

# COMPLAINTS PROCEDURE

## INTRODUCTION

Bretton Woods Law has always strived to deliver a premium quality service that meets the expectations of both its instructing solicitors and lay clients. Bretton Woods Law recognises that to provide such a service, all Members and staff have to be part of a collective effort to meet the standards that have been set. Chambers recognises that failure to meet these standards and resulting complaints have the potential to damage the image and reputation of Chambers. Client feedback, either positive or negative, also enables Chambers to improve the service provided.

Chambers appreciates that there may be times when this has not happened due to mistakes, misunderstandings, delays or other errors which can occur from time to time. The purpose of this document is to ensure that:

- Clients are aware of our procedure for raising any concerns about the service that has been provided;
- Any complaint is dealt with in a timely and professional manner;
- All complaints are analysed to determine weaknesses that may exist within Chambers that may need rectification as a result of the complaint;
- All complaints are monitored to identify potential trends;
- Feedback is regularly obtained from instructing solicitors that their concerns are being acknowledged and where appropriate actioned to their satisfaction; and
- The concerns of the person making a complaint are satisfied.

This policy explains the procedure for making a complaint about our services.

The complaints procedure deals with both the administrative and legal aspects of Chambers' business. The respective complaints procedures are set out below.

In the unlikely event that you feel that Chambers has not met your expectations in any area, we hope that you will employ these procedures to allow us to look into and, where appropriate, put right any problems or errors you have raised.

### **Complaints made by telephone**

You may wish to make a complaint in writing and, if so, please follow the procedures below. However, if you would rather speak on the telephone about your complaint then please telephone the barrister concerned or (if the complaint is about a member of staff) the Management Committee. The person you contact will make a note of the details of your complaint and what you seek by way of remedy. He or she will discuss your concerns and endeavour to resolve them. If the matter is resolved, he or she 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 at the time of making your complaint.

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

## **ADMINISTRATIVE COMPLAINTS**

Should you feel that an issue has arisen with regard to the general running of Chambers, then we ask that you follow this procedure:

### **Step One**

Please put your concern into writing, including your name and address, which member(s) of staff you are complaining about, and what you would like done about it, and address it to:

The Management Committee  
Bretton Woods Law  
New Broad Street House  
35 New Broad Street  
London  
EC2M 1NH

### **Step Two**

The Management Committee will acknowledge receipt of your complaint within 5 working days of its receipt in Chambers.

### **Step Three**

The issue raised will be investigated by the Management Committee and a written response will be made within 28 working days of the date of Chambers' initial acknowledgement letter. The response will detail:

- The result of the investigation; and
- Where appropriate, any action taken by Chambers to prevent a recurrence of the problem.

## **ADVOCACY OR LITIGATION RELATED COMPLAINTS**

Should you feel that an issue has arisen with regard to any advocacy or litigation related aspects of Chambers or the conduct of your case then we kindly request that you follow this procedure:

### **Step One**

Please put your concern down in writing, including your name and address, which member(s) of Chambers you are complaining about, and what you would like done about it, and address it to:

The Management Committee  
Bretton Woods Law  
New Broad Street House  
35 New Broad Street  
London  
EC2M 1NH

## **Step Two**

The Management Committee will acknowledge the receipt of your complaint within 5 working days of its receipt in Chambers.

## **Step Three**

The issue raised will be investigated by the Management Committee. This is a panel of experienced members of Chambers. Within 14 days of your complaint being received a member of the Committee will be appointed to investigate it. Naturally, the person appointed will be someone other than the person you are complaining about.

## **Step Four**

The person appointed to investigate will write to you as soon as possible to let you know that he or she has been appointed and will reply to your complaint within 14 days. If he or she finds out later that he or she is not going to be able to reply within 14 days he or she will set a new date for the reply and will duly inform you.

## **Step Five**

A written response to your complaint will be made within 14 days of someone being appointed to investigate it. The response will detail:

- The nature and scope of the investigation;
- The result of the investigation, including the conclusion on each complaint and the basis for that conclusion; and
- Where appropriate, any action taken by Chambers to prevent a recurrence of the problem.

If deemed appropriate by those investigating, you will be offered an appointment to come and discuss the matter with the individual personally as this may be deemed a more appropriate way to resolve any issues. You may bring a third party to this meeting to act as a witness and Chambers maintains the right to have an appropriate member of staff or barrister at the meeting to act in a similar capacity.

## **Confidentiality**

Please note that due to the requirement for us to maintain confidentiality, complaints regarding advocacy issues may only be made by the instructing solicitor or the client and not by a friend, relative or other third party. 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 members of the Management Committee and to anyone involved in the complaint and its investigation.

As part of our commitment to client care we make a written record of any complaint. Our Management Committee inspects the record regularly with a view to improving services.

## **REFERRAL TO HIGHER AUTHORITY**

We hope that you will use our complaints procedure. However, if you would rather not do so, if your complaint may be deemed to be a breach of the Professional Code of Conduct of the Bar of England and Wales or you are unhappy with the outcome, you have the choice of referring the matter to a higher authority for investigation.

In the first instance you may wish to contact the Bar Standards Board for information on how to complain. The address is as follows:

Bar Standards Board  
289 – 293 High Holborn  
London  
WC1V 7HZ  
Tel: 020 7611 1444  
Website: <http://www.barstandardsboard.org.uk/>

There are two ways to make a complaint about a barrister.

### **1) If the barrister is working/has worked for you, you should contact the Legal Ombudsman.**

The Legal Ombudsman is an independent organisation and deals with complaints about the service provided by all types of lawyers in England and Wales. The Legal Ombudsman can consider whether the service you received from your barrister was unsatisfactory and is able to award compensation for poor service as well as consider whether the fees you paid, or have been charged, should be reduced. However, it can only do this after you have made a complaint to Chambers directly.

The Legal Ombudsman will assess your complaint to decide whether it includes issues about the service you received from your barrister and whether your complaint has been made within 12 months of problems arising or you becoming aware of the problems. The Legal Ombudsman will also assess whether your complaint includes issues about the professional conduct of the barrister. The Legal Ombudsman does not have the power to take disciplinary action against a barrister, so if your complaint includes issues of professional misconduct that might require disciplinary action, the Legal Ombudsman will refer the relevant parts of your complaint to the Bar Standards Board to consider.

If your complaint needs to be referred to the Bar Standards Board, you do not have to do anything. The Legal Ombudsman will let you know if it has referred any issues of possible professional misconduct to the Bar Standards Board and you will then be contacted to confirm this.

The contact details for the Legal Ombudsman are as follows:

The Office of the Legal Ombudsman  
PO Box 15870  
Birmingham  
B30 9EB  
Tel: 0300 555 1777  
Website: <http://www.legalombudsman.org.uk/>

**2) If the barrister is not working/has not worked for you, you should contact the Bar Standards Board directly.**

If the barrister is not working/has not worked for you, but you wish to make to a complaint about the way in which a barrister has behaved, you should contact the Bar Standards Board directly. You do not need to contact the Legal Ombudsman, but it is important that you contact the Bar Standards Board within 12 months of the problem occurring. If you do not make your complaint within 12 months the Bar Standards Board may not be able to take action.

The address and contact details of the Bar Standards Board are provided above.

## **MONITORING COMPLAINTS**

Whenever a complaint the details and outcome will be registered for monitoring purposes. Complaints and their outcome will be periodically reported to the Management Committee for consideration to monitor standards.

Where the person making a complaint has raised concerns about a particular aspect of the service provided by Chambers, the Management Committee may consider monitoring that aspect over a specified period. If this is the case, a time will be arranged, where appropriate, to contact the person making the complaint to establish whether there has been an improvement.

In preparing reports and operational plans on strategy, team development and customer care, instructing solicitors and clients may be contacted for feedback on the quality of service provided by Chambers. This information will be made available to all Members and staff in Chambers.

## **INFORMING THE BAR MUTUAL INDEMNITY FUND**

In an appropriate case (for example, if your complaint discloses issues of professional negligence) the Management Committee reserve the right to notify the Bar Mutual Indemnity Fund. This body acts as professional indemnity insurer for barristers and must be informed immediately of certain types of complaint.

If there are any issues which have not been addressed by this document, or if you have any additional queries, then please do not hesitate to contact Bretton Woods Law at [enquiries@brettonwoodslaw.com](mailto:enquiries@brettonwoodslaw.com) or at the contact details provided on our website: [www.brettonwoodslaw.com/contact/](http://www.brettonwoodslaw.com/contact/)