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# COMPLAINTS HANDLING POLICY

March 2024

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## 1. OUR COMPLAINTS POLICY

- 1.1 We are committed to providing a high-quality legal service to all our clients. If you are dis-satisfied, we need you to tell us about it. This will help us to improve our standards and to engage with you to consider the issue you have raised and to reflect on whether we are reaching our desired 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 Joint Managing Partner, Nick Parker. You can do this by writing to him at our Cardiff office or by emailing him at [nparker@berrysmith.com](mailto:nparker@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 Joint Managing Partner. If the complaint relates to the Joint Managing Partner, it will be reviewed by a different partner.
- 2.3 The reviewer will give you a full written response including any suggestions for resolving the matter.

2.4 At this stage, if you are not satisfied with the written response, you should contact us again within 14 days of receipt and you can then either:

(a) discuss the issue with the Joint Managing Partner and, hopefully, resolve your complaint. The Joint 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; or

(b) If you are not satisfied with the written response, and you would like the Joint Managing Partner to reconsider, but do not wish to discuss your complaint, you should inform us within 14 days of receiving the written response. The Joint Managing Partner will send a written reply to your complaint following his review, including any suggestions for resolving the matter within 14 days of your notification, unless circumstances require a longer period in which case you will be notified accordingly.

### 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 PO Box 6167, Slough, SL1 0EH;

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.