

## **DP LAW LIMITED (T/A DAVID PROSSER & COMPANY)**

### **COMPLAINTS POLICY AND 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 Brendan Sweeney our Client Care Director. You can write to him at our address, which is;

DP Law Limited, 3 Court Road Bridgend CF31 1BL

Tel : 01656 645921

If we have to change any of the responsibilities or the timescales set out below we will let you know and explain why.

#### **What will happen next?**

1. Within three days we will send you a letter acknowledging your complaint and asking you to confirm or explain any details. If it seems appropriate we will suggest a meeting at this stage. We will also let you know the name of the person who will be dealing with your complaint.
2. We will then record your complaint in our central register and open a file for your complaint. We will also investigate your complaint by examining the relevant file.
3. If appropriate we will then invite you to meet Brendan Sweeney to discuss and hopefully resolve your complaint. We would hope to be in a position to meet with you in this way no longer than 14 days after first receiving your complaint. If you would prefer not to meet, or if we cannot arrange this within an agreeable timescale, we will write fully to you setting out our views on the situation and any redress that we would feel to be appropriate.
4. Within three days of any meeting we will write to you to confirm what took place and any suggestions that we have agreed with you. In appropriate cases we could offer an apology, a reduction of any bill or a repayment in relation to any payment received.

5. At this stage, if you are still not satisfied, please let us know. We will then arrange to review our decision. We would generally aim to do this within 10 days. This will happen in one of the following ways.
- Director David Prosser will review our decision
  - We will arrange for someone in the firm who has not been involved in your complaint to review it.
  - Director Simon Thomas another Partner in the firm will review your complaint within 10 days.
  - We will ask our local law society or another local firm of solicitors to review your complaint. We will let you know how long this process will take.
  - We will invite you to agree to independent mediation. We will let you know how long this process will take.

We will let you know the result of the review within five days of the end of the review. At this time we will write to you confirming our final position on your complaint and explaining our reasons. We will also provide you with the details of an Alternative Dispute Resolution (ADR) approved body that is competent to deal with complaints about legal services. The matter can be referred to them if we both agree to use the scheme. We do not agree to use the scheme but are obliged from 1<sup>st</sup> October 2015, under European DIRECTIVE 2013/11/EU to make you aware of an ADR approved body.

6. If you are not satisfied with our handling of your complaint and if you are a member of the public or a very small business, charity, club or trust and for any reason we are unable to resolve any problem to your satisfaction or we do not deal with your complaint within eight weeks, or if you object to any bill, you can contact the Legal Ombudsman on 0300 555 0333 or by post at PO Box 6167, Slough, SL1 0EH or by email on [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk). For additional details go to [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk).

Normally, you will need to bring a complaint to the Legal Ombudsman within six months of receiving a final written response from us about your complaint, or, if we do not deal with your complaint within eight weeks, six months after the expiry of the eight-week period for dealing with your complaint. The Legal Ombudsman also ordinarily expects complaints to be referred to them within one year of the date of the act or omission about which you are concerned, or within one year of you realising there was a concern. You may also apply to the court for an assessment of the bill under Part III of the Solicitors Act 1974. The Legal Ombudsman may not consider a complaint about the bill if you have applied to the court for assessment of the bill. In relation to Financial Services matters you have a right to complain to the Financial Ombudsman Service.

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

**If the problem occurred on or before 5<sup>th</sup> 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.**

#### **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.

If we have to change any of the timescales above, we will let you know and explain why.

If you are concerned about our professional behaviour, for example you believe we have been dishonest or deliberately over charged you or you believe we have discriminated against you, you may be able to complain to the Solicitors Regulation Authority.

This policy and complaints procedure is implemented in accordance with the requirements of the Solicitor Regulation Authority rule on complaints handling and is notified to clients in our Terms of Business and Engagement Letter.