

## **BSB Handbook Final Changes:**

### **First-tier Complaints Rules**

The below BSB Handbook rules, published on 11 February 2026, will go into effect on 15 June 2026. The BSB Handbook will be updated in June 2026 to reflect these rules when they go into effect.

A clean version, and a tracked changes version of the rules are provided below.

#### **Clean version:**

#### **Part 2: Code of Conduct**

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##### **Part 2 - D1. Self-employed barristers, chambers and BSB entities Rules**

###### Outcomes (C26-C29)

###### **oC26**

*Clients* are provided with appropriate and accessible information about redress, know that they can make a *complaint* if dissatisfied, and know how to do so, including any rights they may have to make a *second-tier complaint*.

###### **oC27**

*Complaints* are dealt with effectively, efficiently and are resolved fairly and promptly. *Clients* are kept informed throughout the complaints process.

###### Rules C99-C109 - Complaints rules

###### Complaints handling procedures

###### rC99A

- .1 You must have a *first-tier complaints* handling procedure which:
  - .a enables *clients* to make a *complaint* free of charge;
  - .b is prominent and accessible;
  - .c sets out the steps that will be taken in resolving a *complaint*;
  - .d explains how a complaint will be handled;

- .e provides information on the possible outcomes of a complaint;
- .f is effectively communicated to each client in a format or formats reasonably tailored for the client's circumstances, having due regard to their information needs; and
- .g makes provision for a client to be able to make a complaint in a way that is reasonable and accessible to the client.

.2 You must ensure your *first-tier complaints* handling procedure is:

- .a documented in writing, and available across your organisation, where relevant;
- .b endorsed by the appropriate member/committee of *chambers*, or *HOLP*, or person responsible for implementation of the complaints procedure; and
- .c implemented consistently and periodically reviewed.

.3 Your *first-tier complaints* procedure must provide for a *complaint* to be:

- .a assessed competently, diligently and impartially;
- .b responded to fairly, consistently, and promptly; and
- .c to be resolved at the earliest opportunity.

## Provision of information

### rC99B

.1 You must notify *clients* in writing or in formats tailored to specific *client* information needs:

- .a of their right to make a *complaint*, including your *first-tier complaints* handling procedure, how, and to whom, they can complain, and of any time limits for making a *complaint*;
- .b that after eight weeks following the making of a *first-tier complaint*, if the *complaint* has not been resolved to the *client*'s satisfaction, that they may have a right to complain to the *Legal Ombudsman*.
- .c if you are doing referral work, that the lay *client* may complain directly to you, *chambers* or the *BSB entity* without going through *solicitors*.

.2 The information in rC99B.1 must be provided:

- .a when you are *instructed*, or if that is not practicable, at the next earliest appropriate opportunity;
- .b at the conclusion of the matter;
- .c upon request; and
- .d if a *complaint* is made during a matter.

### rC100

If you are doing public access, or licensed access work using an *intermediary*, the *intermediary* must similarly be informed.

### **rC101**

If you are doing referral work, you do not need to give a *professional client* the information set out in Rules rC99B.1 and rC99B.2, in a separate, specific letter. It is enough to provide it in the ordinary terms of reference letter (or equivalent letter) which you send when you accept *instructions* in accordance with Rule rC21.

### **rC102**

If you do not send a letter of engagement to a lay *client* in which this information can be included, a specific letter, or communication in formats specific to the *client's* needs, must be sent to them giving them the information set out at Rules rC99B.1 and rC99B.2.

### **rC103**

Each website of *self-employed barristers*, *chambers* and *BSB entities* must display:

- .1 on the homepage, the text "regulated by the Bar Standards Board" (for sole practitioners) or "barristers regulated by the Bar Standards Board" (for *chambers*) or "authorised and regulated by the Bar Standards Board" (for *BSB entities*); and
- .2 in a sufficiently accessible and prominent place:
  - .a information about their complaints procedure, any right to complain to the Legal Ombudsman, how to complain to the Legal Ombudsman and any time limits for making a *complaint*, and including details of alternative and accessible formats for accessing this information;
  - .b a link to the decision data on the Legal Ombudsman's website; and
  - .c a link to the Barristers' Register on the BSB's website.
- .3 All e-mail and letterheads from *self-employed barristers* and *BSB entities*, their *managers* and employees must state "regulated by the Bar Standards Board" (for *self-employed barristers*) or "authorised and regulated by the Bar Standards Board" (for *BSB entities*).

.4 *Self-employed barristers, chambers and BSB entities* must have regard to guidance published from time to time by the *Bar Standards Board* in relation to redress transparency.

## **Response to, and resolution of, complaints**

### **rC104**

- .1 When a *complaint* is first notified you must provide the *complainant*:
  - .a with a prompt acknowledgement of receipt of the *complaint*;
  - .b the name and contact details of the person who will deal with the *complaint* and a description of that person's role in *chambers* or in the *BSB entity* (as appropriate);
  - .c clear and comprehensive information about the *chambers*' complaints procedure or the *BSB entity*'s Complaints Procedure (as appropriate) that will apply to their complaint and how it will be handled, including the information required in rC99B.1 and rC99B.2;
  - .d the date by which the *complainant* will next hear from *chambers* or the *BSB entity* (as appropriate), including the timeline for the resolution of the *complaint*.
2. Regular updates must be given to the *complainant* on the progress of their complaint.
3. You must communicate with the *complainant* clearly, using plain and appropriate language.
4. A *complainant* must be informed about the options available if the *complainant* is dissatisfied with the outcome of their *first-tier complaint*, including:
  - .a of any rights the *complainant* may have to make a *complaint* to the Legal Ombudsman (right to make a *second-tier complaint*) including the information specified in rC99B.1.b;
  - .b how to make a *second-tier complaint*;
  - .c the time limit for making a *second-tier complaint*;
  - .d information about how to make a *second-tier complaint* available from the Legal Ombudsman; and
  - e. full details of how to contact the Legal Ombudsman.
- .5 You must communicate promptly the outcome of the *complaint* to the *complainant*, and if the outcome includes any offer of a suitable remedy, comply promptly with the remedy if accepted by the *complainant*.

### **rC105**

When *chambers* or a *BSB entity* (as appropriate) has dealt with the *complaint*, *complainants* must be told in writing, or in accessible formats which meet their information needs, of their right to complain to the *Legal Ombudsman* (where applicable), of the time limit for doing so, and how to contact them.

### **Documents and record keeping**

#### **rC106**

All communications and documents relating to *complaints* must be kept confidential. They must be disclosed only so far as is necessary for:

- .1 the investigation and resolution of the *complaint*;
- .2 internal review in order to improve *chambers'* or the *BSB entity*'s (as appropriate) handling of *complaints*;
- .3 complying with requests from the *Bar Standards Board* in the exercise of its monitoring and/or auditing functions.

#### **rC107**

The disclosure to the *Bar Standards Board* of internal documents relating to the handling of the *complaint* (such as the minutes of any meeting held to discuss a particular *complaint*) for the further resolution or investigation of the *complaint* is not required.

#### **rC108**

- .1 A record must be kept of each *complaint*, of all steps taken in response to it, and of the outcome of the *complaint*. Copies of all correspondence, including electronic mail, and all other documents generated in response to the *complaint* must also be kept. The records and copies should be kept for 6 years from resolution of the *complaint*.
- .2 A summary of *complaints* received shall be submitted to the BSB in a manner determined by the BSB from time to time.
- .3 Barristers must ensure that details of any *complaints* they receive and deal with are provided to their chambers/BSB entity, if the *complaint* relates to work at those chambers/BSB entity.

#### **rC109**

The person responsible for the administration of the procedure must report at least annually to either:

- .1 the *HOLP*; or

.2 the appropriate member/committee of *chambers*, on the number of *complaints* received, on the subject areas of the *complaints* and on the outcomes. The *complaints* should be reviewed for trends, risks or issues. Reviews also need to include possible systemic issues in how *complaints* have been assessed, and resolved, and any service issues. Measures must be implemented to address those risks and issues. Appropriate training must be considered and undertaken, including provision of appropriate resources, to address the identified risks and issues.

## **Part 6: Definitions**

### **complaint**

means, for the purposes of Part 2, a complaint by a *client* about the standard of service received that is addressed either to the *Legal Ombudsman* or the *chambers* or the *BSB authorised person*, which can be communicated orally or in written format, and can include an expression of dissatisfaction which alleges that the complainant has suffered (or may suffer) financial loss, distress, inconvenience, or other detriment.

### **complainant**

has the meaning given by section 128(2) of the Act, and as prescribed under the scheme rules made by the Office for Legal Complaints under Part 6 of the Act.

### **first-tier complaint**

a relevant complaint made by a *complainant* to a *chambers* or *BSB authorised person* about the services provided.

### **second-tier complaint**

a *complaint* made to the *Legal Ombudsman* under the scheme rules made by the Office for Legal Complaints.

## ***Tracked changes version:***

### **BSB Handbook Proposed Final Changes: First-tier Complaints Rules**

*Changes are in red; text deletion is in strikethrough.*

#### **Part 2: Code of Conduct**

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##### **Part 2 – C3. You and your client**

###### Outcomes

**oC19**

~~Clients understand how to bring a *complaint* and *complaints* are dealt with promptly, fairly, openly and effectively.~~

###### Guidance to Rules C22-C24 (Defining terms or basis on which instructions are accepted)

**gC81**

~~Disputes about costs are one of the most frequent *complaints*. The provision of clear information before work starts is the best way of avoiding such *complaints*. The *Legal Ombudsman* has produced a useful guide “An Ombudsman’s view of good costs service” which can be found on its website.~~

#### **Part 2 - D. Rules Applying to Particular Groups of Regulated Persons**

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##### **Part 2 - D1. Self-employed barristers, chambers and BSB entities Rules**

###### Outcomes (C26-C29)

**oC26**

Clients are provided with appropriate **and accessible** information about redress, know that they can make a complaint if dissatisfied, and know how to do so, **including any rights they may have to make a *second-tier complaint*.**

**oC27**

Complaints **are dealt with effectively, efficiently and are resolved fairly and promptly. Clients are kept informed throughout the complaints process.** ~~are dealt with promptly and the client is kept informed about the process.~~

## Rules C99-C109 - Complaints rules

### **Complaints handling procedures**

#### **rC99A**

.1 You must have a *first-tier complaints* handling procedure which:

- .a enables *clients* to make a *complaint* free of charge;
- .b is prominent and accessible;
- .c sets out the steps that will be taken in resolving a *complaint*;
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- .f is effectively communicated to each *client* in a format or formats reasonably tailored for the *client's* circumstances, having due regard to their information needs; and
- .g makes provision for a *client* to be able to make a *complaint* in a way that is reasonable and accessible to the *client*.

.2 You must ensure your *first-tier complaints* handling procedure is:

- .a documented in writing, and available across your organisation, where relevant;
- .b endorsed by the appropriate member/committee of *chambers*, or *HOLP*, or person responsible for implementation of the *complaints* procedure; and
- .c implemented consistently and periodically reviewed.

.3 Your *first-tier complaints* procedure must provide for a *complaint* to be:

- .a assessed competently, diligently and impartially;
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### **Provision of information**

#### **rC99B**

.1 You must notify *clients* in writing or in formats tailored to specific *client* information needs: ~~when you are instructed, or, if that is if not practicable, at the next appropriate opportunity:~~

- .a of their right to make a *complaint*, including your *first-tier complaints* handling procedure, including their right to complain to the *Legal Ombudsman* (if they have such a right), how, and to whom, they can complain, and of any time limits for making a *complaint*;
- .b that after eight weeks following the making of a *first-tier complaint*, if the *complaint* has not been resolved to the *client's* satisfaction, that they may have a right to complain to the *Legal Ombudsman*.

.c .2 if you are doing referral work, that the lay *client* may complain directly to *you*, *chambers* or the *BSB entity* without going through *solicitors*.

.2 The information in rC99B.1 must be provided:

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If you are doing public access, or licensed access work using an *intermediary*, the *intermediary* must similarly be informed.

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.4 *Self-employed barristers*, *chambers* and *BSB entities* must have regard to guidance published from time to time by the *Bar Standards Board* in relation to redress transparency.

## **Response to, and resolution of, complaints**

### **rC104**

~~All complaints must be acknowledged promptly. When you acknowledge a complaint, you must give the complainant:~~

- .1 *When a complaint is first notified you must provide the complainant:*
  - .a with a prompt acknowledgement of receipt of the *complaint*;
  - .b .4 the name and contact details of the person who will deal with the *complaint* and a description of that person's role in *chambers* or in the *BSB entity* (as appropriate);
  - .c. 2 a copy of the clear and comprehensive information about the *chambers*' complaints procedure or the *BSB entity*'s Complaints Procedure (as appropriate) that will apply to their complaint and how it will be handled, including the information required in rC99B.1 and rC99B.2;
  - .d 3 the date by which the *complainant* will next hear from *chambers* or the *BSB entity* (as appropriate), including the timeline for the resolution of the *complaint*.
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