



# CLAPHAM LAW CHAMBERS

## 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.

2. Please note that Chambers will only consider complaints that are raised within 6 years of the act or omission complained of.

### First Stage

3. Where you are dissatisfied with some aspect of the service provided by a Barrister or by Chambers, you are invited to contact the Practice Manager. If a complaint relates to the personal action of the Practice Manager, then the Management Committee will call meetings under Stage 1 and 2 of this procedure. If the client still remains aggrieved, the grievance may be referred by request of the client for a Stage 3 hearing by the Management Committee to an independent body.

4. Where you make a complaint by telephone, a note of your complaint will be made and will record:

- your name and address of the complainant
- against whom the complaint is made
- the details of your complaint
- what you believe should be done about your complaint.

5. In many cases the complaint will be resolved over the telephone during the first call. When that occurs, the Barrister/Practice Manager/Chambers Management Committee appointee will record the outcome on the note of complaint. You will be asked whether you are content with the outcome. If you are content with the outcome this will be recorded. You may also make your own notes. If you are not content, you will be invited to put your complaint in writing within 14 days so that it may be investigated formally by Chambers complaints panel. At that stage, you will be sent a copy of chambers' complaints leaflet, unless this has already been provided. You will also be informed about the Bar Council's complaints procedure.

## Second Stage

7. During the second stage of your complaint Chambers will convene its complaints panel which is made up of experienced practitioners from different practice areas. This panel may be made up of Errol Reid, Angela Louis, Kofo Anifowoshe and the Practice Manager. A head of panel will be appointed and a nominated deputy. All complaints (other than those resolved at stage one) will be put before the head of the panel or, in his/her absence, put before the deputy.

8. Within 14 days of receipt of a letter of complaint, the head of panel (or their deputy) will appoint a member of the panel to investigate the complaint. Where the complaint is against a member of staff, the person appointed will normally be the Practice Manager. Where the complaint is against the Practice Manager, the head of the panel will appoint another member of the panel to investigate. Where the complaint is against the head of the panel, the Head of the Management Committee will investigate or, in their discretion, appoint a member of the panel to investigate. Where the head of the Management Committee is the head of the panel, the deputy head of the panel will be the appointed person. No Barrister will investigate a complaint of which they are the subject.

9. The appointed person will write to you as soon as they are appointed, acknowledging receipt of your complaint and to let you know that they will investigate your complaint and report back to you within 14 days. If it becomes apparent to the investigator that a response cannot be sent within 14 days, you will be informed of a realistic time in which you will receive a response to your complaint.

10. The appointed person will investigate the complaint. They will speak to the Barrister/Member of Staff complained against and any other person they identify as having something to contribute. They will review all relevant documents and if necessary will contact you to seek clarification on any points or for further information.

11. The appointed person will prepare a report which will be sent to you and a copy will also be sent to the Barrister/Member of Staff complained against. The report will set out all the matters referred to at paragraph 4 above, the nature and scope of the investigations carried out in respect of each complaint, the conclusions and the basis for the conclusions. Where a complaint is found to be justified, proposals for resolution will be made e.g. an apology, a reduction in fees or compensation.

## Bar Mutual Indemnity Fund

13. Where a complaint raises an allegation of negligence, the BMIF will be informed immediately. Further, the BMIF will be consulted before proposals for resolution are made to the client.

## Confidentiality

14. All conversations and documents shall be confidential and will be disclosed only to the extent necessary. They may be disclosed to you, the person complained about, the Practice Manager, the head of the complaints panel or relevant senior member of the panel, the management committee (for

carrying out the task at paragraph 16) and any other individual with whom enquiries need to be made for the purpose of the investigation.

### Record Keeping

15. Where the procedure ends after the first stage, the person responsible for recording the outcome on the note of complaint will ensure that the note of complaint is placed on the chambers complaints file.

16. Where the procedure ends after the second stage the head of the panel will ensure that the following documents are placed on Chambers complaints file:

- the Appointed person's report (see paragraph 9)
- All letters to client
- All letters from client
- A Review of the records

17. The Chambers complaints file will be inspected regularly by the management committee. The management committee will consider the matters raised with a view to improving services generally.

### Further Information

18. If you are dissatisfied with the outcome of our handling of your complaint you may pursue your complaint with the Legal Ombudsman. The Ombudsman is not able to consider your complaint until it has firstly been made to Chambers under the above procedure. Please note that the Legal Ombudsman has a six year time limit from the date of the act or omission about which you are complaining.

The Legal Ombudsman can be contacted on 0300 555 0333 or if calling from overseas +44 121 245 3050. Alternatively you can write to: Legal Ombudsman, PO Box 6808, Wolverhampton, WV1 9JW. Or email [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk). Please see [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk) for further information.