

THREE NEW SQUARE

Complaints Procedure¹

1. Members of chambers aim to give you a good service at all times. However if you have a complaint you are invited to 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 should you wish.
2. Please note that the Legal Ombudsman, the independent complaints body for service complaints about lawyers, has a twelve-month time limit from the date of the act or omission about which you are complaining within which to make your complaint. Chambers must therefore have regard to that timeframe when deciding whether they are able to investigate your complaint. Chambers will not deal with complaints that fall outside of the twelve month time limit.

Is the Complaint one that is Intended to Activate the 3 New Square Complaints Procedure?

3. It is hard to define the term “complaint” in an all-encompassing way that allows for all the many possible types of grievance that could occur. Some complaints are not intended (or not yet intended) to activate formal mechanisms for their resolution. Often the best way of resolving complaints is simply to speak directly to the person concerned and put the point to them. You are at liberty to do this without risk of activating this procedure.
4. To help distinguish between which kind of complaint you are making, please specify whether or not you are making a complaint that is seeking to activate the 3 New Square Complaints Procedure.

Complaints Made by Telephone

5. 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:
 - (a) telephone the barrister concerned with the matter (whether the complaint is about the barrister or the staff acting on his behalf) and tell them at the start of the call that you are seeking to activate the 3 New Square Complaints Procedure, or
 - (b) if (highly exceptionally) there is any doubt as to who to contact, please telephone chambers on 0207 405 1111 and they will direct you to the relevant barrister. Please also state at the start of the call that you are seeking to activate the 3 New Square Complaints Procedure.

The person you speak to as a result of (a) or (b) above will pass your contact details on to one or more senior member(s) of Chambers and/or staff who are in a position to deal with your complaint (“the Appointed Person(s)”) and will ask them to return your call within 2 working days. The Appointed Person(s) will not include any person you are complaining about.

6. The Appointed Person(s) will call you and make a note of the details of your 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 the outcome and record that you are satisfied. You may also wish to record the outcome of the telephone discussion in writing.

¹ Based on one of the Bar Standards Board’s model complaints procedures.

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

Complaints made in Writing

8. Please give the following details:
 - (a) Your name and address and the name and address of the client(s) on whose behalf you are writing (if different); and
 - (b) Which member(s) of Chambers or staff you are complaining about;
 - (c) Whether or not you are seeking to activate the 3 New Square Complaints Procedure.
 - (d) The detail of the complaint and
 - (e) What you would like done about it.
9. Please address your letter to:
 - (a) If you have followed the telephone procedure in paragraphs 5-7 above AND are writing within 14 days in accordance with paragraph 7, the Appointed Person(s).
 - (b) If you have not first followed the telephone procedure in paragraphs 5-7 above OR have followed the telephone procedure but are not writing within 14 days in accordance with paragraph 7, then:
 - (i) please address your letter to the barrister concerned with the matter (whether the complaint is about the barrister or the staff acting on his behalf) or
 - (ii) if (highly exceptionally) there is any doubt as to who to address your letter to, please telephone chambers on 0207 405 1111 and they will assist you to obtain the name of the relevant barrister to whom you should address your complaint. Please also state at the start of the call that you are seeking to activate the 3 New Square Complaints Procedure.

In all cases, clearly mark both the letter and the envelope "Complaints Procedure" and address it to 3 New Square, Lincoln's Inn, London. WC2A 3RS. We shall where possible, acknowledge receipt of your complaint within two working days and provide you with details of how your complaint will be dealt with. **Please note that we do not accept complaints by e-mail, unless you have first spoken to the person identified in 9(a) or (b) above and they have specifically agreed to receive the complaint in this way.**

10. If you have not first followed the telephone procedure outlined in paragraphs 5-7 above (or are not writing within 14 days in accordance with paragraph 7 above), the person receiving the letter as a result of 9(b)(i) or (ii) above will pass your contact details on to one or more senior members of Chambers and/or staff who are in a position to deal with your complaint ("the Appointed Person(s)"). The Appointed Person(s) will not include any person you are complaining about.
11. The Appointed Person(s) will write to you as soon as possible to let you know they have been appointed and that they will aim to reply to your complaint within 14 days. If they find (either at this stage or later on) that they are not going to be able to reply within 14 days they will set a new date for their reply and inform you. Their reply will set out:
 - The nature and scope of their investigation;
 - Their conclusion on each complaint and the basis for their conclusion; and
 - If they find that you are justified in your complaint, their proposals for resolving the complaint.

Confidentiality

12. All confidential conversations and documents relating to a complaint that has activated the 3 New Square Complaints Procedure will be treated with an appropriate level of confidentiality and will be disclosed only to the extent that is necessary for (a) the investigation and/or resolution of the complaint and/or (b) internal Chambers review for the purposes of improving practice and/or (c) complying with requests from the Bar Standards Board in the exercise of its monitoring and/or auditing functions. For the avoidance of doubt, the person complained about may need to disclose information in order to obtain advice, notify insurers or do other acts necessary in order to protect their position and the foregoing shall not be construed as restricting their rights to do so in any way.

Records

13. As part of our commitment to client care we make a written record of any complaint that has activated the 3 New Square Complaints Procedure and retain relevant documents and correspondence generated by the complaint for a period of six years. Our management committee inspects an anonymised record regularly with a view to improving services.

This Policy

14. This policy is amended from time to time, please check the Chambers website (www.3newsquare.co.uk) for the latest version of the policy.

Complaints to the Legal Ombudsman

15. If you are 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 not able to consider your complaint until it has first been investigated by Chambers. Please note that the Legal Ombudsman has a twelve-month time limit from the date of the act or omission about which you are complaining within which to make your complaint. You can write to them at:

Legal Ombudsman
PO Box 15870,
Birmingham
B30 9EB

Telephone number: 0300 555 0333
Email: enquiries@legalombudsman.org.uk

12th January 2011