

# **Harrison Drury and Co Ltd - Complaints Management Procedure**

## **OUR COMPLAINTS POLICY**

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 improve our standards.

## **OUR COMPLAINTS PROCEDURE**

If you have a complaint please contact John Chesworth, our Executive Chairman, via [john.chesworth@harrison-drury.com](mailto:john.chesworth@harrison-drury.com). If we need to change any of the responsibilities or the timescales set out below, we will let you know and explain why.

## **WHAT WILL HAPPEN NEXT?**

1. Within three days we will send you a letter acknowledging your complaint and asking you to confirm or explain any details. If it seems appropriate we will suggest a meeting at this stage. We will also let you know the name of the person who will be dealing with your complaint.
2. We will thoroughly and independently investigate your complaint by examining the relevant file.
3. We aim to respond in full within 28 days. However, if the complaint is of a more complex nature we will require more time but we will let you know when you will receive a full response.
4. If appropriate, we will invite you to meet the complaint handler allocated to your case to discuss and hopefully resolve your complaint. We would hope to be in a position to meet with you in this way no longer than 14 days after first receiving your complaint. If you would prefer not to meet, or if we cannot arrange this within an agreeable timescale, We will write fully to you setting out our views on the situation and any redress that we would feel to be appropriate.
5. Within two days of any meeting we will write to you to confirm what took place and any suggestions that we have agreed with you.

6. At this stage, if you are still not satisfied, please let us know. We will then arrange to review our decision. We would generally aim to do this within 10 days. This will happen in one of the following ways.
  - The Executive Chairman will review the nominated complaint handler's decision.
  - We will invite you to agree to independent mediation. We will let you know how long this process will take.
6. We will let you know the result of the review within five days of the end of the review. At this time we will write to you confirming our final position on your complaint and explaining our reasons.
7. If you remain dissatisfied at the end of our complaints process, you may then be able to take your complaint to the Legal Ombudsman, whose address is PO Box 6806, Wolverhampton, WV1 9WJ. Their telephone number is 0300 555 0333. Their e-mail address is [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk) Their website is at [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk) .

That organisation is the statutory body to which you may refer your complaint, once we have concluded our professional obligation to try to resolve it. The time limit for you to make a complaint to the Legal Ombudsman is six months from our final response to the complaint. Normally, you will have to bring your complaint to the Legal Ombudsman within 6 months of receiving a final response from us about your complaint and 6 years from the date of the act or omission giving rise to the complaint or alternatively 3 years from the date you should reasonably have known there are grounds for complaint (if the act/omission took place before 6 October 2010 or was more than 6 years ago). However, we very much hope that this will not be necessary.

If we are unable to resolve your complaint using our internal processes, alternative complaint bodies such as ProMediate ([www.promediate.co.uk](http://www.promediate.co.uk)) exist which are competent to deal with complaints about legal services should both you and Harrison Drury and Co agree to use such services. As a firm we agree to use ProMediate.

8. We will record and report centrally all complaints received from clients.
9. We will identify the cause of any problems of which the client has complained offering appropriate redress and correcting any unsatisfactory procedures.

### **Legal Ombudsman**

The Legal Ombudsman is an independent body established by the Office for Legal Complaints under the Legal Services Act 2007 to deal with complaints against Solicitors.

The Legal Ombudsman may:

- Investigate the quality of professional service supplied by a solicitor to a client.
- Investigate allegations that a solicitor has breached rules of professional conduct.
- Investigate allegations that a solicitor has unreasonably refused to supply a professional service to a prospective client.
- Investigate allegations that a solicitor has persistently or unreasonably offered a professional service that the client does not want.

Before it will consider a complaint the Legal Ombudsman generally requires that the firm's internal Complaints Procedure has been exhausted. If the Legal Ombudsman is satisfied that the firm's proposals for resolving a complaint are reasonable, it may decline to investigate further.

A Complainant must be one of the following:

1. An Individual
2. A business that was a micro business (European definition) when the complaint was made to the regulated firm.
3. A Charity, Club or Association that had an annual income net of tax below £1m at the time the complaint was made to the regulated firm
4. A Trust that had an asset value of less than £1m net of tax at the time the complaint was made to the regulated firm
5. 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