that she return your call.
7. A note will be taken of the details of your complaint and what you seek. Your grievance will be put in writing and you will be written to asking if you confirm the matters which are the subject of the complaint. Upon receiving your conformation, the time scale for handling your complaint within this procedure will begin.
8. Once your complaint is resolved, the outcome will be recorded and you will receive a letter setting out the details of the investigation into your grievance and the findings of the Complaint Handler.

COMPLAINTS MADE IN WRITING

9. Please give the following details:
 - Your name and address;
 - The date of the complaint
 - Which member(s) of Chambers you are complaining about
 - The detail of the complaint; and
 - What you would like done about it.
10. Please address your letter to Emma Bowie, chambers manager, either via e- mail to complaints@18sjs.com or in the post to 18 St John Street, Manchester M3 4EA for allocation to one of chambers Complaints Handlers (currently Nicholas Harrison, Anna Warters and Richard Vardon). Chambers will, where possible, acknowledge receipt of your complaint within two working days and provide you with details of how your complaint will be dealt with.
11. Within 14 days of your letter being received the Complaints Handler will investigate your complaint. If your complaint is against a Complaints Handler and the alternative Complaints Handler is not available, the Chair of the Management Committee will investigate the complaint. In any case, the person appointed will be someone other than the person you are complaining about.
12. The Complaints Handler will write to you as soon as possible to let you know s/he is to deal with your complaint and that s/he will reply to you within 14 days. If s/he finds later that s/he is not going to be able to reply within 14 days s/he will set a new date for the reply and inform you. The reply will set out:
 - The nature and scope of his investigation;
 - His conclusion on each complaint and the basis for his conclusion; and
 - If he finds that you are justified in your complaint, his proposals for resolving the complaint.
13. Once a Complaint Handler has made a preliminary decision, if some part of the decision on the complaint is upheld on the merits, the handler will send a copy of the preliminary findings to the barrister or member of staff concerned, notifying them of the

likely outcome at that stage. The barrister or member of staff may then respond within 48 hours advising of any factual errors, any clarification or any reason why the proposed finding(s) should not be made.

14. Copies of correspondence concerning this process will be retained with the main record for 6 years (see Our Policy below).
15. There is no need for a Complaint Handler to notify a barrister or member of staff of a preliminary decision if the Handler makes no adverse finding against them on the merits of the complaint.¹
16. A complainant or barrister or member of staff has no right of appeal against the decision of the Complaint Handler on the merits of a complaint. A complainant may always ask the Legal Ombudsman to assess the complaint (see paragraphs 2 and 25 herein).
17. Following a Complaint Handler determining a complaint in which s/he suggests a remedy that the barrister or member of staff should undertake, the barrister or member of staff concerned has a right to appeal against the remedy to the Chambers Management Committee.
18. The Committee must be notified of the appeal in writing which should be sent to the Chairman of that Committee within 7 days of the notification of the Complaint Handler's decision.
19. The Chambers Management Committee shall determine that appeal within 14 days of being notified by the barrister or member of staff.
20. Where possible, a copy of the Committee's decision shall be sent to the complainant and barrister or member of staff within 2 working days of the decision being made.

COMPLAINANTS WITH A DISABILITY OR DIFFICULTY IN MAKING A COMPLAINT

21. Anyone who has a problem making a complaint by telephone or in writing should, whether by themselves or with a carer or helper, make contact with the Complaint Handler who will make all reasonable efforts to ensure that the complainant's full details and grievance are understood and noted. The Complaints Handler will thereafter write to the complainant setting out chambers understanding of the complaint.

CONFIDENTIALITY

22. 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.

OUR POLICY

1. 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.

COMPLAINTS TO THE LEGAL OMBUDSMAN

2. If you are unhappy with the outcome of our investigation and you fall within their 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.

Please refer to their website – www.legalombudsman.org.uk – where you will be provided with guidance.

If you are not the barrister's client and are unhappy with the outcome of our investigation then please contact the Bar Standards Board – www.barstandardsboard.org.uk