

### **COMPLAINTS PROCEDURE**

Our aim is to give you an excellent service at all times. However, in the unlikely event that you wish to make a complaint about any aspect of the service you receive or any Bill, you are invited to let us know as soon as possible. You should feel free to make a complaint by any reasonable means that you see fit but below are alternative procedures that we suggest are followed.

At the outset we should emphasise that, of course, there is no charge by us for complaints handling.

#### **Complaints Made by Telephone**

1. You may wish to make a complaint in writing and, if so, please follow the procedure set out from paragraph 7 below. However, if you would rather speak on the telephone about your complaint then we invite you, in the first instance, to telephone the person handling your matter or, if that person is a junior lawyer, the partner responsible for supervising the case.
2. If you prefer, please telephone our Compliance Officer for Legal Practice, Joe Mays, or, (if the complaint is about Mr Mays or he is unavailable) David Wartski our Compliance Officer for Finance and Administration.
3. The person you contact will make a note of the details of your complaint. They will discuss, with you, your concerns, any prejudice you have suffered, what you would like to happen to resolve the situation and try to bring your concerns to a satisfactory conclusion there and then.
4. If that is not possible they may need to make further investigations and then get back to you. They will at the time agree with you a deadline by which they will call you back.
5. If the matter is resolved, they will confirm with you that you are satisfied with the outcome and, if you are, they will record that outcome in writing. You may also wish to record the conclusion of the telephone discussion in writing.
6. If your complaint is not resolved on the telephone you will be invited to write to us about it within the next 14 days so it can be investigated formally. The procedure below for complaints in writing will then apply.

#### **Complaints Made In Writing**

7. We invite you, in the first instance, to email or send a letter to the person handling your matter or, if that person is a junior lawyer and if you prefer, the partner responsible for supervising the case.
8. Alternatively, if you prefer, you should email or send a letter to our Compliance Officer for Legal Practice, Joe Mays, or, (if the complaint is about Mr Mays or he is unavailable) David Wartski our Compliance Officer for Finance and Administration.
9. If the person in receipt of the complaint is unable to resolve it to your satisfaction then it will be passed to another partner of the firm for further handling.

## **Complaints made in Writing (whether by e mail or post)**

10. Please give the following details:
  - Your name and full contact details;
  - The detail of the complaint;
  - any prejudice you have suffered and
  - What you would like to happen to resolve the situation.
  
11. We will, where possible, acknowledge receipt of your complaint within two days (or failing that as soon as reasonably practicable thereafter) and provide you with details of how your complaint will be dealt with.
  
12. The person appointed to investigate will write to you as soon as possible to let you know he/she has been appointed and that he/she will reply to your complaint within 14 days. If the person finds later that he/she is not going to be able to reply within 14 days he/she will explain the reasons and set a new date for the reply and inform you. The reply will set out:
  - The nature and scope of his/her investigation;
  - His/her conclusion on each complaint and the basis for the conclusion; and
  - If he/she finds that you are justified in your complaint, proposals for resolving the complaint.
  
13. The Reply will also invite your comments as to whether you are satisfied with the reply and with any proposals for resolving the complaint.
  
14. If you do not revert within 14 days either confirming that you are satisfied or asking for more time to consider the position then we may choose not to chase you for a further response but rather to assume that you are satisfied and that the matter is closed (unless and until we later hear to the contrary).
  
15. If you are not satisfied, we ask that you explain your reasons in writing within 14 days (or such longer period as you advise us in writing is required).
  
16. The person appointed to investigate will then review and reply to you within 14 days (or such longer period as he/she may advise you in writing is required) and suggest a way forward from there which will be dictated by the circumstances of the particular case and the reasons for your on-going dissatisfaction.

## **Remedies**

17. If your complaint proves to be justified then we will suggest and discuss with you appropriate remedies. Of course, a decision on which remedy is appropriate, will depend on the circumstances of each case. Examples of remedies that may be appropriate in certain circumstances are:
  - An apology.
  - Compensation.
  - Changing the case handler/supervising partner on the case.

- Disciplinary action against the case handler/supervising partner.
- A review of fees charged/to be charged.
- Rectification.
- A donation to charity.

18. Please note that in some cases (such as allegations of professional negligence), the terms of our insurance cover require that we must immediately inform our Professional Indemnity Insurers of the complaint. Depending on the circumstance, they may choose to become directly involved in the handling of the complaint/exchanges with you including discussion of any appropriate remedies if the allegations are justified.

### **Confidentiality**

19. All conversations and documents relating to the complaint will be treated as confidential and will be disclosed only to the extent that is necessary. Disclosure will always be to the Compliance Officer for Legal Practice. Normally it would also be to the other partners and to anyone involved in the complaint and its investigation. We may well have to give full disclosure to our auditors, insurers and The Solicitors Regulation Authority. The Solicitors Regulation Authority is entitled to inspect the documents concerning the complaint and seek information about the complaint when discharging its auditing and monitoring functions.

### **Our Policy**

20. As part of our commitment to client care we make a written record of any complaint and retain all documents and correspondence generated by the complaint for a period of six years.

### **Complaints to the Legal Ombudsman**

21. If you are not satisfied with our handling of your complaint, you can ask the Legal Ombudsman (this is the independent complaints body for complaints about lawyers) to consider the complaint.

22. Any complaint must be brought to the Legal Ombudsman within one year of the date of the act or omission about which you are concerned or within one year of you realising there was a concern. You must bring a complaint to the Legal Ombudsman within six months of receiving a final written response from us about your complaint.

23. The Ombudsman is not normally able to consider your complaint unless

- It has first been considered by us or
- We have failed to consider it within 8 weeks.

24. You can write to the Legal Ombudsman at:

Legal Ombudsman

PO Box 6167

Slough

SL1 0EH

Telephone number: 0300 555 0333

Email: [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk)

Web: <http://www.legalombudsman.org.uk/>

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