

SINCLAIRSLAW COMPLAINTS PROCEDURE

We are authorised and regulated by the Solicitors Regulation Authority (SRA). We are committed to providing a high quality legal service to all our clients. When something goes wrong we need you to tell us about it as this will help us to improve our standards. If you would like to discuss how the service to you could be improved, the level of your bill, or should there be any aspect of our service with which you are not satisfied, we ask you to please contact the person in our firm responsible for complaints handling.

The persons responsible for complaints are:-

- In our Cardiff office, Mr Greg Evans, Director, contact telephone 02920 388 398 email: g.evans@sinclairslaw.co.uk, or by post at Sinclairslaw, Charles House, Churchill Way, Cardiff CF10 2HE.
- At our London and Twickenham offices contact Mr John Ford, Managing Director, telephone 0208 891 4488, email: j.ford@sinclairslaw.co.uk, or by post to Sinclairslaw, 20 Dock Street, London E1 8JP.

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, we will follow our complaints handling procedure. Before entering into the following formal procedure we would urge you to liaise more informally with the fee earner dealing with your case. If your initial queries have not been responded to in a manner that satisfies you then the following procedure must be followed.

STAGE 1

If you wish to make a formal complaint, you should write to the fee earner who has conduct of your matter setting out the matters about which you wish to complain. You must set out the complaint in as much detail as possible to enable the fee earner to deal with the complaint as effectively as possible. We always try to resolve complaints as quickly and efficiently as possible and it is therefore essential that you approach the fee earner who is dealing with your case first. Please also indicate whether you want Sinclairslaw to continue to act for you- it is very important that we know this at the beginning of your complaint due to upcoming court/tribunal deadlines that may need to be complied with. If you do not clarify this, we will presume that we continue to be instructed and you will continue to be responsible for our fees, if we are instructed privately.

Once your complaint has been received the fee earner will acknowledge receipt within 7 days of receipt of your letter and they will provide you with a copy of this complaints procedure.

In the acknowledgement letter, the fee earner will indicate to you that they will be investigating your complaint and will respond dealing with all aspects of your complaint in writing within 21 days of your original letter. Please note however that our ability to respond is dependent upon you setting out the complaint properly. In the acknowledgement letter the fee earner may therefore ask for further clarification and if you do not come back to us with this clarification, we cannot process your complaint further. Our timescales can therefore be extended until your complaint is fully set out.

The fee earner will then write to you giving a formal response to the issues that you have raised. They will clarify whether in their view your complaint is justified, partially justified or unjustified. After receiving this letter if you would like to meet with the fee earner to resolve your complaint this can be arranged.

The timescales referred to above can be extended if more time is needed and the complaint handler will contact you if this is the case.

If you are not satisfied with the written response of the fee earner you can progress your complaint to Stage 2.

STAGE 2

If the complaint cannot be dealt with effectively under Stage 1 of our complaints procedure, the complaint will be passed to the Complaints Officer of the relevant office at which the fee earner is based. The complaint can be passed to the Complaints Officer by either the fee earner with conduct of the case or yourself.

The Complaints Officer will confirm that the complaint has been escalated to Stage 2 within 7 days of receipt of your letter or the referral from the fee earner. They will then investigate the matter by reviewing the matter file and speaking to the member of staff concerned.

Our Complaints Officer will then consider the complaint and the response from the fee earner and provide a full report to you within 21 days of the escalation to Stage 2. They will determine whether each aspect of your complaint is justified, partially justified or unjustified and they will make recommendations. These recommendations can be extensive such as transfer of your file to another fee earner.

If, for some reason, the matter cannot be investigated in this timeframe, then we will write to you notifying you of this together with the reason why and giving a revised timescale.

STAGE 3

If you are satisfied with our response following the above steps, that will be the end of the matter. However, if you are not satisfied, you will be invited to contact our Complaints Handling Representative again and they may arrange to review the decision. They will write to you within fourteen 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.

We will ensure that when clients have made a complaint to us, if this has not been resolved to the client's satisfaction within 8 weeks following the making of a complaint they are informed, in writing:

- (a) of any right they have to complain to the Legal Ombudsman, the time frame for doing so and full details of how to contact the Legal Ombudsman; and
- (b) if a complaint has been brought and your complaints procedure has been exhausted:
 - (i) that you cannot settle the complaint;
 - (ii) of the name and website address of an alternative dispute resolution (ADR) approved body which would be competent to deal with the complaint; and
 - (iii) whether we agree to use the scheme operated by that body.

We will ensure that complaints are dealt with promptly, fairly, and free of charge.

STAGE 4: 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 minimum 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.

It is really important to be aware that you must refer your complaint to the Legal Ombudsman within six months of the date of our final response.

From 1 April 2023 you also need to refer your complaint to the Legal Ombudsman within one year of the problem you are complaining about happening, or if the problem occurred more than one year ago, you need to bring your complaint to the Legal Ombudsman within one year of you becoming aware of the problem. The Legal Ombudsman have strict time limits and if you fail to do so, it is unlikely that the Legal Ombudsman will be able to investigate your complaint as they are only able to investigate complaints which fall outside their time limits where it is considered fair and reasonable to do so.

If you fail to refer your complaint to the Legal Ombudsman within this timeframe, it is unlikely that your complaint will be investigated.

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

Solicitors Regulation Authority

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>.

FURTHER INFORMATION

For further information about our complaints handling procedures, please do not hesitate to contact Mr Ford's Office Manager, Sharon Reid, on 0208 891 4488 email s.reid@sinclairslaw.co.uk or by post to 20 Dock Street, London E1 8JP.

NOTES

- If your complaint is regarding an administrative member of staff then your initial letter should be sent to the fee earner who that member of staff works for but if your complaint concerns somebody who represents the firm as a whole (such as a receptionist) the initial letter should be addressed to the Complaints Officer of the relevant office. Effectively therefore all Stage 1 complaints about general administrative staff are escalated to Stage 2 immediately if they are not allocated to a specific fee earner.
- In the event of your complaint being received at our offices during a period of annual leave for the fee earner or Complaints Officer the complaint will be put before the fee earner or Complaints Officer on their return to the office.
- If your complaint is particularly urgent please make this very clear. We will not stick rigidly to the time limits in this policy if there are genuine extenuating circumstances constituting an emergency.

- If your complaint is about a Complaints Officer or the COLP the complaint will be dealt with in the normal way for Stage 1. At Stage 2 the complaint will be passed to an alternative Complaints Officer.

Revised June 2024