

STATEMENT OF POLICY

The barristers and staff at Landmark Chambers aim to establish and maintain the highest professional standards and thus hope to avoid complaints about, or dissatisfaction with, the services provided to clients, suppliers and other visitors to Chambers. We recognise however that as in any organisation such complaints or dissatisfaction may from time to time arise and that it is important to ensure that they are dealt with promptly, courteously, efficiently and sensitively. That is the purpose of this document.

DEFINITIONS

In this document:

“member of chambers” means any barrister or pupil barrister of Landmark Chambers;

“staff member” means any member of staff including the Chief Executive of Landmark Chambers;

“complaint” means any formal expression of dissatisfaction, whether written or oral, relating to any member of chambers or member of staff

“complainant” means any person communicating with or visiting Chambers for whatever purpose whether they be an instructing client, expert, lay client, supplier or visitor to Chambers

“Chambers Management Committee” (CMC) means the committee elected by the members of chambers to manage chambers day to day affairs

“Chambers Complaints Panel” means any person who has been specially nominated by the CMC as being suitable to mediate complaints as defined above

PROCEDURE

How can I complain and about what?

1. A complaint may be made, either orally or in writing, about any aspect of the service provided by the members of chambers or the staff of Landmark Chambers. Any complaint must be made within 12 months of the alleged incident or the discovery of the incident whichever is the later

To whom may a complaint be made?

2. In the first instance it should be made to the Acting Head of Chambers Administration or in their absence to the Chair of the CMC or to the Senior Clerk.

Receipt of an Oral Complaint

3. If your complaint is made orally, and initial discussion fails to deal with it to your satisfaction, you should put your complaint in writing within 14 days and if you do then the procedures in this document will be followed

Receipt of Written Complaint

4. All written complaints regarding a member of chambers or a member of staff will be passed immediately to the Acting Head of Chambers Administration regardless of to whom it refers unless it refers to the Acting Head of Chambers Administration when it will be passed to the Chair of the CMC. It is the Acting Head of Chambers Administration’s responsibility (or the Chair of the CMC in the case of the Acting Head of Chambers Administration) to ensure that the procedures in this document are complied with and that your complaint is dealt with swiftly and fairly.

The Procedure to be Followed

5. Your written complaint will be acknowledged by the Acting Head of Chambers Administration in writing within 7 days of its receipt. This letter will inform you that there is a formal Chambers complaints procedure and that this will be followed. A copy of this procedure will be sent with this letter. A copy is also displayed on chambers web site.

In addition this letter will inform of your right to complain to the Legal Ombudsman, the timeframe for doing so and full details of how to contact the Legal Ombudsman.

6. If your complaint is regarding the Acting Head of Chambers Administration the Acting Head of Chambers Administration will inform the Chair of the CMC and the procedure will be followed by that individual or their duly authorised deputy.

7. The letter of acknowledgement will specify a date by which you can expect to be contacted again and the name of the person dealing with your complaint. It is intended that all complaints will be resolved within 14 days of the acknowledgement letter unless it is clear that correspondence is ongoing and that further time should be permitted to facilitate resolution of the matter.

How your complaint will be investigated.

8. The person dealing with your complaint (normally the Acting Head of Chambers Administration as indicated above) will investigate the complaint by establishing the facts through discussion with the person(s) about whom the complaint has been made, providing them with a copy of your letter and giving the member of chambers or member of staff sufficient time to respond in writing if they prefer. This investigation will be carried out as speedily as is consistent with fairness to all concerned. All those involved will be given a proper opportunity to state their position in relation to your complaint. At the conclusion of this process a report will be prepared by the investigating person which will set out his or her conclusions and the basis for them. Where a complaint is found to be justified, the report will provide any proposals for resolution.

9. At all times the Acting Head of Chambers Administration will be the conduit for communication with you unless otherwise agreed.

10. All communications and documents relating to complaints will be kept confidential and disclosed only so far as is necessary for:-

- (a) the investigation and resolution of the complaint
- (b) internal Chambers review for the purposes of improving practice/procedures
- (c) complying with requests from the Bar Standards Board in the exercise of its monitoring and or auditing functions.

11. Occasionally it may not be possible to bring your complaint to a satisfactory conclusion. If you are unhappy with the outcome or the way in which we have handled your complaint you may take up your complaint with the Legal Ombudsman. Please note that the Legal Ombudsman's complaints procedure has a twelve-month time limit in which a complaint must be raised from the date of the act or omission complained of.

Their address is PO Box 15870
Birmingham
B30 9EB.

We recommend you visit their web site <http://www.legalombudsman.org.uk/> or telephone them on 0300 555 0333 and they will guide you on how to complain.

Improving our service

12. Chambers take complaints very seriously and always seeks to improve its service. We appreciate that it is often difficult for people to complain. Once your complaint has been resolved the Acting Head of Chambers Administration will consider what steps should be implemented to reduce the likelihood of a similar complaint arising in the future.

Professional Duty to Notify

13. Any complaint which involves an allegation of negligence or any other possible claim on the Bar Mutual Indemnity Fund Ltd (BMIF) will be reported immediately by the member of chambers to whom the complaint refers to the BMIF even though the complaint is being investigated internally under this procedure.

Internal Monitoring of Complaints

14. The Acting Head of Chambers Administration is the single point of contact for all complaints and will maintain a record of the complaint showing:

- (a) the name and address of the complainant;
- (b) the nature of the complaint;
- (c) the member of chambers or member of staff about whom the complaint is made;
- (d) the steps taken to resolve the complaint;
- (e) any steps taken to prevent a re-occurrence of the matter complained of.

15. The Acting Head of Chambers Administration will maintain a file containing all papers relating to the complaint. The record and the file relating to each complaint shall be preserved in the Acting Head of Chambers Administration's files for six years and shall be made available on request to the CMC.

16. As part of our commitment to client care and improving the service we provide at the end of each financial year the Acting Head of Chambers Administration will make a summary report to the CMC regarding:-

- (a) the number (if any) of complaints received within the past 12 months,
- (b) whether they were regarding members of chambers or staff,
- (c) how many remain unresolved
- (d) what steps were taken to remedy the situation,
- (e) whether the complainant was satisfied with the resolution,
- (f) what steps have been put in place to avoid a similar occurrence,
- (g) whether there needs to be any alteration to this complaints procedure.

*Approved by CMC 12th May 2008
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