

Landmark Chambers – Complaints Policy

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

Procedure

How can I complain and about what?

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?

In the first instance it should be made to the HR and Administration Manager, who will pass it on to the Chief Executive or in their absence to the Practice Directors, who will act in consultation with the Chair(s) of the CMC.

Receipt of an Oral Complaint

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

All written complaints regarding a member of Chambers or a member of staff will be passed immediately to the Chief Executive or in their absence the Practice Directors regardless of to whom it refers unless it refers to the Chief Executive or Practice Directors, when it will be passed to the Chair(s) of the CMC. It is the Chief Executive's or Practice Directors' responsibility (or the Chair(s) of the CMC in the case of the Chief Executive or Practice Directors) 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

Your written complaint will be acknowledged by the HR and Administration Manager in writing within seven 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' website.

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.

If your complaint is regarding the Chair(s) of the CMC, the Chair(s) of the CMC will inform the Chief Executive or Practice Directors and the procedure will be followed by that individual or their duly authorised deputy.

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 eight weeks of receipt, 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.

The person dealing with your complaint (normally the Chief Executive 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.

At all times the Chief Executive will be the conduit for communication with you unless otherwise agreed.

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.

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. Their address is:

Legal Ombudsman
PO Box 6806
Wolverhampton WV1 9WJ

Please note that the Legal Ombudsman's complaints procedure is subject to the following time limits:

- a) the act or omission, or when the complainant should reasonably have known there was cause for complaint, must have been after 5 October 2010; and
- b) the complainant must refer the complaint to the Legal Ombudsman no later than: (i) six years from the act/omission; or (ii) three years from when the complainant should reasonable have known there was cause for complaint.

Additionally, please be aware that you have six months from the date of Landmark's response to your complaint to refer the matter to the Legal Ombudsman.

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.

You may also search the decision data on the Legal Ombudsman's website: <https://www.legalombudsman.org.uk/information-centre/data-centre/ombudsman-decision-data/> where you may find published information on complaints made regarding regulated legal

service providers in England and Wales, which have been resolved by an Ombudsman’s final decision.

Improving our service

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 Chief Executive will consider what steps should be implemented to reduce the likelihood of a similar complaint arising in the future.

Professional Duty to Notify

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

The HR and Administration Manager 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.

The HR and Administration Manager 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 HR and Administration Manager’s files for six years and shall be made available on request to the CMC.

As part of our commitment to client care and improving the service we provide at the end of each quarter the HR and Administration Manager will make a summary report to the CMC regarding:-

- a) the number (if any) of complaints received within the past three 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.

Version Control and History

#	Description	Updated by	Version	Date
1.	Approved by CMC		1.0 (Draft)	12 May 08
2.	Adopted by Chambers' ACM		1.0	19 May 08
3.	Reviewed by CMC		1.1	20 July 09
4.	Reviewed by CMC		1.2	15 Nov 10
5.	Reviewed by CMC		1.3	July 12
6.	Changed the contact details for the Legal Ombudsman	CE	1.4	20 Jan 15
7.	<p>Changed the initial contact from 'Chief Executive' to 'HR and Administration Manager'</p> <p>Changed to reflect that all complaints will be dealt with by the Chief Executive or the Chief Clerk (in conjunction with the Chair(s) of CMC) in their absence.</p> <p>Amended the report to CMC from once every 12 months to once every 3 months.</p> <p>Reference to Chambers Complaints Panel removed.</p>	CE	1.5	10 Sept 15
8.	Approved by CMC			21 Sept 15
9.	Changed the contact details for the Legal Ombudsman and the time limits applicable to their own complaints procedures	CE	1.6	27 Jan 16
10.	Approved by CMC			25 Feb 16
11.	Replaced job titles following restructure	RXB	1.7	5 Oct 17
12.	Changed the resolution period to eight weeks following clarification from the Legal Ombudsman	CE	1.8	1 Dec 17
13.	Addition of weblink to LeO's Decision Data	NWF	1.9	18 Dec 19
14.	Replaced job titles – Practice Directors	NWF	2.0	1 Jul 20