

## **Complaints handling procedure**

### **Your feedback**

Please tell us if something has gone wrong or you are not happy with our service. The sooner we know there is a problem, the sooner we can try to resolve this. You have a right to complain about any aspect of our work including our services and charges. We will treat any concern as a complaint unless you mention this informally and are happy with an apology. All complaints will be dealt with promptly, fairly and free of charge.

### **How can you complain and to whom?**

Initially, please tell the person dealing with your matter if you have a complaint and describe your concerns as precisely as you can. If we are not able to resolve your concerns immediately, we will:

- acknowledge these in writing within seven working days; and
- write to you with our response within twenty-five working days

If you are not happy with our response, you can ask the department manager or supervisor named in our engagement letter to review the handling of your concerns and our response. Your request must be received by us within three months of the date of our response.

The department manager or named supervisor will acknowledge your request within seven working days of receipt and write to you with the outcome of the review within twenty-five working days of receiving your request.

What happens if your complaint has not been resolved to your satisfaction within (8) eight weeks?

We will inform you in writing eight weeks after the date on which we received your complaint:

- of your right (if you qualify) to complain to the Legal Ombudsman, and the time frame and full details of how to contact the Legal Ombudsman; and
- if a complaint has been brought and our complaints handling procedure has been exhausted:
  - (i) that we cannot settle the complaint;
  - (ii) of the name and website address of an alternative dispute resolution (ADR) approved body which would be competent to deal with the complaint; and
  - (iii) whether we agree to use the scheme operated by that body.

Any complaint to the Legal Ombudsman must be made within one year of the act or omission complained about or within one year on which you were first in a position to realise there could be grounds for a complaint but in any event within six months from our final response letter.

Generally, you will qualify if you are an individual or (if small) a business, charity, club or trust. You will need to refer to the website of the Legal Ombudsman for the detail but the address is currently: PO Box 6167, Slough, SL1 0EH – the telephone number: 0300 555 0333 – and the e mail address: [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk).

### **Bills**

You can complain about your bill using the above procedure. If the bill is in respect of contentious work, you can have the bill assessed by the Court but, if you do this, the Legal Ombudsman service cannot be used for that matter in respect of the amount charged. Please note that interest will be

payable on any bill (or part) not paid promptly. We can also usually keep your papers and documents until we have been paid in full.

### **Our quality records**

Each complaint will be recorded on a central register. This is audited regularly to ensure that appropriate action is being taken. The register also helps with a regular review of our quality standards. Negligence If you think the person dealing with your matter (or Empower Family Law Limited as a firm) has been negligent, please tell us. The Professional Negligence Pre-Action Protocol is a national procedure for dealing with negligence claims against professionals. This (and not our complaints handling procedure) will apply if you want to make a claim for negligence. We may not be able to continue acting if you make such a claim as a conflict of interest is likely to arise under our professional code of conduct. You may need to instruct another firm to finish the work and advise generally.

### **Ongoing improvement**

We will identify the cause of any problem and, where justified, offer appropriate redress. We will learn from all complaints and correct unsatisfactory procedures. Even if you do not mention anything while we are doing the work, you will have an opportunity to tell us about our service when the work has been finished. Please complete and return the satisfaction questionnaire we will send you. We want to raise our standards for the benefit of all clients and need your help to achieve this. Each legal practice must appoint a Compliance Officer for Legal Practice (COLP) whose duties are to ensure the firm complies with all relevant legislation and regulations including the requirements of the Solicitors Regulation Authority (SRA) Handbook and Codes of Conduct. The COLP must report to the SRA all material breaches of the Handbook and Codes, and any other serious misconduct, on the part of anyone in the firm. The COLP has no function in handling complaints other than to monitor complaints to ensure there have been no material breaches, and report any such breaches. Sarika Jetwani is the Empower Family Law COLP and the person with overall responsibility for our complaints handling.