

## **Our Complaints Policy**

Occasionally mistakes will happen and things will go wrong – and where they do, we want to resolve and put things right as quickly and effectively as possible, using any concerns or complaints as a way of improving our services. When we are dealing with complaints, we will always aim to be reasonable, fair, proportionate, accessible and responsive to your needs. This Complaints Policy tells you what you can expect from us and our Complaints Handling Procedure (below) tells you how to make a complaint.

### **Accessibility**

- We will always make you aware of how to complain, both when you first instruct us, and at the time you raise any concerns.
- If you tell us about any special needs or disabilities you may have, we will do our best to make arrangements to accommodate you. We aim to ensure that any particularly vulnerable clients are able to utilise our complaints procedure.

### **Good Client Care**

- We will ensure that the person handling your complaint is properly trained and equipped and that they understand what they should do to provide a good complaints handling process
- We will handle your complaint in accordance with the law, any relevant policies and guidance, and with all published service standards.

### **Communicating with you**

- Our Complaints Handling Procedure will be clear and simple and will contain as few stages as possible.
- Your complaint will be acknowledged and dealt with promptly and you will be given clear timescales at each stage of the process.
- We will deal with your complaint more quickly than the rules require us to if there is a reason why this is desirable.

- We will communicate with you, whether in writing or on the phone, in a clear and understandable way.

### **Accountability and Transparency**

- We will properly investigate your complaint and objectively consider the issues and evidence involved.
- We will give you a clear and honest explanation for the decision provided based on the evidence involved.
- We will advise you of your right to complain to the Legal Ombudsman if you remain unhappy with our final decision.
- We will keep an ordered and full record of the way in which your complaint was handled, and store this separately from your matter file.

### **Acting Fairly and Proportionately**

- We will treat you impartially without any discrimination or prejudice.

### **Putting things Right**

- If we admit that we have made a mistake or omitted to do something that we should have done, we will offer you our full apologies at the earliest opportunity, as well as an explanation offered about what went wrong.
- Any offer of redress we make you will be prompt and proportionate; we will always try to consider the impact of our mistake on you and recognise any upset or inconvenience we may have caused.

### **Improving our Service**

- We will try to identify ways to improve the service we provide.

Whenever possible we will tell you of any changes to our procedures and systems which were introduced as a result of your complaint

## **Our Complaints Handling Procedure**

This Complaints Handling Procedure tells you how we will deal with your complaint and how long it is likely to take. It also provides important information about what you can do if you are not happy with the way in which we are dealing with your complaint, or about our final decision. Our Complaints Policy (above) contains further information about what you can expect from us when you make a complaint.

## **Contacting us about your Complaint**

If you have any concerns about our service, our work or our charges, please contact our Complaints Handling Principal, Victoria Harrington, with the details, either in writing to Harrington Family Law, 27 & 27a Northgate, Cleckheaton, BD19 3HH, by email to [victoria@harringtonfamilylaw.co.uk](mailto:victoria@harringtonfamilylaw.co.uk), or by telephone 01274 449910. Please tell us

- Your full name and contact details with a file reference number if applicable
- Details of your complaint
- How you would like your complaint to be dealt with and if you need any help in making your complaint.

## **Step One – Acknowledging your Complaint**

Within two working days of receiving your complaint, we will record it in our Central Complaints Register and open a separate file in which we will store any correspondence and other documents relating to your complaint. Within three working days we will also send you a letter acknowledging your complaint.

## **Step Two – Investigating your Complaint**

Within ten working days of receiving your complaint we will investigate your complaint. We will review your file(s) and any other relevant documentation and speak to you, or send you a letter, telling you how we propose to deal with your complaint. Examples of how we may do this are as follows:

- If your complaint is straightforward and if it is accepted we might make suggestions as to how we can put things right or we may offer you some form of redress;
- If your complaint is more complicated we might ask you to confirm, explain or clarify any issues
- We may ask to meet with you to discuss things face to face and we would hope to be in a position to meet with you no longer than fourteen working days after first receiving your complaint. If you would prefer not to meet, or if we cannot arrange this within an agreeable timescale, we will write to you fully setting out our views on the situation and making suggestions as to how we can put things right, or asking you to confirm, explain or clarify any issues. Within three working days of any meeting, we will write to you again to confirm what took place and to confirm any offer of redress that we have made.

If at this stage you are still not satisfied, you should contact us again and we will review your complaint and write to you within 10 working days of receiving your request for a review, confirming our final position on your complaint and explaining our reasons.

Whichever form our investigation takes, we will aim to give you our final decision within six weeks of receiving your complaint (or sooner if possible). If there are to be any delays in the timescales set out above, then we will also advise you and give you an indication of when you can expect your complaint to be resolved.

## **Step Three – The Legal Ombudsman**

If you are not satisfied with our final decision, you can then contact the Legal Ombudsman about your complaint.

Ordinarily, you cannot use the Legal Ombudsman unless you have first attempted to resolve your complaint using our internal Complaints Handling Procedure, but you will be able to contact the Legal Ombudsman if:

- The complaint has not been resolved to your satisfaction within eight weeks of first making the complaint to us; or
- The Legal Ombudsman decides that there are exceptional reasons why the Legal Ombudsman should consider your complaint sooner, or without you having to use our internal Complaints Handling Procedure; or
- The Legal Ombudsman considers that your complaint cannot be resolved using our internal Complaints Handling Procedure because the relationship between you and us has broken down irretrievably.

If you wish to refer your complaint to the Legal Ombudsman this must be done within six months of our final response to your complaint **and**

- no more than six years from the date of act/omission; or

- no more than three years from when you should reasonably have known there was cause for complaint

A complainant to the Legal Ombudsman must be one of the following:

- (a) An individual;
- (b) A micro-enterprise as defined in European Recommendation 2003/361/EC of 6 May 2003 (broadly, an enterprise with fewer than 10 staff and a turnover or balance sheet value not exceeding €2 million);
- (c) A charity with an annual income less than £1 million;
- (d) A club, association or society with an annual income less than £1 million;

- (e) A trustee of a trust with a net asset value less than £1 million; or a personal representative or the residuary beneficiaries of an estate where a person with a complaint died before referring it to the Legal Ombudsman.

If you do not fall into any of these categories, you should be aware that you can only obtain redress by using our Complaints Handling Procedure, or by mediation, or arbitration, or by taking action through the Courts.

If you wish to make a complaint to the Legal Ombudsman, further information can be found on their website or by telephoning or writing to them. Their contact details are below

Address:	Legal Ombudsman P O Box 6806 Wolverhampton WV1 9WJ
Telephone:	0300 555 0333 between 0900 to 1700
Email:	<a href="mailto:enquiries@legalombudsman.org.uk">enquiries@legalombudsman.org.uk</a>
Website:	<a href="http://www.legalombudsman.org.uk">www.legalombudsman.org.uk</a>

Alternative complaints bodies such as ProMediate exist which are competent to deal with complaints about legal services should both you and the firm wish to use the scheme. The website for ProMediate is [www.promediate.co.uk](http://www.promediate.co.uk) and there is a tab for complaints about "professionals".

However, please note we do not agree to use ProMediate. This is because we consider that the service offered by the Legal Ombudsman to be the most appropriate means of resolving any dispute. However if you would like to make representations as to why we should use ProMediate on this occasion then you may do so.

We will not consider using ProMediate if the matter has already been dealt with by the Legal Ombudsman.

If we are unable to resolve your complaint, and it relates to a contract we entered into online or by other electronic means, you may also be able to submit your complaint to an approved alternative dispute resolution provider in the UK via the EU 'ODR platform'.

The ODR platform is an interactive website offering a single point of entry for disputes between consumers and traders relating to online contracts. The ODR platform is available to consumer clients only, i.e. where you have instructed us for purposes outside your trade, business, craft or profession.

The website address for the ODR platform is: <http://ec.europa.eu/odr>.

### **What to do if you are unhappy with our behaviour**

The Solicitors Regulation Authority can help if you are concerned about our behaviour. This could be for things like dishonesty, taking or losing your money or treating you unfairly because of your age, a disability or other characteristic. The SRA website explains how you can raise your concerns with the [Solicitors Regulation Authority](#).

### **Fees for a complaint**

We will not charge you for handling your complaint. However, please note that if we have issued a bill for work done on the matter, and all or some of the bill is not paid, we may be entitled to charge interest on the amount outstanding. This is set out in our Terms of Business.

The Legal Ombudsman service is free of charge.

The ODR platform itself is free to use, but the ADR entity to which the complaint is transmitted may charge for its service. The ADR entity is responsible for informing all parties of the cost of its dispute resolution procedure.