



Complaints Code -

Quick Start Guide

Outcomes-focused

By complaint we mean an oral or written expression of dissatisfaction which alleges that the complainant has suffered (or may suffer) financial loss, distress, inconvenience or detriment. Capturing and learning from this feedback is an essential element of overall customer care, providing a useful measurement of how well a business is meeting the needs of its clients and identifying any areas which would benefit from improvement.

As a result, all members of the CLC-regulated community must deliver the following Outcomes:

- You accept responsibility where the service you provide is not of the expected standard and provide appropriate redress for the Client where necessary (Code of Conduct Outcome 6.3);
- Handling of complaints takes proper account of Clients' individual needs, including those who are vulnerable (Code of Conduct Outcome 6.4);
- Complaints are dealt with impartially and comprehensively (Code of Conduct Outcome 6.5).

What should a complaints procedure look like?

Delivery of the outcomes requires a procedure which is:

- Well-publicised; clients are advised from the outset of their right to make a complaint, including the right for this to be escalated to the Legal Ombudsman (providing its contact details and timeframes);
- Free, clear, convenient, accessible and responsive to the needs of different clients (so complaints can be made by any reasonable means);
- Complaints are investigated under the supervision of a senior manager/member;
- Complaints are treated seriously and dealt with constructively, fairly and comprehensively;
- Complaints are acknowledged/responded to in a timely manner;
- The response clearly explains the assessment of the complaint, the decision made and any remedial action/redress offered, as well as information on any review procedure in place and on the Legal Ombudsman;
- Keeping a record of complaints and any action taken as a result, identifying and addressing any systemic issues.

Complaints Good Practice

The Guidance accompanying the Complaints Code provides an Example Complaints Procedure for those in need of a template. It also provides good practice examples such as provision of a Customer Feedback Form/possible survey questions should the firm decide to capture client satisfaction with the complaints procedure; and a website facility to enable online registration of a complaint. It is not mandatory for members of the CLC-regulated community to adopt any of the good practice examples cited, they are provided for consideration purposes.

Legal Ombudsman

The Legal Ombudsman, under the Legal Services Act 2007, has formal powers to resolve service-related complaints about lawyers (conduct-related complaints will be passed to us to deal with). It expects the complainant to have already complained to their legal service provider, allowing the firm the opportunity to resolve the complaint in the first instance. It can accept complaints up to 6 months after the complaint has completed its journey through the firm's procedure or within 12 months of the complainant discovering a problem (whichever is later). It charges firms a £400 case fee for every 3rd - and any subsequent upheld - complaint over a 12 month period. It can also award costs.

Contact information:

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www.legalombudsman.org.uk;

telephone no: 0300 555 0333;

address: Legal Ombudsman, PO Box 15870, Birmingham, B30 9EB