



COMPLAINTS PROCEDURE

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 Sian Lewis, our Client Care Partner. You can write to her at our Abergavenny Office at Rother House, 11 Nevill Street, Abergavenny, Monmouthshire NP7 5AA.

If we have to change any of the responsibilities or the timescales set out below we will let you know and explain why.

What will happen next?

1. Within three days 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 then 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.
3. If appropriate we will then invite you to meet Mrs. Lewis 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 14 days after first receiving your complaint. 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 would feel to be appropriate.
4. Within three days of any meeting we will write to you to confirm what took place and any suggestions that we have agreed with you. In appropriate cases we would offer an apology, a reduction of any bill or a repayment in relation to any payment received.

5. At this stage, if you are still not satisfied, please let us know. We will then arrange to review our decision. We would generally aim to do this within 10 days. This will happen in one of the following ways.

- Sian Lewis will review our decision.
- We will arrange for someone in the firm who has not been involved in your complaint to review it.
- Lynda Rhead, another Partner in the firm will review your complaint within 10 days.
- 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.
- We will invite you to agree to independent mediation. We will let you know how long this process will take.

We will let you know the result of the review within five 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. We will also provide you with the details of an Alternative Dispute Resolution (ADR) approved body that is competent to deal with complaints about legal services. The matter can be referred to them if we both agree to use the scheme. We do not agree to use the scheme but are obliged from 1st October 2015, under European DIRECTIVE 2013/EU to make you aware of an ADR approved body.

6. If you are not satisfied with our handling of your complaint, you can also ask the:

Legal Ombudsman,

PO Box 6806

Wolverhampton

WV1 9WJ

Website: www.legalombudsman.org.uk

Tel 0300 555 0333

Email: enquiries@legalombudsman.co.uk

To consider the complaint

For the Legal Ombudsman to deal with your complaint the problem must ordinarily have occurred after 5th October 2010.

If the problem occurred on or before 5th October 2010 or you should reasonably have known there was cause for complaint, on or before that date, then the Ombudsman will not usually be able to deal with your complaint

If you are unsure about these time limits and how they apply to your matter, please contact the Legal Ombudsman's office, using the contact details shown above, to clarify the position.

Subject to the above Scheme Rules, and the Legal Ombudsman's discretion to extend the time limits, you will need to bring your complaint to the Legal Ombudsman.

- a) within six months of receiving a final written response from us about your complaint and,
- b) no later than 6 years from when the problem (act or omission) occurred or,
- c) no later than 3 years from the date, you should reasonably have known that there was cause for complaint.

Please Note

1. If your complaint is specifically about our bill, you have the right to object to it and apply for an assessment of it under part III of the Solicitors Act 1974. If you should choose to exercise this right, and the court is assessing our bill, you may be unable to use the Legal Ombudsman service.
2. If you are complaining as a business client, unless you are a "micro business" (as defined by the European Union), you may not be able to use the Legal Ombudsman scheme, and should check the guidance on Legal Ombudsman's website.
3. If you refer your complaint to the Legal Ombudsman as a trustee/personal representative (executor/administrator) or beneficiary of the estate/trust of a person who, before they died, had not referred the complaint to the Legal Ombudsman the period runs from when the deceased should reasonably have known there was cause for complaint; and when the complainant (or the deceased) should reasonably have known there was a cause for complaint will be assessed on the basis of the complainant's (or deceased's) own knowledge, disregarding what the complainant (or the deceased) might have been told if he/she had sought advice.

4. If the ombudsman considers there are exceptional circumstances (e.g. serious illness or you were still within the time limits when you made your initial complaint to them) then he/she may extend any of the above time limits to the extent that he/she considers fair.

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