

STAPLE INN CHAMBERS
COMPLAINTS PROCEDURE

This procedure applies to all complaints made by persons external to Chambers, and excludes complaints made by members of Chambers and former members of Chambers. A separate Grievance Procedure is set out at paragraph 11 of the Chambers Constitution for use by these persons.

Section 1

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. You will not be charged any fee to utilise this complaints procedure.

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. The time limits are:
 - a) Six years from the date of the act/omission;

 - or

 - b) Three years from the date that the complainant should reasonably have known there was cause for complaint (if the act/omission took place before the 6 October 2010 or was more than six years ago);

 - and

 - 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).

3. 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. The Ombudsman can extend the time limit in exceptional circumstances.
4. 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.
5. 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 it feels that the issues raised cannot be satisfactorily resolved through the Chambers complaints process it will refer you to the Bar Standards Board.

Complaints made by telephone

6. You may wish to make a complaint in writing and, if so, please follow the procedure in paragraph 7 below. However, if you would rather speak on the telephone about your complaint please telephone Chambers on 020 7242 5240 and ask to speak to the Complaints Officer named in section 2 of this document. If the Complaint is about the Complaints officer please ask to speak to the Deputy Complaints Officer named in Section 2 of this document. The person you contact will make a note of the details of your complaint and what you would like done about it. S/he will discuss your

concerns with you and aim to resolve them. If the matter is resolved s/he 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.

7. 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

8. Please give the following details:
 - (i) your name and address;
 - (ii) which member(s) of Chambers you are complaining about;
 - (iii) the detail of the complaint; and
 - (iv) what you would like done about it.
9. Please address your letter to the Complaints Officer named in section 2 of this document at Staple Inn Chambers, 7 Staple Inn, Holborn Bars, London WC1V 7QH, or alternatively by e-mail to the e-mail address for the Complaints Officer in section 2 clearly entitled "COMPLAINT". 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.
10. Our chambers has a panel headed by the Complaints Officer named in Section 2 and made up of experienced members of Chambers, which considers any written complaint. Within 14 days of your letter being received the Complaints Officer or her/his deputy in her/his absence will appoint a member of the panel to investigate it. If your complaint is against the Complaints Officer it will be investigated by the Deputy Complaints Officer or such other senior member of the panel as the Deputy Complaints officer appoints. In any case, the person appointed will be someone other than the person you are complaining about.

11. The person appointed to investigate will write to you as soon as possible to let you know s/he has been appointed and that s/he will reply to your complaint 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 her/his reply and inform you. Her/his reply will set out:
 - (i) The nature and scope of her/his investigation;
 - (ii) Her/his conclusion on each complaint and the basis for her/his conclusion; and
 - (iii) If s/he finds that you are justified in your complaint, her/his proposals for resolving the complaint.

Confidentiality/Data Protection

12. All information (including conversations and documents) relating to the complaint will be treated as confidential and will be disclosed only to the extent that it is permitted by data protection law and is necessary for the purpose for which it is required. 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

13. 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

14. 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 unless Chambers has not responded to your complaint within 8 weeks of receiving it. Please note the timeframe for referral of complaints to the Ombudsman as set out at paragraph 2 above.

15. Those clients who are able to complain to the Legal Ombudsman are as follows:
 - a) Individuals;*
 - b) Businesses or enterprises that are micro-enterprises within the meaning of Article 1 and Article 2(1) and (3) of the Annex to Commission Recommendation 2003/361/EC (broadly businesses or enterprises with fewer than 10 employees and turnover or assets not exceeding €2 million);*
 - c) Charities with an annual income net of tax of less than £1 million;*
 - d) Clubs, associations or organisations, the affairs of which are managed by its members or a committee of its members, with an annual income net of tax of less than £1 million;*
 - e) Trustees of trusts with an asset value of less than £1 million; and*
 - f) Personal representatives or beneficiaries of the estates of persons who, before they died, had not referred the complaint to the Legal Ombudsman.*

16. You can write to the Legal Ombudsman at:

Legal Ombudsman

PO Box 6806,

Wolverhampton

WV1 9WJ

Telephone number: 0300 555 0333

Email: enquiries@legalombudsman.org.uk

More information about the Legal Ombudsman is available on their website:

<http://www.legalombudsman.org.uk/>

If you are unhappy with the outcome of the investigation, alternative complaints bodies (such as ProMediate: <https://www.promediate.co.uk>) also exist which are competent to deal with complaints about legal services, should you and the barrister both wish to use such a scheme. If you wish to use ProMediate, please contact us to discuss this. Please also note that: (1) the time limit for contacting [include one of the above] is [insert time limit], and (2) if mediation is used, neither you nor the barrister is required to accept the proposed resolution. If mediation does not resolve the complaint, you may still make a complaint to the Legal Ombudsman (provided you fall within their jurisdiction and you do so within the time limit).

17. 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
Contact and Assessment Team
289-293 High Holborn
London
WC1V 7JZ

Telephone number: 0207 6111 444

Website : www.barstandardsboard.org.uk

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Section 2

The Complaints Officer is currently:

LISA CLARKE

lc@stapleinn.co.uk

The Deputy Complaints Officer is currently:

ALISON BROOKS

ab@stapleinn.co.uk