Tayntons LLP SOLICITORS

COMPLAINTS HANDLING PROCEDURE

Preamble

The purpose of the procedure is to ensure that all clients are aware of their right to complain and to ensure that all complaints are dealt with promptly, fairly and effectively.

Definition

A complaint arises when a client expresses concern about the quality of service provided or when a client challenges their bill or in other circumstances which in the ordinary meaning of the word gives cause for complaint.

There is no distinction between a complaint (including one that may give rise to a claim in negligence) and a minor grievance. All complaints even those relating to bills must be referred to the Client Care Partner.

Complaints Procedure

On receipt of a complaint the Client Care Partner will:

- attempt to speak to the client initially to discuss matter;
- write to the client within 5 working days to acknowledge receipt of the complaint confirming:
    - how the complaint will be handled, including who will be investigating the complaint; and
    - within what timescales the client will receive an initial and/or substantive response;
    - whether any further information is required from the client;
- investigate the complaint:
- provide the client with a substantive response to the complaint giving a clear and honest explanation of the decision within a further 15 working days. The response will also confirm the:
    - contact details of the Legal Ombudsman;
    - timescale for complaining to the Legal Ombudsman.

Where the complaint relates to a bill we will provide the client with a detailed narrative of the bill. In relevant cases the client should be advised that the Legal Ombudsman may not deal with a complaint if the client has applied to the court for assessment of that bill.

Investigation of complaint

All complaints will be dealt with impartially, without any discrimination or prejudice. The investigation of the complaint should ordinarily involve at least a review of the file and a discussion with the member(s) of staff involved. The investigation should be dealt with as a priority, so that it is completed and the client contacted with the result within 20 working days of receiving the complaint.

After investigation, the client care partner will contact the client to discuss the position and, where possible, will make some suggestions as to how the complaint might be resolved.

If the client accepts the resolution any action needed by the Firm should be taken forthwith and the position confirmed in writing to the client, who should be asked to confirm that the complaint has been resolved to his satisfaction.

If he is dissatisfied with the handling of the complaint or the solution offered, he may ask for the complaint and/or outcome to be reviewed by another partner, who should be independent of the matter. The reviewing partner should adopt a similar procedure in terms of contact with the client, and ensure that the outcome is communicated to the client within a further 5 working days.

If any timescales cannot be met, the client must be informed and an explanation provided.

<u>Person handling the complaint</u>

All complaints will be dealt with by the LLP Partner in charge of client care and therefore of the complaints handling procedure (including possible negligence claims), Alan Bird. In his absence or if there is a complaint about him, the matter is dealt with by Christopher Price.

All complaints must be referred to Alan Bird or in his absence Christopher Price.

<u>Identification of complaints</u>

- All incoming post is examined by a LLP Partner. All e-mails received are automatically forwarded to a LLP Partner for checking. All faxes received during the course of the day are passed to a LLP Partner for checking.
- Any complaints or grievances identified are passed immediately to Alan Bird who will decide whether it is appropriate for him to deal with the complaint.
- Any complaint of which any member of staff becomes aware following discussion with a client or other person, in person or over the telephone is to be referred to Alan Bird as soon as practicable.
- In the case of trainees or staff employed less than two years, the administration Partner or Senior fee earner as the case may be, examines outgoing past at his or her discretion.
- Monthly cabinet checks are carried out by each fee earner.
- Departmental meetings are held at which fee earners are encouraged to refer any problems arising.

Putting things right

If an error or omission occurred we should offer a full apology at the earliest opportunity together with a full explanation of what went wrong. We should also consider what other redress may be appropriate and advise the client of any system changes that were made as a result of the complaint.

In the event that the Legal Ombudsman considers that our service has been unsatisfactory he can ask us to:

- apologise to the client;
- give back any documents the client may need;
- put things right if more work can correct what went wrong;
- refund or reduce our legal fees;
- pay compensation up to £30,000.

Recording of complaints

A written record of all complaints is kept together with a separate file containing correspondence and attendance notes for each matter. The written record sets out:

- The client
- The matter
- The file/computer number
- The nature of the complaint
- The contact with the client
- The resolution offered
- The outcome and any recommendations or altering procedures to avoid similar complaints in future

The complaint record is kept by Alan Bird.

Learning from complaints

Complaints handling is a standard item on the agenda for LLP Partner meetings on a quarterly basis. The LLP Partner in charge of the procedure reviews the records on a regular basis (quarterly). The purpose of the review is to:

- check progress of matters and whether they have been finally resolved;
- produce a summary for LLP Partner meetings of the complaints received;
- identify whether there is any pattern to the complaints; and
- identify ways we can improve the service we provide to clients.