

cloth fair

CHAMBERS

COMPLAINTS PROCEDURE

We aim to provide an excellent service at all times, and we trust that you will be satisfied with all aspects of the service you receive from Cloth Fair Chambers; however, if you are dissatisfied in any way, you are invited to let us know as soon as possible. It is not necessary to involve your solicitors in order to make a complaint, but you are free to do so should you wish.

In the first instance, where a concern or problem has arisen, it is best to contact the barrister you have been dealing with to discuss your concerns as they will be best placed to resolve the problem. This helps all individual barristers to continually improve the service they are providing to each client, and it affords them the opportunity to rectify a problem before escalating it. If you still feel the issue is unresolved, we invite you to submit your concerns to us using the details and processes below.

If your concern relates to an employee or clerk and cannot be resolved directly with them, then it should be raised with the Senior Clerk, Adrian Chapman, or Chambers Director Annaleen Stephens. Alternatively, the Head of Chambers, John Kelsey-Fry QC, or another appointed member of Chambers can deal with the concern. All contact details can be found at the end of this document.

Complaints process

When contacting us to make a complaint, please provide the following information as a minimum, to allow us to deal with your concerns as efficiently and effectively as possible:

- a. Your name and address;
- b. Which member(s) of chambers or staff you are complaining about;
- c. The detail of the complaint; and
- d. What you would like done.

We welcome contact via telephone, email or in writing. The choice is simply the preference of the client or individual making contact with chambers; however, if no resolution can be achieved by telephone, we would invite you to make a complaint in writing, within the next 14 days, by following the below process:

Acknowledgement

Within 3 days of receiving your complaint, your complaint will be acknowledged and you will be informed of the person who has been appointed to investigate your complaint. You may be asked to confirm or explain the details you have set out. If we need further information to process your complaint, this will be requested within this initial 3-day period.

Any complaints which have been made via telephone will be discussed in depth and you will be asked what you would like to see done to resolve your concerns. Any verbal conversations will be confirmed in writing. If your concern is resolved over the telephone to your satisfaction, this outcome will be recorded. Otherwise, it will be investigated further.

Investigation

Your complaint will be investigated fully before a formal response is issued. Our Head of Chambers, John Kelsey-Fry QC will consider your complaint and appoint an experienced member of Chambers or senior member of staff to deal with your complaint within 3 days of your letter being received.

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The appointed person will liaise with the individuals involved in the complaint. The issues raised will be discussed, along with any possible resolutions.

Reply

Within 14 days of completing the investigation, you will be sent a detailed reply to your complaint.

The reply will set out:

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

Once you have received and read the reply, please let us know if you are happy with our suggestions and whether or not you consider the matter to be resolved.

Decision review

If, upon review of our reply, you are dissatisfied with our suggestions or investigations, you should contact us again by telephone, email or in writing. At this point, an independent review of our decision can be arranged.

This review will be conducted by another member of Chambers or an independent barrister or solicitor, selected by Chambers. This review will be completed within 14 days from the date you communicate your dissatisfaction with our reply.

Final position

Once the independent review has been completed; we will write to you with the outcome within 5 days of receiving the review outcome. This final position on your complaint will include any reasons and you will be provided with the contact details for the Legal Ombudsman. If you are still dissatisfied at this stage, you are welcome to contact the Legal Ombudsman about your complaint (*see below*).

Timescale

In any event, the entire process for considering your complaint and any review will not take more than 8 weeks.

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 Head of Chambers, members of our Complaints Panel and to anyone involved in the complaint and its investigation. Such people will include the barrister or member of staff whom you have complained about, the head or relevant senior member of the panel and the person who investigates the complaint. The Legal Ombudsman and Bar Standards Board are entitled to inspect the documents and seek information about the complaint when discharging their auditing and monitoring functions.

Record Keeping

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 will inspect an anonymized record of any complaint with a view to improving service.

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If you are still not happy with the result:

If you feel the complaint has not been resolved to a satisfactory standard, then you can have the complaint independently looked at by the Legal Ombudsman. The Legal Ombudsman investigates problems about poor service from lawyers.

Before accepting a complaint for investigation, the Legal Ombudsman will check that you have tried to resolve your complaint first. If so, then you must take your complaint to the Legal Ombudsman:

- Within six months of receiving a final response to your complaint; and
- No more than one year from the date of act/omission; or
- No more than one year from when you should reasonably have known there was cause for complaint.

If you would like more information about the Legal Ombudsman, please contact them on the following:

- Web: <https://www.legalombudsman.org.uk/>
- Call: 0300 555 0333 between 9am to 5pm.
- Email: enquiries@legalombudsman.org.uk
- Post: Legal Ombudsman PO Box 6806, Wolverhampton, WV1 9WJ

Frequently Asked Questions concerning the Legal Ombudsman can be found here:

<https://www.legalombudsman.org.uk/information-centre/faqs/>

Regulatory matters

Whilst the Legal Ombudsman will look independently at complaints about service, if you believe there have been any breaches of the rules governing barristers, then you can ask the Bar Standards Board to investigate.

You can find out more information, including how to report your concerns here:

<https://www.barstandardsboard.org.uk/for-the-public/reporting-concerns.html#Reporting%20a%20concern>

Alternative dispute resolution

Alternative complaints bodies, such as Promediate (<http://www.promediate.co.uk/>) exist which are competent to deal with complaints about legal services should we both wish to use such a scheme. We agree to use Promediate.

Key contact details

Adrian Chapman, Senior Clerk: 02077106444, adrianchapman@clothfairchambers.com

Annaleen Stephens, Chambers Director: 02077106444, annaleenstephens@clothfairchambers.com

John Kelsey-Fry QC: Head of Chambers: 02077106444, clerks@clothfairchambers.com

All other contact details can be found by calling Chambers or on our website:

www.clothfairchambers.com