

## 1.12.4 Complaints Policy – Mediation

Regulated by the Solicitors Regulation Authority

Portland Chambers, 66 West Street, Fareham, Hants PO16 0JR  
Telephone: 01329 288121 Fax: 01329 822714

### COMPLAINTS POLICY

If you are in any way dissatisfied with our level of service/charges please would you follow the procedures outlined in this Policy. It is our aim to provide the very best service to our clients. If something goes wrong we would like to know as we would hope to be able to restore goodwill. Your complaint will be dealt with promptly, fairly and free of charge.

#### First stage

If you are dissatisfied with the level of service/charges provided by the Lawyer having conduct of your matter please would you initially advise the Lawyer concerned as to the reasons for your dissatisfaction. He or she will seek to address these.

#### Second stage

If you remain dissatisfied please would you contact our Client Services Manager Mrs Jacqui Smart. She is based at our Portsmouth Office and her direct line number is 02392 776567. She may also be contacted by email on [jacquismart@warnergoodman.co.uk](mailto:jacquismart@warnergoodman.co.uk), by letter to Colman House, 2-4 Landport Terrace, Portsmouth, Hampshire, PO1 2RG or by arrangement, in person.

Within 2 working days our Client Services Manager will:

1. Acknowledge receipt of your complaint and ask you to provide full details of your complaint if you have not already done so;
2. Provide you with a copy of the firm's Complaints Policy and confirm that she will investigate your complaint
3. Provide you with a timescale for completion of her investigations
4. Should that timescale change for any reason she will immediately contact you to revise the timescale given
5. Once her investigations are concluded she will report back to you with:
  - i. Her findings and her proposals to seek to resolve your complaint or
  - ii. Her advice that your complaint has been passed to the firm's Client Services Partner (see below).

#### Client Services Partner

Our Client Services Partner is Mr Andy Munden. He is based at our Fareham Office. He is also the Firm's Managing Partner and Quality Partner and has also been appointed as the Firm's Compliance Officer for Legal Practice. Andy Munden has overall responsibility for the handling of any complaints.

Our Client Services Manager will refer your complaint to our Client Services Partner if :

- i. She concludes it is appropriate to do so.
- ii. You are dissatisfied with her proposals or recommendations and you invite her to do so.

### **What will happen next?**

If and when a complaint is received by the Client Services Partner he will:-

1. Send you a letter acknowledging your complaint within two working days of receipt enclosing a copy of the Firm's Complaints Policy (if not already provided by the Client Services Manager).
2. Advise you either that he will investigate the complaint personally or he will provide you with the name of the person who will be dealing with your complaint.
3. Advise you as to the likely timescale before enquiries are complete. (If for any reason this original time estimate cannot be complied with he will explain the reason for the delay and inform you of any revised time estimate).
4. Record your complaint in the firm's Central Register and open a file for your complaint.

Once enquiries have been finalised the Client Services Partner will:

- i. Invite you to discuss matters further with him or
- ii. Write to advise you as to the extent to which (if at all) he acknowledges the validity of your complaint to include (where appropriate) his proposals to seek to restore goodwill. We will, wherever possible, seek to do this no later than 8 weeks from receipt of your complaint.

If the Client Services Partner was involved in the matter which gave rise to the complaint an independent Partner will handle it.

As and when we conclude that the complaints process has been concluded the Client Services Partner will advise you to this effect by way of a final written response.

### **What to do if we cannot resolve your complaint**

If we are unable to resolve your complaint or you remain dissatisfied with the outcome of our complaints procedure you can have your complaint independently looked at by the Legal Ombudsman at the conclusion of our complaints process (wherever possible we will seek to resolve matters with you no later than 8 weeks from receipt of your complaint). The Legal Ombudsman investigates complaints about service issues with Lawyers. The Legal Ombudsman expects complaints to be made to them within one year of the date of the act or omission about which you

are concerned or within one year of you realising there was a concern. You must also refer your concerns to the Legal Ombudsman within six months of our final response to you. The Legal Ombudsman's contact details are:

Telephone: 0300 555 0333 Minicom: 0300 555 1777  
Website: [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk)  
Post: Legal Ombudsman, PO Box 6167, Slough, SL1 0EH

Please also note that whilst all individual clients will ordinarily have a right of recourse to the Legal Ombudsman certain other types of client may not – e.g businesses, enterprises or charities above a certain size. Again please refer to the Legal Ombudsman's website for full details.

You may also have the right to complain to Resolution at the conclusion of our complaints process. Written correspondence should be sent to Resolution at Central Office, PO Box 302, Orpington, Kent, BR6 8QX. Alternatively, you can telephone on 020 3841 0300 or complete an online enquiry form available on their website. Any issues you wish to complain about must have ended within the last 12 months. However, in exceptional circumstances Resolution can refer the matter to their Practice Standards Panel. For further guidance on the Resolution Complaints Procedure please refer to their website [www.resolution.org.uk](http://www.resolution.org.uk)

#### What to do if you have a complaint about a bill

If you have a complaint about a bill please note that:

- i) You may also have the right to object to the bill by making a complaint to the Legal Ombudsman and/or Resolution. There may also be a right to object to the bill by applying to the court for an assessment of the bill under Part III of the Solicitors Act 1974.
- ii) If all or any part of a bill remains unpaid the firm may be entitled to charge interest.

Please note, however, the Legal Ombudsman and/or Resolution may not deal with a complaint about a bill if you have applied to the Court for assessment of that bill.

#### What to do if you are unhappy with our behaviour

The Solicitors Regulation Authority could help you if you think a solicitor might be dishonest or you have concerns about their behaviour.

Examples include:

- Shutting down their law firm without telling you.
- Dishonesty or deliberately overcharging you.
- Taking or losing your money.
- Treating you unfairly because of your age, a disability or other characteristic.

In these circumstances you can visit the Solicitors Regulation Authority website to ascertain how you can raise your concerns as follows – <http://www.sra.org.uk/consumers/problems/report-solicitor/>

