

Cracknell Law Complaints Policy

Client satisfaction is a company-wide imperative at Cracknell Law. Cracknell Law is committed to having measures in place to ensure that client satisfaction is at its optimum level.

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PART 1: INTRODUCTION

Cracknell Law is committed to providing high-quality legal services to all of its clients. If we should fail to meet this commitment, then we need you to make us aware of this as soon as possible so that we can minimise the impact that this has on your file. We strive to continue to improve our standards. Reporting any issues allows us to investigate the issue objectively and address these in order to satisfy your concern.

PART 2: INITIAL STEPS

In the first instance, we would seek your cooperation in attempting to resolve any concerns that you have with the individual or individuals dealing with your file. We aim to ensure that all of our staff create a relationship with you from the outset of your file, of such a nature, that resolving the matter can be approached in a personable manner. You should contact the individual or individuals as soon as possible with any concerns and they will seek to deal with these to your satisfaction in an informal manner. Their contact details will be readily available to you in your initial Letter of Engagement if you are unable to locate these from your email or telephone information.

The individual or individuals will acknowledge your concerns within 5 working days and will set out the complaints procedure as contained in this document. At this stage, you may be requested to provide further information to that contained in your initial communications, just to make sure that your concerns can be investigated thoroughly.

The individual or individuals responsible for managing your file will, if possible given the nature of the issue, attempt to resolve the issue by writing to you (by letter sent via email) with a proposed solution and seeking your approval to the plan of action proposed. If resolution is successful, then there is no requirement to continue with the procedure.

If resolution is unsuccessful or the issue is of a nature that it is incapable of remedy in such a manner, then your concerns will be investigated by an independent member of our staff that has not had active involvement in the issue that has arisen. Your concerns will be investigated by this person and they will either:

- a. provide a formal written response of their views in light of the investigation within 30 days of acknowledging receipt of your concerns, which will also include suggestions for resolving the issue; or
- b. if in their opinion it would be more suitable in the circumstances, arrange for a formal face-to-face meeting with you to discuss your concerns, and if possible put forward a proposal for resolution in the meeting. They will provide a formal written report of the outcome of the meeting within 14 days, including any agreed upon resolution. If you feel that the report is in anyway inaccurate in relation to what was discussed or the solution as agreed, then please notify us within 14 of receipt.

In the event that a resolution has not been reached by this point, and you do not believe that it will be so by continuing to converse informally, then you may ask for the matter to be passed to our firm's Managing Director (or alternatively our Operations Director where the complaint concerns the Managing Director (in which case references to the Managing Director in Part 3 will be deemed to be references to the Operations Director)), and the matter will be handled as a formal complaint, invoking the procedure as laid out in Part 3 below. Whilst we would always hope that approaching the matter in an informal capacity from the outset would be favourable to you based on our relationship with you, you do of course reserve the right to jump straight to this point if you feel that an informal approach is not suitable in your particular matter.

PART 3: FORMAL COMPLAINT

In the event that Part 2 above is unsuccessful in resolving your concerns (or you have decided against proceeding down that route), you should register a formal complaint in writing to the Managing Director in the following format:

- a. the reason for dissatisfaction;
- b. the act or omission carried out by us that has led to the dissatisfaction; and
- c. what loss, inconvenience or damage this has caused.

You are of course free to make your formal complaint orally also, but you will no doubt appreciate that a written notice will ensure that there is no room for any misunderstanding of the basis of the complaint. We would of course follow up any conversation in which a formal complaint is made with a written note of the conversation to ensure that the full nature of the complaint is agreed, but this may impact upon the amount of time that attempting to reach a resolution may take.

The Managing Director will adhere to the following timetable in dealing with the formal complaint:

- a. formally acknowledge the complaint within 5 working days;
- b. conduct a formal review of your file and the concerns raised, either personally or by referring the matter to another senior member of staff if the Managing Director reasonably believes that, by doing so, you will receive a more efficient service; and
- c. provide you with a formal written response to your complaint (either personally or through an appointed senior member of staff assigned to the review) to confirm our full and final position regarding your complaint within 30 days of acknowledging your complaint.

Though unlikely, we reserve the right to reasonably extend these timeframes if so required. You would be notified of any such extension within the timetable as set out above.

If we do not receive a response from you that disputes our confirmed final position on the matter within 30 days of sending, we will treat the complaint as resolved and close the matter in our internal records. If work remains ongoing on your file, then we will continue to provide you with our services and the complaint will not prejudice our commitment to provide you with high-quality legal services.

PART 4: REFERRAL TO THE LEGAL OMBUDSMAN

The Legal Ombudsman is an organisation that has the power to resolve complaints with a final determination when they arise between lawyers and their clients, and they have been unable to resolve the complaint between them. A decision will not be based on any legal precedent or regulation, but forms a judgement based on what it considers to be fair and reasonable in the circumstances of your case, as required by the Legal Services Act 2010.

You can make an enquiry in order to see if your complaint is suitable for its intervention by telephoning 0300 555 0333, visiting www.legalombudsman.org.uk or writing to PO Box 6806 Wolverhampton WV1 9WJ.

As standard, the Legal Ombudsman will not intervene unless you have exhausted our complaints procedure without resolution, or we have not completed the above steps within 8 weeks of receiving your complaint. They will also not normally intervene if the process is not commenced within 6 months of receiving our written full and final position regarding your complaint.

Any complaint to the Legal Ombudsman would also normally need to be made within 6 years of the act or omission which is complained of, or if you only learn of the act or omission outside of this 6-year timeframe, then within 3 years of discovery of the possible grounds for complaint.

Whilst the Legal Ombudsman is not the only complaint body in existence, we submit solely to the jurisdiction of the Legal Ombudsman for the purposes of any complaints received by you.

PART 5: COMPLAINTS ABOUT LEGAL COSTS

The procedure as set out in Parts 2 and 3 above, apply equally to any complaints regarding the legal costs on your file. Whilst we operate on a transparent pricing system, you of course retain the right to raise any concerns that you have regarding the level of our costs in undertaking the work on your file.

You also have the right to apply to the courts for an assessment of the costs on your file under Part III of the Solicitors Act 1974.

You may also be able to engage the services of the Legal Ombudsman in respect of legal costs, as above in Part 4. Please note however that the Legal Ombudsman would be unlikely to deal with a complaint regarding legal costs if the matter has already been submitted to the courts for assessment.

PART 6: MISCELLANEOUS

We are proud to operate in a manner that places such emphasis on client satisfaction. Even if you do not have a complaint but have an observation as to how we could improve in this respect, then we would welcome your feedback.

We are bound by the SRA Code of Conduct 2011, and in particular by Chapter 1 in respect of handling client complaints. We are unable (and would not seek) to apply any charge to you for handling your complaint.