Client Care Policy

Dealing with enquiries

You will be informed of the legal adviser dealing with your enquiry.

Time scales

We will acknowledge all new telephone enquiries within 48 hours. If the issue is complicated or requires the consideration of documents then we will revert to you within 10 working days from receipt of documents or relevant information.

We acknowledge receipt of all new enquiry emails and letters within 48 hours.

We will respond in full to emails and letters within 10 working days.

If the matter is extremely complex then we may require more time to properly consider and comprehensively advise you. We will let you know if this is the case. You should seek legal advice as soon as possible as this will be helpful to us in providing an effective service to you. We cannot commit to taking on new matters when a shorter turnaround time is required.

Our responsibilities

We are committed to the provision of legal services with the objective of supporting your work as musicians and will assist you wherever we can.

We will:

- Provide clear advice.
- Keep you informed of developments in your case.
- Return telephone calls and respond to email and letter correspondence as soon as possible.

If a member of the legal team is on leave the timescales may vary, but we will keep you informed about this.

If you raise a matter which gives rise to safeguarding concerns under the ISM’s Safeguarding and Child Protection Policy or Safeguarding Adults at Risk Policy then the matter will be referred to the ISM’s Designated Safeguarding Person under those policies. These policies can be located in the ISM Handbook and on the ISM website.

Funding

You have access to the legal services through your membership of the ISM and there is no additional cost to you.

Independent Society of Musicians is the trading name of the Incorporated Society of Musicians, a company limited by guarantee (registered company number 36882)
An exception to this is for advice on settlement agreements (formerly called compromise agreements). Depending on the complexity of the matter, the fee for this will be approximately £250 to £550. Any agreed fee is invariably paid by your employer. If your employer is not offering to meet this cost, the ISM will in general waive the fee so there is no cost to you.

If your case develops into a claim which has prospects of success this will be referred to the insurers. They will make their own assessment as to the prospects. They will refer this to their panel of solicitors should the merits of your claim meet their criteria under the insurance policy. Once legal representation has been granted there will be no further cost to you provided you always comply with the terms of the insurance policy.

Your responsibilities

Our services are available to almost 11,000 members and in order to operate an efficient service to meet the needs of all our members we ask the following:

- Please provide us with all your contact details.
- Please understand that we cannot always deal with matters on an urgent basis. We aim to resolve queries as promptly as possible.
- Please seek our legal advice as soon as an issue arises to provide us with sufficient time to advise you effectively.
- Please provide us with all relevant documentation necessary for us to advise you on the issues.
- Please do not email or contact staff directly for advice on new issues. If you have a new legal enquiry, please email legal@ism.org.
- If we ask you for information, please send it to us promptly.

Circumstances when we may cease acting for you

- If you contact us about an issue and we are aware or become aware that a conflict of interest has arisen or may arise if we proceed to advise you.
- If you contact us about an issue which arose before your membership of the ISM began then we will provide limited advice but it is unlikely that we can represent you at any type of hearing or refer you to the insurer.
- If you are subject to our disciplinary procedure.
- If we become aware of an issue that results or may result in you bringing the ISM into disrepute.
- If you have another solicitor, legal adviser or another association acting for you in relation to the same matter.
- If we feel that you are not meeting your responsibilities to us or if we feel you are not acting in a reasonable manner.
- If there are persistent breaches of this policy on your part, or we feel that the service we are offering is being abused, then we reserve the right to refer the matter to the Chief Executive. The Chief Executive has the right to invoke disciplinary sanctions.
Complaints procedure

We aim to provide a high standard of service. If, however, you are not happy with the service you receive from us then please raise this directly with us to see if the matter can be resolved. If the matter is not resolved to your satisfaction you may make a formal complaint in writing to the Director of Legal Services, Independent Society of Musicians, 4–5 Inverness Mews, London W2 3JQ.

If you remain dissatisfied with the response to your complaint, please contact the Chief Executive by post to Independent Society of Musicians, 4-5 Inverness Mews, London W2 3JQ. The Chief Executive will respond to your correspondence.

If we are not able to resolve the complaint to your satisfaction then you are entitled to refer your complaint to the Legal Ombudsman. Their contact details are as follows:

- Telephone: 0300 555 0333
- Email: enquiries@legalombudsman.org.uk
- Website: www.legalombudsman.com

The Legal Ombudsman will not normally accept a complaint until eight weeks has passed after you raise the complaint with us. The activities of the ISM legal team are not regulated by the Solicitors Regulation Authority (SRA). In particular, this means that we are not required to maintain the minimum level of compulsory professional indemnity insurance cover (£2 million) that is required of a firm of solicitors, or a sole practitioner. In any event, we maintain adequate professional indemnity insurance, given the nature of the services we provide. Further details are available on request. You will not be able to make a claim on the SRA Compensation Fund, because we are not regulated by the SRA.

January 2024