COMPLAINTS PROCEDURE

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 sort out any mistakes or misunderstandings, and to improve our standards.

Please be assured that your complaint will be dealt with promptly, fairly and free of charge.

1 Procedure

1.1 If you have a complaint or concern about the quality of service, it should first be raised with the fee earner dealing with your matter. Most minor issues can be resolved quickly and to everyone's satisfaction in this manner.

1.2 If that has not resolved the problem, or you consider it is more than a minor issue, then you should raise your complaint with the relevant Head of Department responsible for your matter. Their name will have been provided in the Terms of Business Letter sent when you first instructed us on your matter.

1.3 If your complaint is about the Head of Department, or you don't think they can resolve it, then you should contact our Complaints Handling Partner, Liz Hailey. Her details are as follows:

Liz Hailey – Complaints Handling Partner
Herrington Carmichael Ltd
Brennan House
Farnborough Aerospace Centre Business Park
Farnborough
GU14 6XR

Tel: 01276 686 222

Email: liz.hailey@hc.law

1.4 If the complaint is about a fee earner and you have not already considered approaching the Head of Department, they will pass the complaint to the Head of Department and ask them to investigate it in the first instance[1].

1.5 To deal with your complaint correctly, please ensure when contacting us you provide the following information:

- Your name, contact details and preferred contact method;

[1] If your complaint is about Family Mediation and you are not satisfied with the Head of Department's investigation, then you are entitled to contact Resolution within 6 months of your last contact with us. They can be contacted at: Resolution, Central Office, PO Box 302, Orpington, Kent BR6 8QX or info@resolution.org.uk or telephone 01689 820272.

- File reference number (if known);
- Details of your concern(s); and
- A summary of how you would like us to put things right.

1.6 We will acknowledge receipt of your complaint in writing, within five working days of receiving it.

1.7 Once we have your detailed information, as requested above, we can start the investigation into your complaint.

- The Head of Department will normally investigate the complaint.
- If the complaint is about the Head of Department, then an alternative Partner from that department will conduct the investigation[1].
- For the following departments, if your complaint is about the Head of Department, your complaint will be handled by:

Residential Property **New Build**	Dean Snowley Head of Consumer Services Herrington Carmichael Ltd Brennan House Farnborough Aerospace Centre Business Park Farnborough GU14 6XR Tel: 01276 686 222 Dean.Snowley@hc.law

[2] Applies in circumstances where the complaint is about the Head of Corporate and Commercial, Employment, Real Estate, Private Wealth & Inheritance, Dispute Resolution or Family department.

1.8 The investigation can involve all, or any, of the following steps:

- Asking the fee earner or member of staff complained about to provide their comments.
- Reading the file in order to see what has and has not occurred.
- Asking another fee earner who deals with that sort of work to review the file and report back with their views.

1.9 Within twenty-one working days of the start of the investigation we will either, write to you with an outcome to our investigation and suggestions for resolving the matter, or write explaining what additional information is needed either from you or a third party to enable the investigation to be completed.

1.10 If you are not happy with the outcome or suggested solutions, then you can request a review of the decision.

2 The Review

2.1 The review can happen as follows:

2.1.1 The original complaint handler will review their own decision and notify you of your final position within a further twenty-one working days; or

2.1.2 We may ask another Partner not previously involved in the complaint to review the decision. You will be provided with their final review decision within a further twenty-one working days.

3 Referral to the Legal Ombudsman

3.1 If you have exhausted our internal complaint process, yet remain dissatisfied, or a period of eight weeks has expired since we acknowledged your complaint without our final response being received, you are entitled to refer your complaint to the Legal Ombudsman (the "**LeO**").

3.2 The LeO will look at the complaint independently and any investigation by them will not affect how we handle your case.

3.3 Before accepting a complaint for investigation, the LeO will check:

- that you have tried to resolve the complaint with us in the first instance; and
- whether you have suffered significant financial loss, distress, inconvenience

or detriment which deems it proportionate for them to investigate.

We will always be happy to discuss your issues further, prior to you going down this route, if you wish to do so.

3.4 For complaints about our service, including billing issues, you may contact the Legal Ombudsman via one of the methods below:

Phone: 0300 5550333
Email: enquiries@legalombudsman.org.uk
Post: Legal Ombudsman, PO Box 6167, Slough, SL1 0EH

3.5 Any complaint to the LeO must usually be made within **six months** of the date of our final written response to your complaint. You should also be aware that the Ombudsman will consider your complaint if you refer it on to them within either of the following:

- One year from the date of the act or omission being complained about; OR
- One year from the date when you should reasonably have known that there was cause for complaint.

The Ombudsman has discretion to extend the one year time limit for specific customers if, on the evidence, it is fair and reasonable to do so.

3.6 Please note that the LeO service cannot be used by businesses or most other organisations unless they are below certain size limits. Further details are available from the LeO website.

3.7 It is worth considering, whilst it is open to you to submit a complaint to the LeO, they apply strict criteria to determine whether they will ultimately accept a complaint for a full investigation. They have the discretion to dismiss or discontinue all or part of a complaint if they believe:

a) it does not have any reasonable prospects of success.
b) you have not suffered (and are unlikely to suffer) significant financial loss, distress, inconvenience or detriment.
c) it is frivolous, vexatious, lacks merit or where there is a compelling reason not to accept it.
d) the likely impact, size, complexity, scope, volume of evidence or your conduct render it disproportionate / unreasonable / impossible for the complaint to be investigated.
e) you have previously complained about the same issue to them, unless you provide material evidence that is likely to affect the outcome which only became available to you after you submitted the original complaint.

f) there has been undue delay in the complaint being raised.

3.8 Also note:

a) if, during the course of an ongoing investigation by the LeO, a revised / increased offer is made by us which is deemed to be fair and reasonable redress and you decide to reject that offer, the LeO has the discretion to dismiss or discontinue all or part of your complaint.

b) if you have already accepted an offer to settle your complaint made by us during our internal complaint handling process, which is deemed to be fair and reasonable redress, unless there has been some significant intervening act, you will not be able to have that agreement overturned in the hope of securing a preferential outcome by pursuing your complaint via the LeO.

3.9 For more information on the Legal Ombudsman's rules and requirements, please see their Scheme Rules dated April 2023.

4 What to do if you are unhappy with our behaviour

4.1 The Solicitors Regulation Authority ("**SRA**") 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.

4.2 Visit the "Reporting an individual or firm" page of their website to see how you can raise your concerns with the SRA.

5 What to do if you complaint relates to an insurance policy

5.1 If your unresolved complaint relates to an insurance policy covering your case, you may contact the Financial Ombudsman service:

Phone: 0800 023 4567
Post: Financial Ombudsman Service, Exchange Tower, Harbour Exchange, London E14 9SR.

Online complaint forms available via their website

6 Your Data Security

6.1 Throughout the process of your complaint, personal and sensitive data is required to ensure that all of our information is correct so we can handle your complaint in a timely and lawful manner.

6.2 Any documentation, requests, evidence and associated notes or telephone recordings will be stored on the matter file to which access is restricted. This information will be kept in line with the firm's retention policy and subsequently deleted after this time.

6.3 If you raise a complaint with the LeO, we will be required to provide them with supporting documentation from your matter so that we can, in turn, comply with our legal obligations to them.

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