COMPLAINTS PROCEDURE AND POLICY

1. Whilst we strive to maintain high standards of service, there may be occasions when there arises dissatisfaction with the service provided by a barrister or by Chambers' administration. In the event of a complaint we invite the complainant to bring the matter to the attention of Chambers as soon as possible, and the complainant will be provided with a copy of this policy and details of Bar Standards Board and, if applicable, the Legal Ombudsman, complaints processes.

2. We regret that this document has to be rather formal. This is necessary so that we can fulfil the obligations we have from regulation both as to professional conduct and as to insurance. We will try to deal with complaints efficiently and helpfully.

3. It is not necessary to involve solicitors in order to make a complaint but complainants are welcome to do so if they so wish.

4. We have mentioned above the Legal Ombudsman and the Bar Standards Board.

    a. The Legal Ombudsman service is available to clients who are individuals, and to some other clients. (The full list of clients to whom it is available is given at the end of this document, in paragraph 32.) The Legal Ombudsman normally requires that a client should use the Chambers complaints procedure before making a complaint to the Legal Ombudsman.

    b. The Bar Standards Board can be approached by anyone.

What is a complaint? How will it be tackled?

5. A complaint is an expression of dissatisfaction, whether made orally or in writing, about the standard of service provided by a barrister or by Chambers' administration, where the complainant alleges that they have suffered, or may suffer, financial loss, distress, inconvenience or other detriment. General queries or requests for information will not normally be treated as complaints. Chambers will assess each matter on its own merits and will decide whether it falls within this complaints procedure.

6. This document sets out our policy on complaints and our procedure for handling them. We will, as far as necessary, have regard to applicable guidance issued from time to time by the Bar Standards Board. At the date of this document this is the "First Tier Complaints Arrangements and Handling Guidance as at June 2026". Note that the operation of our procedure is subject to any contrary direction, in any particular case, given by the Bar Mutual Indemnity Fund (BMIF) as set out at paragraph 20 below. (All practising barristers are obliged to insure with BMIF.)

7. Where a complaint raises issues of professional misconduct or professional negligence, Chambers will consider whether it also includes a service element. Any service element falling within this procedure will be considered under this policy, even where other aspects may need to be referred, reported or addressed separately.

8. Chambers distinguishes between informal feedback and a formal complaint. Where an expression of dissatisfaction meets the definition above, it will be treated and recorded as a complaint for the purposes of this policy.

9. Chambers will ensure that clear and accessible information about its complaints procedure is made available to clients, including:

    i) how to make a complaint
    ii) how the complaint will be handled
    iii) the relevant timescales
    iv) the right to escalate a complaint to the Legal Ombudsman where applicable.

This information is provided via Chambers' website. It will normally also be provided at the time of instruction/engagement (if not then, it will be provided as soon as reasonably practicable). If appropriate, it will also be provided at the conclusion of the matter.

10. Where appropriate, Chambers will consider reasonable adjustments or alternative formats to assist complainants, including where a complainant has a disability, is neurodivergent, is digitally excluded, or is otherwise in vulnerable circumstances.

11. A complainant will not be disadvantaged because they have made a complaint. Chambers will continue to act consistently with applicable professional obligations, including maintaining proper standards of work and, where applicable, acting in the client's best interests.

12. For each complaint the Head of Chambers appoints a panel as required ("the panel") to deal with formal written complaints.

13. If the complaint is against the Head of Chambers, the appointment of the panel shall be made by the next most senior King's Counsel on the Management Committee and the procedure and reporting process shall be construed and operated accordingly.

14. The panel shall be made up of not less than 3 experienced practitioners from different practice areas, including one King's Counsel, and the panel shall have power to co-opt other members as required. It will be chaired by the person appointed by the Head of Chambers, ("S1") or in their absence, the most senior other member ("S2"). The Head of Operations (or in the event of a complaint against them, the Senior Clerk) will provide administrative assistance.

First Stage

15. Where a client is dissatisfied with some aspect of the service provided by a barrister or by Chambers and wishes to make an informal complaint, in the first instance, they are invited to speak, or engage with the Senior Clerk, either by phone, video call, or other accessible communication methods tailored to the client's specific needs. If the client prefers they may make a formal complaint in writing (or other accessible methods of communication). This policy will in any event be sent to them, unless it has already been provided.

16. If the complainant is not a client, in the first instance, they are invited to speak, or engage with the Senior Clerk, either by phone or other accessible communication methods. If the person prefers they may make a formal complaint in writing (or other accessible methods of communication) and this policy will in any event be sent to them, unless it has already been provided. Please note that, as indicated in the Bar Standards Board's "First Tier Complaints Arrangements and Handling Guidance" current at June 2026, not all complaints by non-clients can be dealt with by Chambers: whether or how far, a particular complaint can be dealt with by Chambers will be considered on a case-by-case basis. Therefore, the panel will make an initial assessment of the complaint and, if it concludes that some or all of the issues raised cannot appropriately be dealt with through our complaints process, it will, inform the complainant and, where appropriate, refer the complainant to the Bar Standards Board.

17. In circumstances where any complaint is made, or dealt with by telephone or video call, a note of the complaint shall be made recording:

    i) the name and address of the complainant;
    ii) the date of the complaint;
    iii) against whom the complaint is made;
    iv) the detail of the complaint;
    v) what the complainant believes should be done about their complaint.

    In many cases the complaint will be resolved over the telephone, video call etc during the first engagement. When that occurs the person dealing with the complaint will also record the outcome on the note of complaint. The complainant will be asked whether they are content with the outcome and informed of the Legal Ombudsman's complaints procedure, and any rights they may have to escalate their complaint to the Legal Ombudsman. If they are content, that fact will also be recorded. The person dealing with the complaint should suggest that the complainant may wish to make their own note. If the complainant is not content they will be invited to put the complaint formally in writing (or in a format that is suited to the client's communication needs) so that it may be investigated by the panel. At that stage they will be sent a copy of this policy, unless it has already been provided. The complainant will also be informed that they may complain to the Bar Standards Board and, if a client, and/or to the Legal Ombudsman as well as, or instead of, to the panel. Any client complainant shall also be

informed of the availability of alternative dispute resolution (ADR) through independent providers, should both parties agree to the use of ADR.

Second Stage

18. All formal written complaints (other than those resolved at the first stage) shall be put before S1 or, in their absence, S2 as soon as practicable after they are received.

19. Such complaints shall normally be dealt with as follows:

    i) Within 2 working days of receipt by Chambers the Senior Clerk or S1/S2 will dispatch an acknowledgment of receipt and inform the complainant that the Chambers Complaints Procedure is being followed.

    ii) Unless otherwise agreed with the complainant, communication between the panel and the complainant will take place by e-mail.

    iii) Within 14 days of acknowledgement of receipt the panel is to confer as to how to investigate and report within, if possible, a further 14 days and, if that is not possible, to set a realistic but short timetable for the investigation of the complaint.

    iv) Immediately thereafter the complainant will be informed that the panel will complete its investigation and prepare its report within 14 days or such other period as has been set by the panel.

    v) The panel will then identify the ambit of investigation and investigate the complaint. The investigation may include speaking to the barrister/member of staff complained of, and any other people identified as having something to contribute, reviewing all relevant documents and if necessary reverting to the complainant for further information and clarification.

    vi) Chambers will keep the complainant informed of progress, including where further information is required or where there is any delay.

    vii) If adherence to the timetable is impossible the complainant shall be informed accordingly together with the new anticipated date for completing the report. An

extension of the timetable shall be avoided wherever possible. Communications will be clear, professional and in plain language. The panel will maintain confidentiality as set out below.

viii) The panel shall prepare a report to the complainant (with a copy for the barrister/member of staff complained against and the Head of Chambers). The report shall set out all the matters complained of, the nature and scope of the investigations carried out in respect of each complaint, the conclusions and the basis thereof. Where a complaint is found to be justified, proposals for resolution (e.g. reduction in fees, apology, compensation) will be included if possible. Reference to the Legal Ombudsman, an ADR body (if appropriate) and the Bar Standards Board's complaints procedures shall also be included.

ix) A final response from Chambers/the panel will be provided within eight weeks of the initial complaint unless an extension is agreed in writing by the complainant.

Bar Mutual Indemnity Fund

20. Where a complaint raises an allegation of negligence the Bar Mutual Indemnity Fund shall be informed immediately. Further, the BMIF shall be consulted before any proposals for resolution are made to the client. The panel is to comply with any direction provided by the BMIF.

Confidentiality

21. All investigations, conversations and documents relating to a complaint shall be treated as confidential save to the extent that disclosure is considered reasonably necessary by the panel or the Head of Chambers. Disclosure may, if necessary, be made to the Chambers Management Committee, anyone involved in the complaint and its investigation (including the panel, the barrister or member of staff complained about, the complainant and any other individual of whom enquiries need to be made for the purpose of the investigation) and the BMIF, if appropriate.

Notification by Members of Chambers

22. Any member, door tenant, probationary tenant or pupil who receives a complaint relating to work undertaken through Chambers, including public access work, must notify the Senior Clerk and Head of Operations promptly so that the complaint can be recorded and, where appropriate, handled or reported in accordance with this policy and applicable BSB requirements. Where a barrister practises from more than one chambers, they are responsible for ensuring that the relevant chambers is made aware of any complaint relating to work undertaken through that chambers.

Record Keeping and Complaints Data

23. Chambers will maintain a central confidential Complaints File. A record must be kept of each complaint, all steps taken in response to it, and the outcome.

24. Where the procedure ends after the First Stage the person responsible for recording the outcome shall ensure that the note of complaint is placed on the Chambers' Complaints File.

25. Where the procedure ends after the Second Stage the panel shall ensure that the following documents are placed on the Chambers' complaints file:

    i) The note or letter of complaint;
    ii) the panel report;
    iii) all communications to and from the complainant
    iv) all communications to and from the barrister or member of staff complained about; and
    v) any other documents considered relevant by the panel.

26. Chambers will also record complaints information in a structured format to enable compliance with BSB first-tier complaints data requirements. This may include, where applicable, the date received, date acknowledged, funding type, classification of instruction, area of law, complaint category or reason, whether BMIF advice was sought, closure details, outcome, any remedy or resolution, and whether the complaint was resolved to the client's satisfaction.

27. Chambers will submit complaints data to the Bar Standards Board in the manner and at the intervals required by the BSB from time to time.

28. As part of our commitment to client care we retain all documents and correspondence generated by the complaint for a period of six years.

Review of Records

29. The Chambers' Complaints File shall be inspected and reviewed regularly by the Head of Chambers, with support from the Head of Operations, to identify any trends, recurring issues, training needs, or improvements to Chambers' administration or service standards. Where appropriate, feedback may be provided to individual barristers, clerks or staff, while maintaining confidentiality as required.

Complaints to the Legal Ombudsman

30. Complaints from clients about the service provided to them may be taken to The Legal Ombudsman. Before this service can be addressed, the complaint must first have been considered within the Chambers internal complaints system, and the client can then go to the Ombudsman if dissatisfied with Hailsham Chambers' response.

31. From April 2023 the time limits are:

    i) The complainant must refer the complaint to the Legal Ombudsman no later than one year from the act/omission, or one year from when the complainant should reasonably have known there was cause for complaint.

    ii) The complainant must also refer the complaint to the Legal Ombudsman within six months of the complaint receiving a final response from their lawyer, 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).

iii) A client is entitled to take their complaint to the Legal Ombudsman if they do not receive a final response from Chambers/the panel within eight weeks of their initial complaint.

32. Those clients who are able to complain to the Legal Ombudsman are as follows:

a) Individuals;

b) Businesses or enterprises that are micro-enterprises within the meaning of Article 1 and Article 2(1) and (3) of the Annex to Commission Recommendation 2003/361/EC (broadly, businesses or enterprises with fewer than 10 employees and turnover or assets not exceeding €2 million);

c) Charities with an annual income net of tax of less than £1 million;

d) Clubs, associations or organisations, the affairs of which are managed by its members or a committee of its members, with an annual income net of tax of less than £1 million;

e) Trustees of trusts with an asset value of less than £1 million; and

f) Personal representatives or beneficiaries of the estates of persons who, before they died, had not referred the complaint to the Legal Ombudsman.

33. You can write to the Legal Ombudsman at: *Legal Ombudsman PO Box 6167, Slough, SL1 0EH*

Telephone number: 0300 555 0333

Email: enquiries@legalombudsman.org.uk

More information about the Legal Ombudsman is available on their website: http://www.legalombudsman.org.uk

Alternative Dispute Resolution

34. If you are unhappy with the outcome of the investigation, alternative complaints bodies as approved by the Chartered Trading Standards Institute also exist which are competent to deal with complaints about legal services, should you and the barrister both wish to use such a scheme. If you wish to use your chosen ADR provider, please contact us to discuss this, including time limits for contacting your chosen ADR provider. Please also note that if mediation is used, neither you nor the barrister is required to accept the proposed resolution. If mediation does not resolve the complaint, you may still make a complaint to the Legal Ombudsman (provided you fall within their jurisdiction and you do so within the time limit).

Bar Standards Board

35. If you are unhappy with the outcome of the investigation complaints may be made to the Bar Standards Board at: *Bar Standards Board Contact and Assessment Team 289-293 High Holborn London WC1V 7JZ*

    Telephone number: 0207 6111 444

    Website: www.barstandardsboard.org.uk

Review of Policy

36. The Head of Operations shall be responsible for (i) monitoring compliance with this Policy, and (ii) carrying out a review of this Policy every year to ensure its adequacy and compliance with the relevant legislation.

History

37. Version 1 – Reviewed by NDKC 20201206
38. Version 2 - Reviewed by CA, HOO 20251215
39. Version 2.1 – Reviewed by NDKC 20260107
40. Version 3 – Reviewed by NDKC 20260115
41. Version 3.1 - Reviewed by CA, HOO 20260724
42. Version 3.2 prepared by ND KC 20261006