

## **BROMLEYS SOLICITORS LLP – COMPLAINTS HANDLING PROCEDURE**

### **Our Complaints Policy**

Our aim is to provide all our clients with a comprehensive and efficient legal service. We hope that you will be pleased with the work we do for you. However, should there be any aspect of our service with which you are dissatisfied, at any point, please raise your concern in the first instance with the person named in the 'Client Care letter' who is or was dealing with your case, or their supervisor who is also named in the 'Client Care letter'.

### **What is a complaint?**

A complaint is any expression of dissatisfaction however it is expressed.

### **Our Complaints Procedures**

If having raised your concern with the person dealing with your case, or their supervisor, you are still dissatisfied, or if you wish to make a formal complaint, write to us with the details and address your complaint to our Practice Manager Louise Nolan. You can contact her by post at: 50 Wellington Road, Ashton under Lyne, OL6 6XL, or email: [lnolan@bromleys.co.uk](mailto:lnolan@bromleys.co.uk). If you would prefer not to write or email, you can telephone her instead tel: 0161 330 6821 or contact her to arrange a video call or an appointment at our offices.

It will help us when we investigate your complaint, if you could confirm to us what resolution you are hoping to achieve, so we can consider this during the investigation.

Making a complaint will not affect how we handle your case, however if your complaint may impact on our ability to undertake any action on your case we will let you know.

You will not be charged by us for dealing with your complaint.

### **What happens if you make a complaint?**

1. We will record your complaint in our central register and open a separate file for your complaint. We will write to you acknowledging your complaint and enclose a copy of our Complaints Handling Procedures if you have not received a copy of this already. We will do this **within 2 working days** of receiving your complaint.
2. We will then start to investigate your complaint. If necessary, we may ask you to clarify, confirm or explain some or all of the details of your complaint. The person with conduct of your case may be asked to provide a response to your complaint. We will endeavour to complete the investigation **within 28 working days** of acknowledging receipt of your complaint.
3. Once the investigation is complete Louise Nolan will contact you to confirm this. This will most likely be by letter or email. However, she may invite you to meet with her at these offices, or contact you by telephone. If you would prefer a telephone call, video call or appointment at our offices to discuss the outcome of your complaint, instead of a letter or email, please confirm this to her once she has contacted you in this regard.
4. If you attend a meeting or have a telephone call regarding the outcome of your complaint, Louise Nolan will write to you by letter or email thereafter to confirm what took place.
5. There are several possible outcomes to a complaint investigation. We may determine that all aspects of your complaint are upheld, or that only some of the aspects of your complaint are upheld. We may also determine that none of the aspects of your complaint are upheld. If we decide that none of the aspects of your complaint are upheld, it is likely that we will not make any offer or remedy. If we determine that all or some of the aspects of your complaint are upheld, we will also confirm what remedy we believe should be offered to you to resolve your complaint. If a remedy is to be offered and what remedy that will be, will differ from case to case and depend upon the particular circumstances of the complaint. The following are an indication as to some of the possible remedies that we could offer and these are also confirmed on the Legal Ombudsman's website:

- Offer an apology, which is not an admission of fault, it is an acknowledgment of a failing, an acceptance of responsibility, an explanation of what went wrong and why, regret for any impact and what we have done/are doing to ensure it does not happen again.
  - Return or send material to you e.g. original documents that belong to you or provide you with a copy of your case file; however we may not be able to provide you with a copy of your case file if this is being held until you have paid any outstanding costs on your case.
  - Undertake more work or the work that was agreed to be undertaken with you and should have been undertaken for you.
  - Reduce or refund costs, or agree not charge for further work.
  - Offer an amount by way of compensation, which would help acknowledge the impact of any poor service as a result of any emotional effect of poor service.
  - Put you in the position that you would have been in if the service had been reasonable.
6. If you are not satisfied with the outcome of the investigation into your complaint you can ask us to review it. Our SRA Designated Complaints Handler is Paul Westwell and he will undertake the review. If for some reason it is not appropriate for Paul Westwell to undertake the review, we will explain why and another member of the Senior Leadership Team at the firm will undertake the review. Once the review has taken place we will write to you confirming our final position on your complaint and explaining our reasons.
  7. The Legal Ombudsman requires us to deal with your complaint within **8 weeks** of receiving it. If we do not resolve your complaint within this time, or if you are not satisfied with the handling of your complaint, or if you are not satisfied with the outcome of your complaint, you can contact them – see below.
  8. You can contact the Legal Ombudsman at: PO Box 6167, Slough, SL1 0EH, Tel: 0300 555 0333, email: [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk), website: [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk). The Legal Ombudsman provides recourse to a non-judicial dispute resolution procedure. Detailed information about this can be obtained by contacting them. They could help you if you are not happy with the work we have done for you or the service you have received from us. Examples include: (i) not replying to your emails, letters or calls, (ii) charging you an amount you are not happy with, (iii) losing your documents, (iv) not giving you clear advice, (v) not explaining issues properly so you do not understand them. The Legal Ombudsman may not be able to deal with your complaint. If not they will tell you who would be able to do so.
  9. The time limit for referring a complaint to the Legal Ombudsman is: (i) no later than **1 year** from the date of the act or omission being complained about, or no more than **1 year** from the date when you should have reasonably known that there was cause for complaint, and (ii) **within 6 months** of the date of receiving a final written response from us about your complaint.
  10. Alternative complaints bodies to the Legal Ombudsman exist such as: The Ombudsman Services, ProMediate and Small Claims Mediation, which are competent to deal with complaints about legal services. However, both you and this firm must agree to use an alternative complaints body. We have determined that we do not agree to use any alternative complaints body.
  11. The Solicitors Regulation Authority (SRA) could help if you think a solicitor or firm might have been dishonest or if you have concerns about their behaviour. Detailed information about this can be obtained by contacting them. Examples include: (i) taking or losing your money, (ii) dishonestly or deliberately overcharging you, (iii) treating you unfairly because of your age, a disability or other characteristic. You can contact the SRA at: The Cube, 199 Wharfside Street, Birmingham, B1 1RN, Tel: 0370 606 2555, website: <https://www.sra.org.uk/consumers/problems.page>
  12. Your complaint could relate to our charges. You may be able to object to your bill by making a complaint to the Legal Ombudsman and/or by applying to the Court for an assessment of the bill under Part III of the Solicitors' Act 1974. We must point out however that if all or part of the bill remains unpaid the firm may be entitled to charge interest.

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