

**Bar Complaints Advisory Scheme**

**Volunteer Information and Terms and Conditions**

1. Introduction
   1. Members of the Bar will be aware that they can be investigated by the Bar Standards Board for complaints made against them and that, in more serious circumstances, they will find themselves subject to disciplinary proceedings run by the independent Bar Tribunals and Adjudication Service (“**BTAS**”).
   2. The threat of disciplinary proceedings can be a source of great anxiety to barristers and, as such, many will want to seek appropriate representation in relation to their case. To ensure that they can the Bar Council (“**us**”, “**we**” and “**our**”) operates the Bar Complaints Advisory Scheme (“**BCAS**”; “**the Scheme**”) and, in doing so, enables barristers who are the subject of disciplinary or complaints proceedings to obtain advice and assistance from fellow members of the Bar.
2. The Scheme
   1. BCAS is intended as a support scheme for the Bar and is essentially a list (”**Database**”) of volunteer barristers (“**you**” or “**your**”) maintained by our Services Team and distributed to individuals seeking advice or assistance in relation to a disciplinary or complaints matter upon request.
3. Volunteering
   1. In order to be included in the BCAS Database, you must hold a current practising certificate and be prepared to provide initial advice on a *pro bono* basis; only those barristers who state in their volunteer form that they are prepared to do so will be added to the list.

* 1. It is generally expected that you will be prepared to continue to act on a *pro bono* basis once you have provided initial advice to the individual seeking advice or assistance in relation to a disciplinary or complaints matter. You are not, however, obliged to do so and nor are you obliged to act as counsel in any subsequent BTAS disciplinary proceedings.
  2. In order to be added to the Database, you must complete the BCAS Volunteer Form (“**Form**”) set out in Appendix 1 in full and return it to our Services Team at [Services@BarCouncil.org.uk](mailto:Services@BarCouncil.org.uk?subject=BCAS%20Volunteer%20Form). If you submit a partially completed form, you will not be included on the BCAS Database.

1. Your data
   1. Your data will be collected and processed in accordance with our [Privacy Statement](https://www.barcouncil.org.uk/useful-information/privacy-statement.html) and relevant Data Protection Legislation, including the Data Protection Act 2018, the General Data Protection Regulation ((EU) 2016/679) (the “**GDPR**”) and any national implementing laws, regulations and secondary legislation, for so long as the GDPR is effective in the UK.
   2. Once we have received a completed Form from you, its contents will be added to the Database managed and maintained by our Services Team. The Database will be sent by email to barristers wishing to use the Scheme upon request, who will then use the information included in the Database to select and contact counsel for initial advice on a *pro bono* basis.
   3. Your data will be included in the Form for a period of up two years, after which time you will be contacted and asked to complete a new Form should you wish to remain on the Scheme. You can request to be removed from the list at any time by sending an email to our Services Team at [Services@BarCouncil.org.uk](mailto:Services@BarCouncil.org.uk?subject=BCAS%20Volunteer%20Form).
2. Limitation of liability
   1. In no circumstances will we be liable for any direct, indirect, incidental or consequential damages, loss or corruption of data, loss of profits, goodwill, bargain or opportunity, loss of anticipated savings or any other similar or analogous loss resulting from your presence on the BCAS Database, whether based on warranty, contract, tort, negligence, in equity or any other legal theory, and whether or not we knew or should have known of the possibility of such damage to business interruption of any type, whether in tort, contract or otherwise.
3. Agreement
   1. You agree and consent to these Terms and Conditions when you submit a completed BCAS Volunteer Form to the Bar Council’s Services Team at [Services@BarCouncil.org.uk](mailto:Services@BarCouncil.org.uk?subject=BCAS%20Volunteer%20Form).

**Appendix 1: BCAS Volunteer Form**



**Bar Complaints Advisory Scheme Volunteer Form**

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| --- | --- | --- | --- |
| 1 | Name |  | |
| 2 | Year of Call |  | |
| 3 | Chambers or Employer |  | |
| 4 | Email Address |  | |
| 5 | Contact Number |  | |
| 6 | Main Area(s) of Practice |  | |
| 7 | Please provide a brief summary of your practice and experience to date, including any experience relevant to disciplinary law or disciplinary processes | | |
|  |  | | |
| 8 | Have you ever had a finding made against you as a result of proceedings taken against you by the BSB or its forerunner the Bar Council? (delete as applicable) | | Yes/No |
| 9 | If applicable, please provide further details. | | |
|  |  | | |
| 10 | Do you have any unspent criminal convictions? (delete as applicable) | | Yes/No |
| 11 | If applicable, please provide further details. | | |
|  |  | | |
| 12 | Please confirm that you are prepared to offer initial advice on a *pro bono* basis. (delete as applicable) | | Yes/No |
| 13 | Are you prepared to offer your services on a *pro bono* basis thereafter? (delete as applicable) | | Yes/No |
| 14 | If you’re not prepared to offer further services on *a pro bono* basis, please state from which stage fees will apply and what those fees will be. | | |
|  |  | | |

I confirm that I have read the Volunteer Information and Terms and Conditions, and the Bar Council’s Privacy Statement, and that I am happy for my data to be processed in the way described.

Signature:

Name:

Date: