

Alexander Johnson Complaints Procedure

We aim to provide a high quality to Legal Service to all of our clients. However, on rare occasions things can go wrong or people feel that they have not been provided with the level of service that they think is deserved. In those circumstances we would like to know about it so we can use our best endeavours to put things right and/or improve our standards.

The procedure outlined below helps us to identify and address and failings on our part, or areas of bad practice or areas where we can improve. Where appropriate we would apologise and, in some cases, if we feel that it is justified, offer recompense to those who complained.

Concerns and Formal Complaints

First of all, a concern or formal complaint can be brought by any client, potential client or someone that is authorised to do so on their behalf. If a concern or formal complaint is raised by anyone else, then the matter should be referred to the Complaints Handler who will consider whether the complaint is covered by this policy and procedure or whether the matter should be dealt with by some other means.

Concerns

There are occasions when client's express concerns which can be dealt with swiftly and resolved informally by the Supervisor or the staff member who has conduct of the matter. Supervisors will make a judgement as to whether they are able to swiftly and informally deal with the issue to the client satisfaction. This is something that will be dealt with in an informal manner and informal discussions with the person raising the concern where appropriate.

If the Supervisor considers that the issue amounts to a formal complaint, then they will immediately refer the matter to the Complaints Handler of this firm.

Guidance for Supervisors or whether an issue amounts to a concern or formal complaint is available in the firm's Office Manual. If there is any issue for doubt, then the Supervisor will seek the advice of the Complaints Handler before making a final decision on whether the matter raised amounts to a concern or a formal complaint.

In order to deal with a concern, it will usually be necessary for the Supervisor to undertake a brief investigation of the circumstances and given rise to the issue. Any concern must be dealt with swiftly and in any event within 10 working days. A note of the communication returning to the concern will be recorded on the appropriate file and

the person raising the issue will be received and confirmation of the outcome in a written letter. That written letter will also inform the client if they still wish to make a formal complaint to the Complaints Handler then they have the right to do so.

Formal Complaints

If the Supervisor is unable to solve the problem or considers that it amounts to a formal complaint the matter will be referred to the Complaints Handler. The Complaints Handler for this firm is Tony Marshall. In circumstances where Mr Tony Marshall is the person complained of then the Complaints Handler will be Miss Sara O’Keeffe.

A formal complaint is defined as “any expression of dissatisfaction which the client (or other person) would reasonably expect a response by way of which it is clear that a system or procedure may not be an ineffective operation”. Such an expression can be face to face, by letter, by email or over the telephone such that the complaint requires investigation and a formal response including, if upheld, an apology/or recompense.

Complaints Handler

The Complaints Handler will deal with the formal complaint promptly and in accordance with our complaint’s procedure. Our complaints procedure requires the Complaints Handler to take the following action when a formal complaint has been received or a concern has been assessed as a formal complaint:

- A) When a complaint arises, it will be passed to the Complaints Handler Mr Tony Marshall (if the complaint is against Mr Tony Marshall, then the complaint will be referred to Miss Sara O’Keeffe) within 7 working days of when the complaint being received.
- B) During the period between the complaint and acknowledgement letter being sent by Mr Tony Marshall (alternatively by Miss Sara O’Keeffe) the complaint will be investigated. This will entail speaking to the fee earner/support staff member the complaint relates or anybody else who may have relevant information/evidence to provide in respect of the complaint.
- C) Following the internal investigation into the complaint the Complaints Handler will, within 21 days of the initial complaint, provide a full response to the complaint dealing with as fully as possible, with the complaint, the general investigation, and the findings of the Complaint Handler in respect of the formal complaint. This will either resolve the complaint or as the client would have already been advised, they have the option to take the complaint to the Legal Ombudsman.

Complaints Register

The Complaints Handler will keep a central record of the complaints which will contain details of the complaints itself including:

- A) Date of receipt of complaint
- B) Reasons for the complaint
- C) Identity of the individuals concerned including the calls and nature of the complaint.
- D) Assessment of whether the complaint is justifiable or not
- E) Action taking, remedies offered, and any systematic failures identified.
- F) Date of final response was sent.

The Legal Ombudsman

If we are unable to satisfy and resolve the formal complaint to the satisfaction of the Complainant, then the Complainant will be informed of their rights to take the matter to The Legal Ombudsman. Before a Complainant approaches The Legal Ombudsman then they must have already made a formal complaint to us.

The Legal Ombudsman will not normally consider a complaint unless:

- A) It is made within 6 months of the complaint being received and a final response from us.
- B) It is made in relation to an act that took place after 5th October 2010 (or the Complainant should have reasonably known about the cause of the complaint after that date).
- C) It is made no later than 6 years from the date of the act or admission or 3 years from when the complainant should have reasonably known that there was a cause of complaint.

A referral to The Legal Ombudsman is generally not available to the following clients:

- A) Most businesses (unless they are defined as microenterprises.
- B) Charities or clubs with an annual income of 1 million pounds or more.
- C) Trustees of trusts with assets valued at 1 million pounds or more.

Further guidance is available at www.legalombudsman.org.uk, Tel: 0300 555 0333. Their email address is enquiries@legalombudsman.org.uk and their address is PO Box 6806, Wolverhampton WV1 9WJ.