

Your Right to Make a Complaint

Our Complaints Procedure

1. Our Policy

You have the right to complain to us.

You will not be charged for any time spent handling your complaint.

You can request a copy of this complaint procedure at any time.

We issue all clients with a copy of this Complaints Procedure.

- On request;
- When you raise a complaint.

We shall aim to deal with any complaint that we may receive promptly, fairly, openly, and effectively.

2. Making a Complaint

We want to give you the best possible service. However, if at any point you become unhappy or concerned about the service we have provided, then you should inform us immediately so that we can do our best to resolve the problem.

In the first instance it may be helpful 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 that stage. 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.

If you do not feel able to raise your concerns with either the fee earner or their supervisor, or if you have raised your issues with the fee earner and you are still not satisfied with the response, you can refer the matter to the Firm's **Complaints Manager**, who is **David Dow**,

by writing to him at Kirbys Solicitors, 32. Victoria Avenue, Harrogate. HG1 5PR, or via E-mail to david dow@kirbys.co.uk or by telephoning him on 01423 542000.

Making a complaint will not affect how we handle your case.

If you need to make a complaint, you should:

- Complain as soon as possible;
- Provide your full name and contact details;
- Provide us with your file reference number, if you have it;
- Be clear on what the issue is and how you would like it to be resolved;
- Allow us up to eight weeks to resolve your complaint.

If you require any help in making your complaint, we will try to help you.

3. Handling and Resolving a Complaint

We will write to you within three working days acknowledging your complaint, enclosing a copy of this policy.

We will investigate your complaint. This will usually involve:

- Reviewing your complaint;
- Reviewing your file(s) and other relevant documents; and
- Liaising with the person who dealt with your matter.

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.

We will update you on the progress of your complaint at appropriate times.

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.

We will provide you with a written outcome following an investigation into your complaint 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. If you are not happy with our outcome or we have not provided you with an outcome within 8 weeks, you can contact the Legal Ombudsman.

If we cannot resolve your complaint, you can speak directly to the Legal Ombudsman, provided that you fit one of the following categories:-

- an individual.
- a business or enterprise that was a micro-enterprise (European Union definition) when it referred the complaint to the authorised person.
- a charity that had an annual income net of tax of less than £1 million when it referred the complaint to the authorised person.
- a club/association/organisation, the affairs of which are managed by its members/a committee/a committee of its members, that had an annual income net of tax of less than £1 million when it referred the complaint to the authorised person.
- a trustee of a trust that had an asset value of less than £1million when it referred the complaint to the authorised person.
- a personal representative or beneficiary of the estate of a person who, before he/she died, had not referred the complaint to the Legal Ombudsman.

They will look at your complaint independently and it will not affect how we handle your case. The Legal Ombudsman service is free of charge and can investigate complaints about the legal service you have received from us.

Before accepting a complaint for investigation, the Legal Ombudsman will check that you have tried to resolve your complaint with us first.

The Legal Ombudsman expects complaints to be made 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 must also refer your concerns to the Legal Ombudsman within six months of our final response to you.

If you would like more information about the **Legal Ombudsman**, please contact them as follows: -

Website: www.legalombudsman.org.uk

Phone Number: 0300 555 0333 between 9am to 5pm.

Email: enquiries@legalombudsman.org.uk

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

For complaints that relate specifically to an alleged breach of the SRA Standard and Regulations including the SRA Accounts Rules, you should refer the matter to the **Solicitors Regulation Authority** (SRA). This could be for things like general misconduct, losing your money or treating you unfairly because of your age, a disability or other characteristic. The SRA will not investigate complaints about services provided by the Firm. They will refer such matters to the Legal Ombudsman.

If you would like more information about the **SRA**, please contact them as follows: -

Website: <https://www.sra.org.uk/consumers/problems/>

Phone Number: 0370 606 2555 between 8am to 5pm.

Except Tuesday 9:30am to 5pm.

Contact page: <https://www.sra.org.uk/home/contact-us/>