



## **11KBW 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. It is not necessary to involve solicitors in order to make your complaint but you are free to do so should you wish.

### **Complaints Made by Telephone**

2. 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 the individual nominated under the Chambers Complaints Procedure to deal with complaints – Lucy Barbet or Mark Dann, Joint Senior Clerks will also deal with complaints about a member of staff. The person you contact will make a note of the details of your complaint and what you would like to have done about it. He/she will discuss your concerns with you and aim to resolve them. If the matter is resolved he/she 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 the complaint is about one of both of the Joint Senior Clerks please write to the Heads of Chambers – James Goudie KC or Daniel Stiltz KC.

3. If your complaint is not resolved on the telephone you will be invited to write to us about it so it can be investigated formally.

### **Complaints Made in Writing**

4. Please give the following details:

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

5. Please address your letter to Lucy Barbet, 11 King's Bench Walk, London, EC4Y 7EQ. 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.

6. Our Head of Chambers, James Goudie KC, will consider the complaint and either deal with it himself or, within 14 days of the receipt of your letter/email, will appoint another senior member of 11KBW to investigate it. If your complaint is against the Head of Chambers, the Senior Clerk will pass the complaint to an alternative senior member of chambers who has no involvement in the complaint.

7. The person appointed to investigate will write to you as soon as possible to let you know he/she has been appointed and that he/she will reply to your complaint within 14 days. If he/she finds later that he/she is not going to be able to reply within 14 days he/she will set a new date for his/her reply and inform you. His/her reply will set out:

- The nature and scope of his investigation;
- His/her conclusion on each complaint and the basis for his/her conclusion; and
- If he/she finds that you are justified in your complaint, his/her proposals for resolving the complaint.

## Confidentiality

8. 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

9. 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 an Alternative complaints body

10. If it has not been possible to settle your complaint using our internal complaints process, you may wish to consider an alternative dispute resolution. Alternative complaints bodies exist such as *Ombudsman Services, ProMediate and Small Claims Mediation* which are competent to deal with complaints about legal services should both you and the Member of Chambers/staff being complained about wish to use such a scheme.

We do agree to use *ProMediate* - [www.promediate.co.uk](http://www.promediate.co.uk)

## Complaints to the Legal Ombudsman

11. 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 12 below.

12. 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. The time limits are:

- a) Six years from the date of the act/omission
- b) Three years from the date that the complainant should reasonably have known there were grounds for complaint (if the act/omission took place before the 6 October 2010 or was more than six years ago)
- c) Within six months of the complaint receiving a final response from their lawyer, if 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 complainant 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)

13. 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.

14. 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.

The full list of who has a right to complain to the LeO is available on their website: <http://www.legalombudsman.org.uk/?faqs=who-can-use-our-service>

15. 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.

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)

More information about the Legal Ombudsman is available on their website: <http://www.legalombudsman.org.uk/>

### **Link to the decision data on the Legal Ombudsman website**

The decision data on the LeO's website shows providers which received an ombudsman's decision in the previous calendar year. In each case, the data shows whether the LeO required the provider to give the consumer a remedy.

<https://www.legalombudsman.org.uk/raising-standards/data-and-decisions/>

16. 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)

### **Link to the Barrister Register**

The BSB's Barristers' Register shows (1) who has a current practising certificate, and (2) whether a barrister has any disciplinary findings, which are published on the Barristers' Register in accordance with their own [policy](#).

<https://www.barstandardsboard.org.uk/regulatory-requirements/the-barristers'-register/>