

COMPLAINTS PROCEDURE

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WHAT IS THIS PROCEDURE ABOUT

1. Both individually and collectively, the barrister members of Monckton Chambers and their staff aim to provide you and all our professional and lay clients with a good service at all times. We will do everything in our power to ensure that your objectives in using our services are achieved efficiently and economically.
2. In the nature of things, we cannot guarantee a successful result in every case; but we do aim to do our best to achieve a successful result.
3. This procedure is concerned with what happens if you feel that the quality of service that we have provided to you has fallen short in some way.
4. If you have any comments or suggestions on the procedure set out below or on how in practice it is applied, please let us know (for the relevant contact details, see the end of this document). We welcome suggestions as to how we can improve on the way in which we deal with lay and professional clients.

THE PURPOSE AND SCOPE OF THIS PROCEDURE

5. The purpose of this procedure is to deal with complaints about the quality of service provided to lay or professional clients; and to deal with them promptly, courteously and in a manner that addresses the issues raised.
6. This procedure covers complaints about the quality of service provided. Other matters, such as the negotiation or renegotiation of fees, are not covered.
7. Each member of the Bar is responsible for dealing with any complaints made to him or her; including complaints that may be made about the clerk acting for him or her.
8. Monckton Chambers, collectively, is responsible for dealing with complaints made about its staff, including clerks (where the clerk concerned is not acting specifically for a particular member of Monckton Chambers).
9. This procedure therefore covers complaints concerning the quality of service provided by: (i) individual members of Monckton Chambers; (ii) the clerks; and (iii) other staff of Monckton Chambers.

10. It should be emphasised that, so far as complaints against individual members of Monckton Chambers are concerned, a set of barristers' chambers is a group of sole practitioners each of whom is responsible for the performance of his or her professional and ethical obligations. This procedure sets out how individual members of Monckton Chambers are expected to discharge their professional duty to respond to complaints made to them about their conduct. The position regarding complaints about the staff of Monckton Chambers is somewhat different because there Monckton Chambers bears a direct responsibility for their conduct.
11. The procedure set out below is intended to offer an effective system for handling complaints made by lay or professional clients. It is intended to:
 - be easily accessible and well known;
 - be simple to understand and use;
 - ensure that confidentiality is maintained;
 - require prompt replies to complaints, within time limits that are laid down, kept and made known to the complainant;
 - provide for effective investigation;
 - be fair and offer effective redress where that is justified;
 - ensure that we receive information about complaints and concerns so that we can improve the quality of service that we provide.

MAKING A COMPLAINT

12. if you wish to make a complaint about the quality of service provided to you, you may do so either in writing or on the telephone. If made in writing, the letter enclosing the complaint should be marked "private and confidential".
13. The contact details are set out at the end of this document.
14. A complaint about the quality of service provided by a member of Monckton Chambers, or about a clerk when that clerk is acting for that member, should be made to the member in question. If you are not comfortable about writing or speaking directly to that member, you are invited to write or speak to the Senior Clerk or the Head of Chambers.
15. If the complaint is about the quality of service provided by a member of staff (including a clerk who is not acting specifically on behalf of a particular member of

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Monckton Chambers), please write or speak to the Senior Clerk or the Chambers Director.

16. If the complaint relates to the Senior Clerk or the Chambers Director, please write or speak to the Head of Chambers.
17. If your complaint does not relate to any particular person (whether a barrister or a member of staff of Monckton Chambers), but concerns a more general matter relating to the way in which Monckton Chambers has dealt with you or your case, please write or speak to the Senior Clerk or the Chambers Director.
18. If you are unsure about who is the right person to whom your complaint should be directed, please write or speak to any of the Senior Clerk, Chambers Director or Head of Chambers.

WHAT WE WOULD LIKE FROM YOU

19. In order to deal effectively with a complaint that you wish to make, we need to know:
 - your name and address;
 - the name of the person you are complaining about (unless you are complaining directly to that person);
 - details of the complaint;
 - what you would like done about it;
 - how you would like to receive a reply to your complaint (e-mail, letter or other).

WHAT WE WILL DO FOR YOU

Complaints made directly to the person complained about

20. Where the complaint concerns the quality of service provided by a barrister member of Monckton Chambers, it should be made directly to the barrister concerned. As noted above, if you are uncomfortable about doing that, your complaint can be made to the Senior Clerk or the Head of Chambers.
21. If you make the complaint directly to the barrister concerned by telephone, he or she will make a note of your name, address, complaint and what you would like done about it. He or she will discuss your concerns with you with a view to resolving them.

22. 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 in writing the outcome of the telephone discussion.
23. The barrister's record of the telephone conversation will then be placed in a confidential file. If it is relevant to do so, an anonymised summary of the complaint may be given to the Chambers Management Committee so that any appropriate action to address shortcomings revealed by the complaint can be addressed.
24. If the matter cannot be resolved on the telephone (because, for example, the barrister needs more time to consider the position), the barrister will respond by telephone or in writing within 14 days of your initial telephone call to him or her stating what the complaint is.
25. If the matter cannot be resolved at all, or the barrister does not respond to you within 14 days, you may write or speak to the Senior Clerk or the Head of Chambers. In that event, the procedure outlined below (Complaints made otherwise than directly to the person complained about) will be followed.
26. If you make your complaint directly to the barrister concerned in writing, your letter will stand as the record of the complaint. The barrister concerned will reply to you by letter within 14 days of receiving the complaint (unless you indicate in your letter that you want a reply by some other means).
27. If the matter is resolved, the correspondence will be kept in a confidential file and the second sentence of paragraph 23 above may apply.
28. If the matter cannot be resolved by correspondence, or if the barrister does not respond to you within 14 days of receiving your complaint, you may write or speak to the Senior Clerk or the Head of Chambers. In that event, the procedure outlined below (Complaints made otherwise than directly to the person complained about) will be followed.
29. If the resolution of the matter involves the barrister concerned doing something and he or she does not do it, you may write or speak to the Senior Clerk or

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the Head of Chambers. In that event, the procedure outlined below (Complaints made otherwise than directly to the person complained about) will be followed.

Complaints made otherwise than directly to the person complained about

30. You may be making a complaint otherwise than to the person complained about for a variety of reasons (for example, because the complaint does not concern any particular person but arises generally from the way in which Monckton Chambers has dealt with you or your case).
31. If you make the complaint by telephone, the person whom you have contacted will make a note of your name, address, complaint and what you would like done about it. He or she will discuss your concerns with you with a view to resolving them.
32. 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 in writing the outcome of the telephone discussion.
33. Our record of the telephone conversation will then be placed in a confidential file. If it is relevant to do so, an anonymised summary of the complaint may be given to the Chambers Management Committee so that any appropriate action to address shortcomings revealed by the complaint can be addressed.
34. If, for whatever reason, the matter cannot be resolved on the telephone, it will be referred to the Chambers Management Committee. Should the complaint concern a member of the Management Committee, that person will not participate in the deliberations of the Management Committee on your complaint.
35. If you make your complaint in writing, your letter will stand as the record of the complaint. It will be considered initially by the person to whom you have written. Within 14 days of receiving your complaint, the person whom you have contacted will either respond to you in writing on the substance of your complaint or inform you that it has been referred to the Management Committee (as noted in the preceding paragraph, should your complaint concern a member of the Management Committee, that person will not participate in the deliberations of the Management Committee on your complaint).

36. If you receive no response at all from the person whom you have contacted within that timeframe, you may request the matter to be referred to the Management Committee. Your request should be made in writing and should attach a copy of your original complaint (which will establish that the person whom you originally contacted has not acted in accordance with this procedure). Your request may be addressed to any of the following: the Senior Clerk, the Chambers Director, the Head of Chambers.
37. If the person to whom you sent your complaint responds in writing on the substance of your complaint within 14 days but it becomes clear that the matter cannot be resolved, you may ask for it to be referred to the Management Committee.
38. If the matter is resolved without being referred to the Management Committee, the correspondence will be kept in a confidential file and the second sentence of paragraph 33 above may apply.
39. If the matter is referred to the Management Committee, for whatever reason, you will be so informed by letter within 14 days of, as the case may be, receipt of your complaint or of your request that the matter be dealt with by the Management Committee.

Reference to the Management Committee

40. Within 14 days of a complaint being referred to it, the Management Committee will appoint one of its members or, if appropriate, a senior member of Chambers who is not a member of the management Committee to investigate the complaint and make a recommendation to the Management Committee.
41. The person appointed to investigate the complaint will write to you as soon as possible to let you know that he or she has been appointed to handle the complaint and that he or she will reply to the complaint within a further 14 days. If he or she finds later on that that is not possible, he or she will set a new date for his or her reply and inform you of it.
42. His or her reply will set out:
 - the nature and scope of his or her investigation;

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- his or her conclusion on each complaint and the basis for that conclusion; and
 - if he or she finds that you are justified in your complaint, proposals for resolving it.
43. You will then be given an opportunity to comment on the reply. Your comments will be considered by the Management Committee before it makes its decision. Its decision will be sent to you by letter.
44. Documentation concerning a complaint will be kept in a confidential file and the second sentence of paragraph 33 above may apply.
45. If you are unhappy with the Management Committee's decision, it is open to you to complain to the Bar Council (for contact details, see below).

CONFIDENTIALITY

46. All conversations and documents relating to the complaint will be treated as confidential and will be disclosed only to the extent, and to the people, necessary in order to deal properly with the complaint. We need to keep records of complaints that have been made, the way they have been dealt with and how they were resolved. Such records are confidential. Where complaints reveal deficiencies and matters that require improvement, we may need to use the information derived from complaints in order to work out appropriate solutions and improve our performance. However, as noted above, when that occurs, any information that is disseminated will be anonymised so as to preserve confidentiality.

COMPLAINTS TO THE LEGAL OMBUDSMAN OR THE BAR STANDARDS BOARD (PROFESSIONAL REGULATORY BODY FOR BARRISTERS)

47. We hope this procedure will deal appropriately with any complaint that you make. However, if you are unhappy with the outcome, you have the choice of taking up your complaint with the Legal Ombudsman (see below for contact details).

The Legal Ombudsman is responsible for dealing with complaints about the services provided to clients by all legal professionals. The Legal Ombudsman requires for you

to take your complaint up with us in the first place. Please note that the Legal Ombudsman stipulates that you should complain to us (or to the Legal Ombudsman) within one year of when you realise there is a concern.

48. This procedure deals with complaints about the quality of service. Should you consider your complaint to be a disciplinary matter or professional misconduct issue, you may take your complaint up with the Bar Standards Board (see below contact details).

CONTACT DETAILS

Complaints made to individual members of Monckton Chambers (including complaints about a clerk when that clerk is acting for that member) should be made in writing to the member concerned at the Chambers' address (1 & 2 Raymond Buildings, Gray's Inn, London WC1R 5NR) or by telephone to the Chambers number (020 7405 7211). If you feel uncomfortable about making a complaint directly to the member concerned, please write to or telephone the Senior Clerk, David Hockney, or the Head of Chambers, Paul Lasok QC. Their address is the Chambers' address. The Senior Clerk's telephone number is 020 7468 6380. The Head of Chambers' telephone number is 020 7405 7211.

Complaints about a member of staff (including a clerk when that clerk is not acting specifically on behalf of a particular member of Chambers) should be made either in writing or by telephone to the Senior Clerk or the Chambers Director, Mrs Ann Langford. Their address is the Chambers' address. The Senior Clerk's telephone number is 020 7468 6380. The Chambers Director's telephone number is 020 7468 6370.

Complaints about the Senior Clerk or Chambers Director should be made to the Head of Chambers, Paul Lasok QC, in writing at the Chambers' address or by telephone on 020 7405 7211.

Complaints that are not about a particular member of Chambers or member of staff but that are about the general way in which Monckton Chambers has treated you or your case can be made to any of the Senior Clerk or the Chambers Director in writing at the Chambers' address or by telephone on the numbers set out above.

If you are unhappy with the outcome, a complaint may be made to the Legal Ombudsman by writing to him at:

The Legal Ombudsman
PO BOX 15870,
Birmingham
B30 9EB,

email: enquiries@legalombudsman.org.uk

or calling: 0300 555 0333 (international callers: please call +44 121 245 3050).

Further information is available at: <http://www.legalombudsman.org.uk/consumer/index.html>

If you wish to contact the Bar Standards Board which investigates professional conduct complaints and matters of a professional disciplinary nature you may contact it as follows:

Complaints Department,
Bar Standards Board,
289-293 High Holborn,
London
WC1V 7HZ

tel: 020 7611 1445,

fax: 020 7831 9217.

Further information is available at:

<http://www.barstandardsboard.org.uk/complaintsandhearings/Informationonmakingacomplaint>