



Client Complaints Procedure

1. Complaints

Customer service is an essential part of what we do at Forrest Solicitors. We strive to be fair and transparent when dealing with your complaints.

A complaint must be made in writing and is defined for the purposes of this policy as, 'any expression of your dissatisfaction, which alleges that you have suffered (or may suffer) financial loss, distress, inconvenience or other detriment with the services, care or facilities provided by Forrest Solicitors.

2. Complaint Handling

Any complaints are handled with the utmost care and we aim to:

- Get it right;
- Be client focused;
- Be open and accountable,
- Be accessible,
- To act fairly and proportionately,
- To put things right,
- Seek continuous improvement.

Every effort will be made to resolve complaints as they arise, particularly those involving relatively minor criticisms. Comments, queries, concerns and suggestions are not complaints but staff will endeavour to respond to these promptly and to give appropriate advice and information in order to prevent them escalating and becoming complaints.

This policy stipulates the mandatory arrangements for the investigation and resolution of complaints.

3. Time scales for responding

We ensure that:

- complaints are acknowledged within 7 days;
- complaints are investigated and responded to within 28 days providing detailed written response

4. Who investigates a complaint?

All complaints will be logged, separate to the client's file of papers regarding any matter with us, and a copy will be referred to the Principal Solicitor for review who is responsible for signing off the complaint response.

The Principal Solicitor has overall accountability for ensuring compliance and that appropriate action is taken at the conclusion of a complaint investigation.

Contact details

By post: Forrest Solicitors, 34A Main Road, Bolton-le-Sands LA5 8EQ

By telephone: 01524 874810

By email: andrea@forrestsolicitors.co.uk

5. Internal complaint handling

The Principal Solicitor is likely to initially address any issues you may have raised. This may involve a telephone conversation to ensure the issues are fully understood.

We will attempt to resolve any minor complaints immediately. If we cannot resolve the issue, you may be asked to put your complaint in writing in order that the complaint is clearly documented.

We aim to provide all complainants with an honest, open response to the concerns they raise. It is common practice for complainants to be offered a consultation, in an attempt to resolve the issue amicably, if the same cannot be immediately resolved. Any consultations, whether verbal or in person, would be recorded in writing and written up, in order to document the same.

Where a complaint identifies a serious issue or incident within the firm, or you are not satisfied with our investigation or response, you may refer the complaint for external investigation.

6. Referral to the Legal Ombudsman

In the unfortunate event that we have not been able to resolve your complaint between us (to include billing issues) within an 8-week period, you may contact the Legal Ombudsman:

By post: PO Box 6806, Wolverhampton, West Midlands, WV1 9WJ

By telephone: Tel: 0300 555 0333

By email: enquiries@legalombudsman.org.uk

The Legal Ombudsman will consider the complaint on your behalf.

7. Time Limits

The Legal Ombudsman's objective is, in the first instance, to reconcile complaints and to assist clients and their solicitors to come to a mutual understanding.

Referrals to the Legal Ombudsman should be made:

- within 6 years from the date of act/omission, or;
- 3 years from when the complainant should reasonably have known there was cause for complaint (if the act took place more than 6 years ago), and;
- within 6 months of the complainant receiving a final response from their lawyer.

If your complaint is about your bill, you may have a right to apply to the court for an assessment of the bill under Part III of the Solicitors Act 1974.

If you wish to take advantage of this procedure, you should be aware that there are strict time limits applicable and you may therefore wish to seek independent legal advice:

- Within a month from the date of our invoice, your right to a detailed assessment is unconditional
- If you delay beyond a month the Court may impose restrictions
- Once a year has elapsed since the date of the invoice you will lose the right to a detailed assessment, unless there are special circumstances.

You should be aware that the Legal Ombudsman may not consider a complaint about a bill if you have applied to the court for such an assessment.

For further guidance about how to make a complaint, visit:

<http://www.legalombudsman.org.uk>

8. Who may complain?

Who may complain:

- A client, or;
- Any person who is affected by or likely to be affected by the action, omission or decision of any member of staff at Forrest Solicitors.

A complaint may be made by a person acting on behalf of another person mentioned above in any case where that person:

- Has died;
- Is a minor;
- Is unable by reason of physical or mental incapacity to make the complaint themselves;
- Has authorised the representative to act on his/her behalf.

It is preferable if the complaint is made by the person affected. However, if this is not possible, a complaint can also be made by someone who has been asked by the client to act on their behalf.

When a representative is complaining on behalf of our client, care must be taken by us to ensure that the client is aware of the complaint, has asked the representative to act on their behalf and has provided written consent for details of their case to be divulged to the third party, which may include confidential information. If the written consent is not included with the complaint, when acknowledging receipt, we will send a consent form requiring completion by our client. This form must be returned before the complaint investigation can commence. If consent is not received within 1 month of the request, we will consider withdrawing the complaint and will write to the complainant to confirm their decision.

In the case of a client or person affected who has died or who is incapable, the representative must be a relative or other person who, in our opinion, has or had sufficient interest in the client's welfare and is a suitable person to act as representative. If we are of the opinion that a representative does not or did not have sufficient interest in the client's welfare, or is unsuitable to act as a representative, we will notify that person in writing, stating the reasons for our decision.

We can handle complaints from an official solicitor that holds instruction to pursue such a matter in the event where the client lacks capacity to provide instructions.

In the case of a minor, the representative must be a parent, guardian or other adult with parental responsibility.

9. Complaints involving other service providers

In the event that a complaint involves another service provider, introduced to the complainant through Forrest Solicitors, we are required to ask for the complainant's permission to copy in the relevant service provider into the complaint in order that they may formulate a formal response and so that the matter can be comprehensively dealt with without delay.

The Solicitors Regulation Authority do not deal with problems about our service, as this is an issue for the Legal Ombudsman, but will consider more serious issues such as conduct. In the unlikely event that your concern is of this nature, you can contact the SRA through their website – www.sra.org.uk.