

## **Complaints Policy**

### **Introduction**

- (a) The following procedure has been defined to ensure that the Practice complies with the Solicitors Regulation Authority Code of Conduct 2011.
- (b) The purpose of this procedure is to specify the actions, authority and responsibility within the Practice for handling, recording and monitoring client complaints and for the effective implementation of suitable corrective and remedial actions.
- (c) A complaint is defined as any expression of client dissatisfaction however stated, be it in writing, over the telephone or in person.
- (d) All "client care" letters used by the Practice state responsibility for the conduct of the case and that the client is to approach this contact initially in the event of any problem with the services provided.
- (e) If the problem cannot be resolved between them, then the client will be requested to refer their complaint, in writing, to the Senior partner for further review (who has the ultimate responsibility for handling complaints).

### **Procedure**

- (a) Any client complaints will initially be received in the Reception area, normally by the Receptionist, either through personal contact with the client or on the telephone. Though not always the case, this client who feels aggrieved in some way will usually wish to speak at some length either personally or on the telephone.

The reception area will, for every complaint occurrence, use the form designed for this purpose and shown in Appendix A on Form 2.

The primary aim in the Reception area is to discover which fee earner is responsible for the conduct of the case so that the client may be moved out of the area, or off the phone, by reference to someone other than the Receptionist.

If the fee earner is available, then the client will be asked to wait in Reception until the respective person deals with them.

For the client who is on the telephone, the fee earner, if available **MUST** take the call to free the Receptionist for further incoming calls or other vital activities.

It is mandatory that the fee earner take the call, though if they are not in the office, then the call will be referred to the fee earners' secretary who will note the complaint and refer the matter at the earliest opportunity to the fee earner concerned who must then take prompt action. The secretary may, if appropriate, refer the complaint to any other available fee earner if it is felt that immediate action is necessary.

The Receptionist is not expected to deal with complaints other than make the client as comfortable as possible. The objective is to move the complainant as tactfully and as quickly as possible away from the Reception area.

- b. The procedure requires that a dated file note is made, containing known details of the complaint, and placed on the file, with a copy being put on the Central Record of Complaints maintained by the Quality Representative.
- c. Complaint forms completed by the reception area will also be placed in this Central Record.
- d. All complaints, however expressed must be dealt with to identify the cause of any problem of which a client has complained, offering any appropriate redress and correcting any unsatisfactory procedure, as it is important that all expressions of dissatisfaction lead to an examination of procedures and causes of complaint.
- e. Complaints received will be acknowledged and if necessary the client will be asked to confirm or explain the details of the complaint. The client will be informed of the name of the person who will be dealing with the complaint. The client will receive a letter from the firm within two days of receipt of the

complaint and a copy of the Firm's Complaints Procedure (Form 25). The complaint will be recorded in the firm's Central Register, kept by Nigel Fletcher and a separate file will be opened for the complaint. This will be done within a day of receiving the complaint. The complaint will then be investigated and this will normally involve the following steps:-

- The complaint will be passed to Nigel Fletcher, the Client Care Partner, within three working days.
  - He will ask the member of staff who acted for the client to reply to the complaint within 5 working days.
  - Nigel Fletcher will then examine their reply and the information in the complaint file and, if necessary, may also speak to them. This will take up to three working days from receiving their reply and the file.
  - Nigel Fletcher will then invite the client to a meeting and discuss and hopefully resolve the complaint. He will do this within 5 working days. Within 2 working days of the meeting Nigel Fletcher will write to the client to confirm what took place and any Solicitors he has agreed with the client. If the client does not want a meeting or it is not possible Nigel Fletcher will send the client a detailed reply to the complaint to the client and this will include his suggestions for resolving the matter. This will be done within 5 working days of completing the investigation. If the client is still not satisfied he will be asked to contact Nigel Fletcher again and arrangements will be made for the decision to be reviewed. This will happen by another partner of the firm reviewing Nigel Fletcher's decision within 10 days. The result of the review will be communicated to the client within 5 working days of the end of the review confirming the firm's final position on the complaint and explaining the reasons for it. The client must be informed of any changes to the above time scale and the reasons why.
- f. If, following this response, the client is still dissatisfied he will be given full details of the legal ombudsman as follows:-  
Address: P O Box 6806, Wolverhampton WV1 9WJ.  
Telephone: 03005550333 (overseas +441212453050).  
E-mail: enquiries@legalombudsman.org.uk.

- g. The Central Record is reviewed at the monthly Partner and Fee Earner meeting as an agenda item and where amendments to procedure are required, or corrective actions are to be taken, then these will be approved and "action(s) by" authorised.
- h. Analysis of causes of complaints will also be undertaken at this meeting to ensure effective and positive complaint handling is in place within the Practice.
- i. Any amendments to procedures contained in this manual will follow the standard update routine.
- j. Should resolution of the complaint require disciplinary actions, these will be dealt with through standard disciplinary methods.
- k. Should resolution of the complaint indicate there is a need for the fee earner in question to be given further training, then this will be arranged.
- l. It is imperative that all complaints are dealt with promptly. Failure to do so will be deemed to be a serious breach of discipline.