

COMPLAINTS PROCEDURE

1. INTRODUCTION

- 1.1. We aim to give a good service at all times. However in accordance with Bar Council requirements, we have set up the following internal complaints procedure.
- 1.2. Old Square Tax Chambers will only consider complaints that are made within six months of the act or omission giving rise to the complaint.
- 1.3. A complaint may be made through a solicitor or accountant, but it is not necessary to do so.
- 1.4. This complaints procedure is concerned with formal complaints. If any concerns arise, the first step should normally be to discuss them informally with the Senior Clerk or the barrister concerned.

2. INTERNAL COMPLAINTS PROCEDURE

- 2.1. You may wish to make a complaint in writing and, if so, please follow the procedure in paragraph 2.3 below. If, however, you would rather speak on the telephone about your complaint then please telephone the Senior Clerk, Cliff Holland or if your complaint is about the Senior Clerk then please 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. 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.
- 2.2. 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.
- 2.3. Formal complaints should be made in writing. The complaint should give the following details:
 - name and address of the complainant;
 - which member(s) of Old Square Tax Chambers is the subject of the complaint;

- the detail of the complaint; and
- what the complainant would like done about it.

The letter of complaint should be addressed to the Senior Clerk, Old Square Tax Chambers, 15 Old Square, Lincoln's Inn, London, WC2A 3UE.

- 2.4. The Head of Chambers will consider the complaint or may, if appropriate, delegate it, or set up a panel to consider it.
- 2.5. If the complaint is against the Head of Chambers, the next most senior member of the Chambers' management committee will consider the complaint or may, if appropriate, delegate it, or set up a panel to consider it.
- 2.6. The complaint will not be investigated by the person about whom the complaint is made.
- 2.7. The person responsible for the investigation will write to the complainant to acknowledge the complaint and indicate the anticipated timescale of the investigation.
- 2.8. The response to the complaint will set out:
 - the nature and scope of the investigation;
 - the conclusion on each complaint and the basis for the conclusion; and
 - if the complaint is found to be justified, the proposals for addressing the complaint.

3. CONFIDENTIALITY

The complaint will be treated as confidential. Disclosure will be made to the Head of Chambers, members of Chambers so far as appropriate, and to anyone involved in the complaint and its investigation, including the person about whom the complaint is made. The Bar Standards Board is entitled to inspect the documents and seek information about the complaint.

4. OUR POLICY

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 anonymised record regularly with a view to improving services.

5. COMPLAINTS TO THE LEGAL OMBUDSMAN OR THE BAR STANDARDS BOARD (THE REGULATORY ARM OF THE BAR COUNCIL, THE PROFESSIONAL BODY FOR BARRISTERS)

5.1. If you are unhappy with the outcome of our investigation and you fall within their jurisdiction 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.

5.2. Please note that the Legal Ombudsman has time limits in which a complaint must be raised with them. The time limits are:

- Six years from the date of the act/omission;
- 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); and
- Within six months of the complainant receiving a final response from their lawyer, if that response complies with the requirements in rule 4.4 of the Ombudsman 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).

5.3. The Ombudsman can extend the time limit in exceptional circumstances. Chambers must 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.

5.4. 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.

You can contact the Ombudsman at:

Legal Ombudsman
PO Box 6806
Wolverhampton
WV1 9WJ

Telephone number: 0300 555 0333

Email: enquiries@legalombudsman.org.uk

5.5. There is no need to use the Chambers' internal complaints procedure. Complaints may be made directly to the Bar Standards Board which is wholly independent of Chambers and (in the event of very serious complaints) has greater powers of investigation and of sanction than are available through the Chambers internal complaints procedure. Note that the time limit for the Bar Standards Board complaint procedure is:

- (1) twelve months from the date of the act or omission about which complaint is made; or
- (2) if the complaint is made to Chambers first, three months from the conclusion of the investigation by Chambers.

Their address is:

Professional Conduct Department
Bar Standards Board
289-293 High Holborn
London WC1V 7HZ

Telephone number: 0207 6111 444

See also www.barstandardsboard.org.uk

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