

# COMPLAINTS POLICY

## 1. Complaints Policy

- 1.1. 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 and we will try and assist. This will help us to improve our standards.
- 1.2. For the purposes of this policy, a complaint means:
  - 1.2.1. any area of dissatisfaction that you have with the quality of the service you have received from us, or any problem or area for improvement; or
  - 1.2.2. Any complaint or dissatisfaction relating to the handling of your personal data.
- 1.3. All complaints are dealt with promptly, fairly and free of charges:
  - 1.3.1. We aim to deal with all complaints in a prompt manner and within this policy we have set out timeframes that ensure we are clear on the timeframes within which we aim to provide an initial response and our substantive review and investigation on a matter subject of a complaint;
  - 1.3.2. There are no costs charged to your matter where we are dealing with the subject matter of a complaint, however we reserve the right to charge any additional fees that may be notified to you if, in the course of the complaint, we are required to undertake additional work related to the matter and not to the subject of the complaint;
  - 1.3.2. Your complaint will be investigated and handled independently of your legal matter. This means that if your legal matter is ongoing it will continue to progress as normal and will not be affected by the complaints procedure, assuming no conflicts of interests has arisen and that you continue to comply with the terms of our engagement as set out in our engagement letter and terms of business.

## 2. Complaints Procedure

- 2.1. If you have a service level complaint, please raise your concern in the first place with the member of staff dealing with your case. If they are unable to assist, or the subject of the complaint relates to their conduct of the file then we would ask you to raise the matter, where you feel able to do so, with the supervisor of the file (as set out in the client care letter). If you then still have queries or concerns please contact our Complaints Partner, Julie Milton by either: telephone (01752 388883); letter; or e-mail: [julie.milton@brightllp.co.uk](mailto:julie.milton@brightllp.co.uk). If we have to change any of the responsibilities or the timescales set out below we will let you know and explain why.
- 2.2. If the matter relates to a personal data complaint, please raise this with Julie Milton or Henry Lowson our Data Privacy Manager ([henry.lowson@brightllp.co.uk](mailto:henry.lowson@brightllp.co.uk)).
- 2.3. We ask that clients set out the details of their complaint in writing in the first instance (email is fine) as this then provides an accurate and clear record of the matters that you may have issue with for us to investigate.
- 2.4. We may need you to provide us with evidence of your ID, depending on the nature of your complaint.

## 3. What Will Happen Next?

- 3.1. Within three days we will acknowledge your complaint and ask you to confirm or explain any details. We generally require all complaints to be provided in writing (by email is fine) and as such if your complaint has been raised verbally then we may request you to confirm details in writing.
- 3.2. We will then record your complaint in our central register. We will investigate your complaint by examining the relevant file and speaking to the member of staff who acted for you.
- 3.3. After carrying out our investigation we will then write to you with our response in respect of your complaint. We aim to resolve all complaints through written correspondence and seek to be in a position to provide our initial response to you within 21 days of sending the acknowledgement letter/email. At this stage we would provide any suggested outcomes or actions to be undertaken by you or us. In appropriate cases we could offer an apology, a reduction of any bill or a repayment in relation to any payment received. Where there is a need we will invite to a meeting to discuss the subject matter of the complaint, and our investigation, in more detail.
- 3.4. If our response to you is not agreeable then we require you to set out your views on the situation and any redress you feel to be appropriate. We will then undertake a review of these and will respond.

- 3.5. For service level complaints, if you are still not satisfied, please let us know. We will confirm our final position on your complaint and explain our reasons. We will confirm that our internal complaints process has been extinguished and, if you wish, you may take the matter further with the Legal Ombudsman.
- 3.6. The Legal Ombudsman expects complaints to be made to them:
  - 3.6.1. within one year of the date of the act or omission about which you are concerned; or
  - 3.6.2. within one year of you realising there was a concern.You are still required to refer your concerns to the Legal Ombudsman within six months of our final response to you.
- 3.7. For further information, you should contact the Legal Ombudsman on 0300 555 0333 or at [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk).
- 3.8. You can also contact the Legal Ombudsman by post: Legal Ombudsman, PO Box 6167, Slough, SL1 0EH
- 3.9. For personal data complaints, if you are not satisfied by our original response, you should refer your matter to the ICO.

#### **4. Complaints About You Bill**

- 4.1. If you are complaining about our bill, in addition to referring your complaint to the Legal Ombudsman, you may be entitled to ask the court to assess your costs under Part III of the Solicitors Act 1974. However, be aware that if you have done so, the Legal Ombudsman may not be able to consider a complaint about the same issues.

#### **5. Concerns About Professional Misconduct**

- 5.1. The Legal Ombudsman service considers complaints about the quality of legal services that clients receive. In the unlikely event that you have more serious concerns that a solicitor or the firm have been involved in professional misconduct then it may be appropriate for you to refer this to the Solicitors Regulation Authority.
- 5.2. We do not anticipate any such problems arising and would ask that you notify the matter supervisor straight away if you have any such concerns. You can find out more about the Solicitors Regulation Authority, including their contact details and the Standards and Regulations that govern the conduct of solicitors and law firms, on their website: [www.sra.org.uk](http://www.sra.org.uk).

#### **6. Alternative Dispute Resolutions (ADR)**

- 6.1. Other ADR services providers exist that are competent to deal with complaints in the legal sector, including ProMediate. However, Bright Solicitors believes that the Legal Ombudsman offers our clients the most appropriate forum to seek resolution of their concerns. Therefore we have not adopted an alternative ADR procedure and do not agree to use another ADR organisation.