



ELM Solicitors
Specialists in family law

Complaints Policy

- 1 We are committed to providing a high-quality legal service.
- 2 We acknowledge that we may not always get it right, so if something has gone wrong, including in relation to our charges, we need you to tell us. This will help us to improve our standards of service.
- 3 **How do I make a complaint?**
 - 3.1 You can contact us in writing (by letter or email) or by telephone.
In the first instance, it may be helpful to contact the person dealing with your matter, who will do their best to resolve your concerns. If you do not feel able to discuss your concerns with them, please contact the person responsible for the overall supervision of your matter, who will be named in the client care letter we sent you at the beginning of your matter.
 - 3.3 If you do not feel able to raise your concerns with either of these people, or you are unsatisfied with their response, please contact Ms Emma Macpherson who has overall responsibility for complaints and whose contact details are: emma@elmsolicitors.co.uk or write to Complaints, ELM Solicitors, Rothbury House, Graces Lane, Chieveley, Newbury, Berkshire RG20 8XG. If the complaint is about Ms Macpherson or it is otherwise not appropriate to address your complaint to her, please contact elmsolicitors@outlook.com or 07760766835 for further advice.
 - 3.4 To help us to understand your complaint, and in order that we do not miss anything, please tell us:
 - 3.4.1 your full name and contact details;
 - 3.4.2 what you think we have got wrong;
 - 3.4.3 how you would like your complaint to be resolved; and
 - 3.4.4 your file reference number (if you have it).
 - 3.5 If you require any help in making your complaint we will try to help you.
- 4 **How will you deal with my complaint?**
 - 4.1 We will write to you within five working days acknowledging your complaint, enclosing a copy of this policy.
 - 4.2 We will investigate your complaint. This will usually involve:

- 4.2.1 reviewing your complaint;
- 4.2.2 reviewing your file(s) and other relevant documents; and
- 4.2.3 liaising with the person who dealt with your matter.
- 4.3 We may also need to ask you for further information or documents. If so, we will ask you to provide the information within a specific period of time.
- 4.4 We will update you on the progress of your complaint at appropriate times.
- 4.5 We may also, if appropriate, invite you to a meeting to discuss your complaint. You do not have to attend if you do not wish to or if you are unable to. We will be happy to discuss the matter with you by telephone or video conference.
- 4.6 We will write to you at the end of our investigation to tell you what we have done and what we propose to do to resolve your complaint. Where possible, we will aim to do this within 21 days of the date of our letter of acknowledgement.
- 4.6 There may be circumstances where your complaint will be referred to a solicitor at another firm to investigate and/or determine. This may be appropriate, for example, if it could not be fairly and independently dealt with internally.

5 What if I am not satisfied with the outcome?

- 5.1 If you are unhappy with the outcome of our complaints handling procedure, please let us know and we will review the matter.
- 5.2 If we have not resolved your complaint within 8 weeks, you may be able to complain to the Legal Ombudsman. This applies if you are an individual, a business with fewer than 10 employees and turnover or assets not exceeding a certain threshold, a charity or trust with a net income of less than £1m, or if you fall within certain other categories (you can find out more from the Legal Ombudsman).
- 5.3 The Legal Ombudsman's contact details are:
 - 5.3.1 by post at PO Box 6806, Wolverhampton, WV1 9WJ;
 - 5.3.2 by telephone: 0300 555 0333;
 - 5.3.3 by email: enquiries@legalombudsman.org.uk; or
 - 5.3.4 website: www.legalombudsman.org.uk
- 5.4 Normally, you will need to bring a complaint to the Legal Ombudsman within 6 months of receiving a final written response from us about your complaint, or within 6 years of the act or omission you are complaining about (or if outside of this period, within 3 years of when you should reasonably have been aware of it). Generally, the Legal Ombudsman deals with complaints relating to acts or omissions that happened after 5th October 2010. Further details are available on the website: www.legalombudsman.org.uk.
- 5.4 The Solicitors Regulation Authority can help 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. They can be contacted at The Cube, 199 Wharfside Street, Birmingham, B1 1RN, telephone number: 0370 606 255. Further details are available on the website: www.sra.org.uk.

5.5 Alternative dispute resolution (ADR) bodies exist which are competent to deal with complaints about legal services should both you and our firm wish to use such a scheme, e.g. *Small Claims Mediation*. We are willing to enter into an ADR process, subject to your agreement.

5.6 If we are unable to resolve your complaint, and it relates to a contract we entered into online or by other electronic means, you may also be able to submit your complaint to an approved alternative dispute resolution provider in the UK via the EU 'ODR platform'.

5.6.1 The ODR platform is an interactive website offering a single point of entry for disputes between consumers and traders relating to online contracts. The ODR platform is available to consumer clients only, ie where you have instructed us for purposes outside your trade, business, craft or profession.

5.6.2 The website address for the ODR platform is: <http://ec.europa.eu/odr>.

6 **What will it cost?**

6.1 We will not charge you for handling your complaint.

6.2 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. You may have additional rights to challenge our bills separate to our complaints procedure. This is explained in our Terms and Conditions.

6.3 The Legal Ombudsman service is free of charge.

6.4 The ODR platform itself is free to use, but the ADR entity to which the complaint is transmitted may charge for its service. The ADR entity is responsible for informing all parties of the cost of its dispute resolution procedure.