

J, A & J CHANCERY LAW CHAMBERS

**Cradley Enterprise Centre, Maypole Fields
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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. It is Chambers' policy to deal with problems and complaints in a responsive way.

2. Please note that the Legal Ombudsman, the independent complaints body for service complaints about lawyers, has a 12 month time limit in which a complaint must be raised from the date of the act or omission complained of from when the complainant should reasonably have known there was cause for complaint without taking advice from a third party. The Ombudsman can extend the time limit in exceptional circumstances. 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 the 12 month time limit.

3. 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.

4. 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 they feel that the issues raised cannot be satisfactorily resolved through the Chambers complaints process they will refer you to the Bar Standards Board.

5. You may make a complaint by telephone or in writing. This should initially be to the Senior Clerk, Jeff Collins, unless you wish to make your complaint immediately to the Head of Chambers.

6. If made to the Senior Clerk he will initially discuss the issue with you by telephone and try to resolve the problem informally. If the matter is resolved 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 cannot be resolved by a telephone discussion or if the Senior Clerk considers it is best dealt with by a written complaint then he will request you to make it in writing within a week and it will be acknowledged in writing within 7 days with advice that the complaint is being investigated. If this course of action is adopted by you please give the following details:

- Your name and address
- Which member(s) of Chambers or member of staff you are complaining about
- The date when the subject matter of the complaint occurred
- The details of the complaint and
- What you would like done about it.

8. The Senior Clerk will investigate and consider all aspects of the complaint, obtaining further details from you and the barrister or administrative/clerking staff as necessary. All relevant people should be given the opportunity to state their opinions on the circumstances of the complaint. Records are taken of discussions, investigations and documents relevant to the complaint. All investigations should aim to understand the root causes leading to the complaint. Brief results of the investigation are recorded. The Senior Clerk will seek to determine the action necessary to resolve the complaint and provide a substantive response in writing to the client of the results of the investigation or the circumstances leading to the complaint within 21 further days of acknowledgment of the complaint.

Referral to Head of Chambers

9. If this does not provide a resolution to the dispute, then the complaint is referred to the Head of Chambers.

10. The Head of Chambers' approach will be objective and detached from the day to day business of running Chambers. The Head of Chambers will pursue their own enquiries with the purpose of ensuring that the complaint is dealt with fairly and firmly provided that it is possible to do so. This procedure is not suitable for resolving factual disputes. The Head of Chambers will normally acknowledge the complaint within 7 days of notification of the complaint, arrange to meet with you if appropriate and provide a substantive response to you within a further 21 days. If it is found that a response is not possible within that time a new date for a response will be set and you will be informed of that date.

Written complaint to Head of Chambers

11. In the alternative a complaint may be made direct to the Head of Chambers and paragraph 8 will apply to such a complaint. If this course of action is adopted by you please give the following details:

- Your name and address
- Which member(s) of Chambers or member of staff you are complaining about
- The date when the subject matter of the complaint occurred
- The details of the complaint and
- What you would like done about it.

Please address your letter to the Head of Chambers, J, A & J Chancery Law chambers, Cradley Enterprise Centre, Maypole Fields, Cradley, Halesowen, West Midlands B63 2QB. We will, where possible, acknowledge receipt of your complaint within 7 days.

12. The response from the Head of Chambers will set out:

- The nature and scope of the investigation
- The conclusion on each complaint and the basis for the conclusion and
- If it is found that you are justified in your complaint, the proposals for resolving the complaint.

Confidentiality

13. 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, the person investigating the complaint if not the Head of Chambers and to anyone involved in the complaint and its investigation including the member of chambers or staff member about whom you have complained. The Bar Standards Board is entitled to inspect the documents and seek information about the complaint when discharging its auditing and monitoring functions.

14. Any duty of confidentiality owed to any other person in relation to the matter shall be respected.

Our Policy

15. 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. Any review within Chambers of complaints shall be conducted using anonymised records.

Complaints to the Legal Ombudsman

16. If you are unhappy with the outcome of our investigation 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 that the Legal Ombudsman has a 12 month time limit from the date of the act or omission about which you are complaining within which to make your complaint. You can write to them at: Legal Ombudsman, PO Box 6806, Wolverhampton WV1 9WJ. Tel.: 0300 555 0333; email: enquiries@legalombudsman.org.uk

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, Professional Conduct Department, 289-293 High Holborn, London WC1V 7HZ; tel. 0207 6111 444

Notification of insurers

18. Any complaint that involves negligence or a potential claim against professional indemnity insurance is brought to the attention of the insurers as soon as possible by the barrister.