



## Complaints Guidance

(Version 1.0 - effective from 1 January 2025)

### *Legal Ombudsman*

1. We have adopted the Legal Ombudsman's definition of a complaint. Please see the CLC's Glossary.
2. Contact information for Legal Ombudsman:  
Tel no: [0300 555 0333](tel:03005550333)  
Email: [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk)  
Website: [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk)  
(For details of the complaints handling procedure see [this page of the LeO website.](#))  
Legal Ombudsman  
PO Box 6806  
Wolverhampton  
WV1 9WJ
3. The Legal Ombudsman can normally only investigate a complaint if it has already been through your own complaints procedures. If the ombudsman receives a complaint concerning you/the body which has not been through your complaints process, it will be referred to you to be dealt with in the first instance. It is therefore acceptable for you to include the following terms in any complaints procedure, "Unless it agrees there are good reasons not to do so, the Legal Ombudsman will expect you to allow us to consider and respond to your complaint in accordance with the procedure set out above, before they will consider it."
4. The Legal Ombudsman can accept complaints up to 1 year from the date of the act/omission or 1 year from when the complainant should have known about the issue. The complainant may also refer their complaint to the Legal Ombudsman if your own complaints process has taken 8 or more weeks to complete.
5. The Legal Ombudsman's jurisdiction covers service-related complaints; the ombudsman will refer any conduct-related complaints to the CLC.
6. The Legal Ombudsman will charge a case fee (currently £400) if the complaint is upheld following a formal determination.

### **Requirements of the Complaints Code**

1. Should your response timescales be shorter than those identified in the Code we would not require you to alter them.
2. Provision must be made for complaints to be made by any 'reasonable means'; determination as to what constitutes 'reasonable' is at your own discretion, taking into account the body's size, profile and clients, though we would expect the minimum provision to be in person, telephone and by letter. NB. Bodies may wish to also provide Customer Feedback Forms and provide for complaints to be made via the body's website.
3. For the avoidance of doubt, item 2 of the Code, requires that all stages of the complaints procedure are free; should the Legal Ombudsman not uphold a complaint escalated to it, the body cannot charge the client for any costs it incurs in investigating that complaint and its handling of it.

### **Requirements of the Complaints Code**

The Procedure template below aims to help you comply with the CLC Codes. You are not obliged to adopt this approach, but it offers you an example of the minimum that the CLC considers is likely to be needed for compliance. Should you adopt the procedure, it is likely that you would need to make amendments to ensure it works with the number of your employees, the nature of your work and your Clients e.g. sole practitioners

should only have complaint determination review arrangements in place with other bodies if the review would be carried out in a timely manner. NB. If you do not have a review system in place, the complainant should be referred directly to the Legal Ombudsman.

## Complaints Example Procedure

If you have any complaint about the way in which your matter has been dealt with this is the procedure which will be followed:

1. A complaint is an oral or written expressions of dissatisfaction which alleges that the complainant has suffered (or may suffer) financial loss, distress, inconvenience, or detriment.
2. We aim to resolve any complaint you have about the service we have given you as quickly as possible. If you are unable to sort things out with the person who has been dealing with you, please contact [name, contact details]. **[Alternatively, for a sole practitioner – If you are unable to sort things out with me, please let me know in writing and I shall ask [name, contact details] to look into your complaint for me].**
3. Once we have received your complaint, [name above] will write to you within 7 days to explain how your complaint will be investigated if a complete response to your complaint has not been made by that time. You will be told the latest date by which a complete answer will be given to your complaint (this should be not more than 28 days after we received your complaint). If you have made the complaint verbally - either at a meeting or on the telephone - we will set out in our full response our understanding of the nature of your complaint
4. The assessment of the complaint will be based upon a sufficient and fair investigation. We will explain in writing our findings and where the complaint is upheld will offer remedial action or redress. This will be actioned promptly.
5. [If you are dissatisfied with any aspect of our handling of your complaint, please feel free to contact [name, contact details], who will conduct a separate review of your complaint **[Alternatively, for a sole practitioner – If you are dissatisfied with the way your complaint is handled please let me know in writing and I shall ask [name, contact details] who will conduct a separate review of your complaint for me.]** You will be told about the conclusion of this review within [28] days.
6. If after following the review process you remain dissatisfied with any aspect of our handling of your complaint, you may contact directly the Legal Ombudsman to ask them to consider the complaint further: Tel no: [0300 555 0333](tel:03005550333)  
Email: [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk)  
Website: [https://www.legalombudsman.org.uk/Legal Ombudsman](https://www.legalombudsman.org.uk/Legal%20Ombudsman)  
PO Box 6806  
Wolverhampton, WV1 9WJ Unless it agrees there are good reasons not to do so, the Legal Ombudsman will expect you to allow us to consider and respond to your complaint in accordance with the procedure set out above in the first instance. You can refer your complaint up to 6 months after you have received our final written response to your complaint. You can also use the Ombudsman service if we have not resolved your complaint within 8 weeks of us receiving it. A complaint can be referred to the Legal Ombudsman up to one year from the date of the act or omission or up to one year after discovering a problem. The ombudsman deals with service-related complaints; any conduct related complaints will be referred to the Council for Licensed Conveyancers.
7. Alternative complaints bodies (such as [include one of the following: Ombudsman Services, ProMediate and ADR Group and the website]) exist which are competent to deal with complaints about legal services should both you and our firm wish to use such a scheme.
8. We [state whether you do or do not] agree to use [include name of scheme].

## Good Practice

This section provides you with guidance and examples of good practice, which you are not required to adopt but which you may wish to consider. Reducing the numbers of referrals to the Legal Ombudsman will be good for your practice, as it will help keep the costs of that service down and those costs are paid for by every law practice. If the Legal Ombudsman investigates a complaint against your practice, you may have to pay a case fee to them. If your firm generates disproportionate numbers of referrals to LeO, you may also

have to pay a usage fee to increase your contribution to meeting the costs of LeO. That would be administered by the CLC.

1. It is important that anyone dealing with a complaint does so with an open mind. We have seen firms fall into patterns of strong bias against complainants that hamper effective complaints handling and can result in high numbers of referrals to LeO.
2. Learning from complaints is an essential part of overall customer care. Complaints data provides you with a useful 'business barometer' to prevent recurrence of similar-themed complaints, identify any training needs and increase client satisfaction. To this end, you may wish to record complaints by themes or categories which are useful to your business.
3. It is good practice to offer access to a review of how a complaint was handled. If you are the body's only Manager you may wish to arrange for another firm to carry out a separate review of the complaint. Any review should be completed within 28 days of the request for the separate review and should not inconvenience the complainant.
4. It is considered good practice for the senior management to review complaints trends. Lessons can then be learned and applied across the organisation, creating an environment in which complaints are seen as opportunities to improve systems and services. It is also considered good practice to periodically review the complaints handling process to identify if there are any improvements needed.
5. Complaints enable staff to develop a better understanding of the service user's point of view. All staff should be aware of the complaints procedure and take complaints seriously. If complaints identify a systemic issue it may be appropriate to organise staff training to address it. Some organisations recognise and reward those members of staff who handle complaints well.
6. It is beneficial for staff to feel that their complaints-handling procedures support them. It would be in their interests if the procedure meant that any accusations made against staff were known only to them and to those investigating the complaint. It is likely to be beneficial to the body if its staff – and if possible, its clients – are involved in developing complaints procedures.
7. To enhance the accessibility of your complaints process you could give consideration to clients being able to lodge a complaint via your website; allowing someone else to make the complaint on behalf of a vulnerable client; and providing the complaints procedure in large print. This list is certainly not exhaustive; procedures should be tailored to the needs of clients wherever appropriate. Some organisations produce customer feedback leaflets which include an overview of the body's complaints procedure and sometimes a complaint form or slip. Others survey complainants to gauge satisfaction with the complaint-handling process. Some also profile the complainants to determine if there is a particular equalities group which feels disproportionately dissatisfied with the process.
8. Below are some possible questions which those considering customer satisfaction surveys may find useful.

#### Possible 'How well did we do?' Survey Questions

- How did you find out about our complaints procedure?
- Was the complaints procedure information useful and easy to understand?
- How did you initially contact us with the complaint?
- What was the nature of your complaint?
- Did staff make you feel it was okay to make a complaint?
- Were you given a clear explanation of the complaints-handling process?
- Did you need help from us to make your complaint? If yes, did you get it?
- Did we keep you well-informed about the progress of your complaint?
- Did you find our staff helpful in dealing with your complaint?
- Did you feel the complaint was dealt with quickly enough?
- Did you feel the investigation into your complaint was thorough?
- Did you feel the investigation into your complaint was conducted fairly?
- Did you feel we understood your complaint?
- Was our response meaningful?
- Was our response easy to understand?
- Did our response address all the points you had raised?
- After the investigation into your complaint did we do what we promised?
- Were you satisfied with the final outcome of your complaint?

- How do you rate your overall experience of the complaints process?
  - Do you have any suggestions as to how we could improve how complaints are dealt with?
  - Do you feel that your age, disability, ethnicity, gender, race, religion or sexuality led to any barrier in accessing the complaints procedure?
  - Do you feel that age, disability, ethnicity, gender, race, religion or sexuality adversely impacted upon how your complaint was dealt with?
  - Do you have any additional comments?
9. In addition to complaints, any compliment and comments you receive provide you with an opportunity to learn what is working well, as well as what isn't. It may be appropriate to publicise these to staff so they know what customers want e.g. displaying thank-you letters, promoting service improvements made as a result of complaints.