

Complaints Policy

None of us likes to be the subject of a complaint, but if the firm is truly committed to providing a quality service to clients all personnel need to pick up on client dissatisfaction when it does arise and address it as best as they can. The firm therefore operates a complaint's handling process that seeks to ensure that it:

- knows about client dissatisfaction when it does arise.
- takes all reasonable steps to ensure that the dissatisfaction is addressed and resolved wherever possible.
- reassures all clients who do complain that the firm will address their concerns without delay and that it takes all complaints seriously.
- Learns from experience to lessen the risk of complaints in the future.

A complaint is any expression of client dissatisfaction however it is expressed or of client dissatisfaction which the fee earner is unable immediately to resolve.

Some degree of common sense is needed in the application of the complaints handling procedure. If a client says 'you lawyers charge a lot for what you do' it would not usually be sufficient to amount to a complaint. If, however, the client claims that a quote or agreed costs ceiling has been exceeded without notice to them it almost certainly will be.

If, on checking the file, the fee earner can advise the client that a letter, that the client had overlooked, had been written to warn that the costs would be greater than previously discussed, the problem would probably have been dealt with and there would be no need to report the complaint as such.

In all cases, however, it is necessary to take a view on how the client is reacting to the circumstance. The firm's overriding objective is to address all client dissatisfaction.

When a Complaint is Made – Simple Steps

There are some simple steps that we can initially take when a complaint is made:

- Record the full details of the client's complaint, especially if the complaint is made verbally, and inform the client that the matter will be referred to the firms Complaints Officer. Confirm back to the client your understanding of what their complaint is so there is no misunderstanding. A copy of this complaints policy must be provided to the client.
- The firms Complaints Officer will provide the client with an initial written response to the complaint in which they will explain their understanding of the complaint. Such a written response will give the client information on how their complaint will now be investigated and a timeframe in which the client will receive a response of the Complaints Officers findings. This should be no later than 28 days of receipt of the client's complaint. The Complaints Officer must enquire of the client what they feel a suitable outcome of their complaint would be. This will help the Complaints Officer to understand the clients expectations.
- Upon considering and investigating the complaint, the Complaints Officer will advise the client in writing of their findings and whether the complaint is upheld or not upheld.
- If the client's complaint is to be upheld, the Complaints Officer must inform the client of the firms proposed remedial action and seek a response from the client as to whether they are in agreement. This must be in writing and inform the client of the Legal Ombudsmans (LeO) details should the client not be in agreement and they wish to escalate the complaint. If the

client is in agreement with the proposed remedial action, then the proposed remedial action must take place without delay.

- If the client's complaint is not upheld by the Complaints Officer, or if the client is not happy with the decision of their complaint and no agreement can be made, then the client must be reminded of the LeO details so they can escalate their complaint should they wish to do so.

When a customer is unhappy there are factors that could prevent them from making a formal complaint. They might feel intimidated or concerned that a complaint will affect their case. Or they may have special needs or requirements, which need accommodating in order to make our complaint process accessible and fair.

Goddard Dunbar are obliged to make a copy of our complaint's procedure available to our clients, this procedure is in our Terms of Business but must also be made available on request or when a client expresses a wish to complain. The existence of our Complaints Procedure is referred to in the firm's client care letter, and as stated in our Terms of Business. If appropriate, you must refer the client to the complaints procedure, or print a copy off and send it to them if they might have difficulty in acquiring it for themselves.

If it is necessary to report a complaint, please do so by informing our Complaints Officer, Jim Goddard, in the first instance verbally and then by email. Client complaints will usually involve no risk of loss to the firm or the client, but if there is any chance that the complaint could amount to circumstances that should be reported to the firm's insurers you must stay on the side of safety by reporting it as such.

As required by this complaints policy the Complaints Officer will consider any complaint received in as objective a manner as possible and seek to resolve the dissatisfaction. In particular, they will offer to meet with the complainant when possible and suggest appropriate redress. In so doing they will also consider if a notification needs to be made to the insurers and will also consider if any aspect of the quality system needs amendment.

It is possible that a client may complain direct to the Legal Ombudsman (LeO) without first following the procedures given in the previous paragraphs. The LeO website is: www.legalombudsman.org.uk, email: enquiries@legalombudsman.org.uk and address: PO Box 6167, Slough, SL1 0EH telephone number 0300 555033. In such circumstances the LeO will immediately refer the complaint to the Managing Director who is the designated liaison partner. The normal complaints procedures will then be followed.

The client can use the LeO service if this firm has not resolved their complaint within 8 weeks of the firm receiving it. A complaint can be referred to the LeO up to one year from the date of the act or omission or up to one year after realising there was cause for complaint. The LeO deals with service-related complaints; any conduct-related complaints will be referred to the Council for Licensed Conveyancers.

The Complaints Officer will maintain records of all complaints received and action taken on them. This will form part of an annual management review which is considered by the Directors and reported to all staff. It is essential that all personnel learn from their experience and address any underlying problems. In this way the firm can use its complaints data to help to prevent future difficulties.

There may be occasions when a complaint may be made by the firm, either against another solicitor through the LCS or through other procedures. The agreement of the Managing Director is needed before doing so in order that the professional and commercial standing of the firm can first receive proper consideration.