

# Complaints Procedure

## Introduction

The firm takes very seriously its duty to provide the best possible service to its clients. At the outset, clients should be told in writing:

- a. that in the event of a problem the client is entitled to complain;
- b. to whom the client should complain;
- c. how complaints should be made; and
- d. where applicable, of their right to complain to the Legal Ombudsman or the Solicitors Regulation Authority (SRA) and how to do so.

## The Legal Ombudsman and the SRA

The Legal Ombudsman may be able to assist clients when they are not happy with our work or levels of service. Examples of matters covered include:

- not replying to e-mails, letters or calls from clients
- charging an amount the client is not happy with
- not explaining issues properly so the client does not understand.

Note that not all clients have a right to complain to the Legal Ombudsman. In general terms only individuals and certain small businesses may do so.

Further detail about the Legal Ombudsman can be found at [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk).

The SRA deals with cases where firms or solicitors have breached the Principles of the Solicitors Code of Conduct which sets out the professional standards the SRA expects of all firms and regulated individuals. The SRA could help when a client thinks a solicitor might be dishonest or has concerns about their behaviour. Examples include:

- dishonesty or deliberate overcharging
- treating a client unfairly because of their age, a disability or other characteristics.

Further details on the SRA complaints procedure can be found at: [www.sra.org.uk/consumers/problems.page](http://www.sra.org.uk/consumers/problems.page)

## Procedure

If any concern is raised by a client about the quality of the service or the level of charges, that concern should be notified to the partner in charge of the relevant matter. That partner will consider the issue raised, and, if he is not the Client Relationship Partner, discuss it with the Client Relationship Partner with a view to resolving the issue as soon as reasonably practicable. If that process is not successful, the matter should be referred to the Managing Partner.

If an issue cannot be resolved promptly to the client's satisfaction, the client should usually be asked to put the complaint in writing (if it is not already in writing). Any written complaint should be referred to the Senior Partner. The Senior Partner (or the Client Relationship Partner or partner in charge of the matter giving rise to the complaint, after consultation with the Senior Partner) will acknowledge the complaint as soon as reasonably practicable and inform the client in writing how it is proposed to deal with it, who will be dealing with it on behalf of the firm and the timescales for doing so. The acknowledgement letter should include a statement that if a complaint cannot be resolved to the client's satisfaction within 8 weeks of the first written notification of the complaint to the firm, the client may be able to refer the matter to the Legal Ombudsman or the SRA as set out in this policy.

The partner dealing with the complaint (who should be someone who was not involved in the matter leading to the complaint) will consider, in conjunction with the Head of Risk and Compliance and the firm's Risk Management Counsel, whether the matter should be referred to the firm's insurers. If the handling of the complaint is to be taken over by the firm's insurers, the client must be informed of this.

If the complaint continues to be handled by the firm, the partner dealing with the complaint will investigate the matter and make an objective assessment of the issues and evidence involved. All relevant matters, including the impact on the client of the matter complained of, will be taken into account. The firm aims to provide a substantive response to a complaint within two to six weeks of written notification of a complaint being made. A separate file will be kept by the partner dealing with a complaint, containing a full record of the way in which the complaint is handled and being capable of being copied to the Legal Ombudsman if required. No charge will be made to the client for investigating and handling their complaint.

A client may also apply to have the firm's charges assessed by the court. The procedure for assessment is set out in Sections 70 to 72 of the Solicitors' Act 1974.

A copy of this procedure should be made available to the client on request.

The fact that a complaint has been made (as well as the outcome of the complaint when it is known) should be reported to the COLP.