

Regency Chambers/Complaints Procedure

COMPLAINTS PROCEDURE

1. This procedure applies to all barristers and staff operating from Chambers, whether practicing as self-employed barristers or BSB authorised bodies (sometimes referred to as “separate entities”) or otherwise and the term “staff” includes the clerks and staff of such separate entities.

2. Our barristers and staff aim to provide you with a good service at all times. However if you have a complaint you are invited to let us know as soon as possible. This procedure applies to both solicitors (our professional clients) and to members of the public (our lay clients) who instruct us either through solicitors or directly through the Direct Access Scheme.

3. We wish to make it clear that if you are a member of the public who has instructed us through a solicitor you may ask the solicitor to make the complaint on your behalf. However it is not necessary to do this and you are free to make the complaint to us directly if you prefer.

4. Please note that Chambers has regard to the time limits set by the Legal Ombudsman (the independent complaints body for service complaints about lawyers) when deciding whether Chambers are able to investigate your complaint. Chambers will not usually deal with complaints that fall outside these time limits. The Legal Ombudsman’s ordinary time limits (the time by which a complaint must be referred to him) are as follows.

- a) six years from the date of the act/omission complained of, or
 - b) three years from the date the complainant should reasonably have known there were grounds for complaint (if the act/omission took place before 6/10/10 or was more than six years ago);
- And
- c) within 6 months of the complainant receiving a final response from Regency Chambers.

In relation to sections a) and b) above the act or omission, or when the complainant should reasonably have known there was cause for complaint, must have been after 5.10.10 for the Ombudsman to deal with the matter. The Ombudsman can extend the time limits in exceptional circumstances.

5. The Ombudsman will also only deal with complaints from consumers. This means that only complaints from the barrister’s clients, or from those who claim to have been unreasonably refused legal services, are within their jurisdiction. “Non-clients” who are not satisfied with the outcome of the Chambers’ investigations should contact the Bar Standards Board rather than the Legal Ombudsman. It should be noted that it may not always be possible to investigate a complaint brought by a non-client. This is because the ability of Chambers to satisfactorily investigate and resolve such matters is limited and complaints of this nature are often better suited to the disciplinary processes maintained by the Bar Standards Board. Therefore, Chambers will make an initial assessment of the complaint and if they feel that the issues raised cannot be satisfactorily resolved through Chambers complaints process they will refer you to the Bar Standards Board.

Complaints made by telephone

6. You may wish to make a complaint in writing and, if so, please follow the procedure in paragraphs 8 and 9 below. However, if you would rather speak on the telephone about your complaint then please arrange to speak by telephone, in the first instance to Toby Lowther who is our Senior Clerk. Should the complaint be about Mr. Lowther then please ask to speak to one of our Heads of Chambers.

7. Mr. Lowther will make a note of the details of your complaint and what you would like done about it. He will discuss your concerns with you and aim to resolve them. If the matter is resolved the outcome will be recorded, he will 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 for your own records.

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

Complaints made in writing

9. If you complain in writing please ensure that your letter is dated and that you provide us with the following details:

- Your name and address
- The name of the barrister or member of staff you are complaining about
- Information about what it is that you are complaining about with as much detail as possible.
- What you would like done about it.
- Any special needs you may have and how you would wish these might be accommodated.

It would assist us if you provide an email address for ease of response. We can then forward you a copy of our letter by email.

10. Your letter should be addressed to "Toby Lowther, Complaints" and should be sent to Regency Chambers, Archdeaconry House, 15 Gravel Walk, Peterborough, PE1 1YU. In the event that the complaint is about Mr Lowther then please address the letter to "Heads of Chambers, Complaints".

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

12. Within 14 days of your letter being received one of Head of Chambers will be assigned to investigate your complaint and provide a decision as to the outcome of your complaint within 28 days of your complaint being received. The person investigating your complaint will always be someone other than the person you are complaining about.

13. The person appointed to investigate will write to you within 28 days of your complaint being received. If s/he finds later that s/he is not going to be able to investigate within this period then s/he will set a new date. Once the complaint has been fully investigated the Head of Chambers who has been assigned will send you a reply setting:

- The nature and scope of the investigations
- The conclusion of the Complaints Panel in respect of each complaint and the basis for the conclusion; and
- If it is found that you are justified in your complaint, the proposals for resolving the complaint.

Confidentiality

14. All conversations and documents relating to the complaint will be treated as confidential and will be disclosed only to the extent that it is necessary. Disclosure will be to the Head of Chambers, members of our management committee and management team if necessary, and to anyone involved in the complaint and its investigation. Such people will include the barrister or the member of staff about whom you have complained, and the Senior Clerk. The Bar Standards Board is entitled to inspect the documents and to seek information about the complaint when discharging its auditing and monitoring functions. If you are not satisfied with the outcome of the complaint and you refer the matter to the Legal Ombudsman we would need to disclose the documents to him or her too.

Our policy

15. 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.

Complaints to the Legal Ombudsman

16. If you are an actual / potential client who is unhappy with the outcome of our investigation 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 ordinarily unable to consider your complaint until it has first been investigated by Chambers. Please note the time limits referred to in paragraph 3 above and in particular the requirement that you must make any complaint to the Ombudsman within 6 months of Chambers determining the outcome of your complaint. You can contact the Legal Ombudsman in writing at:

Legal Ombudsman, PO Box 6806
Wolverhampton
WV1 9WJ

Telephone on 0300 555 0333; email: enquiries@legalombudsman.org.uk

17. If you are a non-client and are unhappy with the outcome of our investigation then please contact the Bar Standards Board at:

Bar Standards Board, Professional Conduct Department, 2
89-293 High Holborn,
London
WC1V 7JZ

Telephone on 0207 6111 444; or email to: contactus@barstandardsboard.org.uk.
Their website can be found at: www.barstandardsboard.org.uk