

COMPLAINTS PROCEDURE

- 1** If you have an issue of concern about your case, please do not hesitate to contact the person who is working on your case to discuss your concerns and we will do our best to resolve any issues at this stage.
- 2** If you are unable to resolve your concern directly with the fee-earner who is dealing with your matter, or you wish make a more formal complaint, please forward your complaint to Mr Ashley Elliot, the firm's Compliance Officer for Legal Practice and Complaints Handler, at 24 Lowther Street, Carlisle, Cumbria CA3 8DA or by email to ashley.elliott@butterworths-solicitors.co.uk or by telephone on 01228 593939.
- 3** Your complaint does not have to be in writing, but this may be preferable as this can help minimise the risks of misunderstandings and assists us in ensuring that we address all your concerns. It would assist if any written complaint could be marked "complaint".
- 4** If you are making a complaint, please ensure that your complaint:
 - clearly states the reason for your complaint including the relevant facts;
 - provides copies of any evidence in support of that complaint and any financial losses suffered;
 - lets us know what you want to happen as a result of the complaint.
- 5** Butterworths will acknowledge receipt of your complaint. We will endeavour to do so within 2 working days.
- 6** Upon receipt of a complaint, Mr Elliot will:
 - examine the file; and
 - discuss matters with the fee-earner dealing with your case; and
 - consider the complaint in full in accordance with the Legal Ombudsman's best practice complaint handling guide; and
 - will report back to you with his findings, an explanation of his decision and a response to any queries that you have made.
- 7** The remedies available may be:
 - putting the matter right; and / or

- an apology from the firm and an assurance that we will do our best to ensure it will not happen again; and / or
 - a reduction in the bill; and / or
 - a total abatement of the bill; and / or
 - compensation for financial loss suffered; and / or
 - compensation for inconvenience and / or distress; and / or
 - notification of your right to complain to the Legal Ombudsman or the Solicitors Regulation Authority, either as a matter of professional conduct, or in respect of inadequate professional service; and / or
 - notification of your right to see another solicitor and obtain advice as to whether there has been any negligence.
- 8** If you are satisfied with the investigation, the fee-earner will continue to handle the file. However, if the relationship has broken down, whenever possible, the file will be transferred to another fee-earner in the firm and you will be informed of the identity of the new fee-earner.
- 9** The complaint will be registered in our central register.
- 10** Making a complaint should not prejudice, disrupt or delay your case. If we believe that this may happen, we will tell you so, and why.
- 11** There is no charge to you for us to investigate your complaint.
- 12** If you have any special needs or requirements which need accommodating in order to make our complaints procedure accessible, please do not hesitate to notify us of these needs or requirements.
- 13** We have 8 weeks from receipt of your complaint to review your complaint and to resolve your complaint.
- 14** **THE LEGAL OMBUDSMAN**

You will need to complain to us first. However, if you are not happy with how we resolve things or we are unable to resolve your complaint, then you can have the complaint looked at by the Legal Ombudsman, which investigates complaints about service issues with lawyers. The Legal Ombudsman will look into what has happened and let you know what they think is the best way forward. It is completely independent and free to use.

You will need to contact the Legal Ombudsman:

- within **6 months of our final response**; and
- within **1 year of the issue** you are complaining about, or, if it was longer ago, within **1 year of you finding out about the issue**.

These time limits may be extended in certain circumstances if the Legal Ombudsman considers that it is fair and reasonable in all the circumstances.

If you would like more information about the Legal Ombudsman, or wish to make a complaint, their contact details are:

Post: Legal Ombudsman, PO Box 6806, Wolverhampton WV1 9WJ

Website: www.legalombudsman.org.uk

E-mail: enquiries@legalombudsman.org.uk

Telephone: 0300 555 0333 between 10:00AM to 4:00PM on Monday to Friday.

International callers use +44 121 245 3050

Minicom: 18002 0300 555 0333

We enclose a link to the Legal Ombudsman's leaflets "Legal Ombudsman – we're here if you need us" <https://www.legalombudsman.org.uk/media/iwidgg3q/leo-here-if-you-need-us-leaflet.pdf> and also a link to the Legal Ombudsman's information centre which contains information about your complaint which you may find useful <https://www.legalombudsman.org.uk/information-centre/consumer-resources/>.

15 ALTERNATIVE DISPUTE RESOLUTION (ADR)

If we are unable to resolve your complaint using our internal complaints process, alternative complaints bodies exist (such as ProMediate UK Limited - Address: Brow Farm, Top Road, Frodsham, Cheshire WA6 6SP; Tel: 02036213908 and 07827961764; Web Address: www.promediate.co.uk; E-mail: enquiries@promediate.co.uk) which are competent to deal with complaints about legal services should both you and our firm wish to use such a scheme. There is no charge to you to use this scheme.

The Legal Ombudsman is still able to consider complaints that have previously been considered by an ADR entity.

16 THE SOLICITORS REGULATION AUTHORITY (SRA)

The SRA can help you if you are concerned about our behaviour. This could be for things like dishonesty, taking or losing your money or treating you unfairly because of your age, a disability or other characteristic.

You can raise your concerns with the SRA at:

<https://www.sra.org.uk/consumers/problems/report-solicitor.page>.

If you would like more information about the SRA their contact details are:

Post: Solicitors Regulation Authority, The Cube, 199 Wharfside Street, Birmingham B1 1RN

Website: www.sra.org.uk/contactus

Telephone: 0370 606 2555 between 8:00AM to 5:00PM on Monday, Tuesday, Thursday & Friday and 10:00AM to 5:00PM on Wednesday.

International callers use +44 121 820 2250.