



Complaints Policy and Procedures Document

1. Introduction

1.1 As a chambers, we are committed to providing a high quality legal service and to dealing with all our clients fairly. However, sometimes we may not get it right so if something has gone wrong, including in relation to a bill, we ask that our clients tell us. We want to work with our clients. Sometimes the best relationships, and the best service, comes from being allowed to put right what is perceived as being wrong.

1.2 Section D1.1 (Complaints Rules) of the BSB Handbook Code of Conduct describes how we should handle complaints thereby ensuring that we maintain a high standard of client care as well as meeting regulatory obligations. This Anvil Chambers Complaints Policy and Procedure works in conjunction with Section D1.1.

1.3 Fundamentally, it is vital that we handle complaints promptly, fairly, openly and effectively. Where issues arise, we must learn from them for the benefit of our clients.

2. Information to clients

2.1 We must inform public access clients in writing at the outset of a matter of:

- their right to complain (including about a bill);
- how complaints can be made;
- their right to complain to the Legal Ombudsman, the time frame for doing so and full details of how to contact the Legal Ombudsman; and
- the circumstances in which they may be liable to pay interest on an unpaid bill

2.2 Where we are providing public access work using an intermediary then we will inform the intermediary of the information referred to at 2.1 as well.

2.3 If we are doing referral work we must also make the lay client aware that he/she/they may complain directly to us without going through their solicitors.

2.4 The information referred to in paragraphs 2.1, 2.2 and 2.3 above should be covered within the acceptance of instructions and terms of business.

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2.5 In the case of a complaint against a CMC registered mediator then this should be made to

<https://civilmediation.org/for-the-public/complaints/>

3. Recording complaints

3.1 Complaints are normally handled by Resolve Legal an outsourced complaints handling company (“the Complaints Handler”). The details of any complaint will be entered into the Complaints Register under a unique complaint number.

3.2 Throughout the internal review process of the complaint the Complaints Handler will also document:

- any investigative steps taken
- minutes of any meetings internally and/or with the complainant
 - references to any documents relied on for resolving the complaint (e.g. letters, Attendance notes, etc.)

3.3 These documents will be kept confidential and will be kept for seven years. They will only be disclosed if required for internal review processes or for compliance with a request from the Bar Standards Board.

4. Acknowledging Complaints

4.1 The Senior Clerk will acknowledge complaints in writing to the complainant within five working days, enclosing a copy of this Complaints Policy and Procedures Document.

5. Preliminary assessment

5.1 The Complaints Handler will consider each complaint objectively.

5.2 This stage involves three steps:

- Itemising the issues in order to understand the complaint fully;
- Considering the complexity and seriousness of the complaint and
- Identifying any remedies sought by the complainant and considering the remedies available and/or appropriate.

6. Taking action

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6.1 Any action will depend on the conclusions drawn from the preliminary assessment.

6.2 Generally the Complaints Handler will:

- investigate the complaint
- obtain feedback from relevant people
- liaise with the Member of Chambers involved
- provide a response to the complainant

6.3 The level and extent of the investigations will be proportionate to the seriousness of the complaint.

6.4 Both the client and others involved in the complaint will be given the opportunity to provide their account of the situation and respond to points raised.

6.5 The Complaints Handler will respond to the complainant promptly with any decision or proposed action. We will *aim* to do this within 15 working days of receiving the full details of the complaint from the client. If there is a delay the Complaints Handler will write to the complainant to explain the reasons.

6.6 The Complaints Handler's response will:

- re-state the details of the complaint;
- outline the investigations undertaken;
- state our findings resulting from the investigations;
- offer a remedy or explain why we do not think it is appropriate to do so;
- explain how to accept the proposed remedy; and
- inform the client of their right to complain to the Legal Ombudsman if they remain unsatisfied, the time frame for doing so and full details of how to contact the Legal Ombudsman.

6.7 The Complaint Handler's decision will be recorded in the Chambers Complaints file.

7. Confidentiality

7.1 As with all client matters we will treat complaints, and any information received during the course of dealing with complaints, with utmost confidentiality.

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8. Vulnerable clients

8.1 Our complaints handling procedure is sensitive to individual differences and needs of our clients.

9. Review

9.1 The Management Committee will review all complaints annually identifying any trends or issues that need to be addressed with individual members or Chambers generally.

10. Legal Ombudsman

10.1 If the Complaints Handler (on behalf of Chambers) is unable to resolve the complaint with a client then the client, can have their complaint referred to the independent Legal Ombudsman.

Before accepting a complaint for investigation the Legal Ombudsman will check that the client has tried to resolve their complaint with Chambers first. Any complaint must be taken to the Legal Ombudsman:

- Within six months of receiving a final response to their complaint from the Chambers' Complaints Handler; and
- Six years from the date of act/omission; or
- Three years from when the client should reasonably have known there was cause for complaint.

The Legal Ombudsman can be contacted as set out below:

Visit www.legalombudsman.org.uk

Call 0300 555 0333 between 10am to 4pm. For minicom call 0300 555 1777

Email enquiries@legalombudsman.org.uk

Legal Ombudsman,

PO Box 6167,

Slough,

SL1 0EH.

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