

CLIENT COMPLAINTS PROCEDURE

We are committed to providing a high-quality legal service to all our clients. When something goes wrong, we need you to tell us about it. This will help us to improve our standards. We deal with all complaints fairly, promptly and at no extra cost to you.

1) 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.

2) Making a complaint

In the first instance you should raise any dissatisfaction with the person dealing with your matter, or their supervisor, details of which are given in your initial Client Care Letter. If they are unable to resolve the issue for you or you are uncomfortable raising it with them then please follow the procedure below:

3) Investigating the complaint

- a. Put your complaint in writing to our client care director, Mark Santa-Olalla, who is a senior director at the firm. His email address is marks@gordons-law.co.uk
- b. We will acknowledge the complaint within seven days and notify you who will be handling your complaint.
- c. We will record your complaint in our central register and open a file for your complaint. We will conduct a full investigation and an independent review of the matter.
- d. We aim to respond in full within 28 days. However, if the complaint is of a more complex nature, we will require more time, but we will let you know when you will receive a full response. We may also invite you to meet with the Supervisor to gather more information and resolve the matter.
- e. We will reply to you, usually in writing following the outcome of the review of the complaints investigated.

If still unresolved at this stage, you may take the complaint to the Legal Ombudsman or, in accordance with the Alternative Dispute Resolution Regulations to an Alternative Dispute Resolution (ADR) Scheme Provider. We will issue a final letter advising you of this.

4) LEGAL OMBUDSMAN

The Legal Ombudsman is the independent body established by the Office for Legal Complaints under the Legal Services Act 2007 to deal with complaints against Solicitors.

The Legal Ombudsman may:

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

Before it will consider a complaint the Legal Ombudsman generally requires that the firm's internal Complaints Procedure (outlined above) has been exhausted. We have 8 weeks from receipt of an initial complaint to resolve the complaint to your satisfaction before the Legal Ombudsman will consider it. We will write to you when that deadline is reached, reminding you of your right to take the complaint to the Legal Ombudsman. However, we would hope to have provided a final response which meets your satisfaction within that timescale.

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If the Legal Ombudsman is satisfied that the firm's proposals for resolving a complaint are reasonable, it may decline to investigate further. 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
- No more than 6 years from the date of the act or omission, giving rise to the complaint; or
- Alternatively, 3 years from the date you should reasonably have known there are grounds for complaint.

However, please note that from 1 April 2023 these time limits are changing. From the 1 April the Legal Ombudsman expects complaints to be made to them within a year of the date of the act or omission about which you are concerned or within a year of you realising there was a concern. The requirement to refer your concerns to the Legal Ombudsman within six months of our final response to you remains the same.

The Legal Ombudsman's address and contact details are:

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

Who can Complain

A **complainant** to the Legal Ombudsman must be one of the following:

- a) An individual;
- b) A micro-enterprise as defined in European Recommendation 2003/361/EC of 6 May 2003 (broadly, an enterprise with fewer than 10 staff and a turnover or balance sheet value not exceeding €2 million);
- c) A charity with an annual income less than £1 million;
- d) A club, association or society with an annual income less than £1 million;
- e) A trustee of a trust with a net asset value less than £1 million; or a personal representative or the residuary beneficiaries of an estate where a person with a complaint died before referring it to the Legal Ombudsman.

If you do not fall into any of these categories, you should be aware that you can only obtain redress by using our Complaints Handling Procedure or by mediation or arbitration, or by taking action through the Courts.

5) THE SOLICITORS REGULATION AUTHORITY

The Solicitors Regulation Authority can help you if you are concerned about our behaviour. This could be for things like dishonesty, taking or losing your money or treating you unfairly because of your age, a disability or other characteristic.

You can raise your concerns with the Solicitors Regulation Authority.

6) ALTERNATIVE DISPUTE RESOLUTION SCHEMES

Alternative complaints bodies such as ProMediate <http://www.promediate.co.uk/> exist which are competent to deal with complaints about legal services should both you and our firm wish to use such a scheme.

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However, we don't currently agree to use this Alternative Dispute Resolution service in view of the availability of the independent Legal Ombudsman Service established under the Legal Services Act 2007. We are bound by our Regulatory Code to comply with the Legal Ombudsman.

7) CONTRACTS ENTERED INTO ONLINE

If we are unable to resolve your complaint which relates to a contract entered into online, you may contact the Online Dispute Resolution providers by accessing the following link <http://ec.europa.eu/consumers/odr>

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