

# Complaints Procedure

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1. The aim is to give you good service at all times. However, if you have a complaint please let us know as soon as possible. It is not necessary to involve solicitors in order to make your complaint but you are free to do so if you wish.
2. Please note that the Legal Ombudsman, the independent complaints body for service complaints about lawyers, has time limits in which a complaint must be raised with them. From 1st April 2023, the time limits for referring a complaint to the Legal Ombudsman will be no later than:
  - One year from the date of the act or omission being complained about; or
  - One year from the date that the complainant should have realised that there was cause for complaint; or
  - Within six months of the complaint receiving a final response from their lawyers, if that response complies with the requirements in rule 4.4 of the Scheme Rules (which requires the response to include prominently an explanation that the Legal Ombudsman was available if the complainant remained dissatisfied and the provision of full contact details for the Ombudsman and a warning that the complaint must be referred to them within six months)
3. The Ombudsman can extend the time limits to accept complaints in circumstances where they determine it to be fair and reasonable to do so. This is at the discretion of the Legal Ombudsman. Chambers must have regard to that timeframe when deciding whether they are able to investigate your complaint. Chambers therefore will not usually deal with complaints that fall outside of the Legal Ombudsman's time limits.
4. The Ombudsman will also only deal with complaints from clients. Non-clients who are not satisfied with the outcome of the investigation should contact the Bar Standards Board rather than the Legal Ombudsman.
5. 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 may be limited, and complaints of this nature are sometimes 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 our complaints process, Chambers will refer you to the Bar Standards Board.

## Complaints made by telephone

6. You may wish to make a complaint in writing and, if you do, follow the procedure at paragraph 8 below. However, if you would rather make a complaint by telephone, then please telephone the person nominated under Exchange Chambers' Complaints Procedure to deal with complaints, Jess

Best (Chambers Administrator, Liverpool). If the complaint is about a member of staff you should still telephone Jess Best, unless the complaint is about a senior member of staff in which case you should telephone Jonathan l'Anson (Chief Executive Officer). If your complaint concerns Jonathan l'Anson, you should contact the Head of Chambers, Will Waldron KC. The person you contact will make a note of the details of the complaint and what you would like done about it. They will discuss your concerns with you and aim to resolve them. If the matter is resolved they will record the outcome, check that you are satisfied with it and record that fact. You too may wish to record the outcome of the telephone discussion in writing.

7. If you are not satisfied, you will be invited to write to us about your complaint so we may investigate it formally.

### Complaints made in writing

8. If you wish to make a written complaint, please provide the following details:
  - Your name, telephone number, email and address;
  - The detail of your complaint; and
  - What you would like done about it.
9. Please address your letter to Jess Best, Chambers Administrator, Exchange Chambers, One Derby Square, Liverpool L2 9XX. We will, where possible, acknowledge your complaint within 48 hours and provide you with detail of how your complaint will be dealt with.
10. Exchange Chambers has a panel comprising experienced members of chambers and a senior member of staff, which considers any written complaint. Within 14 days of your letter being received, the head of the panel or their deputy in the head's absence will appoint a member of the panel to investigate it. If your complaint is against the head of the panel, the next most senior member will investigate it. In any case, the person appointed will be someone other than the person you are complaining about.
11. The person appointed will write to you as soon as possible to let you know they have been appointed and that they will reply to your complaint within 14 days. If it is not possible to reply within 14 days then a new date will be set of which you will be informed. The reply will set out:
  - The nature and scope of the investigation;
  - The conclusion on each complaint and the basis for that conclusion; and
  - If they find that you are justified in your complaint, their proposals for resolving the complaint.

### Confidentiality

12. All conversations and documents relating to the complaint will be treated as confidential and will be disclosed only to the extent necessary. Disclosure will be to the Head of Chambers, members of our Management Board and anyone involved in the complaint and its investigation. Such people will include the barrister or member of staff you have complained about, the Head or relevant senior member of the panel and the person who investigates your complaint. The Bar Standards Board is entitled to inspect the documents and seek information about the complaint when discharging its auditing and monitoring functions.

### Policy

13. As part of Exchange Chambers commitment to client care, we make a written record of any complaint and retain all documents and correspondence generated by a complaint for a period of six years. Our Management Board inspects an anonymised record at least annually with a view to improving services.

### ADR/Complaints to The Legal Ombudsman

14. If you are not happy with the outcome of your complaint and if both you and Exchange Chambers agree, it may be appropriate to try and resolve matters via alternative dispute resolution (“ADR”). We will set out whether we agree to ADR and if appropriate provide you in writing with the name and address of an ADR approved body (such as ProMediate or Small Claims Mediation).

15. If you are unhappy with the outcome of our investigation and you fall within their jurisdiction, you may take up your complaint with the Legal Ombudsman (the independent complaints body for complaints about lawyers) within 6 months of the determination of your complaint by Chambers. The Ombudsman is not able to consider your complaint until it has first been investigated by Chambers. Please note the timeframe for referral of complaints to the Ombudsman as set out at paragraph 2 above.

You can write to them at:

#### **Legal Ombudsman**

PO Box 6806

Wolverhampton

WV1 9WJ

Telephone: 0300 555 0333

Email: [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk)

Website: [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk)

16. If you are not a client and are unhappy with the outcome of the investigation, then please contact the Bar Standards Board at:

### **Bar Standards Board**

Professional Misconduct Department

289-293 High Holborn

London

WC1V7JZ

Telephone: 0207 611 1444

Website: [www.barstandardsboard.org.uk](http://www.barstandardsboard.org.uk)

17. In the case of a complaint concerning a mediation conducted by a member of chambers who is mediator registered by the Civil Mediation Council (CMC), a complainant who is dissatisfied with the investigation can appeal to the CMC on certain grounds. Details of the CMC's appeal process can be found here: <https://civilmediation.org/for-the-public/complaints/>