

McCabe and Co Solicitors

Client Complaints Handling Procedure

Our Policy

We are committed to providing the very highest quality of legal service to all of our clients. If something goes wrong, we want you to tell us about it so that we can address the issue with you and resolve the matter to your satisfaction.

How to make a complaint

If you are unhappy with any aspect of the service which you have received or the costs which you have been charged, you can raise your concerns immediately with the person who has had conduct of your matter or the partner. You were supplied with their contact details when you first instructed us.

However, we understand that you may wish your concerns to be more formally investigated or you are unhappy with any response you have already received.

If you want your complaint to be formally investigated, please set out your complaint in writing including:

- Your full name and contact details;
- Details of where you feel McCabe and Co Solicitors failed to act appropriately;
- What you hope to achieve as a result of your complaint; and
- The file reference number connected to the conduct which has caused your complaint.

All complaints should be sent to:

Philip McCabe, McCabe and Co Solicitors, 9 Avon Reach, Chippenham SN15 1EE

OR email: philip@mccabeandco.com

Complaints About Costs

If your concern relates to a bill, then you have the right to apply to the court for an assessment of the bill under Part III of the Solicitors Act 1974. Please note that the Legal Ombudsman may decide not to consider any complaint you may have about a bill which has already been referred to the court for assessment.

What will happen next?

- We will send you a written acknowledgement of your complaint enclosing a copy of this policy within five working days of receiving it.
- Responsibility for investigating your complaint will be assigned to the member of the firm best placed to carry out the investigation. He/she will normally review the file and speak to those who carried out the work.
- If appropriate, you may be invited to a meeting to discuss, and hopefully resolve, your complaint. If we propose a meeting, you will be contacted within 14 days of the sending of the acknowledgement letter.
- If a meeting takes place, we will write to you within three days after it takes place confirming what took place and setting out any solutions which were agreed with you.
- Once our investigation is complete, we will send you a detailed reply to your complaint setting out any suggestions for resolving the matter. We would normally expect to send this reply within 21 days of sending you the acknowledgement letter. If we are not able to send you a full reply within that period, we will update you and tell you when we expect to be able to write to you again.
- If you are unhappy with our findings, you may have a right to refer your complaint to the Legal Ombudsman or Solicitors Regulation Authority. Further details of the Legal Ombudsman and Solicitors Regulation Authority are set out below.

Costs

We will not charge you for handling a complaint.

Please note that where you do not pay a bill we may be entitled to charge interest on any amount outstanding.

The Legal Ombudsman and Solicitors Regulation Authority service is also free of charge.

The Legal Ombudsman

The Legal Ombudsman is an independent organisation with powers to resolve complaints about legal services when issues have not been resolved between an individual and their lawyer.

In order to make a complaint to the Legal Ombudsman you must:

- be a member of the public or a very small business, charity, club or trust; and
- make your complaint within six months of our final decision; or
- within six years of the act or omission which you are complaining about (or within three years of becoming aware of it).

You can contact The Legal Ombudsman:

- by post at PO Box 6806, Wolverhampton, WV1 9WJ;
- by telephone: 0300 555 0333;
- by email: enquiries@legalombudsman.org.uk

The Legal Ombudsman will not normally accept a complaint for investigation unless eight weeks have passed since you first raised your complaint with us. This is to allow us the opportunity to deal with your concerns.

You may make a complaint at any time within six months of our final decision about your complaint. If you do not refer your complaint to the Legal Ombudsman within that six month period, then your complaint may not be accepted by the Ombudsman.

You may also lose your right to refer a complaint to the Legal Ombudsman if more than six years have passed since the event(s) about which you want to complain, or if more than three years have passed since you should have realised that you had a possible complaint.

IT IS IMPORTANT THAT YOU ACT PROMPTLY IF YOU THINK YOU ARE ENTITLED TO REFER A COMPLAINT TO THE LEGAL OMBUDSMAN.

The Solicitors Regulation Authority

If your concern relates to our conduct you may wish to make a complaint to The Solicitors Regulation Authority.

You can contact the Solicitors Regulation Authority:

- By post at SRA Report, The Cube, 199 Wharfside Street, Birmingham, B1 1RN;
- By telephone: 0370 606 2555;
- By email: reports@sra.org.uk

Alternative Dispute Resolution

Alternative complaints bodies such as ProMediate, found at <https://www.promediate.co.uk>, exist who are competent to deal with complaints about legal services should both you and our firm wish to use such a scheme.

We do not agree to use ProMediate. We believe that the Legal Ombudsman's scheme is the most suitable for legal complaints.