



FAQ: BSB FIRST-TIER COMPLAINTS RULES

Context: This document provides answers to frequently asked questions on the BSB's new and updated first-tier complaints rules and arrangements that went into effect on 15 June 2026.

Q. What are the new BSB FTC Handbook rules?

- The new rules implement the updated Legal Services Board section 112 requirements on first-tier complaints handling.
- Broadly, the changes focus on:
 - Clearer complaints handling obligations
 - Improved accessibility for clients
 - Clearer complaints information and signposting
 - Better support for disabled and vulnerable clients
 - Improved complaints recording and data collection requirements
- The BSB Handbook rules and updated code guidance also place greater emphasis on:
 - Informing clients of their right to complain
 - Explaining how complaints can be made
 - Clearly signposting clients to the Legal Ombudsman
 - Ensuring complaints processes are accessible and easy to understand
- The updated framework is intentionally designed around the categories of complainants recognised within the LSB framework, such as individuals, micro-enterprises and other eligible complainants.

Q: Can you explain what now counts as an FTC under new Handbook definition?

- An FTC is an expression of dissatisfaction about legal services which alleges some form of actual or potential loss, harm, distress, inconvenience or detriment.
- Our updated definition reflects the approach introduced by the LSB.
- The intention is to ensure genuine client concerns are recognised even where clients do not use formal language like “I wish to complain”.
- However, proportionality and chambers judgment remain important.

Q: If a client says I’m unhappy with the delay, is that automatically an FTC?

- Not necessarily.
- Context matters. A passing comment or routine frustration would not automatically trigger the complaints framework.
- But where the issue is raised as a genuine dissatisfaction about service and seeks resolution or expresses detriment, it is more likely to fall within scope.

Q: What if someone simply asks for an explanation?

- Requests for information or clarification alone would not normally amount to a complaint.
- Our FTC guidance distinguishes between general enquiries and genuine expressions of dissatisfaction.

Q: What if the complaint is raised verbally?

- The updated approach recognises that consumers do not always complain formally or in writing.
- This reflects the LSB guidance framework that the BSB has incorporated into its arrangements.
- Verbal complaints can still amount to FTCs where they clearly express dissatisfaction about the legal service.

Q: Can you give an example of something that probably would NOT be an FTC?

Examples might include:

- Asking when a hearing is listed.
- Requesting a document.

- Expressing disappointment with the outcome of litigation.
- Making a brief emotional comment without alleging poor service.

Q: Can you give an example of something that probably WOULD be an FTC?

Examples could include:

- Alleging poor communication.
- Delay causing inconvenience.
- Failure to keep the client informed.
- Concerns about costs information.
- Accessibility concerns.
- Dissatisfaction with how services were delivered.

Q: Are chambers expected to treat vexatious complaints as FTCs?

- No.
- Our updated FTC code guidance recognises that vexatious or frivolous matters are not intended to fall within the FTC definition.
- Chambers, entities and barristers remain able to apply reasonable judgment.
- The reforms are not designed to force providers to treat abusive, repetitive, or clearly unmeritorious correspondence as substantive complaints.

Q: How do we distinguish between a difficult complaint and a vexatious complaint?

- A complaint should not be treated as vexatious simply because an individual:
 - Is upset
 - Is persistent
 - Strongly disagrees with the outcome
- The focus should instead be on behaviour and substance.
- Examples potentially indicating vexatiousness might include:
 - Abusive or harassing client conduct
 - Repeated complaints raising the same resolved issue
 - Bad faith allegations without substance
 - Attempts to disrupt rather than resolve matters

Q. Will the BSB second-guess provider decisions that a complaint was vexatious/frivolous?

- The BSB would expect decisions to be reasonable, proportionate and properly considered.
- The objective is not to micromanage complaints handling decisions.
- Clear records and rationale are always helpful.

Q. What about notification requirements. Do clients have to be always notified at the start and conclusion of the case?

- The updated BSB FTC framework is designed to ensure that eligible clients are aware:
 - That they have a right to complain
 - How to complain
 - Know how to escalate complaints to the Legal Ombudsman where applicable
- The standard expectation under the updated framework is that clients should generally be informed about complaints:
 - At the start of the matter
 - During the life of the case if complaint raised or information is requested
 - At the conclusion of the matter.
- However, LSB guidance and our updated FTC code guidance also recognise that legal services are delivered in many different contexts. In short cases for instance, it may be sufficient to provide the information only once – judgement and discretion should be used in each case and circumstance.

Q. What are the formats and methods in which complaints information should be provided to clients?

- The rules do not prescribe a particular method for providing complaints information to clients.
- However, barristers, chambers, and entities must ensure that complaints information is effectively communicated to each client in a format reasonably tailored to the client's circumstances and information needs.
- Barristers, chambers and entities are responsible for determining how best to provide the required information in the context of their practice and client base. In doing so, they should consider factors such as the nature of the client relationship, the client's likely information needs, any vulnerabilities or

accessibility requirements, and whether the chosen method is likely to bring the information to the client's attention.

- The objective is not simply to make complaints information available, but to ensure that clients are made aware of it and can access it when needed. Barristers and chambers should therefore consider whether their chosen approach is likely to effectively communicate the information to the client and support the client in understanding how to raise a complaint if they wish to do so.

Q. How can barristers, chambers, entities judge what is an effective method of providing complaints information to clients?

- What is effective and appropriate may vary depending on the circumstances. The BSB does not prescribe a single approach and recognises that different methods may be suitable in different situations.
- However, barristers, chambers and entities should be able to explain and, where appropriate, demonstrate how their approach enables clients to receive and access the information required by the rules.
- It is for barristers, chambers and entities to exercise professional judgement in determining what arrangements are appropriate and proportionate in their particular circumstances, while ensuring that the objectives of the rules are met.

Q. Can solicitors pass on chambers' complaints information to lay clients in referral cases?

- Yes. However, where a barrister or chambers relies on a solicitor or other intermediary to provide complaints information, the barrister or chambers remain responsible for ensuring compliance with the BSB Handbook FTC rules.
- Barristers and chambers should therefore have reasonable arrangements in place to satisfy themselves that complaints information is being provided to clients.
- What amounts to a reasonable arrangement will depend on the circumstances. This may include agreed processes with professional clients, terms of business, engagement arrangement, or other measures designed to support compliance.
- Barristers and chambers should keep such arrangements under review and take appropriate steps to address any weaknesses.

Q. What if the solicitor has not provided confirmation that information has been provided to the lay client?

- Where a barrister or chambers becomes aware that a solicitor has not provided the required complaints information to the client, or there is no confirmation, they should take appropriate steps to remedy the situation as soon as reasonably practicable and consider whether any changes to their arrangements are required to support future compliance.

Q. What if it is difficult to provide complaints information to a client, e.g. because chambers might not have contact details?

- The BSB recognises that there may be circumstances where it is not reasonably practicable for a barrister or chambers to provide complaints information directly to a client. In such cases, barristers and chambers should be able to demonstrate that they have taken reasonable steps to ensure that the information is provided through appropriate arrangements and that they have acted reasonably in the circumstances.
- The BSB does not prescribe a particular method of assurance, however, barristers and chambers should be able to demonstrate, if required, that they have taken reasonable steps to ensure that clients receive the information required by the rules.

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