



# Four Brick Court

## FOUR BRICK COURT

### APPENDIX 12(a) COMPLAINTS PROCEDURE

#### **12.1. Complaints Procedure**

Definition of a complaint:

A complaint is defined as an expression of dissatisfaction, orally or in writing, made to the person(s) nominated as being responsible for client care by Chambers. This will normally be the Practice Manager / Managing Clerk and / or Head of Chambers. Any barrister or member of staff receiving a complaint should forward the letter or a written note of an oral complaint to the Practice Manager. The complainant will then be sent details of the procedure.

**12.1.1.** The Practice Manager will keep a record of every complaint by completing the Complaints Record.

**12.1.2.** A file will be opened by the Practice Manager for each complaint received. The file will contain the complaints form and any correspondence/information relating to it.

**12.1.3.** The Practice Manager will notify the complainant, and the subject of the complaint, within seven days of receipt, that the complaint is under investigation and also give the complainant a date by which the next contact will take place. This would normally be within 14 days.

**12.1.4.** The Practice Manager will refer the complaint to the Head of Chambers who will normally consider the matter at the earliest opportunity. If deemed appropriate the Head of Chambers will either investigate or appoint a panel that will commence an investigation. This will include giving all relevant people the opportunity to provide information concerning the circumstances of the complaint including allowing the subject of the complaint to provide a response to it.

**12.1.5.** In the event that the Management Committee conclude that an investigation is not appropriate following referral by the Practice Manager a designated member of the Management Committee shall inform the complainant in writing giving clear reasons for the

decision.

**12.1.6.** If an investigation is pursued then upon its conclusion a designated member of the Management Committee will then take one of the following steps:-

- Inform the complainant that the complaint has been investigated and found not to be justified, explaining why.
- Inform the complainant that the complaint has been investigated and found to be justified and either explain the remedial action and any form of compensation to be offered, or,
- Refer the matter to the Head of Chambers for resolution with the complainant and explain to the complainant their right to bring the matter to the attention of the Bar Council's Complaints Commissioner.

**12.1.7.** Where a complaint alleges negligence or a potential claim against professional indemnity insurance (Bar Mutual Indemnity Fund) the insurers must be informed immediately. Further the insurers should be consulted before proposals for resolution are made to the client.

**12.1.8.** In consultation with the Head of Chambers, the Chambers Finance and Management Committees and the Managing Clerk / Practice Manager, Chambers will decide upon and implement any necessary changes in procedures or take other appropriate steps to reduce the possibility of a similar complaint arising again.

**12.1.9.** The complaint file will be retained for a period of three years from the date of closure in the event that the complainant refers the complaint to the Bar Council and also for consideration at staff performance reviews where appropriate.

**12.1.10.** The Management Committee reviews Chambers Client Care and Complaints procedures regularly as well as annually at the AGM. This includes looking at actual complaints received, deciding if action taken as an outcome was effective, and also identifying any trends. [See also Section 10.2. Management Review].

## **12.2. Confidentiality**

All conversations and documents shall be confidential and disclosed only to the extent necessary. They may be disclosed only to the client, the person complained about, the Head of Chambers, Managing Clerk, Practice Manager, the Management Committee, and any other individuals with whom enquiries need be made for the purpose of the investigation.

## **12.3. Other Client Feedback**

**12.3.1.** In addition to complaints, feedback on Chambers operations will also be gathered from clients at the completion of the matter and a Chambers form submitted to them. The responses to the questionnaire are analysed at the monthly meeting of the Management Committee. Feedback is also gathered during meetings of the Clerks' room. In addition to the Staff Meetings, which are convened each quarter, the Managing Clerk has regular daily meetings with the diary clerks. These meetings are held in order to: -

Discuss forthcoming work;

Identify potential problems and decide how to pre-empt them where possible;

Report on client feedback, positive or negative.

**12.3.2.** Everyone associated with Chambers has a responsibility for ensuring that significant client feedback is effectively communicated to either the Head of Chambers or Managing Clerk / Practice Manager as relevant.

## **4 BRICK COURT CHAMBERS**

### **APPENDIX 12(b)**

#### **CHAMBER'S COMPLAINTS PROCEDURE**

1. Our aim is to give you a good service at all times. If you have a complaint you are invited to inform us as soon as possible.

#### **Complaints made by Telephone**

You may wish to make a complaint in writing if so please follow the procedure in paragraph 4 below. If you would rather speak about your complaint then please telephone the barrister concerned or (if the complaint is about a member of staff) the Practice Manager. If the complaint is about either the Practice Manager or the Managing Clerk, telephone the Head of Chambers - Janet Mitchell. The person you contact will make a note of the following details.

Your complaint

What you would like done about it.

They will discuss your concerns with you and aim to resolve them.

If the matter is resolved, the outcome will be recorded, checked that you are satisfied with the outcome and then record that you are satisfied. You may also wish to record the outcome of the telephone discussion in writing.

3. If your complaint is not resolved on the telephone you should write to us within 14 days so that it can be investigated formally.

#### **Complaints made in Writing**

Please give the following details and send your letter to the Practice Manager at the above address.

Your name and address,

Which member(s) of chambers you are complaining about;

The detail of the complaint;

What you would like done about it.

5. 4 Brick Court has a panel headed by Janet Mitchell and made up of 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 or her deputy will appoint a member of the panel (other than the person you are complaining about) to investigate it. If your complaint is against the head of the panel the next most senior member of the panel will investigate it.

6. The person appointed to investigate will reply to your complaint within 14 days or will otherwise inform you of an alternative date. The reply will set out:

The nature and scope of the investigation;

The basis for their conclusion on each complaint;  
If you are justified, the proposals for resolving the complaint.

### **Confidentiality**

7. All conversations and documents relating to the complaint will be treated as confidential. Disclosure will be to the Head of Chambers, members of the Management Committee and to anyone involved in the complaint and its investigation. Such people will include the barrister member or staff who you have complained about, the head or relevant senior member of the panel and the person who investigates the complaint.

### **Our Policy**

8. As part of our commitment to client care we make a written record of any complaint. The Management Committee inspects the record regularly with a view to improving services.

### **Complaints to the Bar Council (professional body for barristers)**

9. If you are unhappy with the results of our investigation and you wish to contact the Legal Ombudsman or the Bar Standards Board please find the contact details.

If you are a client of a 4 Brick Court barrister and unhappy with the outcome of the 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. As stated above, the Legal 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 him at:-

The Office of the Legal Ombudsman,  
PO Box 15870,  
Birmingham B30 9EB.  
Tel: 0300 555 033  
Website: [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk)

If you are not the 4 Brick Court 's barrister's client and are unhappy with the outcome of our investigation then please contact the Bar Standards Board at:-

Bar Standards Board  
Professional Conduct Department  
289-293 High Holborn  
London WC1V 7JZ.  
Tel: 0207 611 1444  
Website: [www.barstandardsboard.org.uk](http://www.barstandardsboard.org.uk)