

## 1. Introduction

The Firm has adopted this procedure for the resolution of concerns about its service. It is designed to assist clients and others to know how to raise matters of complaint and to know how the complaint will be resolved.

## 2. The Firm's Policy

The Firm prides itself on providing service excellence to all its clients and when that service falls below the high standards we set, it is treated as a very serious matter. All complaints are recorded centrally.

Our aim is to resolve complaints, rather than to deal with them by way of confrontation. Only by having complaints resolved can we hope to maintain the reputation of the Firm. It does not follow that we shall agree that your complaint is justified, but we shall look at all complaints as fairly and as openly as possible.

## 3. The Overall View

We aim to provide a high level of service and client satisfaction. If you have cause to feel dissatisfied then you should please firstly raise any issue or problem with your case worker (the person handling your case), or his/her supervisor. The supervisor will be referred to in the initial client care letter, or you can simply ask. We are confident most problems can be resolved in the way.

The Firm has a Client Care Manager who has overall responsibility for dealing with complaints. At present this is Miss Angela Lewis, who can be reached at Hall Smith Whittingham LLP, 1 Dysart Buildings, Nantwich, Cheshire CW5 5DP, telephone 01270 610300, fax 01270 610443 or email [alewis@hswsolicitors.co.uk](mailto:alewis@hswsolicitors.co.uk).

If the matter cannot be resolved with her, then your complaint should be referred to Miss Emma Appleyard, Partner at Hall Smith Whittingham LLP, 1 Dysart Buildings, Nantwich, Cheshire, CW5 5DP, telephone 01270 610300, fax 01270 610443

## 4. The formal Complaints Procedure

### a. Who do you contact?

(i) If your complaint is about the way a matter is being (or has been) dealt with you should firstly contact the person who has been acting for you or his/her Supervisor. You should already have been told who is dealing with your matter (the "case worker"), that person's status (ie. whether a Solicitor, Clerk or Trainee) and who is supervising that person. The client care letter sent to you at the start of the matter will have explained who the person's supervisor was.

(ii) If the case worker or his/her Supervisor does not resolve your concerns, then you should contact the Client Care Manager direct.

If the complaint is about someone who is not directly dealing with a matter (eg. the Accounts Department, a Receptionist, or a Secretary, for instance), then we suggest that you contact the Client Care Manager.

If your complaint is about the Client Care Manager herself (in the way that he has handled a matter), then you should contact the Miss Emma Appleyard Partner, based at Hall Smith Whittingham LLP, 1 Dysart Buildings, Nantwich, Cheshire, CW5 5DP, telephone 01270 610300, fax 01270 610443.

If you are not able to resolve the complaint with the Client Care Manager then you should contact the Miss Emma Appleyard Partner.

### b. What you should do

Complaints need not be in writing, but it often helps if they are. Keep a copy of any letter you write, and make a note of a telephone call you make or receive. Complaints can be raised at a meeting with the file handler. A complaint form is enclosed for your use.

If you know who you want to speak to about a complaint, either arrange a meeting, or write, telephone, fax or email that person, giving details of your concerns, and asking how those concerns are going to be resolved. It helps to give as much factual information as possible, and if you have a reference (found at the top of a letter), please quote this.

If you need to contact the Client Care Manager or Managing Partner please have the following information available:

- The name of the person dealing with your matter (if appropriate);
- The nature of your complaint;
- Details of contact made with anyone else about the complaint;
- Any reference for the file.

#### **c. What we do about your complaint**

Within 48 hours of receiving your complaint, we aim to acknowledge the complaint in writing, also setting out the way we propose dealing with it.

Within 14 working days, you should receive a written report on the complaint and what we have done to resolve it (unless, of course, you are satisfied by what you have learnt in the meantime).

If we need more time to deal with your complaint, we shall write and tell you why, and say when we shall report to you again.

#### **d. The action we take**

If your complaint is justified, we shall offer to resolve the matter.

If we do not think that your complaint is justified, we shall write to you, and explain why.

#### **e. If we do not resolve any complaint to your satisfaction**

If at the end of this process you remain unhappy you can refer your complaint to the Legal Ombudsman. Before accepting a complaint for investigation, the Ombudsman will check that you have tried to resolve your complaint with us first. Any complaint should be referred to them:

- Within 6 months of receiving a final response from us
- No more than 1 year from the date of the act/omission
- No more than 1 year from when you should reasonably have known there was cause for complaint
- If your transaction completed more than one year ago within 1 of you becoming aware of the act or omission that is the subject of your complaint.

#### **The Legal Ombudsman may investigate:**

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

Please note that the Ombudsman expect Solicitors to try and resolve complaints within 8 weeks of them being raised before you are entitled to refer the matter to them. Of course, it is our intention to work with clients to resolve any issues swiftly and satisfactorily. Please note that making a complaint will not affect how we handle your ongoing matter.

Contact details for the Legal Ombudsman:

By Telephone: 0300 555 0333

By email: [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk)

Through their website: [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk)

Postal address: The Legal Ombudsman, PO Box 15870, Birmingham B30 9EB.

**f. If you consider your complaint breaches SRA Standards & Regulations**

The most common complaints about Solicitors are about poor service and should therefore be sent to the Legal Ombudsman. If, however, you consider that your complaint involves a breach of SRA Standards and Regulations (<https://www.sra.org.uk/solicitors/standards-regulations>) refer the matter to them. Please note however that the SRA do not have the power to award compensation for poor service or to reduce or refund your legal fees.