

**BAR
STANDARDS
BOARD**

REGULATING BARRISTERS

Feedback & Service Complaints Policy

Effective date	1 June 2019
Policy owner	Governance and Corporate Services Team
Approval and review	June 2020
Circulation	Public - website

If you would like a version of this document in hard copy, or in an alternative format,

Please contact ServiceComplaints@barstandardsboard.org.uk or
telephone 020 7611 1444

1. Introduction

- 1.1. The Bar Standards Board (BSB) is responsible for regulating barristers and specialised legal services businesses in England and Wales in the public interest.
- 1.2. We are committed to providing a high quality, transparent and accessible service to everyone we deal with. All feedback is valuable as it helps us improve our services.
- 1.3. We would like to know when we do something well, or if you have a suggestion about something we could do better.
- 1.4. We know that things can sometimes go wrong. If our services have not met your expectations, or caused concern or frustration, we want to know so that we can apologise, put things right (if possible) and learn from any mistakes.

2. Aims.

- 2.1. This policy has three aims:
 - To offer a user-friendly way for you to give feedback, or complain about the service we have provided;
 - To help us to respond swiftly and efficiently to your feedback; and
 - To help us monitor our feedback so that we can improve our services or performance.

3. Reasonable Adjustments

- 3.1. We want to ensure that everyone can communicate with us, whether to give feedback or to complain. The BSB is committed to ensuring that disabled people are not disadvantaged in accessing its services. To this end the BSB will make reasonable adjustments. Full details can be found in our [Reasonable Adjustments Policy](#)¹.
- 3.2. We will discuss your specific requirements regarding your request for reasonable adjustments in order to agree a suitable adjustment in the circumstances. For example:
 - Provision of auxiliary aids
 - Provision of information in appropriate alternative formats (e.g. large print, Braille, etc)
 - Extension of time limits (where it is lawful to do so)
 - Provision of information/documents on coloured paper
 - Use of email or telephone in preference to hard copy letters
 - Use of plain English

¹ https://www.barstandardsboard.org.uk/media/1537457/reasonable_adjustments_policy.pdf

- Communication through a representative or an intermediary
- Arranging meetings in rooms which have appropriate facilities
- Rest/comfort breaks in meetings
- Provision for assistance dogs

4. Feedback.

4.1. We are always pleased to receive comments and feedback. If you want to tell us about our service, we encourage you to contact us whether that be to:

- provide feedback about a member of staff;
- offer suggestions for improvements to our services;
- share the positive experience you have had with us; or
- pass on comments about our publications, website or services.

4.2. You can provide feedback directly to anyone you are dealing with, or have dealt with at the BSB or if you would prefer you can send it to the Corporate Services Team:

FAO: Corporate Services Team
 Bar Standards Board
 289-293 High Holborn
 London, WC1V 7HZ
 DX: 240 LDE

Email: ServiceComplaints@barstandardsboard.org.uk
 Phone: 020 7611 1444

5. Complaints.

What is a service complaint?

- 5.1. A service complaint is any expression of dissatisfaction about how we have provided a service to you.
- 5.2. This policy and procedure cannot be used to review or change the outcome of a regulatory decision. This includes decisions on reports or complaints made about the conduct of barristers.
- 5.3. Here are some examples of the types of complaint that we can deal with under this policy:
- mistakes;
 - lack of care or attention;
 - discrimination or unfair treatment;
 - rudeness;
 - failing to explain things clearly or providing misleading information; or

- unreasonable delays.
- 5.4. The BSB publishes clear service standards on our website for our different areas of work. This gives details of what you can expect in terms of the type of advice we are able to give and the responses you can expect as well as the applicable timelines we aim to work within. When we look at a service complaint, we will take applicable service standards into account.
- 5.5. We cannot consider the following complaints under this policy:
- Reports about a barrister's conduct - for these please visit the '[making a complaint](#)'² section on our website.
 - Complaints or appeals about regulatory decisions including decisions made by the Board, its standing committees or bodies or roles with delegated authority to make such decisions including BSB staff. A service complaint is not a means by which you can seek to change the outcome of a regulatory decision but we will give information about an appropriate review or appeal process if one exists.
 - Complaints previously considered by us under this policy about the same or substantially similar issues, unless there is new evidence not originally available to us.
 - Service complaints that we consider are malicious or vexatious.
 - Service complaints made by third parties without clear authority to act on behalf of the complainant or the person we have previously been dealing with.

Who can complain?

- 5.6. Service complaints can be made by anyone who has come into contact with the BSB but if you are making a complaint on someone else's behalf, we will need their permission to deal with you. Where we consider it appropriate, we will respond to the complaint and ensure that any investigation is fair and impartial.

When can a service complaint be made?

- 5.7. Investigations of service complaints generally require a detailed understanding of the actions and communications that happened at the time of the event, so complaints should be made as soon as possible after the event occurs. This enables us to consider, investigate and act on any issues raised in the best way possible.
- 5.8. We normally expect you to make a service complaint to us within three months of the incident complained of. We may make exceptions for complaints made outside the three-month time limit where there are good reasons for the delay. In any circumstances where the law sets a longer time limit we will of course comply with that.

² <https://www.barstandardsboard.org.uk/complaints-and-professional-conduct/making-a-complaint/>

Complaints about discrimination.

- 5.9. We are committed to identifying and remedying any instance of discrimination. If a service complaint includes issues of alleged discrimination, we may seek guidance from our Equality and Access to Justice Team or a suitably qualified person independent of the BSB before responding to the complaint. We may need your permission to do this.
- 5.10. We are committed to meeting our duties under the [Equality Act 2010](#)³ and we seek to ensure that we embed equality in all that we do. We do not tolerate any form of unlawful discrimination - for example, based on protected characteristics: sex, race, disability, religion and belief, age, sexual orientation, marital status, pregnancy and maternity, and gender reassignment. We do not tolerate victimisation or harassment.
- 5.11. For more information on different types of discrimination and the activities the BSB carries out to address equality and diversity, please see the [website](#)⁴.

Complaints Process

- 5.12. Service complaints can be addressed to the person you have been dealing with, or to the Corporate Services Team who keep records of all formal complaints. The address is:

FAO: Corporate Services Team
Bar Standards Board
289-293 High Holborn
London, WC1V 7HZ
DX: 240 LDE

Email: ServiceComplaints@barstandardsboard.org.uk

Phone: 020 7611 1444

- 5.13. Before we deal with your complaint, we will log it for monitoring and management information purposes.

Responses to service complaints

- 5.14. We will appoint someone to deal with your complaint who has an appropriate level of seniority and the expertise needed to investigate your complaint. This is usually the service manager, or the line manager of the person complained about or the area to which your complaint relates. They will acknowledge your complaint and advise you when they expect to respond.

³ <https://www.legislation.gov.uk/ukpga/2010/15/contents>

⁴ <https://www.barstandardsboard.org.uk/about-bar-standards-board/equality-and-diversity/>

- 5.15. We normally respond to service complaints within 20 working days of the date we receive the complaint. However, it can sometimes take longer particularly where the issues are complex or we need to seek advice. We will let you know if the investigation of your complaint is going to take longer than the normal 20 working days and, if so, when you can expect a response. We will look at all the evidence and talk to everyone involved to find out what happened and why. We will then send you a response in writing letting you know how we investigated the complaint, what we found and what we propose to do. This may include explaining or apologising, and letting you know what improvements we intend to make when these are necessary.

Review

- 5.16. If you are dissatisfied with the response to your service complaint, you can request a review by a more senior manager. This will normally be the manager of the person who provided the response to your service complaint, but it may also be appropriate for another senior manager or a director to carry out the review. The reviewing manager will consider the response you were given, along with any relevant papers. It may be that the reviewing manager will need to make further enquiries before they can provide you with a response. You will normally be informed of the outcome of the review within 20 working days of the date you indicated that you were not satisfied with the original response. If the reviewing manager is unable to respond within 20 days, they will let you know and will give you a revised date for the response.
- 5.17. You will find a diagram setting out what we do at the end of this document.

6. How you can help us to help you.

- 6.1. To handle and investigate feedback and complaints effectively, we ask for your full cooperation, so that we can fully understand any concerns and deal with the issues you have raised.
- 6.2. We will not tolerate abusive language or behaviour directed at our staff and will take appropriate action if we consider someone's behaviour is unacceptable.

7. How we use your personal data

- 7.1 Whenever you provide us with your personal data (i.e. information about you), we shall only use that data in accordance with our privacy notice. Our privacy notice can be found at: <https://www.barstandardsboard.org.uk/footer-items/privacy-statement/>. Our privacy notice explains what we do with your personal data, whether we share your personal data with third parties and also the length of time which we will hold your personal data.

7.2 Please ensure that any personal data which you send to us is: (1) accurate insofar as you are aware; and (2) directly relevant to your complaint.

7.3 Any personal data relating to a person may be requested by that person using a subject access request under the General Data Protection Regulation and Data Protection Act 2018.

8 Accountability & Learning.

8.1 We monitor all the feedback that we receive and in particular, the outcomes of complaints. Anonymised statistics about the number and type of service complaints received are reviewed annually by our Governance, Risk and Audit Committee with a report on business improvements put in place as a result of complaints and feedback.

8.2 Directors and managers are responsible for ensuring their teams are open to feedback and complaints and that any learning is used to improve the BSB's services.

Complaint received and logged
Initial response sent including; Investigating Officer (Normally the line manager within the team, or another member of staff with expertise or seniority in the area concerned); and expected timeframe (normally 20 working days).

Investigation
The investigating Officer conducts an investigation into the complaint and determines what, if any, action or remedies are required.

Full response sent (normally 20 working days).
Our response will detail what we did, our findings and any remedy (including internal lessons learnt) as appropriate.

Satisfied
Complaint file closed, lessons learned recommendations implemented and file stored as per our retention policy.

Dissatisfied
Complainant requests a review of our findings.

Appendix A - Other BSB processes

Review of regulatory decisions.

Reviews and appeals against regulatory decisions have separate processes which are listed and detailed on the BSB website according to the type of decision made.

If you have an issue with the outcome of a regulatory decision, please use the contact details within the correspondence you have received to contact the department which made the decision. They will be able to explain the rationale for the decision and advise you of any review or appeal options.

Comments about the conduct of our Board or Committee members.

Please contact the Head of Governance and Corporate Services

FAO: Head of Governance and Corporate Services
Bar Standards Board
289-293 High Holborn
London, WC1V 7HZ
DX: 240 LDE

BSBExecutiveOffice@barstandardsboard.org.uk

Complaints about barristers

If you have concerns about the conduct of a barrister, the following processes are available: If the barrister *is, or was acting for you*, and you are not satisfied with their service you should contact the Legal Ombudsman.

Website: www.LegalOmbudsman.org.uk
Telephone: 0300 555 0333
Post: Legal Ombudsman
PO Box 15870
Tamworth B77 9LE
Email: enquiries@legalombudsman.org.uk

If the barrister *is not or was not acting for you* and you want to complain about their conduct you should contact the Professional Conduct Department.

Website: [Making a complaint](#)⁵
Telephone: Complaints Information Line - 020 7611 1444
Post: Professional Conduct Department
Bar Standards Board
289-293 High Holborn
London WC1V 7HZ
Email: assessmentcomplaints@barstandardsboard.org.uk

⁵ <https://www.barstandardsboard.org.uk/complaints-and-professional-conduct/>