

# Complaints Policy

## Introduction

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.

## Complaints Made by Telephone

2. You may wish to make a complaint in writing and, if so, please follow the procedure in paragraph 4 below. However, if you would rather speak on the telephone about your complaint then please telephone the Head of Chambers or if the complaint is about a member of staff the Senior Clerk. If the complaint is about the Senior Clerk telephone the Head of Chambers. The person you contact will make a note of the details of your complaint and what you would like to have 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.
3. 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

4. Please provide the following details:
  - Your name and address;
  - Which Member or Members of Chambers you are complaining about;
  - The detail of the complaint; and
  - What you would like done about it.
5. Please address your complaints to [complaints@foundrychambers.com](mailto:complaints@foundrychambers.com) or alternatively write to the Complaints Committee, Foundry Chambers, Quality House, 5-9 Quality Court, Chancery Lane, London WC2A 1 HP. We will, where possible, acknowledge receipt of your complaint within two working days and provide you with details of how your complaint will be dealt with.
6. Our Chambers has a panel headed by the Chair of the Complaints Committee and made up of experienced members of Chambers, which considers any written complaint. Within 14 days of your letter being received the head of the panel or their deputy will appoint a member of the panel to investigate it. If your complaint is against the head of the panel, the next most senior member of the panel will investigate it. In any case, the person appointed will be someone other than the person who is the subject of your complaint.

7. The person appointed to investigate will write to you as soon as possible to let you know they have been appointed and will reply to your complaint within 14 days. If the person appointed finds later that they are not going to be able to reply within 14 days they will set a new date for the reply and inform you. The person appointed may ask you for further details of the complaint and for any relevant documents. The person appointed may also speak to the member concerned.
8. The reply will set out:
  - The nature and scope of the investigation;
  - The conclusion on each complaint and the basis for them; and
  - If it is found that you are justified in your complaint, their proposals for resolving the complaint.

### **Confidentiality**

9. 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 Committee and to anyone involved in the complaint and its investigation. Such people will include the barrister member or staff member 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**

10. 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 from notification of the outcome of the complaint. Our Management Committee inspects an anonymised record regularly with a view to improving services.

### **Complaints to the Legal Ombudsman**

11. If you are unhappy with the outcome of our investigation and you fall within their jurisdiction you may refer 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 timeframe for referral of complaints to the Ombudsman as set out at paragraph 12 below.
12. The Legal Ombudsman, the independent complaints body for service complaints about lawyers, has time limits within which a complaint must be raised with them. The time limits are:
  - a) Six months from the date that Chambers has issued its final reply;

- b) (From 1 April 2023) within one year of the event complained about; or
  - c) If the event complained about occurred more than one year ago, within one year of the complainant becoming aware of the problem giving rise to the complaint.
  - d) For complaints which fall outside those periods, the Legal Ombudsman will only be able to investigate complaints where it is considered fair and reasonable to do so.
  - e) The date a complaint is referred to the Legal Ombudsman cannot be before either Chambers has issued its final reply, or eight weeks have passed since the complaint was raised with them. After that, the date will be determined as either the date the Legal Ombudsman received a fully completed complaint form, or the complaint correspondence.
13. As above at 12 d), the Ombudsman can extend the time limit where it is considered fair and reasonable to do so. 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.
14. 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.
15. 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, the Complaints Committee 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.
16. You can contact the Legal Ombudsman at [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk) or write to Legal Ombudsman, PO Box 6806, Wolverhampton, WV1 9WJ. Their telephone number is 0300 555 0333 or email at [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk).
17. Attached to this Policy is a Guidance Leaflet issued by the Legal Ombudsman.

### **Bar Standards Board**

18. 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 7JZ. Telephone number: 0207 611 1444. Website: [www.barstandardsboard.org.uk](http://www.barstandardsboard.org.uk).



## Legal Ombudsman – we're here if you need us

We hope that you receive a good service from the legal service provider you've chosen.

At the Legal Ombudsman, we're here to help if you've complained about the service you've received and you're not happy with the provider's response or lack of response.

We're completely independent and free to use. We will look into what has happened and let you know what we think is the best way forward.

You will need to contact us within **1 year** of the issue you are complaining about or, if it was longer ago, within 1 year of you finding out about the issue. These time limits may be extended in certain circumstances.

**Remember, you need to complain to your service provider first.** They have **8 weeks** to resolve your complaint. If you're not happy with how they resolve things, you should bring your complaint to us within **6 months** of their final response.

For peace of mind, find out more about how we work by visiting us at [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk).

Call us **0300 555 0333**

BT NGT Lite **18001 0300 555 0333**

Write to us **Legal Ombudsman, PO Box 6806**

**Wolverhampton, WV1 9WJ**