

## **COMPLAINTS POLICY**

### **1. Purpose of this Complaints Policy**

The Family Law Practice welcomes and encourages feedback of all kinds from our clients. If you have a Complaint about our services or about our employees not only do we want to resolve it to your satisfaction but we feel it is important to learn from it in order to improve and maintain our standards in the future.

It is our policy to resolve Complaints quickly and fairly, where possible without recourse to formal investigations or external bodies. In particular, the aims of this Complaints Policy are:

- 1.1 To provide a clear and fair procedure for any clients who wish to make a Complaint about The Family Law Practice our services or about our employees;
- 1.2 To ensure that everyone working for, or with The Family Law Practice knows how to handle Complaints made by our clients;
- 1.3 To ensure that all Complaints are handled equally and in a fair and timely fashion;
- 1.4 To ensure that important information is gathered from Complaints and used in the future to avoid such a situation arising again.

### **2. What this Complaints Policy Covers**

This Complaints Policy applies to the provision of services and to our employees.

For the purposes of this Complaints Policy, any reference to The Family Law Practice also includes our employees, agents and Counsel.

Complaints may relate to any of our activities and may include (but not be limited to):

- 2.1 The quality of service you have received from The Family Law Practice
- 2.2 The behaviour and/or professional competence of our employees, agents and Counsel;
- 2.3 Delays or other problems associated with the provision of services by The Family Law Practice;

The following are not considered to be Complaints and should therefore be directed to the lawyer who is dealing with your matter.

- 2.4 General questions about our services;
- 2.5 Matters concerning contractual or other legal disputes;
- 2.6 Formal requests for the disclosure of information, for example, under the Data Protection Act;

### **3. Making a Complaint**

All Complaints, whether they concern the provision of legal services, our customer service, or our employees should be made in one of the following ways:

- 3.1 In writing, addressed to the fee earner dealing with your matter;
- 3.2 By email, addressed to the fee earner dealing with your matter;
- 3.3 By contacting us by telephone on +44 (0)117 925 9539;
- 3.4 By any of the above, addressed to the Managing Director (Ashley Palminteri) or by email [ashley@thefamilylawpractice.co.uk](mailto:ashley@thefamilylawpractice.co.uk);

When making a Complaint, you will be required to provide the following information in as much detail as is reasonably possible:

- 3.5 Your name, address, telephone number and email address (We will contact you using

- your preferred contact method as your Complaint is handled);
- 3.6 If you are making a Complaint on behalf of someone else, that person's name and contact details as well as your own;
  - 3.7 If you are making a Complaint about a particular employee, the name and where appropriate, position of that employee;
  - 3.8 Further details of your Complaint including, as appropriate, all times, dates, events, and people involved;
  - 3.9 Details of any documents or other evidence you wish to rely on in support of your Complaint;
  - 3.10 Details of what you would like The Family Law Practice to do to resolve your Complaint and to put things right. (Please note that whilst we will make every reasonable effort to accommodate such requests, we are not bound to take any action beyond that which we may be contractually or otherwise legally obliged to take.)

#### **4. How We Handle Your Complaint**

- 4.1 The Family Law Practice operates a two-stage complaint handling procedure. Following our Complaints Procedure, our aim is to always resolve Complaints to your satisfaction at Level One without further recourse to Level Two. If you are not satisfied at the end of Level One, you may escalate your Complaint to Level Two. If you are still not satisfied at the end of Level Two, Complaints may progress to the Legal Ombudsman as detailed below.
- 4.2 Level One:
  - 4.2.1 Upon receipt of your Complaint, the Complaint Handler will log the Complaint in our Complaints Register and will acknowledge receipt of it in writing within two business days.
  - 4.2.2 When we acknowledge receipt of your Complaint we will also confirm the details of your Complaint Handler. This may be the fee earner to whom your original Complaint was directed (as above) or your Complaint may be assigned to another appropriate member of our team.
  - 4.2.3 If your Complaint relates to a specific employee that person will be informed of your Complaint and given a fair and reasonable opportunity to respond. Any communication between you and the employee in question should take place only via the Complaint Handler and we respectfully ask that you do not contact the employee in question directly concerning the Complaint while we are working to resolve it.
  - 4.2.4 If we require any further information or evidence from you, the Complaint Handler will contact you as quickly as is reasonably possible to ask for it. We ask that you use reasonable efforts to supply any such information or evidence quickly in order to avoid delaying the complaints handling process. If you are for any reason unable to provide such information or evidence we will use all reasonable efforts to proceed without it, however please be aware that we will not ask for further information or evidence unless we consider it important to the successful resolution of your Complaint.
  - 4.2.5 We aim to resolve Level One Complaints within 21 days, however in some cases, particularly if your Complaint is of a complex nature, this may not be possible. If this is not possible for any reason you will be informed of the delay, the likely length of the delay and the reasons for it.
  - 4.2.6 At the conclusion of the Level One complaints procedure, regardless of the outcome, we will provide you with full details of our investigation, our conclusions from that investigation, and any action taken as a result. You will also be reminded of your right to appeal our decision and escalate the complaint to Level Two in the form of an Appeal.

#### 4.3 Level Two:

- 4.3.1 If you are not satisfied with the resolution of your complaint at Level One, you may appeal the decision within 14 days and have the complaint escalated to Level Two. Appeals are handled by the Directors.
- 4.3.2 Appeals, should be directed to your original Complaint Handler who will forward the request to an appropriate Appeal Handler. Receipt of Appeals will be acknowledged in writing within two business days. When we acknowledge receipt of your Appeal we will also provide details of your Appeal Handler.
- 4.3.3 If your Complaint relates to a specific employee that person will be informed of your Appeal and given a further opportunity to respond. Any communication between you and the employee in question should take place only via the Appeal Handler and we respectfully ask that you do not contact the employee in question directly concerning the Complaint while we are working to resolve it.
- 4.3.4 If we require any further information or evidence from you, the Appeal Handler will contact you as quickly as is reasonably possible to ask for it. We ask that you use reasonable efforts to supply any such information or evidence to us quickly in order to avoid delaying the complaints handling process. If you are for any reason unable to provide such information or evidence we will use all reasonable efforts to proceed without it, however please be aware that we will not ask for further information or evidence unless we consider it important to the successful resolution of your Complaint.
- 4.3.5 We aim to resolve Level Two Complaints within 21 days, however in some cases, particularly if your Complaint is of a complex nature, this may not be possible. If this is not possible for any reason you will be informed of the delay, the likely length of the delay and the reasons for it.
- 4.3.6 At the conclusion of the Level Two procedure, regardless of the outcome, we will provide you with full details of our investigation, our conclusions from that investigation, and any action taken as a result. Our decision at this stage is final, subject to your right to seek external resolution of your Complaint with the Legal Ombudsman.

#### 4.4 Legal Ombudsman

- 4.4.1 If you are not satisfied with the resolution of your Complaint at Level Two you may seek external resolution of your Complaint from the Legal Ombudsman. You must apply to the Ombudsman within 6 months of our final letter to you. For details of complaint and conflict resolution mechanisms available from the Legal Ombudsman, please contact them by post at:

Legal Ombudsman

PO Box 6806

Wolverhampton

WV1 9WJ

Telephone: 0300 555 0333

Email: [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk)

Web site: [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk)

#### 4.5 Solicitors regulation authority (SRA)

- 4.5.1 All solicitors and law firms within England and Wales have to abide by the Principles and Code of Conduct which has been set down by the SRA. If you feel that we have breached any of these principles you can raise your concerns with the SRA (<https://www.sra.org.uk/consumers/problems/report-solicitor>) The telephone number to contact them is 0370 606 2555.

### 5. Confidentiality and Data Protection

- 5.1 All Complaints and information relating thereto are treated with the utmost confidence.

Such information will only be shared with those employees of The Family Law Practice who need to know in order to handle your Complaint.

- 5.2 All personal information that we may collect (including, but not limited to, your name and address) will be collected, used and held in accordance with the provisions of the Data Protection Act 1998 and your rights under that Act.

## 6. **Policy Responsibility and Review**

- 6.1 Overall responsibility for this Complaints Policy within The Family Law Practice and the implementation thereof lies with Ashley Palminteri, Managing Director.
- 6.2 This Complaints Policy is regularly reviewed and updated as required.

March 2023