



cornerstone barristers

COMPLAINTS POLICY

Reviewed October 2019

Cornerstone Barristers Complaints Policy

1. Our aim is to provide our clients with the best possible service at all times. However, we recognise that on occasions you may find it necessary to raise a complaint about service. If you do, 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. Chambers will normally only consider complaints that are made within twelve months of the act of omission of which the complaint is made.
3. It may not always be possible 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 Bar Standards Board. Therefore, Chambers will make an initial assessment of the complaint and if we feel that the issues raised cannot be satisfactorily resolved through the Chambers complaints process we will refer you to the Bar Standards Board.

Complaints Made by Telephone

4. You may wish to make a complaint in writing, by letter or by email. If you do, please follow the procedure in paragraph 6 below. However, if you would rather speak on the telephone about your complaint then please telephone our CEO, Clare Bello on 020 7421 1819. This is the person designated under the Chambers Complaints Procedure to deal with telephone complaints if the complaint is about Ms Bello, please contact Philip Kolvin QC on 0207 242 4986. 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.
5. If your complaint is not resolved on the telephone you will be invited to write to us about it, within 14 days so it can be investigated formally.

Complaints Made in Writing

6. As indicated above, you may prefer to raise your complaint in writing either by letter or email. When writing, please ensure you give us the following details:

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

7. Please address your letter to Clare Bello, CEO, Cornerstone Barristers, 2-3 Gray's Inn Square, London, WC1R 5JH. Please send any email to cbello@cornerstonebarristers.com. If your complaint is about Ms Bello, please address your letter to Philip Kolvin QC at the same

address or email him at philipk@cornerstonebarristers.com. We will, where possible, acknowledge receipt of your complaint within two working days and provide you with details of how your complaint will be dealt with.

8. Our Chambers has a panel 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 by the CEO, she will appoint a member of the panel to investigate it. If your complaint is against the CEO, an alternative member of the panel will appoint a member of the panel will investigate it. In any case, the person appointed will be someone other than the person you are complaining about.

9. The person appointed to investigate will write to you as soon as possible to let you know they have been appointed and that they will reply to your complaint within 14 days. If they find later that they are not going to be able to reply within 14 days they will set a new date for their reply and inform you. Their reply 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.

Confidentiality

10. 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 Board 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. The Bar Standards Board is entitled to inspect the documents and seek information about the complaint when discharging its monitoring functions.

Our Policy

11. 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 ten years. Our management board inspects an anonymised record regularly with a view to improving services.

Complaints to the Legal Ombudsman

12. If you are unhappy with the outcome of our investigation and 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 below:

- 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 six years from the act/omission, or three years from when 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 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).

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.

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 here:

<http://www.legalombudsman.org.uk/>

Alternative Dispute Resolution

If you are unhappy with the outcome of the investigation, alternative complaints bodies, such as ProMediate <https://www.promediate.co.uk/> 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 ProMediate, please contact us to discuss this. Please also note that: (1) the time limit for contacting ProMediate is one year, and (2) 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).

Complaints to the Bar Standards Board

13. The Legal Ombudsman will also only deal with complaints from consumers. This means that only complaints from the barrister's client are within their jurisdiction. Non-clients who are not satisfied with the outcome of the Chambers' investigation should contact the Bar Standards Board rather than the Legal Ombudsman.

If you are not the 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

Telephone number: 0207 6111 444

Website: www.barstandardsboard.org.uk