

Fountain Chambers
Middlesbrough

External Complaints Policy

Head of Chambers: Collette Price
Head of Family Team: Gill Kane
Head of Criminal Team: Richard Bennett

Please also refer to Chambers' Equality & Diversity Policy.

Introduction

This document describes the policy and procedures adopted by Chambers when dealing with external complaints.

This document describes Chambers Policy and procedures in relation to client care and the handling of complaints from clients in accordance with the Bar Standards Board Practice Management Standards.

A copy of this policy is available on Chambers' website.

1. Each Barrister and member of staff is personally responsible for complying with the Client Care and Complaints Policy in respect of their own dealings with their own clients. Reference to the Policy will be included in Chambers' Client Care letter which will be sent by the relevant clerk following receipt of instructions. We aim to minimise client complaints but we recognise that those which do arise must be addressed promptly and effectively.
2. The Head of Chambers, will maintain a record of every formal complaint showing:
 - (i) The name and address of the complainant firm and/or individual.
 - (ii) The nature of the complaint.
 - (iii) The Barrister or member of staff to whom the complaint relates.

3. A file will be maintained for each complaint including all correspondence pertaining to it.
4. Any barrister or member of staff receiving a formal complaint will forward a copy to the Head of Chambers
5. The Head of Chambers will normally delegate investigation of a complaint to the head of the relevant team. If the complaint is about the head of the relevant team then the Head of Chambers may investigate the complaint themselves or delegate to another senior member of Chambers at their absolute discretion.
6. Where the complaint involves the Head of Chambers it will be delegated to the Head of Team to which the Head of Chambers belongs.
7. The complainant will be notified, within 7 days of receipt of the complaint, that it is under investigation; the name of the person investigating and a date by which they will make contact again.
8. The person to whom authority has been delegated will carry out all necessary investigations and give all relevant people the opportunity to state their opinions on the circumstances of the complaint.
9. At the end of the investigations, the person to whom authority has been delegated will take one of the following steps:
 - (i) Inform the complainant that the complaint has been investigated and found not to be justified, explaining why.
 - (ii) Inform the complainant the complaint has been investigated and found to be justified, and either (a) explain the remedial action or (b) arrange a meeting between the complainant and the person to whom authority has been delegated with a review to resolving the complaint and also explain to the complainant their right to bring the matter to the attention of the Legal Ombudsman.

10. Any complaint which involves negligence or a potential claim against professional indemnity insurance will be brought to the attention of the insurers as soon as possible by the member of Chambers concerned.
11. In consultation with the person delegated to investigate and Chambers' Management Committee, the Head of Chambers will decide upon and implement any necessary changes in procedures, or take other appropriate steps, to reduce the possibility of a similar complaint arising again.
12. Complaint files will be retained for a period of 7 years to allow the complainant to take up their complaint with the Legal Ombudsman / seek contractual redress should they choose to do so. The fact that a complainant has first approached Chambers will not preclude the Legal Ombudsman from considering the same complaint.

This policy was adopted in November 2020 and will be reviewed in November 2023.