

## **INTERNAL COMPLAINTS POLICY AND PROCEDURE**

### **General**

1. This Internal Complaints Policy and Procedure ("**this Policy**") is circulated to all members and pupils of Chambers. It will also be provided on request to persons temporarily in Chambers (such as mini-pupils). It governs the policy and procedure relating to any complaints by any of those individuals. In this Policy, "pupil" includes a mini-pupil or individual fulfilling an analogous role.
2. This Policy is intended to create a streamlined process for all internal complaints, albeit that complaints are separated into categories, being informal or formal complaints (as set out later in this Policy), and EDI Complaints or Membership Complaints (as set out immediately below):

### **EDI Complaints**

- 2.1. These are complaints concerning breach of (where applicable) the Equality and Diversity Policy, the Anti-Harassment Policy, the Parental Leave Policy, the Flexible Working Policy, the Reasonable Adjustments Policy, the Fair Access to Work Policy or any other matter concerning equality or diversity in Chambers;
- 2.2. For these complaints, the first point of contact is the Equality, Diversity and Inclusion Officer ("**EDI Officer**");

### **Membership Complaints**

- 2.3. These are complaints concerning any aspect of membership of or pupillage in Chambers, which are not an EDI Complaint.
  - 2.4. For these complaints, the first point of contact is the Membership Complaints Officer.
3. It is important to Chambers that members and pupils feel comfortable to report concerns without fear of recrimination. Complaints made will be treated seriously and sensitively.

4. In addition to the procedures set out below, a complainant may consider it helpful to use the resources and services at [wellbeingatthebar.org.uk](http://wellbeingatthebar.org.uk), in particular the Assistance Programme which offers confidential help to all self-employed barristers with a practising certificate. The Assistance Programme's confidential helpline at time of writing is 0800 169 2040.
5. A complainant may also wish to speak to Chambers' Wellbeing Officer for confidential support, advice or assistance.
6. A complainant may (if they wish) choose a member of Chambers (subject to that member's agreement) to assist them in pursuing that complaint (whether informally or formally). They also have the right to representation by a professional organisation, colleague or friend.

#### **Informal complaints**

7. Any person who wishes to make an informal complaint may raise the matter informally with the relevant Officer below ("**the Relevant Officer**"), who will endeavour to agree an appropriate response:
  - 7.1. For an EDI Complaint, the EDI Officer;
  - 7.2. For a Membership Complaint, the Membership Complaints Officer.
8. If the informal complaint concerns the EDI Officer or Membership Complaints Officer, then it should be raised directly with the Secretary of Chambers ("**the Secretary**"), who will endeavour to agree an appropriate response.
9. If the complainant is not satisfied with the response, they should follow the formal complaint procedure below.

#### **Formal complaints**

10. If any person wishes to make a formal complaint then the following process should be adhered to:

- 10.1. First, the complainant should provide written details of their complaint to the relevant Officer (“**the Relevant Officer**”) below:
  - 10.1.1. For an EDI Complaint, the EDI Officer;
  - 10.1.2. For a Membership Complaint, the Membership Complaints Officer.
- 10.2. Within 14 days of receipt of the written details of the complaint, the Relevant Officer will arrange a meeting (“**the Initial Meeting**”) to take place between them, the complainant and any other person the Relevant Officer considers appropriate. At the Initial Meeting, the parties will discuss the complaint and, if appropriate, endeavour to agree an appropriate response;
- 10.3. Within 7 days of the Initial Meeting, the Relevant Officer should provide the complainant with a written response to record of the outcome of the Initial Meeting (“**the Written Response**”);
- 10.4. If, within 7 days of receipt of the Written Response, the complainant is not satisfied that their complaint has been properly addressed, the complainant may give notice in writing to the Secretary asking them to consider the complaint further;
- 10.5. Within 14 days of receipt of such notice in writing, the Secretary shall consider the complaint and take whatever steps they consider necessary or appropriate in the circumstances. This may include making a decision on the complaint, and/or nominating another member of Chambers of appropriate seniority (which for these purposes shall exclude the complainant, any member specifically complained about within the complaint, the EDI Officer, the Membership Complaints Officer and the Head of Chambers) (“**a Nominated Person**”) to consider the complaint further, and/or initiating or performing an investigation, and deciding on the procedure for the same ;
- 10.6. Within 28 days of receipt of the notice in writing to the Secretary referred to at paragraph 10.5, the Secretary (or Nominated Person if relevant) will provide a written response recording the Secretary’s (or Nominated Person’s) decision on the complaint, with reasons, and an explanation that the complainant can request that the formal complaint process continue as set out below (“**the Secretary’s Written Response**”);

- 10.7. If, within 7 days of receipt of the Secretary’s Written Response, the complainant is not satisfied that their complaint has been properly rectified, they may give notice in writing to the Head of Chambers asking the Head of Chambers to consider the complaint further. This will operate as a final level of appeal for both Membership Complaints and EDI Complaints;
- 10.8. Within 14 days of receipt of such notice in writing, the Head of Chambers or their Nominated Person (who must be different from any Nominated Person already appointed under paragraph 10.5) shall consider the complaint and take whatever steps they considers necessary or appropriate in the circumstances ;
- 10.9. Within 28 days of receipt of the notice in writing to the Head of Chambers referred to at paragraph 10.7, the Head of Chambers will provide a written response recording their or their Nominated Person’s decision on the complaint, with reasons (“**the Head of Chambers’ Written Response**”);
- 10.10. There is no further right of appeal. Where however both parties agree that there would be some merit in referring the matter to a third party for advice, conciliation or arbitration, arrangements will then be made to find a mutually acceptable third party.
11. The timescales above have been chosen to ensure that formal complaints are dealt with quickly. However, they may be extended if reasonably required by the member of Chambers currently leading the formal complaint process.

### **Officers and review**

12. At the date that this Policy was adopted:

12.1. Chambers’ EDI Officer is Daniel Webb, who may be contacted at [daniel.webb@selbornechambers.co.uk](mailto:daniel.webb@selbornechambers.co.uk) or on 020 7420 9579.

12.2. Chambers' Membership Complaints Officer is Nicholas Trompeter KC, who may be contacted at [Nicholas.trompeter@selbornechambers.co.uk](mailto:Nicholas.trompeter@selbornechambers.co.uk) or on 020 7420 9544.

12.3. Chambers' Wellbeing Officer is Lydia Pemberton, who may be contacted at [lydia.pemberton@selbornechambers.co.uk](mailto:lydia.pemberton@selbornechambers.co.uk) or on 020 7420 9587.

12.4. The Head of Chambers is Ian Clarke KC, who may be contacted at [Ian.Clarke@selbornechambers.co.uk](mailto:Ian.Clarke@selbornechambers.co.uk) or on 020 7420 9500.

13. Chambers' EDI Officer and Membership Complaint Officer may be contacted for queries regarding this Policy.

14. This Policy was adopted on the date below. Chambers' EDI Officer and Membership Complaint Officer are responsible for monitoring the effectiveness of this Policy. It is intended that this Policy, and its operation, should be regularly reviewed.

This Policy comes into effect on the date specified below; the Grievance Procedure for Members and the (EDI) Complaints and Grievances Procedure approved by the Board on 24 April 2019 and reviewed by the EDI Officer on 17 December 2020 are revoked.

Approved and implemented by the Secretary in consultation with the Head of Chambers pursuant to delegated powers:

**N.T**  
11 March 2024