

WHITTINGHAMS COMPLAINTS HANDLING PROCEDURE.

OUR COMPLAINTS POLICY

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. This will help us to improve our standards.

OUR COMPLAINTS PROCEDURE

If you have a complaint, please contact us with the details.

WHAT WILL HAPPEN NEXT?

1. We will send you a letter acknowledging receipt of your complaint within three days of us receiving the complaint, enclosing a copy of this procedure.
2. We will then investigate your complaint. This will normally involve passing your complaint to our client care Partner Howard Jones, who will review your matter file and speak to the member of staff who acted for you.
3. Howard Jones will then invite you to a meeting to discuss and hopefully resolve your complaint. He will do this within 14 days of sending you the acknowledgement letter.
4. Within three days of the meeting Howard Jones will write to you to confirm what took place and any solutions he has agreed with you.
5. If you do not want a meeting or it is not possible Howard Jones, will send you a detailed written reply to your complaint including his suggestions for resolving the matter within 21 days of sending you the acknowledgement letter.
6. At this stage if you are still not satisfied you should contact us again and we will arrange for another partner to review the decision.
7. We will write to you within 14 days of receiving your request for a review confirming our `final position on your complaint and explaining our reasons.
8. If you are not satisfied with our handling of your complaint, you can ask the;

Legal Ombudsman at PO Box 6806, Wolverhampton, WV1 9WJ,

Website: www.legalombudsman.org.uk

Tel: 0300 555 0333,

Email: enquiries@legalombudsman.co.uk

to consider the complaint.

For the Legal Ombudsman to deal with your complaint the problem must ordinarily have occurred *after 5th October 2010.*

If the problem occurred on or before 5th October 2010 or you should reasonably have known there was cause for complaint, on or before that date, then the Ombudsman will not usually be able to deal with your complaint.

If you are unsure about these time limits and how they apply to your matter, please contact the Legal Ombudsman's office, using the contact details shown above, to clarify the position.

Subject to the above Scheme Rules, and the Legal Ombudsman's discretion to extend the time limits, you will need to bring your complaint to the Legal Ombudsman

- a) within six months of receiving a final written response from us about your complaint and,
- b) no later than 6 years from when the problem (act or omission) occurred or,
- c) no later than 3 years from the date, you should reasonably have known that there was cause for complaint.

Please Note

1. If your complaint is specifically about our bill, you have the right to object to it and apply for an assessment of it under part III of the Solicitors Act 1974. If you should choose to exercise this right, and the court is assessing our bill, you may be unable to use the Legal Ombudsman service.
2. If you are complaining as a business client, unless you are a "micro business" (as defined by the European Union), you may not be able to use the Legal Ombudsman scheme, and should check the guidance on Legal Ombudsman's website.
3. If you refer your complaint to the Legal Ombudsman as a trustee/personal representative (executor/administrator) or beneficiary of the estate/trust of a person who, before they died, had not referred the complaint to the Legal Ombudsman the period runs from when the deceased should reasonably have known there was cause for complaint; and when the complainant (or the deceased) should reasonably have known there was a cause for complaint will be assessed on the basis of the complainant's (or deceased's) own knowledge, disregarding what the complainant (or the deceased) might have been told if he/she had sought advice.
4. If the ombudsman considers there are exceptional circumstances (e.g. serious illness or you were still within the time limits when you made your initial complaint to them) then he/she may extend any of the above time limits to the extent that he/she considers fair.
9. If we have to change any of the timescales above, we will let you know and explain why.