

JOHN HOWE & CO SOLICITORS

COMPLAINTS PROCEDURE

Client feedback and complaints

We are committed to providing an excellent standard of service to our clients. We value feedback from clients greatly because it helps us to continually improve our service. If you do not feel that you are receiving excellent client service, or that something could be improved, please do tell us about it. If we have fallen short of the high standards we have set for ourselves then we would like the opportunity to learn from it and to put things right.

How to give feedback or make a complaint

Wherever possible it would be helpful if you could discuss any feedback or concerns with the lawyer dealing with your matter informally first, as they may be able to resolve your concerns without the need for a formal complaint.

However, if the lawyer dealing cannot resolve your concern informally, or if the issue is of such a serious or sensitive nature that you do not feel comfortable raising it with them, please feel welcome to raise your concerns with our complaints partner **John Howe** as a formal complaint under this policy.

How to make a formal complaint under this policy

To enable us to investigate and provide a thorough response to your concerns, we will need to form a good understanding of the issues. We would welcome hearing from you by email or by post with a brief explanation of:

- Why you feel dissatisfied with the service you have received.
- How you would prefer to be contacted about your complaint going forward.
- If there is anything in particular that you would like us to do to resolve your complaint.

Please address your concerns to:

john@jhowe.co.uk

or

FAO John Howe
John Howe & Co Solicitors
4 Manor House Street
Pudsey
LS28 7BJ

If you would prefer not to, or would find it difficult to, send written details of your complaint in this way, please call 0113 236 3936 to speak to John Howe & Co so that we can discuss the best way for you to give us an understanding of your concerns (for example, by phone or in a face-to-face meeting).

What happens after I have made a complaint under this policy?

We will:

- Send a written acknowledgement of your complaint within seven working days of receiving it.
- Investigate your concerns diligently, impartially and fairly. This may include reviewing your matter file and related records and discussing the issues with the team who have been working on your matter.
- Let you know promptly if we need any further information from you to assist our investigation and where applicable we will arrange a discussion with you to try to agree how to resolve the issues within five working days of receiving the relevant details from the member(s) of staff who worked on your file and any relevant information obtained from you as described above.
- Write to you to provide a formal Final Response to Complaint setting out the conclusion of our investigation and any proposals to rectify or resolve the matter.
- Although this information is set out in this complaints procedure, at the end of our complaints process we will remind you of what you can do if you are unhappy with the outcome, that you may be entitled to refer your complaint to the Legal Ombudsman, and how to do so.
- We will ask you to let us know whether we have succeeded in resolving your concerns and, if you accept any proposals made, we will fulfil the proposals promptly.

There is no fee for making a complaint and we will not charge you for investigating and responding to your concerns.

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 or disadvantaged by the complaints process, assuming no conflict 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.

Do I have to pay my bill if I am complaining?

Our terms of business provide that our invoices remain payable 7 days regardless of the investigation of any complaint.

However, please be assured that if the outcome of any complaint investigation concludes that any adjustment or reduction in costs should be made, any reimbursement will be paid promptly at that time.

How long will it take?

We will aim to conclude our investigation and provide our Final Response as quickly as possible. Although we will always aim for sooner, the process may take up to eight weeks from receipt of your complaint.

In exceptional circumstances it may be necessary to extend these timescales. If this occurs, we will let you know in writing and will try to agree any variation with you first.

If your complaint is not resolved within eight weeks, you may be entitled to refer the matter to the Legal Ombudsman at that time.

What might the outcome of my complaint be?

We regret any dissatisfaction which our clients experience and, if our investigation concludes that our service has fallen below our usual high standards, we will not hesitate to apologise. We may also make any proposals that we consider appropriate to resolve or improve your situation. Depending on the circumstances this may include, for example, an offer of compensation, reduced fees, further assistance or other proposals. These are only examples and may not be relevant or appropriate in all cases.

We will also take steps internally to ensure that any problems that you have experienced will not reoccur.

What if I remain dissatisfied?

If you remain dissatisfied after receiving our Final Response, or in the unlikely event that you have not received a Final Response within eight weeks of receiving your complaint, you may be entitled to complain to the Legal Ombudsman about our service. The Legal Ombudsman will normally expect you to have exhausted this complaints procedure before referring to them.

The Legal Ombudsman investigates complaints independently and accessing the service will not affect how we handle your case (if ongoing).

Most private individuals and smaller organisational or business clients will be able to make use of the Legal Ombudsman scheme. However, there are restrictions for larger organisational and business clients. These are set out in the Scheme Rules, which can be accessed on the Legal Ombudsman website, details of which are given below.

Time limits apply to the service, so if you do wish to refer your complaint to the Legal Ombudsman you should not delay once our own complaints process has concluded. In certain circumstances the Legal Ombudsman may exercise discretion to consider a complaint out of time.

The general rule is that you must take your complaint to the Legal Ombudsman within six months of receiving a final response to your complaint and either:

- Within one year of the date of the act or omission, or
- Within one year of you realising that you had concerns.

Contacting the Legal Ombudsman

You can contact the Legal Ombudsman, or find further information about who can use their service and when, via the details set out below.

www.legalombudsman.org.uk

T 0300 555 0333 between 9.00 am to 5.00 pm

E enquiries@legalombudsman.org.uk

Post Legal Ombudsman, PO Box 6167, Slough, SL1 0EH

Complaints about your bill

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.

Concerns about professional misconduct

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 lawyer or the firm have been involved in professional misconduct then it may be appropriate for you to refer this to the Solicitors Regulation Authority.

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. Information about how to report a concern is provided at www.sra.org.uk/consumers/problems/report-solicitor/.

Alternative dispute resolution (ADR)

Other ADR services providers exist that are competent to deal with complaints in the legal sector, including ProMediate. However, John Howe & Co 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.