

## Complaints Procedure

### Introduction

39 Essex Chambers prides itself on the excellence of its service. If at any time you have any concerns about the quality of the services provided by our barristers, members, or staff, you are invited to let us know as soon as possible.

This procedure is restricted to complaints or concerns about the service provided by one of our barristers, members or staff.

### Scope of this procedure

#### *Barristers*

If your concerns relate to the service provided by one of our barristers, we hope that you will be able to raise these concerns directly with them.

If you do not wish to do so, or if this does not resolve your concern, you can raise your concern or complaint with Chambers following the procedure set out below.

This complaints procedure does not cover allegations of barrister misconduct or negligence, which are dealt with by The Bar Standards Board (see below for further information).

#### *Arbitrators and Mediators*

Some of our members of Chambers are not barristers of England and Wales and act solely in a neutral capacity, for example, mediators and arbitrators.

If you have a concern or complaint about one of our members acting as an arbitrator, then you should raise this with the tribunal or relevant institution for the arbitration.

If your complaint is about a mediator who is a Regulated Mediator (i.e. a Civil Mediation Council Associate, Registered or Fellow) or a Member of the Civil Mediation Council, you may appeal to them on certain grounds. Details of the Civil Mediation Council's appeal processes can be found [here](#).

#### *Staff*

We hope that you will be satisfied with the service provided by our staff team, but if you have any concern about the service provided, you can raise your concern using the procedure below.

#### *Complaints by non-clients*

If you have a complaint about the service or conduct of one of our barristers, but they are not acting for you, it will generally not be appropriate for us to consider your complaint. It is usually best to refer such complaints to The Bar Standards Board (see below for further information).

## Timing

You should raise your concerns as soon as possible with the relevant person. Any formal complaint made months after the event may be more difficult to resolve due to the passage of time.

Please note that Chambers will generally only consider complaints that are raised within 12 months of the act or omission that you are complaining about.

There are also strict time limits should your complaint not be resolved and you wish to refer to the Legal Ombudsman (see details below). Generally, you must refer the complaint to the Legal Ombudsman no later than:

- one year from the act/omission; or
- one year from when you should reasonably have known there was cause for complaint;

and within 6 months of the date of the final response by Chambers to your complaint.

## Complaints Procedure

In line with our friendly and open approach, in the first instance, we would encourage you to discuss any day-to-day concerns about the services of our barristers, members, or staff, directly with them.

You can also discuss any complaint or concern informally with the relevant Director of Clerking. You can find their contact details including telephone numbers on the website [here](#).

### Complaints made by telephone

You may wish to make a complaint in writing, and if so, the procedure is set out below.

You can also make a complaint by telephone to our Chief Executive, Lindsay Scott. She can be reached on +44 (0) 20 7832 1111.

If your complaint is about the Chief Executive, you can telephone one of the Heads of Chambers. Their details are [here](#), and you can call them by telephoning our London office, +44 (0) 20 7832 1111.

The person you speak to will make a note of the details of your complaint and what you would like done about it. They will also take a note of your name and contact details.

If the matter is resolved, they will record the outcome, check that you are satisfied with the outcome, and record that you are satisfied.

If the matter is not resolved on the telephone, you will be invited to write to us about it within 14 days so it can be investigated formally.

### Written complaints

Please make your complaint in writing and provide the following details:

- Your name and address;
- Which member of Chambers staff, barrister or member you are complaining about;
- The details of the complaint; and
- What you would like done about it.

Please address your letter to the Chief Executive, 39 Essex Chambers, 81 Chancery Lane, London WC2A 1DD; you can post it or email it to [lindsay.scott@39essex.com](mailto:lindsay.scott@39essex.com). Alternatively, if the complaint is about the Chief Executive, please address your letter to the Heads of Chambers; you can send it to the same address, above.

We will, where possible, acknowledge receipt of your complaint within 5 working days of receipt and provide you with details of how your complaint will be dealt with.

The Chief Executive or Heads of Chambers (if the complaint is about the Chief Executive) will investigate your complaint and will endeavour to reply to you within 28 days.

Their reply will set out:

- The nature and scope of the investigation;
- Their conclusion on each complaint and the basis for their conclusion; and
- If they find that you are justified in your complaint, their proposals for resolving the complaint.

There may be occasions where the Chief Executive and/or the Heads of Chambers decide that the complaint should be investigated by a panel or another barrister or member. In such circumstances, the head of the panel or barrister or member will write to you within 28 days with the information set out above.

In some circumstances, the person investigating the complaint may not be able to reply within 28 days. For example, this may be because they require more information from you, the barrister or member, the member of staff or other parties involved in your case. When this occurs, they will set a new date for their reply and inform you of this in writing and explain why there will be a delay.

#### **Confidentiality**

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 Chief Executive, the Head(s) of Chambers, members of the Management Board and to anyone else that the panel or person investigating consider necessary to involve in the complaint and its investigation. Such people will include the barrister, member or staff member about whom you have complained, the members 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.

#### **Record Keeping**

As part of our commitment to client care we will make a written record of any formal complaint received and retain all documents and correspondence generated by a complaint for a minimum period of six years. Records relating to the complaint (e.g. case details) may also be kept longer than this pursuant to Chambers data policies.

#### **Review, Monitoring and Audit**

Chambers Management Board inspects an anonymised record regularly with a view to improving services. The Chief Executive reports annually to the Management Board on the number of complaints and any trends or issues arising.

### Dispute Resolution (ADR) Bodies

Should it not be possible to resolve your complaint using Chambers' procedure then, subject to all parties agreement, there are third party ADR organisations who may be able to assist such as [ProMediate](#) and Small Claims Mediation.

Further information may be obtained from the Chief Executive.

### Complaints to the Bar Standards Board

If you are not a client of Chambers, or if your complaint is about the professional conduct of one of our barristers rather than the quality of our service, then you can complain to The Bar Standards Board (the professional regulatory body for barristers). The Bar Standards Board investigates complaints of professional misconduct or professional disciplinary issues against barristers.

More information on how to report concerns is available on their [website](#). The easiest way to report something is complete their online reporting [form](#). Their full contact details are below:

Bar Standards Board  
289-293 High Holborn  
London WC1V 7HZ  
Tel: 020 7611 1444  
Email: [contactus@barstandardsboard.org.uk](mailto:contactus@barstandardsboard.org.uk)  
Website: [www.barstandardsboard.org.uk](http://www.barstandardsboard.org.uk)

### Complaints to the Legal Ombudsman

We hope that you will use our procedure and that this will resolve any outstanding issues. However, if you are unhappy with the outcome, you have the choice of taking up your complaint with the Legal Ombudsman. The Legal Ombudsman will only deal with complaints from consumers, and therefore only complaints from a barrister's client are within their jurisdiction. Non-clients who are not satisfied with the outcome of this complaints process should contact the Bar Standards Board instead.

The Legal Ombudsman is not able to consider a complaint unless it is first investigated by Chambers.

There are strict time limits. Generally, you must refer the complaint to the Legal Ombudsman no later than:

- one year from the act/omission; or
- one year from when you should reasonably have known there was cause for complaint;

and, as noted above, within 6 months of the date of the final response by Chambers to your complaint.

You can make a complaint to the Legal Ombudsman by using their [online complaint process](#), or you can write to them at:

Complaints Team  
PO Box 6167  
Slough  
SL1 0EH  
Email: [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk)  
Tel: 0300 555 0333  
Website: <https://www.legalombudsman.org.uk/>