None of us like to be the subject of a complaint, but if the Company 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 they can. The Company therefore operates a complaints handling policy that seeks to ensure it:

- knows about client dissatisfaction if and 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 Company 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.
- Clients are told from the outset of their matter in the event of a problem they are entitled to complain about the conduct of the matter or a bill rendered.

A complaint is “any expression of client dissatisfaction however it is expressed” and whether it is made in a formal and/or informal manner.

Some degree of common sense is needed in the application of the complaints handling procedure. If a client says ‘you solicitors 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 is able to 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. Clients need to understand by way of explanation from the fee earner and all personnel overall that a problem can be resolved informally as well as being resolved formally by investigating our complaints process.

In all cases, however, it is necessary to take a view on how the client is reacting to the particular circumstances. The Company’s overriding objective is to address client dissatisfaction.
We are obliged to make a copy of our complaints procedure available on request. The existence of a complaints procedure (which has been prepared in compliance with paragraph 1:22 of the SRA Code) is referred to in the Company's client care letter and sent out to the client. The name of the Complaints Officer Miss Lucy Jones is also referred to in the letter and within the complaints procedure itself. If appropriate, you must refer the client to the 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 pass the salient facts to Client Care Representative who will complete the complaints report form. Fee earners should note that it is essential to ensure that all complaints are dealt with expeditiously and in accordance with this policy. The Legal Ombudsman is able to invoke an investigative fee if it is satisfied that a firm has not followed a reasonable first fee complaints process.

For full details of the complaints procedure please refer to our Complaints Procedure found at Office 365/Team Site/Client Care.

Client complaints will usually involve no risk of loss to the Company or the client, but if there is any chance that the complaint could amount to circumstances that should be reported to the Company's insurers you must stay on the side of safety by reporting it as such.

As required by our complaints policy the Client Care Representative 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 need to be made to the insurers and also consider if any aspect of the quality system needs amendment.

All complaints will be handled effectively and fairly and in accordance with the principles outlined in the Law Society's Practice Note “handling complaints” August 2013.

**Clients who request their Legal Aid Certificates are transferred**

Very occasionally we receive letters/emails from clients confirming that they wish to transfer their legal aid certificates for a variety of reasons. Whenever you receive a request like this we must ensure that the client does not wish for us to investigate a complaint on their behalf and even if they do not we should send a letter/email to the client to confirm that is the case. You should also bring the request to the attention of me in all instances.

This is vitally important because we need to ensure the reasons for the transfer and if it is a question of the client holding a grievance against us then we must ensure that our complaints procedure is brought to the client’s attention and investigated if necessary.
Staff should use common sense when considering these matters; even if it is a simple case of a very minor expression of dissatisfaction from a client we need to know whether this should be investigated formally by me using our complaints procedure.

**Complaints referred by the Legal Ombudsman**

Fee earners should also be aware of the Law Society service “Lawyer line” which offers advice on client care and complaints handling.

It is possible that a client may complain direct to the Legal Ombudsman without first following the procedures given in the previous paragraphs. In such circumstances the Legal Ombudsman will immediately refer the complaint to Miss Lucy Jones who is the designated liaison Representative. The normal complaints procedures will then be followed.

Our Service Brochure advises clients of our Complaints Procedure and includes details of the Legal Ombudsman, being PO Box 6806, Wolverhampton WV1 9WJ or call 0300 555 0333. It is a free service but they can only utilise the service if they have first exhausted our complaints procedure and remain dissatisfied.

Please remember clients can complain about the conduct of a matter and/or their bill. You need to advise clients that they do need to refer the matter to the Ombudsman within six months of our final response to the client.

Clients may need to be told that they should take care to bring the matter to the attention of the Legal Ombudsman within 12 months of the matter complained of occurring or within 12 months of when it was reasonable for them to have known about it.

Complaints can be made to the Legal Ombudsman via their website [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk). Further information and guidance can also be found on the website.

**Alternative Dispute Resolutions (ADR)**

Clients as well as being informed of details of the Legal Ombudsman should be provided with the name and web address of an ADR approved body which is competent to deal with the complaint in Lexcel. Clients should be told that they can use ADR if they wish to do so and be informed whether the Company intends to use the ADR approved body themselves.

**Complaints review**

The Client Care Representative will maintain records of all complaints received and action taken on them. **This Representative is also responsible for conducting a**
review of all complaints records at the end of each financial year to enable them to report to the Company on any trends. This will form part of an annual management review which is considered by the Managing Director and communicated to staff as appropriate. It is essential that all personnel learn from their experience and address any underlying problems. In this way the Company can use its complaints data to help to prevent future difficulties.

Making complaints

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

Client surveys

A routine survey is conducted on client satisfaction and is sent out at the conclusion of every case with a final closing letter.

Any feedback from the questionnaires is passed to the Client Care Representative and recorded centrally. The Representative will take any urgent action that may arise from such feedback but normally the feedback forms part of the annual review.

Lucy Jones is responsible for this policy and will verify its effectiveness on an annual basis with all relevant staff. Any updates or actions required will be completed accordingly and as a result of an annual review.