

## **9 ST JOHN STREET CHAMBERS**

### **COMPLAINTS PROCEDURE**

- 1.1 Chambers realises that sometimes things do go wrong in legal practice and clients may be unhappy with the service provided by a barrister or by Chambers, the lay client may have a problem with his or her representation or a member of the public may consider that a member of Chambers has behaved improperly. The Legal Complaints Ombudsman has stated that there is a need to “put the lay client at the centre of the picture” of any complaints process and Chambers endeavours to take this good advice.
- 1.2 It is Chambers’ policy to deal with complaints in a responsive way rather than hope that the problem will go away.
- 1.3 Early and open communication is encouraged between client and counsel to remedy most problems that arise, which may be due to straightforward misunderstandings. However, Chambers recognises that in some cases, a greater degree of formality may be needed to address the concern or complaint.
- 1.4 All professional clients are notified of whom to approach within Chambers in the event of any dissatisfaction with the service provided through Chambers’ brochures, web site and the service standards sent to all clients. Any client or member of the public is also provided with a copy of Chambers’ complaints process on request. Chambers has 2 stages of complaint resolution as follows:

### *First Stage*

- 1.5 Where an approach is made initially to the clerks by a member of the public or professional client regarding an issue about a particular case which the client does not wish to formalise, the appropriate clerk discusses the concern with the client and:
- finds out what went wrong,
  - communicates the grievance and the response in a balanced way, and,
  - ensures that the problem does not recur.
- 1.6 It is the responsibility of the appropriate clerk to take early and effective action and most difficulties that arise are successfully dealt with in this way. Where the issue is considered to be sufficiently significant, the clerk records it.
- 1.7 Where the grievance requires greater formality, or the professional or lay client is unhappy with the result of the clerk's input, it is the responsibility of the appropriate senior clerk to advise the Head of Chambers in order that the next stage of the procedure may be invoked.

### *Second Stage*

- 1.8 The second stage of the process is a formal approach to the Head of Chambers. A complaint requiring his involvement is defined as any expression of dissatisfaction with the service provided such that it requires a formal response from Chambers. These complaints are dealt with by the Head of Chambers who may carry out an investigation himself or delegate this task to another, uninvolved, member of Chambers.

- 1.9 Formal complaints to the Head of Chambers are normally requested to be made in writing within a week or two of the difficulty arising and are acknowledged in writing within 7 days with advice that the complaint is being investigated. The Head of Chambers will provide a copy of this procedure to the complainant together with contact details for the Bar Standards Board and the Legal Ombudsman.
- 1.10 The Head of Chambers or his delegate will investigate and consider all aspects of the complaint, obtaining further details from the client, member of Chambers, or administrative/clerking staff as necessary. All those involved will be given the opportunity to provide their comments on the circumstances of the complaint. Records will be taken of all discussions, investigations, and notes relevant to the complaint. All investigations will aim to understand the root causes leading to the complaint. Results of the investigation will be recorded. The Head of Chambers or his delegate will determine the immediate action necessary to resolve the complaint and provide a substantive response in writing to the client of the results of the investigation or the circumstances leading to the complaint within such time as may be reasonably necessary in all the circumstances.
- 1.11 If the complaint involves the Head of Chambers the Management Committee will appoint a senior member of Chambers to investigate it

### *Records*

1.13 The Chambers' Manager is responsible for ensuring that all complaints are recorded and for maintaining copies of all notes, correspondence and documents regarding a complaint in a central file together with a register of all formal complaints.