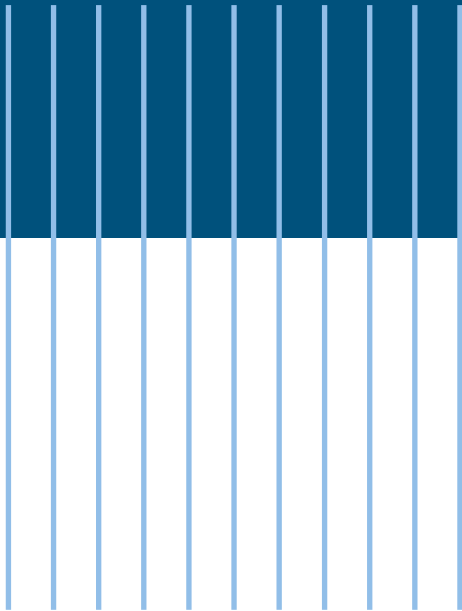


Complaints Procedure

V5.4 – 10.09.2024



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. The complaint may be against any member, employee or pupil of St Mary's.

It is not necessary to involve solicitors in order to make your complaint but you are free to do so should you wish. Your complaint should be made initially to the Senior Clerk or (in his/her absence or if the complaint is against the Senior Clerk) the Head of Chambers, who will make a preliminary decision, if possible within three days of receipt of your complaint) as to whether the complaint may be dealt with satisfactorily in an informal manner or should be dealt with formally. He/ she will also make a written note of your complaint and what you want done about it. Your complaint will be acknowledged promptly, usually within three days of its receipt.

How to Complain

Please note that Chambers will normally only consider complaints that are raised within twelve months of the act or omission complained of.

Your complaint may be made by telephone or in writing.

Chambers' telephone number is 0115 9503503.

A complaint in writing should be sent to St Mary's, 32a Stoney Street, Nottingham NG1 1LL.

A written complaint should give the following details:

- Your name and address
- The name of the individual against whom the complaint is made
- Particulars of the complaint and
- What you would like done about it.

Upon receipt of your complaint the Senior Clerk or the Head of Chambers will discuss your complaint with you in order to decide whether it can be dealt with informally in an attempt to dispel any misunderstandings and ascertain whether speedy and informal resolution of the matter may be achieved in the interests of all parties. A full note will be kept of any discussions.

If either:

- the complaint is of such a nature that the informal approach is thought inappropriate or
- the complaint makes reference to any form of discrimination or
- 7 days elapses without satisfactory resolution (save that such period may be extended for good reason, in which case you will be informed of the reason) or
- you indicate that you wish your complaint to be dealt with formally or
- for any other reason it is thought better to institute the formal procedure

then the formal procedure set out below shall be adopted.

Formal procedure

Your complaint will be placed before the Head of the Chambers' Complaints panel (or, in his/her absence, the Deputy), who shall nominate a member of the Complaints Panel to investigate your complaint. The panel consists of the Head of panel, the Deputy, the Senior Clerk and at least three others. Where the complaint is against the Head of Panel, the Head of Chambers shall investigate or at his/her discretion appoint a member of the Panel to do so. No member of Chambers shall investigate a complaint of which he/she is the subject.

(i) Within 7 days of his/her nomination the appointed person will write to you informing you that he/she is the appointed person and that a report will be sent to you within 28 days.

(ii) If at any stage it becomes apparent that the report cannot reasonably be prepared within 28 days, you will be informed as soon as possible with reasons for the delay and with an alternative date for completion of the report. No report should take longer than 8 weeks from the initial complaint.

Unless otherwise agreed, the Nominated Panel Member will invite you to set out your complaint in writing (unless you have already done so), giving the following details:

- Your name and address
- The name of the person about whom you are complaining
- The detail of the complaint
- What you would like done about it.

The Nominated Panel Member shall investigate the complaint by:

- Communicating with the person against whom the complaint is made
- Communicating with any other person whom he/she identifies as having something to contribute
- Reviewing relevant documents so far as he/she finds it necessary and reasonable to do so
- Reverting to you for further information or clarification if necessary.

The Nominated Panel Member shall prepare a report, a copy of which shall be sent to you and given to the person against whom the complaint was made. The report shall set out:

- Your name and address
- The person against whom the complaint is made
- Particulars of the complaint
- What you believe should be done about the complaint
- The nature and scope of the investigations carried out in respect of the complaint
- The Nominated Panel Member's conclusions
- The basis of those conclusions
- Where a complaint is found to be justified, proposals for resolution.
- Information as to how the complaint might be pursued if you are not satisfied.

If the complaint is found to be justified, the Nominated Panel Member will try to agree with you as soon as possible an appropriate resolution. The steps which may be taken include:

- Advice to the person complained against
- Recommendation that the person complained against should write a letter of apology
- Waiver or reduction of any fee charged by the person complained against
- Reprimand by the Head of Chambers
- Consideration to review of a policy or procedure
- Reference to the Head of Chambers and/or Senior Clerk for consideration of further action.

If it appears at any stage that the matter can be dealt with appropriately without a formal written report, the Nominated Panel Member may do so. By agreement between you and the Nominated Panel Member, your complaint may be dealt with informally in some appropriate way. In these circumstances a full note will be kept of the discussions which have taken place and any agreement which has been reached.

If at any stage it appears to the Nominated Panel Member for good reason that this complaints procedure is not the appropriate way to deal with your complaint or that it is inappropriate to continue to deal with the complaint under this procedure he/she may decide to bring the procedure to an end and will write to you giving reasons for his/her decision together with details as to how you may pursue the complaint further.

All conversations and documents relating to the complaint will be treated as confidential and will be disclosed only to the extent necessary. Disclosure will be to the Head of Chambers, members of St Mary's Chambers' Management Committee and the Complaints Panel and anyone involved in the complaint and its investigation (so far as may be necessary), including the person complained against. The Legal Ombudsman is also entitled to inspect the documents and to seek further information about the compliant.

As part of our commitment to client care we make a written record of any formal complaint and retain all documents and correspondence generated by the complaint for a period of six years. Our Management Committee will inspect a record (anonymised where appropriate) regularly with a view to improving services.

Complaints to the Legal Ombudsman

We hope that you will use our procedure. However, if you would rather not do so or are unhappy with the outcome you may take up your complaint with the Legal Ombudsman at any time. Please note that the Legal Ombudsman generally 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.

Your can contact the Legal Ombudsman at:

PO Box 6167
Slough
SL1 0EH

Telephone: 0300 555 0333

Email: enquiries@legalombudsman.org.uk
Website: www.legalombudsman.org.uk