

Complaints Procedure

We are committed to meeting the highest quality standard in the delivery of the services we provide to you. We take any problems that do arise with clients very seriously and aim to ensure that any complaints clients may have are identified quickly and dealt with thoroughly in accordance with this procedure.

It is important to us that we provide services of the highest quality to all of our clients. We aim to ensure that any complaints that clients may have are identified and dealt with in accordance with this procedure.

We have an established procedure for dealing with complaints from clients. The procedure put in place so that we can resolve as many problems as possible within our offices and avoid having complaints and problems reported and escalated, and to preserve the goodwill of our clients, even if things have gone wrong.

This procedure enables you to bring your complaint to our attention in a way in which we can work together to try to resolve it to your satisfaction.

Our procedure also assists the firm in identifying the cause of any problem of which the client has complained offering any appropriate redress, and correcting any unsatisfactory procedures.

We expect honesty and realism from any employee or member when things have gone wrong and in turn we will support all employees / members.

Such complaints must be dealt with sympathetically and quickly. Our reputation depends on this, as it is all part of our high standard of service and

What is a complaint?

A report by a client that their expectations of what they consider to be a good service have not been met.

Prospective Clients:

A complaint can also be made by a prospective client if we have:

- Unreasonably refused a service to a complainant;
- Persistently or unreasonably offered a service that the complainant does not want.

How to make a complaint

If you are unhappy with our service, please raise your concerns initially with the person who is handling your case. If this does not result in a satisfactory outcome, or if you feel the issue needs to be dealt with at a more senior level, you should raise it with your client relationship member whose name will have been given to you in our initial communications with you.

If you are not sure of who the appropriate client relationship member is, you should ask the lawyer who has been advising you, to give you the name of the partner who will be dealing with your complaint.

Although it is not essential, it will be helpful if you can provide details of your concerns in writing. This can be in the form of a letter, an e-mail or a note which can be discussed at a subsequent meeting.

If your complaint relates to a bill, then please read first the information contained on the reverse of that bill. This describes your rights, and of where you may find further information. We can provide another copy upon request.

What will happen next?

1. We will acknowledge receipt of your complaint, set out our understanding of it and, if appropriate, request further clarification from you. At the same time we will confirm to you the identity of the person dealing with your complaint.

2. If the complaint is straight forward, we will respond with our suggestions for resolving it to our mutual satisfaction within 14 working days of acknowledging receipt of your complaint or of any clarification sent to us.
3. If the complaint cannot be dealt with as set out in paragraph 2, we will investigate your complaint. This may involve one or more of the following steps:
 - a) the person who acted for you will be asked to provide a response to your complaint;
 - b) the file of the person who acted for you will be examined by the client relationship member and the person acting for you may be asked to provide such information as the person carrying out the investigation may request;
 - c) we may ask you or others involved in your file to provide us with further information.

This process may take a little while, particularly if your file is bulky or complex, but we will make every effort to complete our investigations within 14 working days. If for some reason it is not possible to complete the investigation within this time limit, we will let you know this and will give you an indication as to when we anticipate the investigation will be completed.

4. Once we have completed our investigation we will invite you to a meeting with the person who was responsible for carrying out the investigation, at a time which is convenient to all..
5. If you do not wish to attend a meeting or it is impractical for some reason, we will write or telephone you with a detailed response to your complaint and with our suggestions as to how the matter might be resolved to our mutual satisfaction,
6. If we have responded to your complaint by telephone or in a meeting, you can ask us to confirm to you, in writing, the main points of our discussion.
7. If you are still dissatisfied with our response to your complaint you can ask for your complaint to be reviewed. This will normally be done by the designated complaints relationship member, unless he has been involved in the earlier stages of the complaint. If it is not appropriate for the designated complaints relationship member to deal with your complaint, then another senior designated member will carry out the review.
8. If still unresolved at this stage, you may take your complaint to the Legal Ombudsman. Normally, you will have to bring your complaint to the Legal Ombudsman within 6 months of receiving a final response from us about your complaint and within 6 years from the date of the act or omission giving rise to the complaint or alternatively within 3 years from the date you should reasonably have known there are grounds for complaint (if the act/omission was more than 6 years ago).
9. We normally have 8 weeks to give you our final response after which time you can usually go to the Legal Ombudsman within 6 months.
10. Whilst individual clients always have the right to go to the Legal Ombudsman certain other types of client may not be eligible to do so. The scheme rules can be accessed via their website at <http://www.legalombudsman.org.uk/aboutus/scheme-rules.html>

Legal Ombudsman

The Legal Ombudsman is an independent body established by the Office for Legal Complaints to deal with complaints against Solicitors.

Before it will consider a complaint the Legal Ombudsman generally requires that the firm's internal Complaints Procedure has been exhausted. If the Legal Ombudsman is satisfied that the firm's proposals for resolving a complaint are reasonable, it may decline to investigate further.

The Legal Ombudsman's address is:

PO Box 6806, Wolverhampton, WV1 9WJ; telephone, 0300 555 0333; website, www.legalombudsman.org.uk; or email enquiries@legalombudsman.org.uk

Solicitors Regulation Authority.

Should you have any concerns about our conduct you have the right to complain to the Solicitors Regulation Authority.

11. If you are not satisfied with the amount of our fee you have the right to ask us to present the bill of costs to the Court for a detailed assessment.

If you want to ask the Court to assess your costs you should do so within 1 month of delivery of the bill, (although the Court has power to tax a bill on our application or yours made after one month but within 12 months from the delivery of the bill. After 12 months, or if you have paid the bill, the Court will accept your application only in special circumstances. The Court has no jurisdiction under the Act to assess the bill after 12 months from you having paid them. The Act contains other detailed provisions about the procedures and costs of the taxation of bills and the rights of third parties.

If we are unable to resolve your complaint, and it relates to a contract we entered into online or by other electronic means, you may also be able to submit your complaint to a certified alternative dispute resolution (ADR) provider in the UK via the EU 'ODR platform'. The ODR platform, is an interactive website offering a single point of entry for disputes between consumers and traders relating to online contracts. The ODR platform is available to consumer clients only, ie where you have instructed us for purposes outside your trade, business, craft or profession. The website address for the ODR platform is: <http://ec.europa.eu/consumers/odr>

We will keep a record of your complaint, and of our responses to it, and you may inspect these records.

Mullis & Peake LLP
Solicitors