

BAR STANDARDS BOARD

REGULATING BARRISTERS

By Email: consultations@legalombudsman.org.uk

Bar Standards Board response to the Legal Ombudsman Call for Input on the Model Complaints Resolution Procedure

1. The Bar Standards Board (BSB) welcomes the opportunity to respond to the Legal Ombudsman's (LeO) call for input on the Model Complaints Resolution Procedure (MCRP).

General Comments

2. We support the development of the MCRP as an important step towards improving first-tier complaints handling. Its success will depend on maintaining flexibility to reflect different business models, providing clear alignment with regulatory frameworks, supporting meaningful behavioural change, and ensuring that implementation is practical and proportionate. We welcome continued engagement as the MCRP is finalised and implemented.
3. Additionally, in order to encourage take-up of the MCRP within the Bar, we have supported LeO's MCRP project since inception by highlighting this work and the aim and benefits of early resolution in our latest consultation documents on updating the BSB Handbook rules on first-tier complaints handling.
4. We have also sought to raise awareness of the MCRP across the Bar, (including this call for input) through our engagement with the profession and stakeholders, and via our communication channels, such as our regulatory update newsletters. We will continue to take steps to raise awareness and encourage take-up as the MCRP develops.
5. We support the overarching objective of improving the quality, consistency and effectiveness of first-tier complaints handling across legal services. The MCRP's focus on early, proportionate resolution of complaints aligns closely with the BSB's key aims on improving how the Bar handles complaints.
6. In particular, we welcome the emphasis on resolving complaints at the earliest stage, through effective communication and clear explanations, which addresses a key driver of complaints escalation and client dissatisfaction. Similarly, the intention to provide a structured but adaptable framework, supported by practical tools and guidance, reflects the need to move beyond high-level principles to more operationally effective complaints handling.

Bar specific comments

7. It will be important that the MCRP operates within the distinct business structures that exist at the Bar. The majority of barristers practise as self-employed individuals within chambers, and complaints handling responsibilities may be shared between individual barristers and chambers. The volume and nature of complaints may also differ from other parts of the legal sector. In this context, maintaining proportionality and flexibility will be critical to ensuring that the MCRP can be applied effectively in the Bar and adapted to chambers-based arrangements, without imposing disproportionate burdens.
8. We strongly support the MCRP's emphasis on early resolution. To maximise its impact, the MCRP should clearly articulate how it aligns and supports existing regulatory frameworks. This is especially important in light of the updated complaints handling regulatory arrangements that have been, or are about to be implemented, by legal services regulators, including the BSB, following the Legal Services Board's latest section 112 requirements and policy statement on first-tier complaints.
9. The effectiveness of the MCRP will also depend on how well it translates into clear and accessible experience for clients. The MCRP should ensure that providers understand the need for complaints process to be accessible and communicated in plain language, with clear expectations about what clients can expect and when. More broadly, the model procedure should set out best practice on engagement with clients, allowing them to feel "listened to", and for firms, chambers etc. to address issues and offer remedies with flexible responses and offers, including emphasising that remedies may not always need to be financial.
10. Consideration should also be given to the needs of vulnerable clients, including those who may face barriers in raising or pursuing complaints, as improving accessibility at the first-tier stage is likely to have a direct impact on outcomes and on the volume of escalated complaints.
11. We agree that practical support will be central to successful implementation. In particular, providers are likely to benefit from clear examples of good practice, adaptable model templates and processes, and accessible training materials where appropriate. Any supporting tools should be designed to be proportionate and easy to adopt, particularly for smaller providers and chambers, where resources and internal capacity may be more limited. A key area of support for providers, and for clients, could include providing information to help them understand what a complaint is, for example by potentially including case studies and best practice.
12. Finally, we encourage consideration of how the impact of the MCRP will be monitored over time. We suggest this includes assessing whether there are improvements in first-tier resolution, reductions in premature escalations to LeO and client satisfaction with complaints handling processes. We will be able to support LeO with the assessments of impacts on the Bar and its clients once we start collecting complaints data from the profession as part of our updated complaints handling rules and arrangements.

Bar Standards Board
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