



COMPLAINTS – THE REGULATORY ROLE OF CLC

HOW TO MAKE A COMPLAINT

AND

HOW YOUR COMPLAINT WILL BE HANDLED

COMPLAINING ABOUT A CLC REGULATED PERSON

What does the CLC do?

The Council for Licensed Conveyancers (CLC) regulates licensed conveyancers and CLC regulated bodies (also called recognised bodies and licensed bodies or ABS). The CLC does not regulate solicitors' practices. These will be under the regulation of the [Solicitors Regulation Authority](#). The information that follows is only for complaints and issues related to CLC regulated services that are carried out by CLC regulated persons.

Complaints are separated into two types:

1. Service Complaints – the Legal Ombudsman

A service complaint can only be made by the actual client of a conveyancing or probate practice. The complaint will be about the service the client has received, eg. poor service, such as delay or failure to keep a client informed. The client should always refer to their conveyancer or probate practitioner first to try and resolve the issue before taking further action.

If you are still not satisfied with the service you received after your complaint has been investigated by your practitioner, your complaint can be sent to the Legal Ombudsman. Details of the Legal Ombudsman's scheme can be found on the internet at legalombudsman.org.uk/how-to-complain.

2. Conduct Complaints – the CLC

The CLC can accept complaints about the conduct of a CLC regulated person from any person (including another lawyer) and the Legal Ombudsman. The term 'conduct' differs from 'service'.

An investigation into a conduct complaint is limited to considering whether there is evidence of a breach in the CLC Code of Conduct and other CLC regulatory arrangements which justifies disciplinary proceedings. A copy of the Code of Conduct can be found on the CLC website [here](#).

Please note that the CLC has no power to make any award of compensation in your favour or to direct a repayment of fees. The Legal Ombudsman (see above) however may be able to help you.

COMPLAINING ABOUT A CLC REGULATED PERSON

How can I make a complaint to the CLC about a CLC regulated person?

In the first instance it is helpful if you call us or send us an email about your issue: 0207 250 8465 or clc@clc-uk.org or [Contact-us](#) .

If it is a service complaint and you are/were the client, you will be advised to refer to your conveyancer if you have not already done so. If you have raised this with your conveyancer as a complaint and are still not satisfied, you will be advised to contact the Legal Ombudsman (as above).

We will advise you if this is a potential conduct complaint and help you understand what needs to be done to resolve it.

If we feel there may be a requirement for investigation, we will ask you to complete a copy of our Complaint Form. You can find the form from our CLC website in the Consumer section [here](#).

What can I complain about?

You may raise a complaint about the conduct of the CLC regulated person if their actions may have breached the CLC's Code of Conduct or our other regulatory arrangements.

You will have to provide documentary evidence in support of your complaint which will substantiate your grounds and must be relevant to the circumstances.

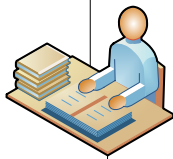
COMPLAINING ABOUT A CLC REGULATED PERSON



Submit your enquiry to
CLC



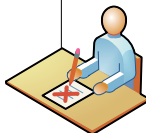
CLC will acknowledge
and review



We will look into your
enquiry



If it is a conduct complaint we
will let you know and advise how
it will be dealt with



If it is not a conduct complaint or the
issue does not warrant an
investigation we will let you know

Whilst we will try to deal with your enquiry as quickly as we can, it may take approximately 4 weeks to look into your issue.

COMPLAINING ABOUT A CLC REGULATED PERSON

How will my complaint be handled?

CLC's External Relations (ER) will acknowledge receipt of your enquiry and review the issue you have raised as a potential complaint.

Whenever possible we will try to facilitate a prompt solution, eg. within 2-4 weeks of receipt, without conducting a full and lengthy investigation.

Quite often there is a satisfactory explanation and/or the regulated practice can take the necessary action very promptly. If so, the issue raised will require no further action by CLC.

If it is clear from the information that you have provided that there has not been a breach of the Code of Conduct, you will be advised as soon as possible.

If necessary to help with the review of your enquiry, the ER will advise the designated contact person at the CLC regulated practice that a potential complaint has been received.

We will let them know what the issue is and probably send any copy documents received from you and /or correspondence to them for review as appropriate. The regulated practice will be asked to provide an explanation to the ER about the issue. They may be asked to contact you direct if you are their client or the lawyer who acted on the other side of the transaction.

Providing the explanation from and any action by the regulated practice is satisfactory and does not raise concerns about misconduct, CLC will not need to do anything further.

NB. A CLC regulated person who fails to respond promptly and politely to any correspondence from us may be in breach of our Code of Conduct.

NEXT STEPS if there is a concern about misconduct:

If there is a concern about misconduct, you will be asked to complete the Complaint Forms in relation to the matter which then becomes a formal complaint.

Your complaint will then be subject to a formal investigation where we will need access to the transaction file. Our Legal & Enforcement Officer will review the circumstances of your complaint in alignment with the transaction and prepare a report. A decision will be made and you will be advised of that decision.

The decision will be that there is no issue for misconduct or that there is. If there is, the report will be referred to the CLC's Adjudication Panel for assessment.

We anticipate that it may take 4-6 weeks for the report depending on the nature of the complaint and the transaction.

You will be advised of the decision. If you do not agree that there is not issue for misconduct, you can appeal that decision and ask for referral to the Adjudication Panel.

COMPLAINING ABOUT A CLC REGULATED PERSON

What is the role of the Adjudication Panel?

The Adjudication Panel hears and determines allegations that a CLC regulated person has breached the CLC's regulatory arrangements. If it is satisfied any allegation has been proved, the Adjudication Panel may impose a range of sanctions, which include removal of a licence, directing the payment of a penalty (payable to HM Treasury) and issuing a reprimand.

The Adjudication Panel is an independent committee and appeals are made to the designated clerk at CLC who will have had no involvement in the previous investigation or the subsequent decision.

What can you expect from the CLC?

The CLC aims to be:

- courteous
- objective
- accessible
- flexible

Data Protection Act 1998

The CLC is registered as a data controller under the Data Protection Act 1998 and therefore must comply with the rules of good information handling. The Data Protection Act allows individuals to find out what information is held about themselves on computer and some paper records.

Equal Opportunities Policy

In our regulatory work and in processing complaints, we are committed to ensuring that all users of the complaints service are treated fairly, impartially and without discrimination based on race, colour, ethnic or national origin, nationality, citizenship, sex, sexual orientation, marital status, disability, age, religion, philosophical beliefs or political persuasion.

COMPLAINING ABOUT A CLC REGULATED PERSON

Time within which complaints should be made

The CLC will not usually investigate a conduct complaint that is received after 12 months of:

- The CLC regulated person ceasing to act for the complainant; or
- The complainant becoming aware of the issues giving rise to the complaint,

whichever date is the later.

The CLC may consider complaints outside the 12 month period where it considers it is reasonable to do so, and where it is satisfied that a fair investigation can be carried out.

The CLC may also investigate a conduct complaint made outside the 12 month period if:

- the complaint:
 - Raises issues of public interest;
 - Raises issues of unusual importance or sensitivity; or
 - Is made by or on behalf of a child, young person or vulnerable adult;
- the complainant can show good cause for any delay in making the complaint.

The CLC will consider all conduct complaints where unlawful discrimination is alleged and all complaints where dishonesty is alleged, beyond the 12 month time limit set out above.

The CLC may ask a complainant to explain why the complaint has been made to the CLC after the end of the 12 month period. Documentary evidence in support of the complaint will be required.

If it is unclear whether the complaint has been made within the 12 month period, the complainant is likely to be given the benefit of the doubt. The complaint will be looked into following the same steps as advised below.