

## **Client Care Document**

### **Quality Standards**

**Paperwork:** It is Chambers policy that, if at all possible, instructions should be dealt with within 15 working days of receipt. This policy will be applied unless you agree to another deadline (shorter or longer) appropriate to your case. Any such agreement will be recorded on our computer system so that we can monitor progress against our commitment to you. Every attempt will be made to adhere to these arrangements but we will notify you as soon as possible in the unlikely event of our being unable to meet the deadline set. If a matter is required to be dealt with urgently, it would assist if you could contact us in advance and/or clearly mark the back sheet as 'urgent'.

**Court Appearances:** When you contact Chambers to book Counsel, we will advise you if the barrister of your choice has an existing commitment and establish your wishes as to use of alternative counsel. The size of Chambers, having some 89 members including 30 QC's, means that we can provide a breadth of expertise in each of our specialist areas. Should you wish to double-book, we will keep you informed as to likely availability as the court date approaches so that you may reassess your options. In the unusual circumstance that acceptable cover cannot be provided within Chambers, we will, if required, assist in finding Counsel for you.

**Briefs:** It is vital to the smooth and effective handling of a case that we have sufficient time to prepare for court appearances. Most cases now require skeleton arguments to be lodged in advance of the hearing, so it is therefore essential that instructions are sent giving ample time for preparation. For our part, we shall ensure that we arrive at court at least half an hour before the scheduled start time to allow time for discussion with yourself and your client.

### **Quality Management**

Members of Chambers practise under the Code of Conduct of the Bar of England & Wales and adhere to Chambers policies and procedures defined in our Quality Manual. This has been developed to ensure compliance with the Bar Council's Practice Management Standards. Related policies of interest to clients such as our Quality, Health & Safety and Equality Policies are available on request.

### **Basis of Fees/Terms of Business**

We strive to provide a very high quality service at competitive rates. The Director of Clerking and his team are available to discuss levels and basis of fees with our clients, and our policy for fee calculation and terms of business are included for your reference.

We will render a fee note for our work upon request, should there be a pause in proceedings or at an appropriate stage in on-going litigation. We request our fees to be settled within 28 days of your receiving our fee note and you are asked to contact us should this not be acceptable to you. For our part, we adhere to the Bar Council's Code of Practice in respect of progressing payment of our fees.

### **Direct Access to Barristers**

Members of Chambers undertake direct access work in two forms under Licensed Access which allows members of a professional organisation, companies, firms and other organisations to instruct a barrister directly, provided they have a licence to instruct counsel from the Bar Council and Public Access which allows Members of the public, commercial and non-commercial organisations to be able to instruct barristers directly on most civil matters.

### **Continuous Improvement**

The Quality Management System we operate incorporates continuous improvement mechanisms which allow us to monitor our effectiveness against our standards, procedures and policies and to instigate improvement initiatives where relevant. An important source of information for improvement comes from client feedback and we would ask you to inform us immediately should you experience any difficulty with our Chambers, its staff or its members. We have appropriate internal procedures for addressing clients' concerns and take their comments seriously. You might also like to contact the Clerks.

## Conflicts of Interest

The clerks are organised into separate teams. Each team is assigned to individual barristers in such a way as to avoid conflicts of interest or any issue as to confidentiality with respect to other members of Chambers.

## Complaints

Chambers aims to provide the highest possible standards of advocacy, advice and service. Should you have any cause for complaint please speak to either the Director of Clerking, David Barnes or the Senior Clerk, Alastair Davidson.

Chambers operates a complaints policy as set out and in accordance with Barmark. Any complaint made will be recorded in writing and shown to the Director of Clerking. A full investigation will be conducted and proper explanation given to the client. The Head of Chambers will monitor the process.

With effect from 6<sup>th</sup> October 2010, barristers must notify clients of their right to make a complaint, including their right to complain to the Legal Ombudsman at the conclusion of the complaints process, and must also notify clients that they may complain directly to Chambers without going through solicitors.

The purpose of this Notice is to inform clients of their rights in this regard.

If a client has a complaint about any aspect of the service provided by a barrister at Thirty Nine Essex Street Chambers, the client may complain in writing to the Director of Clerking. The client need not make any such complaint through a firm of solicitors. A full investigation will be conducted under the supervision of the Head of Chambers, and the client will be notified in writing of the result, and the reasons for any decision made.

The client also has a right to complain to the Legal Ombudsman at the conclusion of the complaints process, if the client remains dissatisfied.

Complainants may contact the Legal Ombudsman in the following ways:

- Online at [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk);
- By phone – 0300 555 0333
- By post to PO Box 15870, Birmingham, B30 9EB.

As for the time within which a complaint should be made to the Legal Ombudsman, the following extract is taken from the Legal Ombudsman's website:

*"Generally speaking, your complaint should be brought to us no later than 12 months from when the problem occurred or from when you should reasonably have become aware of the problem..."*

*Plus, you should come to us within 6 months of receiving a final response from your lawyer after complaining to them...*

*Both of these time limit rules should normally be satisfied for us to accept your complaint."*

**THIRTY NINE ESSEX STREET: CLIENT INFORMATION**  
**BASIS OF FEES & TERMS OF BUSINESS**

**COURT HEARINGS**

The basis for fees to be charged will be agreed in advance of the hearing. Fees for court work take into account the following factors:

- estimated time required for preparation
- estimated time to be spent in Court
- case complexity
- the amount / issues at stake
- seniority of the barrister
- whether an abnormal workload was placed on the barrister through late instruction / urgency of the work etc.
- the degree to which specialist knowledge is required
- travelling / expenses likely to be incurred

**PAPERWORK**

Normally fees for paperwork are not agreed in advance however if an estimate is required, the Clerks (in liaison with the barrister concerned if necessary) will provide an approximate fee. The following factors are taken into account when providing such estimates and when compiling the fee-note:

- total time taken to complete the work
- complexity of the matter
- the amount / issues at stake
- seniority of the barrister
- the urgency of the work and the need to reschedule other matters
- the degree to which specialist knowledge is required
- travelling / expenses likely to be incurred

**TERMS OF BUSINESS**

- All time spent is recorded on the Meridian System to ensure that the fees charged can be substantiated by specific work activities by the barrister. If requested, the Clerks will be able to explain further how the eventual fee was arrived at.
- We will render a fee note for our work upon conclusion of the case or on request, should there be a pause in proceedings or at an appropriate stage in on-going litigation.
- We expect our fees to be settled within 28 days of your receiving our fee note. You are asked to contact us should this not be acceptable to you.
- We adhere to the Bar Council's Code of Practice in respect of progressing payment of our fees.

David Barnes  
Chief Executive and Director of Clerking

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