

COMPLAINTS HANDLING

1. Introduction

This leaflet sets out in detail how we will deal with a formal complaint by you, our client. The basic information about how to raise any issues of concern or complaints you may have is given in “Our Agreement With You” and referred to specifically in our engagement letter (this will be one of the first letters you received and will set out various pieces of information about how we deal with your business).

2. Informal “complaints”

As our documentation explains, if you have any issues of concern to you, we ask that you start by raising them with the lawyer who is dealing with the matter. This includes any concerns you have about any bill we send you. From the point of view of our complaints procedure, we do not regard these as being formal complaints and do not record them. We hope that any issues that arise can be resolved without blossoming into full-blown formal complaints.

3. Formal Complaints

Raising the matter

Please contact our Complaints Partner – who is Alan Carter at our Enfield office – Crossfield House, Gladbeck Way, Enfield EN2 7HT; email: alan.carter@curwens.co.uk If that is inappropriate, you should raise the matter with either the Senior Partner or another partner in Curwens – all partners’ names appear on our headed notepaper and website.

Form of Complaint

If possible, please put your complaint in writing, and send it in an envelope marked “private and confidential” to the appropriate addressee. Please provide as much information as possible about the matter and your contact telephone numbers. Alternatively, please email us.

Although emails are regarded as inherently insecure, we will respond to any complaint you make in an email by using email ourselves unless you ask us not to do so.

It will help the person who investigates the complaint enormously if you number each separate aspect of the complaint (if there is more than one) and set it out with a brief heading, for ease of reference.

If for any reason you cannot put the complaint in writing, then please telephone Mr Carter the appropriate partner. We will assist you in clarifying the issue or issues and send you a letter confirming what we understand as being your complaint.

What We Will Do

1. We will allocate the complaint to the appropriate person to investigate. (Whoever you raise your complaint with, the first step will be for them to consider whether they have enough technical knowledge to consider the matter or whether another partner should deal with it. As far as possible, we try to have complaints dealt with by one of three or four partners in the firm.)
2. We will acknowledge the complaint. as soon as possible after receiving the letter concerned. We normally expect to acknowledge it within three working days of its receipt. Please bear in mind that the addressee to whom you send your complaint may be on holiday or ill. Your letter will normally be marked private and confidential and may therefore not be seen by anyone else.

If you have not received an acknowledgement within five days, please contact the addressee by telephone, or in case of difficulty contact our Client Care Partner or Senior Partner. We should then be able to find out why you have not had the acknowledgement.

3. The complaint will be investigated. This will involve:
 - Obtaining the file;
 - Sending details of your complaint to the lawyer concerned for their comments;
 - Clarifying anything with you that is unclear.

If a file has to be obtained from storage, it may take up to a week, occasionally more. If a file is still in our offices, we expect to be able to complete this procedure within five working days.

4. In many cases we will have sufficient information after the above steps have been taken to reply to the complaint formally. (Where holidays or illness intervene, we may be unable to deal with the matter as quickly as we would wish, but normally we aim to provide a reasoned response to your complaint within twelve working days of acknowledging it to you). Sometimes we will tell you that the complaint will take longer to deal with. If so, we will give you a date by which you will hear from us again.
5. On some occasions, a meeting is desirable either to enable us to understand the nature of your complaint in more detail, or to help to explain our views on the question. If we consider a meeting to be desirable, we will offer you an appointment at a mutually convenient time, and normally this will be within eighteen working days of the acknowledgement of the complaint.
6. We will always put the outcome of the investigation of your complaint into writing, unless you do not require us to do so. You can expect to receive the letter concerned within a further period of five days.
7. If you are not satisfied with the result of the complaint, you should write to the partner who determined it and raise any issues you have that you think justify our reviewing the decision we have made or any matters that you think we have got factually wrong that might affect the decision. Please do this within ten working days of your receiving our determination on your complaint.

8. The partner who has dealt with the complaint will review your letter and his or her findings and reconsider matters. Within five working days of receiving your letter, that partner will either:
 - (a) write to you to confirm the decision made in respect of your complaint or to change that decision; or
 - (b) pass the matter to another partner (normally the Client Care Partner or Senior Partner) for review. In this case, you will be told that this has happened by letter. The reviewing partner will review all of the documentation. We expect to write to you with the outcome of that review within ten working days of the matter being passed to the reviewing partner.
9. In appropriate cases we will invite you to consider submitting any issues which we cannot resolve to your satisfaction to mediation.
10. Please bear in mind that the addressee to whom you send your complaint or the person concerned in the issue you are raising may be on holiday, or ill, and that this may delay the process of dealing with the matter.
11. If we complete our complaints handling procedures and you are still dissatisfied, or if we take more than eight weeks to deal with the matter, you can take your complaint up with the Legal Ombudsman which provides a complaints and redress scheme. The address is PO Box 6806, Wolverhampton, WV1 9WJ Tel - 0300 555 0333, website - www.legalombudsman.org.uk; e-mail - enquiries@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. The Legal Ombudsman can investigate complaints up to 6 years from the date of the problem happening or within 3 years of when you found out about the problem.
12. Please note that you cannot go directly to the Legal Ombudsman unless you have first exhausted our internal complaint procedure or the complaint has not been resolved within eight weeks.

This leaflet is available in alternative formats, such as large print. Please ask us.