



Complaints Handling Procedure

We are authorised and regulated by the Solicitors Regulation Authority (SRA). We are committed to high quality legal advice and client care and aim to offer all our clients an efficient and effective service. However, if our clients would like to discuss how the service to them could be improved, the level of their bill, or should there be any aspect of our service with which they are not satisfied, we ask them to please contact the person in our firm responsible for complaints handling: Alexander Spurr, Director, on 01325 281111, a.spurr@clarkwillis.co.uk or by post to 105 Bondgate, Darlington, DL3 7LB.

We are committed to high quality legal advice and client care and are keen to resolve any concerns as soon as possible and in order to do this, will follow our complaints handling procedure.

Our complaints procedure is as follows:

Step One:

If they have not already done so, we ask our clients to let us know the full nature of the problem in writing

Step Two:

Our Complaints Handling Representative will write to the client acknowledging their complaint within seven working days. In this letter, we shall confirm what happens next. We may invite you to a meeting to discuss the details of your complaint and we will attempt to set up this meeting within 14 days.

Step Three:

Our Complaints Handling Representative shall then investigate the matter by reviewing the matter file and speaking to the member of staff concerned within fourteen working days of acknowledging receipt of the complaint. If, for some reason, the matter cannot be investigated in this timeframe, then we will write to the client notifying them of this together with the reason why and giving a revised timescale.

We will then send to the client a detailed, written response, including any proposed solution, within ten working days of concluding the investigation.

Step Four:

If the client is satisfied with our response following the above steps, that will be the end of the matter. However, if the client is not satisfied, they will be invited to contact our Complaints Handling Representative again within 14 days and they will arrange for another Director to review the decision. They will write to the client within twenty-one working days of receiving the request with confirmation of the firm's final position in relation to the complaint, outlining the reasons and any final redress that is offered.



Step Five: Other avenues

Clients must always try complaining to us first. In most cases they will not be able to take their complaint further without allowing us the opportunity to put things right.

Legal Ombudsman

We are permitted a period of eight weeks to consider the complaint. If for any reason we are unable to resolve the problem between us within that timeframe, then our clients are advised that they may ask the Legal Ombudsman to consider the complaint.

Clients are free to refer any complaint about our work, fees or level of service but there are some conditions and time limits. Please be aware that any complaint to the Legal Ombudsman must usually be made within six months of the client having received a final written response from us about their complaint. Complaints to the Legal Ombudsman must usually be made within one year of the act or omission about which the client is complaining occurring; or within one year from when the client should have known about or become aware that there were grounds for complaint.

For further information, please contact the Legal Ombudsman on 0300 555 0333 or visit www.legalombudsman.org.uk. The Legal Ombudsman may be contacted at Legal Ombudsman, PO Box 6167, Slough, SL1 0EH

If someone thinks a solicitor might be dishonest or you have concerns about their ethics or integrity, they have the right to notify our regulator, the Solicitors Regulation Authority (SRA). There are no time limits for making a report but there are limits on what the SRA will consider. Please note that the SRA is not able to deal with issues of poor service (complaints of this nature should instead be referred to the Legal Ombudsman). For further information about the SRA's role, please contact the SRA or visit: <https://www.sra.org.uk/consumers/problems/report-solicitor.page#report>.

Information Commissioners' Office

To the extent that your complaint relates to a breach of Personal Data or it is evident that you are exercising your Rights as a Data Subject under data and information rights legislation (including, but not limited to the UK GDPR and Data Protection Act 2018), there may be aspects of the complaint that we may have to deal with and/or respond to differently in light of our obligations as a Data Controller. It may be that aspects of your complaint will need to be passed to our Data Protection Officer Alexander Spurr to assess and respond to in accordance with our Data and Privacy Notice which is available on our website. Our standard complaint handling timescales noted above may also not be appropriate and we will advise you if we have to escalate the timeframe for responding.

In the event of an allegation of a breach of Personal Data and/or any concern that our firm has not handled your personal information properly, we will consider whether a report needs to be made to the Information Commissioner's Office (ICO). Not all breaches are reportable and we will advise you of the results of our assessment.

Should it be clear that you are exercising your rights under data and information rights legislation, please be assured that we will handle that aspect of your complaint in accordance



with our regulatory obligations. For instance, we will aim to provide a full response to a Personal Data request within one month but if we cannot respond within that timescale, we will let you know when we will be able to respond. You can find guidance on our obligations under data and information rights legislation on the ICO's website (www.ico.org.uk) as well as information on their regulatory powers and the action they can take. You also have the right to lodge a complaint with the ICO provided that you have first allowed us the opportunity to attempt to resolve it ourselves. For further information or to contact the ICO please visit www.ico.org.uk/concerns or call 0303 123 1113.

Your rights to refer the complaint to the Legal Ombudsman and SRA (as set out above) may still be available to you in addition to your Personal Data rights.

CILEx Regulation

If someone has a complaint about the misconduct of a chartered legal executive, CILEx practitioner or CILEx member, they have the right to submit a complaint directly to CILEx Regulation. Complaints about poor service should instead be directed to the Legal Ombudsman as directed above. For further information about CILEx Regulation's role and the means to make a complaint, please visit:

<https://cilexregulation.org.uk/complaints/complain-to-us/>.

Alternative Complaints bodies

Alternative complaints bodies (such as *ProMediate*, further details of which can be found at www.promediate.co.uk) exist which are competent to deal with complaints about legal services should both parties agree to use such a scheme. However, we need to advise you that we do not agree to use an additional complaints scheme in addition to or instead of the redress offered by the Legal Ombudsman.

For further information about our complaints handling procedures, please do not hesitate to contact Alexander Spurr, Director, on 01325 281111, a.spurr@clarkwillis.co.uk or by post to 105 Bondgate, Darlington, DL3 7LB.