

## **DOCUMENT 14 – COMPLAINTS PROCEDURE**

### **COMPLAINTS PROCEDURE**

#### **Making a complaint**

The overall Client Care Partner is Kathryn Taylor and she will be anxious to ensure that in dealing with a complaint all of the procedures have been adhered to so as to ensure that complaints are handled effectively and efficiently. This procedure also applies to prospective clients for whom we have declined to act and technically (although such circumstances are unlikely) to “clients” where we have persistently or unreasonably offered an unwanted service but only if the complainant can in those circumstances show evidence that we did not have reasonable grounds to do so.

#### **Investigating the complaint**

- (1) A complaint should first of all be made to the person who has care and control of your matter (the fee earner). The complaint should be acknowledged within 7 working days.
- (2) They will respond appropriately to the complaint as soon as possible and preferably within 14 working days of the lodging of the complaint.
- (3) In the event that you are not satisfied with the response you should reply with an explanation as to why the response is perceived to be unsatisfactory and the matter (if your instruction relates to a conveyancing transaction) will then be investigated further by the appropriate Team Leader and thereafter the Head of the Conveyancing Department. If the complaint does not relate to a conveyancing matter then the matter will progress to the Head of Department where your work has been dealt with. In the final event if matters still have not been resolved the matter will be referred in full to the Client Care Partner.
- (4) If at any stage the complaint is of a complex nature and/or requires time-taking investigations such as listening to recorded conversations, retrieving files from off-site etc then we will let you know and endeavour to provide an accurate timescale within which you can expect a full response.
- (5) We will reply to you, usually in writing to you of our views on the complaint and how we propose to resolve it.
- (6) If still unresolved at this stage, you may take your complaint to the Legal Ombudsman, you will have to bring your complaint to the Legal Ombudsman within 6 months of receiving a final response from us about your complaint and 6 years from the date of the act or omission giving rise to the complaint or alternatively 3 years from the date you should reasonably have known there are

grounds for complaint (if the act/omission took place before 6 October 2010 or was more than 6 years ago).

### Legal Ombudsman

The Legal Ombudsman is the independent body established by the Office for Legal Complaints under the Legal Services Act 2007 to deal with complaints against Solicitors.

The Legal Ombudsman may:

- Investigate the quality of professional service supplied by a solicitor to a client.
- Investigate allegations that a solicitor has breached rules of professional conduct.
- Investigate allegations that a solicitor has unreasonably refused to supply a professional service to a prospective client
- Investigate allegations that a solicitor has persistently or unreasonably offered a professional service that the client does not want

Before it will consider a complaint the Legal Ombudsman generally requires that the firm's internal Complaints Procedure (outlined above) has been exhausted. If the Legal Ombudsman is satisfied that the firm's proposals for resolving a complaint are reasonable, it may decline to investigate further. You will have to bring your complaint to the Legal Ombudsman within 6 months of receiving a final response from us about your complaint and 6 years from the date of the act or omission, giving rise to the complaint. Alternatively, 3 years from the date you should reasonably have known there are grounds for complaint.

The Legal Ombudsman's address and contact details are:

PO Box 6806, Wolverhampton, WV1 9WJ; telephone, 0300 555 0333; website, [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk); or email [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk)

### **THE SOLICITORS REGULATION AUTHORITY**

The Solicitors Regulation Authority can help you if you are concerned about our behaviour. This could be for things like dishonesty, taking or losing your money or treating you unfairly because of your age, a disability or other characteristic.

You can raise your concerns with the [Solicitors Regulation Authority](http://www.sra.org.uk).

## **ALTERNATIVE DISPUTE RESOLUTION SCHEMES**

Alternative complaints bodies (such as *Ombudsman Services* [www.ombudsman-services.org/](http://www.ombudsman-services.org/) ) exist which are competent to deal with complaints about legal services should both you and our firm wish to use such a scheme.

However, we don't currently agree to use this Alternative Dispute Resolution service in view of the availability of the independent Legal Ombudsman Service established under the Legal Services Act 2007. We are bound by our Regulatory Code to comply with the Legal Ombudsman.

## **CONTRACTS ENTERED INTO ONLINE**

If we are unable to resolve your complaint which relates to a contract entered into online, you may contact the Online Dispute Resolution providers by accessing the following link <http://ec.europa.eu/consumers/odr>