

Document	Complaints Procedure
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1. INTRODUCTION

- 1.1 Our aim is to provide you with a good service at all times. However, should you have a complaint about the quality of the services you have received you are invited to let us know as soon as possible, in order for us to investigate your complaint.
- 1.2 It is not necessary to involve solicitors in order to make a complaint, however you are free to do so should you wish.
- 1.3 Chambers will make an initial assessment of the complaint upon receipt. If it deems that the issues raised cannot be satisfactorily resolved through the complaints procedure, you may be directed to external regulators (if appropriate).

2. SCOPE OF THE COMPLAINTS PROCEDURE

- 2.1 Chambers will endeavour to investigate fully all complaints raised. However, there may be instances where it is not possible for Chambers to investigate a complaint brought under this procedure.
- 2.2 The ability of Chambers to investigate a complaint largely depends on the nature of the complaint, the matter(s) raised within it, and the remedies sought.

Kings Chambers

T: 0345 034 3444

E: clerks@kingschambers.com

Manchester

36 Young Street,
Manchester, M3 3FT

Leeds

5 Park Square,
Leeds, LS1 2NE

Birmingham

Embassy House, 60 Church Street,
Birmingham, B3 2DJ

2.3 Examples of matters which *cannot* ordinarily be investigated by Chambers include but may not be limited to:

- Complaints brought by a non-client of Chambers;
- Complaints brought more than 12 months after the act or omission complained of (or 12 months from the date when you knew or could reasonably have been expected to know that there was a reason for making the complaint);
- Complaints which seek financial compensation for loss or damages suffered as a result of the failure in service about which you are complaining;
- Complaints which seek professional sanctions (which are the remit of the Bar Standards Board);
- Complaints about the behaviour of a Member of the Judiciary.

2.4 Chambers aims to provide a high-quality service. If, however, you are dissatisfied with our service, we would like to know about it. Such issues need to be addressed expeditiously. Accordingly, complaints brought by non-clients or after more than 12 months will not be investigated (in the absence of exceptional circumstances). Where your complaint does not concern Chambers' client service, it may be more suited to consideration under the Bar Code of Conduct, which is regulated by the Bar Standards Board. It is also difficult for Chambers to investigate and resolve issues which centre on a breach of contract or claim of negligence, as such matters are to be resolved through the Courts. Accordingly, Chambers cannot remedy complaints seeking financial compensation for loss and/or damages arising out of the failure in service about which you are complaining. It may also be considered that it would not be possible or fair to deal with your complaint under this Complaints Procedure, given other means of redress, such as referral to the Bar Standards Board. Finally, it is not the role of the independent Bar to regulate the behaviour of Members of the Judiciary, who are regulated by the Judicial Conduct Investigations Office. Rather, the Complaints Procedure seeks to address failures in the service provided by Chambers.

2.5 Chambers will make an initial assessment of the complaint upon receipt and, if it deems that the issues raised cannot be satisfactorily resolved through the complaints procedure, you will be notified expeditiously.

3. **SUBMITTING A COMPLAINT**

3.1 Initial stage

In line with our ethos of openness and transparency, we would encourage you to discuss any day-to-day concerns or issues about the services you have received with the Barrister instructed in the first instance. You may also wish to contact our Director of Clerking, or one of our Senior Clerks in order to discuss the matter.

Contact details for our clerks can be found on our website:

<https://www.kingschambers.com/clerks/>

The person you contact initially will make a note of the details of your complaint. It is important that you provide as much detail as possible, to allow them to understand your complaint fully and what you feel should be done to address it, in order for them to provide a resolution.

Should the matter be resolved at this initial stage, and having ensured that you are satisfied with the resolution, a note will be made of the outcome.

If your complaint is not resolved at this stage, you may wish to submit a formal complaint to Chambers under this procedure.

3.2 Formal complaints

Should you wish to submit a formal complaint to us we request that you do so in writing, ensuring that you provide the following information:

- Your name and contact details (such as email address);
- The name of the person about whom you are complaining;
- Full details of the complaint;
- What you believe should be done to address your complaint.

Complaints made in writing should be addressed to the Chambers Compliance Manager in the first instance via email to compliance@kingschambers.com.

We also accept complaints via post addressed to: Lewis Martin, Compliance Manager, Kings Chambers, 36 Young Street, Manchester, M3 3FT.

If the complaint is about the Chambers Compliance Manager, you should refer the matter to our Chambers Director. Complaints about the Chambers Director should be made to the Head of Chambers.

4. **ACKNOWLEDGEMENT AND RESPONSE**

4.1 Where possible, we will acknowledge receipt of your complaint within 3 working days (save over the Christmas and New Year period).

4.2 Chambers has a Complaints Panel headed by Giles Cannock KC together with experienced Members of Chambers and senior employees. Upon receipt of your complaint in writing and within 10 working days of receipt, the Head of the Panel or, in their absence, the Deputy will appoint an appropriate member of Chambers to investigate the complaint. Should your

complaint be about the Head of the Panel, the next most senior Member of the Panel will be appointed to investigate the matter. In all cases, the person appointed will be someone other than the person about whom you have made a complaint.

4.3 The person appointed to investigate your complaint will write to you as soon as reasonably practicable to let you know that they have been appointed and that a reply to your complaint will be made within 21 working days from receipt of your complaint. If it is later found that this will not be possible, for any reason, you will be notified within 21 working days of the new date for a reply to your complaint. Delays in the resolution of a complaint may occur, for example, if the person(s) subject to the complaint and/or who is otherwise involved in the complaint and where their input is required to satisfactorily complete the investigation is on a period of absence (for example on family friendly leave, on holiday and/or sickness or other leave). If your complaint involves a matter which may give rise to an insurance claim, the Barrister will be obliged to inform his or her insurers, who will then need to be consulted before any proposals can be put to you to resolve your complaint. This may affect the speed with which we are able to respond to your complaint.

4.4 The reply will set out:

- Whether the complaint falls within the Complaints Procedure;
- The nature and scope of the investigation;
- The conclusion on each complaint and the basis for the conclusion; and
- If it is found that you are justified in your complaint, proposals for resolving the matter.

5. **CONFIDENTIALITY**

5.1 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 and to anyone involved in the complaint and its investigation. Such people will include the Barrister or Member of Staff, about whom you have complained, the Head or relevant senior Member of the Panel and the person who investigates the complaint.

5.2 When making a complaint, we will assume that you are authorising those investigating the complaint to view all the relevant papers and/or other correspondence relating to that complaint.

6. **DATA RETENTION**

6.1 As part of our commitment to client care, we will make a written record of any complaints received. Such records, including details of the complaint, the steps taken in response to it, the outcome of the complaint and copies of all correspondence (including email and other documentation) will be kept securely for 6 years from the date of resolution of the complaint, at which point the records will be confidentially destroyed.

6.2 Anonymised records may be kept for longer or as appropriate to allow the Chambers' Management Committee to review the complaints during designated meetings throughout the year, with a view to improving the overall services we provide.

7. COMPLAINTS TO THE EXTERNAL ADJUDICATORS

7.1 In the event you are not satisfied with the outcome of the investigation by Chambers, there are alternative bodies available who are competent and able to deal with complaints about legal services. One such body is the Small Claims Mediation, further details of which can be found here: <http://www.small-claims-mediation.co.uk/>

7.2 You may also take up your complaint with the Legal Ombudsman, the legal independent complaints body which deals with complaints about lawyers, established under the Legal Services Act 2007. Please note the Ombudsman is not able to consider your complaint until it has been fully investigated by Chambers. You have 6 months from the date of our final letter in which to refer a complaint to the Ombudsman.

7.3 Should the matter not be resolved between the complainant and the Chambers within 8 weeks of the initial enquiry, the complainant has the right to take the matter directly to the Ombudsman. The Ombudsman can extend the time limits noted above in exceptional circumstances and therefore the Chambers will have regard to that timeframe when deciding whether they are able to investigate your complaint. The Chambers will not usually deal with complaints that fall outside of the Legal Ombudsman's time limits.

7.4 From 1 April 2023, the time limits for referring a complaint to the Ombudsman are no later than one year from the date of the act or omission being complained about or where the complainant should have realised that there was cause for complaint.

7.5 The Legal Ombudsman can be contacted in the following ways:

- By phone: 0300 555 0333
- By email: enquiries@legalombudsman.org.uk
- Online: <https://www.legalombudsman.org.uk/contact-us/>
- By post: Legal Ombudsman, PO Box 6167, Slough, SL1 0EH

7.6 Please note that the Ombudsman is only able to deal with complaints from consumers i.e. complaints from a barrister's clients are within their jurisdiction. Non-clients who are not satisfied with the Chambers' investigation should therefore contact the Bar Standards Board (if appropriate).

7.8 The Bar Standards Board can be contacted in the following ways:

- By phone: 020 7611 1444
- By email: contactus@barstandardsboard.org.uk
- Online: <https://www.barstandardsboard.org.uk/contact-us.html>
- By post: Bar Standards Board, 289-293 High Holborn, London, WC1V 7HZ

8. BARRISTER'S REGISTER & DECISION DATA

Barrister's Register:	https://www.barstandardsboard.org.uk/for-the-public/search-a-barristers-record/the-barristers-register.html
Legal Ombudsman Decision Data:	https://www.legalombudsman.org.uk/information-centre/data-centre/ombudsman-decision-data/