

STAPLE INN CHAMBERS
EXTERNAL COMPLAINTS PROCEDURE

This procedure applies to all complaints made by persons external to chambers, it excludes complaints made by members of chambers and former members of chambers. A separate Grievance Procedure is set out at section 12 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.

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) The act or omission, or when the complainant should reasonably have known there was cause for complaint, must have been after 5th October 2010; and

**OFFICE NO: 2:05
QUALITY COURT
LONDON
WC2A 1HR**

**TEL 020 7242 5240
FAX 020 7405 9495
DX 132 CHANCERY LANE
WWW.STAPLEINN.CO.UK**

CLERKS@STAPLEINN.CO.UK

- (b) The complainant must refer the complaint to the Legal Ombudsman no later than one year from the act/omission, or one year from when the complainant should reasonably have known there was cause for complaint.
 - (c) The complainant must also refer the complaint to the Legal Ombudsman within 6 months of the complainant 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 6 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 if it is fair and reasonable in all the 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 (BSB) 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 of the BSB. Therefore, Chambers will make an initial assessment of the complaint and if they feel that the issues

cannot be satisfactorily resolved through the Chambers complaints process they will refer you to the BSB.

Complaints Made by Telephone

6. You may wish to make a complaint in writing and, if so, please follow the procedure in paragraph 8 below. However, if you would rather speak on the telephone about your complaint then please telephone the Chambers Complaints Officer named in Section 2 of this document. If the complaint is about the Complaints Officer, please telephone the Deputy Complaints Officer listed at section 2 of this document. The telephone number for either is 020 7242 5240. The person you contact will make a note of the details of your complaint and what you would like done about it. They will discuss your concerns with you and aim to resolve them. If the matter is resolved they 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. The Complaints officer dealing with your complaint will in any case write to you to confirm the outcome.

7. If your complaint is not resolved on the telephone, you will be invited to write to us about it within the next 14 days so it can be investigated formally.

Complaints made in Writing

8. Please give the following details:
 - Your name and address;
 - Which member(s) of Chambers and/or which clerk(s) you are complaining about;
 - The detail of the complaint; and

- What you would like done about it.
9. Please address your letter to “The Complaints Officer, Staple Inn Chambers, Office No: 2:05, Quality Court, London WC2A 1HR” and ensure that the outside envelope identifies the contents as a complaint. We will, where possible, acknowledge receipt of your complaint within two working days of your letter being received 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 at Section 2 of this document and made up of experienced members of Chambers who sit on the Management Board, which considers any written complaint. Within 14 days of your letter being received the Complaints Officer (or their deputy in their absence) will appoint a member of the panel to investigate it. Your complaint will usually be dealt with by the Complaints Officer unless there are reasons for another member of the panel to be appointed. If your complaint is against the Complaints Officer, the next most senior member of the panel will investigate it. 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 they have been appointed and that they will reply to your complaint within 14 days. If they find later that they are not going to be able to reply within 14 days they will set a new date for their reply and inform you. Their reply will set out:
- The nature and scope of their investigation;
 - Their conclusion on each complaint and the basis for their conclusion;
 - and
 - If they find that you are justified in your complaint, their proposals for resolving the complaint.

Confidentiality

12. 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 Board and to anyone involved in the complaint and its investigation. Such people will include the barrister member or clerk who you have complained about, the Complaints Officer or relevant senior member of the panel and the person who investigates the complaint and Chambers' clerks. The BSB is entitled to inspect the documents and seek information about the complaint when discharging its 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 6 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. Please note the time frame for referral of complaints to the Ombudsman as set out at paragraph

2 above. Those clients who are able to complain to the Legal Ombudsman are set out 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.*

You can write to the Legal Ombudsman at:

Legal Ombudsman

PO Box 6806

Wolverhampton

WV1 9WJ

Telephone: 0300 555 0333

e-mail: enquiries@legalombudsman.org.uk

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

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

15. If you are unhappy with the outcome of the investigation, alternative complaints bodies (such as ProMediate) 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 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).

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

Contact and Assessment Team 289-293 High Holborn

London

WC1V 7JZ

Telephone number: 0207 6111 444

Website: www.barstandardsboard.org.uk

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

This version: 10th May 2023