

## **Complaints handling**

None of us like to be the subject of a complaint, but our firm is truly committed to providing a quality service to clients and this means that all personnel will pick up on client dissatisfaction when it does arise and address it as best they can.

The firm therefore operates a complaints handling process that seeks to ensure that it:

- knows about client dissatisfaction when, 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 to complain to and that the firm will address their concerns without delay to also show that it takes all complaints seriously;
- Uses the experience to lessen the risk of complaints in the future.

A complaint is any expression of client dissatisfaction which the fee earner is unable immediately to respond to.

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.

Where a client has been informed of information, terms and conditions, in our care letter and has signed it or made payment on account then the terms are accepted by the client which would not justify a complaint as regards to costs or time estimates.

Where the client is not justified in his complaint we will assess the situation and the facts of the case and circumstances with what has been agreed in the care letter or later letters to agree new terms or costs etc then we will still ensure to make the client happy and do all we can to settle the matter which could result in a discount or waiver of some fees as a gesture of good will subject to and based on our conclusion after an assessment has been made.

If the client is justified in their complaint then we will do all we can to rectify the situation if possible, apologise and agree an amicable resolution which could be a waiver of some or all fees and /or an agreed compensation amount for any genuine and evidenced loss depending on the conclusion of the assessment of the case and circumstances.

In all cases, however, it is necessary to take a view on how the client is reacting to the particular circumstances and ensure we have good communication between us and that we are on good terms at all times to avoid a complaint to begin with.

## **Complaint Procedures**

We are confident that we will be able to provide clients a good service. However, should there be any aspect of our service with which they are unhappy about then the first step is to take it up with the fee earner or Partner concerned. If the client is dissatisfied with the response, then they may take the matter further and have the matter addressed by the complaints handling partner. The complaints handling Partners are both Mrs Behiye Becky Karaman and Mr Shahin Uddin who will deal with the complaints for each office branch address and for each other's cases. The relevant complaints handling Partner will try to investigate the matter and provide the client with an update within 14 days of the receipt of the complaint.

On completion of the investigation, if the client is still dissatisfied with the response or the outcome of the complaint, they may then take the matter up with the Office of the Supervision of Solicitors, The OSS, a complaints body for all solicitors and forms part of the Solicitors Regulation Authority or previously known as the Law Society. They may also approach the Legal Ombudsman on advice of the OSS if it is a matter the OSS cannot deal with.

**The firm's overriding objective is to address client dissatisfaction.**

- All fee Earners are obliged to make a copy of their complaints procedure available on request. The existence of the policy is referred to in the firm's client care letter.
- If it is necessary to report a complaint, the fee earner should complete the complaints report form and forward it to the complaints /Managing Partner. 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 our complaints policy the relevant Partner 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.

**Complaints referred by the Legal Complaints Service (LCS)**

It is possible that a client may complain direct to the LCS (formerly the Consumer Complaints Service, and before that the Office for the Supervision of Solicitors) without first following the procedures given in the previous paragraphs. In such circumstances the LCS will immediately refer the complaint to the relevant complaints handling Partner, who is the designated liaison partner. The normal complaints procedures will then be followed.

**Complaints review**

- All department heads/ Partners but in the absence of person concerned will maintain records of all complaints received and action taken on them.
- Client Care Partner Mr Shahin Uddin is also responsible for conducting a review of all complaints records in April of each year to enable him to report to the firm on any trends.
- This will form part of an annual management review which is considered by the Partners 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.

**Making complaints**

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 both Partners Mrs Behiye Becky Karaman and Mr Shahin Uddin is needed before doing so in order that the professional and commercial standing of the firm can first receive proper consideration.