

BRIGHOUSES SOLICITORS (SOUTHPORT)

COMPLAINTS PROCEDURE

11 August 2020

Our Complaints Policy

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.

Our Complaints Procedure

If you have a complaint please contact Miss G E Cheetham (Complaints Officer) or in her absence Mr R M Ratcliffe our (Client Care Partner). You can write to her/him at Brighouses, Clarendon House, St. George's Place, Lord Street, Southport, Merseyside PR9 OAJ. If we have to change any of the responsibilities or the timescales set out below we will let you know and explain why.

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.

Please note that any timescale set out in this procedure can be altered by agreement with you.

Source of Complaint

We are primarily and seriously concerned about all complaints received from our clients. We are also prepared to deal with bona fide complaints from appropriate people connected with our clients (e.g. family members, carers and guardians), Solicitors acting on the other side in the matter concerned, any Barristers involved in the retainer, and those involved in the Justice system such as Judges, Court Officials and Prison Officials.

What will happen next?

1. Within ten working days of receipt of your complaint, we will send you a letter acknowledging your complaint and asking you to confirm or explain any details. If it seems appropriate we will suggest a meeting at this stage. We will also let you know the name of the person who will be dealing with your complaint.
2. We will record your complaint in our central register and open a file for your complaint. We will also investigate your complaint by examining the relevant file and speaking to the Lawyer who acted for you.
3. If appropriate we will then invite you to meet our representative to discuss and hopefully resolve your complaint. We would hope to be in a position to meet with you in this way no longer than 8 weeks after first receiving your complaint. If the timescale is to be different because of absences or complications we will advise you. If you would prefer not to meet, or if we cannot arrange this within an agreeable timescale, we will write fully to you setting out our views on the situation and any redress that we feel to be appropriate.
4. Within 10 working days of any meeting or notified decision we will write to you to confirm what took place and any suggestions that we have agreed with you. In appropriate cases the following options for remedies may apply:-
 - (a) An apology where the complaint is justified and it does not relate to a matter that may involve negligence.
 - (b) An expression of sympathy even if our Practice has found that it is not at fault.
 - (c) Fixing the specific problem (at our expense).
 - (d) Improving the aspect of service that has led to the problem.
 - (e) Offering to meet you and explain again the service being provided if there is any confusion or misunderstanding over the service.
 - (f) An offer of reasonable compensation for either specific losses or general inconvenience (if warranted).
 - (g) Offering to reduce your bill or to undertake work to rectify the situation free of charge (if warranted).

Please note that only the Managing Partner can authorise certain of the remedies listed above.

5. At this stage, if you are still not satisfied, please let us know. We will then arrange for a different person to review our decision. We would generally aim to do this within 10 working days. This will happen in one of the following ways:-
 - (a) We will arrange for someone in the firm who has not been involved in your complaint to review it.
 - (b) Mr R M Ratcliffe (Managing Partner) will review your complaint within 10 working days unless it is his decision under the Complaints Procedure which you are challenging.
 - (c) We will ask our local law society or another local firm of solicitors to review your complaint. We will let you know how long this process will take.
 - (d) We will invite you to agree to independent mediation. We will let you know how long this process will take.
6. We will let you know the result of the review within 10 working days of the end of the review. At this time we will write to you confirming our final position on your complaint and explaining our reasons.
7. Your right to complaint might relate to the way in which your matter is being handled, or about a bill that we have issued. In the case of a complaint about a bill there might 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. However, we would point out that if all or part of a bill remains unpaid, we may be entitled to charge interest, such entitlement being set out within our standard Terms of Business and on the bill itself.

Unmeritorious Complaints

8. If we decide that a complaint is without merit we will explain politely and clearly why we will not be taking any further action following the complaint and what the appropriate appeal options are.

Ceasing Correspondence

9. Please note that we have authority from the Law Society to cease correspondence with any client in relation to a complaint where the client continues to correspond with us about it even though the complaint has been dealt with fully under our procedures. We are

willing to correspond with any client about the outcome of our decision so far as this is reasonable. However, if we decide to cease corresponding with a client then we will despatch a final letter containing the following information:-

- (a) An outline of the brief details of the complaint.
- (b) A statement of what decision has been made under our procedure and why or what remedies were offered (if relevant).
- (c) We will explain that in the absence of new relevant evidence in relation to that complaint we will not continue to correspond any further and the firm will regard the complaint as closed.

If we have to change any of the timescales above, we will let you know and explain why.

If you have any enquiries about our complaints procedure please contact Mr Ratcliffe the Senior Partner at Brighouses, Clarendon House, St. George's Place, Lord Street, Southport PR9 OAJ or by telephone at (01704) 534101 or by email at mikeratcliffe@brighouses.co.uk.

Timescale Note

(please complete if you wish)

1. Date of your complaint :
2. Date received at our office :
3. Acknowledgement due by :
4. Any Meeting to take place by :
5. Full written response to you by :
6. Date of any appeal by you :
7. Written decision on appeal by :

10. LEGAL OMBUDSMAN

1. If you are still not satisfied you have the right to complain to the Legal Ombudsman at PO Box 6806, Wolverhampton WV1 9WJ. Their telephone number is 0300 555 0333. Their e-mail address is enquiries@legalombudsman.org.uk. Their website is at www.legalombudsman.org.uk.
2. Normally you will need to bring a complaint to the Legal Ombudsman within six months of receiving a final written response from us about your complaint or within a year of the act or omission about which you are complaining occurring (or you becoming aware of it). The Legal Ombudsman can investigate complaints up to six years from the date of the problem happening or within three years of when you found out about the problem. Please note that if your complaint is about a bill the Legal Ombudsman may not consider a complaint about the bill if you have applied to the Court for assessment of the bill. We very much hope that this will not be necessary.

11. SOLICITORS REGULATION AUTHORITY (SRA)

We are regulated by The SRA. If you have any concerns that we are not able to resolve the SRA can be contacted via their website www.sra.org.uk, by telephone 0370 606 2555 or by post Solicitors Regulation Authority, The Cube, 199 Wharfside Street, Birmingham, B1 1RN