

---

# COMPLAINTS HANDLING POLICY

March 2023

---

## **1. OUR COMPLAINTS POLICY**

- 1.1 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.
- 1.2 We expect complaints to be made within a reasonable timescale. We have eight weeks to consider your complaint. If we have not resolved it within this time you may complain to the Legal Ombudsman whose contact details are set out below.
- 1.3 If you have a complaint, please address it to our Compliance Officer for Legal Practice, Chris Beames. You can do this by writing to him at our Cardiff office or by e-mailing him at [cbeames@berrysmith.com](mailto:cbeames@berrysmith.com).
- 1.4 When making a complaint, please provide us with the following information: -
  - 1.4.1 your full name and contact details;
  - 1.4.2 what you think we have got wrong;
  - 1.4.3 what you hope to achieve by your complaint; and
  - 1.4.4 your file reference number (if you have it).

## **2. WHAT WILL HAPPEN NEXT?**

- 2.1 We will send you a letter or email acknowledging receipt of the complaint as soon as possible, enclosing a copy of this procedure. Your complaint will be recorded centrally.
- 2.2 We will then investigate your complaint. This will normally involve passing your complaint to the department head or supervising partner who will review your case and speak to the member of staff who acted for you. If the complaint relates to a department head, it will be reviewed by the Managing Partner. If the complaint relates to the Managing Partner, it will be reviewed by a different partner.
- 2.3 The reviewer will give you a full written response including suggestions for resolving the matter.
- 2.4 At this stage, if you are not satisfied you should contact us again and you can discuss the issue with the Managing Partner and, hopefully, resolve your complaint.

2.5 The Managing Partner will write to you as soon as possible following the discussion to confirm what took place and any solutions he has agreed with you.

2.6 If you do not want to discuss the matter, the Managing Partner will send a detailed written reply to your complaint, including his suggestions for resolving the matter within 28 days of sending you the full written response.

### **3. IF YOU ARE NOT SATISFIED**

3.1 Once our procedure is exhausted, and if you are still not satisfied, you can then contact the Legal Ombudsman about your complaint. You can do this: -

3.1.1 in writing to P O Box 6806, Wolverhampton WV1 9WJ;

3.1.2 by email at [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk); or

3.1.3 by telephone on 0300 555 0333.

3.2 Any complaint to the Legal Ombudsman must usually be made within 6 months of our final decision on your complaint **and** either no more than one year from the date of the act/omission complained of or no more than one year from when you should reasonably have known there was cause for complaint. However, the Legal Ombudsman will not accept complaints where the act or date of awareness were before 6 October 2010.

3.3 We are obliged to advise you that you may approach an alternative dispute resolution (ADR) approved body which would be competent to deal with the complaint namely ProMediate ([www.promediate.co.uk](http://www.promediate.co.uk)). We should advise you, however, that we do not agree to participate in the scheme offered by that service.

### **4. WHAT WILL IT COST?**

4.1 We will not charge you for handling your complaint.

4.2 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.

4.3 The Legal Ombudsman service is free of charge to clients.