



Serle Court complaints procedure

LAST REVISED	May 2023
NEXT REVISION	May 2026
RESPONSIBLE	KP

1. Our aim is 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. Under this policy Serle Court (referred to in this policy as “Chambers”) will investigate complaints about the service given by barristers, mediators and members of staff of Chambers.
3. Your complaint will be treated seriously in accordance with the procedures set out in this policy.
4. 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. The time limits are:
 - a) The act or omission, or when the complainant should reasonably have known there was cause for complaint, must have been after 5 October 2010; and
 - b) The complainant must refer the complaint to the Legal Ombudsman no later than one year from the act/omission, or the date by which the complainant should reasonably have known there was cause for complaint.
 - c) 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 Legal Ombudsman 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).
5. Chambers must have regard to that timeframe when deciding whether they are able to investigate your complaint. Chambers will not therefore usually deal with complaints that fall outside of the Legal Ombudsman's time limits. The Ombudsman can extend the time limit where it is fair and reasonable for them to do so, and to the extent that they consider fair.
6. The Ombudsman will also only deal with complaints from consumers. This means that only complaints from the barrister's client (directly or indirectly) are within their jurisdiction. Non-clients who are not satisfied with the outcome of the investigation by Chambers should contact the BSB rather than the Legal Ombudsman. The service complaints covered by this complaints policy are those complaints which fall within the jurisdiction of the Legal Ombudsman.
7. It should be noted that it may not always be possible for Chambers to investigate a complaint brought by a non-client. This is because the ability of chambers to satisfactorily investigate and resolve such matters is limited and complaints of this nature are often better suited to the disciplinary processes maintained by the BSB. Therefore, Chambers will make an initial assessment of the complaint and if they feel that the issues raised cannot be satisfactorily resolved through the Chambers complaints process they will refer you to the BSB. The address of the BSB is set out at the end of this policy.



8. Complaints of negligence or professional misconduct by barristers who are members of Chambers are not within the parameters of this complaints policy. However, if there is a complaint which falls within this policy but also raises issues of negligence or professional misconduct the service aspect will be dealt with under this policy. If there are reasonable grounds for believing that there has been reportable misconduct under the Code of Conduct, the investigating persons will come under a duty to and will report that misconduct to the Bar Standards Board.

Complaints made by telephone

9. You may wish to make a complaint in writing and, if so, please follow the procedure in paragraph 11 below. However, if you would rather speak on the telephone about your complaint, then please telephone the Head of Chambers, Elizabeth Jones Q.C. if the complaint is about a barrister, or if the complaint is about a member of staff please telephone the Chambers Director, Kathryn Purkis. Both can be contacted on 020 7242 6105. The person you contact will make a note of the details of your complaint and what you would like to have 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.
10. If your complaint is not resolved on the telephone you will be invited to write to us about it, so it can be investigated formally.

Complaints Made in Writing

11. Please give the following details:

- Your name and address;
- Which member(s) of chambers or staff you are complaining about;
- The detail of the complaint; and
- What you would like done about it.

12. Please address your letter to:

Elizabeth Jones Q.C.
Serle Court, 6 New Square, Lincoln's Inn, London WC2A 3QS.

We will, where possible, acknowledge receipt of your complaint within two days and provide you with details of how your complaint will be dealt with.

13. Our chambers has a panel headed by Elizabeth Jones Q.C. and made up of experienced members of chambers and the Chambers Director, which considers any written complaint. Your complaint will be acknowledged promptly. Within 14 days of your letter being received the head of the panel (or their deputy in their absence) will appoint a member or members of the panel to investigate it. If your complaint is against the head of the panel, the next most senior member of the panel will investigate it. In any case, the person appointed will be someone other than the person you are complaining about.
14. The person appointed to investigate will write to you as soon as possible to let you know they have been appointed and when they expect to be able to respond to you. The response will be within 14 days if possible. If they discover that they cannot respond by the date given then they will write to you to tell you the revised date for a response.



15. Any person or persons against whom the complaint is made shall be given a proper opportunity to respond to the complaint, to put his or her side of the story, and to make representations within a time set by the person investigating the complaint with a maximum of 21 days.
16. Within 6 weeks of the receipt of your complaint the person appointed to investigate will deliver a written response to you if possible and in any event, a complaint must be resolved within 8 weeks of that complaint being made. The written response 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. Such proposals will be proportionate to the level of poor service.

Confidentiality

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

Records of complaints

18. As part of our commitment to client care we make a written record of any complaint and retain all 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.

Options following investigation

19. If you are unhappy with the outcome of our investigation you have a number of options open to you:
- The Legal Ombudsman
 - Alternative Dispute Resolution
 - The Bar Standards Board.

Further information is set out below.

Legal Ombudsman

20. If you fall within their jurisdiction 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 the timeframe for referral of complaints to the Ombudsman as set out at paragraph 4 above.

21. 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.

A complainant must not have been, at the time of the act/omission to which the complaint relates, a public body, or an authorised person (such as a solicitor) who procured the services complained about on behalf of someone else.

22. You can write to the Legal Ombudsman at: Legal Ombudsman PO Box 6806, Wolverhampton WV1 9WJ
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/>

23. The Legal Ombudsman publishes data on all complaints that have been resolved by an ombudsman's final decision. To view case summaries and information relating to final decisions made, you may visit the following link: <https://www.legalombudsman.org.uk/information-centre/data-centre/ombudsman-decision-data/>

Alternative dispute resolution

24. Alternative dispute resolution bodies (such as Promediate) 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 mediation, please contact us to discuss this. 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

25. The Bar Standards Board can be contacted 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