

Guildhall Chambers Portsmouth

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 appreciated that not everyone will wish their complaint or feedback to be the subject of a formal complaints procedure, if that is your clear preference please draw that to our attention at an early stage.
2. Please note that, if you are dissatisfied with the outcome of our complaints investigation and you are a client of a member of Chambers, you still have the right to complain to the Legal Ombudsman (the independent complaints body for service complaints about lawyers) within 6 months of our decision. Please see below for further details.

Complaints Made by Telephone

3. You may wish to make a complaint in writing and, if so, please follow the procedure in paragraph 4 and 5 below. However, if you would rather speak on the telephone about your complaint then please telephone the Senior Clerk to Chambers Tristan Thwaites (or if the complaint is about the Senior Clerk Tristan Thwaites, then please telephone the Complaints Officer Lincoln Brookes). The person you contact will make a note of the details of your complaint and what you would like done about it. He will discuss your concerns with you and aim to resolve them. 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.
4. 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

5. Please give the following details:
 - Your name and address;
 - Which member(s) of Chambers you are complaining about;
 - The detail of the complaint; and
 - What you would like done about it.

Please address your letter "The Complaints Officer Lincoln Brookes". 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.

6. Our Chambers has appointed an experienced member of Chambers to act as the Chambers Complaints Officer (Lincoln Brookes) who considers any written complaint. Within 14 days of your letter being received the Complaints Officer will

nominate a member of Chambers to assist him investigate it. If your complaint is against the Complaints Officer, the Senior Clerk Tristan Thwaites will act as the Complaints Officer instead and will likewise nominate a member of Chambers to investigate your complaint. In any case, the person nominated will be someone other than the person you are complaining about.

7. The Complaints Officer will write to you as soon as possible to let you know he has commenced the investigation and that he will reply to your complaint within 14 days. If he finds later that he is not going to be able to reply within 14 days he will set a new date for his reply and inform you. His reply will set out:
 - The nature and scope of his investigation;
 - His conclusion on each complaint and the basis for his conclusion; and
 - If he finds that you are justified in your complaint, his proposals for resolving the complaint (including how we might be able to improve our service in future).

Confidentiality

8. 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 may be to the Head of Chambers Management Committee, members of our management committee and to anyone involved in the complaint and its investigation. Such people will include the barrister or member or staff who you have complained about, the person who investigates the complaint and in certain cases the Bar Mutual Indemnity Fund. 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

9. 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 anonymized record regularly with a view to improving services.

Complaints to the Legal Ombudsman

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

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 of the Legal Ombudsman's time limits.

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.

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.

You can contact the Legal Ombudsman at:

Legal Ombudsman
PO Box 6806,
Wolverhampton
WV1 9WJ

Telephone number: 0300 555 0333
Email: enquiries@legalombudsman.org.uk
Website: <http://www.legalombudsman.org.uk>