

COMPLAINTS PROCEDURE

- 1 If you have an issue of concern about your case, please do not hesitate 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 this stage.
- 2 If you are unable to resolve your concern directly with the fee-earner who is dealing with your matter, or you wish make a more formal complaint, please forward your complaint to Mr Ashley Elliot, the firm's Compliance Officer for Legal Practice and Complaints Handler at 24 Lowther Street, Carlisle, Cumbria CA3 8DA or by email to ashley.elliott@butterworths-solicitors.co.uk or by telephone on 01228 593939.
- 3 Your complaint does not have to be in writing, but this may be preferable as this can help minimise the risks of misunderstandings and assists us in ensuring that we address all your concerns. It would assist if any written complaint could be marked "complaint".
- 4 If you are making a complaint, please ensure that your complaint clearly states the reason for your complaint including the relevant facts, provide copies of any evidence in support of that complaint and lets us know what you want to happen as a result of the complaint.
- 5 Butterworths will acknowledge receipt of your complaint. We will endeavour to do so within 2 working days.
- 6 Upon receipt of a complaint, Mr Elliot will examine the file and consider the complaint in full and will report back to you with his findings and an explanation of his decision and will respond to any queries that you have made.
- 7 The remedies open to the firm, following investigation of the complaint may be:
 - 7.1. Putting the matter right;
 - 7.2. An apology from the firm and an assurance that we will do our best to ensure it will not happen again;
 - 7.3. A reduction in the bill;
 - 7.4. A total abatement of the bill;
 - 7.5. Compensation for loss suffered;
 - 7.6. Compensation for inconvenience and / or distress;

- 7.7. Notification of your right to complain to the Legal Ombudsman or the Solicitors Regulation Authority, either as a matter of professional conduct, or in respect of inadequate professional service;
- 7.8. Notification of your right to see another solicitor and obtain advice as to whether there has been any negligence.
- 8 If you are satisfied with the investigation, the fee-earner will continue to handle the file. However, if the relationship has broken down, the file will be transferred to another fee-earner in the firm and you will be informed of the identity of the new fee-earner.
- 9 The complaint will be registered in our central register.
- 10 Making a complaint should not prejudice, disrupt or delay your case. If we believe that this may happen, we will tell you so, and why.
- 11 There is no charge to you for us to investigate your complaint.
- 12 If you have any special needs or requirements which need accommodating in order to make our complaints procedure accessible, please do not hesitate to notify us of these needs or requirements.
- 13 We have 8 weeks from receipt of your complaint to review your complaint and try to resolve your complaint.
- 14 The Legal Ombudsman

You must have tried resolving your complaint with us first but, if we are unable to help you, or you are not satisfied with our handling of your complaint, you can have the complaint independently looked at by the Legal Ombudsman, an independent complaints body, established under the Legal Services Act 2007, that deals with legal services complaints. There is no charge to you to use this scheme.

You may be able to complain direct to the Legal Ombudsman either before the expiry of the 8 weeks or without waiting for our response if:

- An Ombudsman considers that there are exceptional reasons to consider the complaint sooner, or without it having been made first to us; or
- An Ombudsman considers that in-house resolution is not possible due to irretrievable breakdown in the relationship between us and you.

Please note that there are time limits within which you must make your complaint to the Legal Ombudsman. These time limits are:

- You refer the complaint to the Legal Ombudsman within 6 months of the date of our final written response; and
- You refer the complaint to the Legal Ombudsman within either:
 - 6 years from the date of act or omission or the problem happening; or
 - if the act took place more than 6 years ago, 3 years from when you found out about it or should reasonably have known that there was cause for complaint; and

- The act or omission or the problem happening, or when you should have reasonably known that there was cause for complaint must have been after 5 October 2010.

If you would like more information about the Legal Ombudsman their contact details are:

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

Website: www.legalombudsman.org.uk

E-mail: enquiries@legalombudsman.org.uk

Telephone: 0300 555 0333 between 8.30am to 5.30pm

Minicom: 0300 555 1777

We enclose links to the Legal Ombudsman's leaflets "Here to help" and "How to complain to your legal service provider":

(<http://www.legalombudsman.org.uk/downloads/documents/publications/Here-to-help-BW.pdf>);

(<http://www.legalombudsman.org.uk/wp-content/uploads/2014/09/Factsheet2-How-complain-your-legal-service-provider.pdf>).

If you require hard copies, please let me know and these can be forwarded to you.

15 The Solicitors Regulation Authority

The Solicitors Regulation Authority can help you 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.

You can raise your concerns with the Solicitors Regulation Authority at <https://www.sra.org.uk/consumers/problems/report-solicitor.page>.

If you would like more information about the Solicitors Regulation Authority their contact details are:

Post: Solicitors Regulation Authority, The Cube, 199 Wharfside Street, Birmingham, B1 1RN

Website: www.sra.org.uk/contactus

Telephone: 0370 606 2555 between 8.00am to 6.00pm on Monday, Wednesday, Thursday & Friday) and 9.30am to 6.00pm on Tuesday

16 Alternative Dispute Resolution (ADR) – Mediation

Alternative complaints bodies (such as Pro Mediate UK Limited - Address: Brow Farm, Top Road, Frodsham, Cheshire WA6 6SP; Tel: 02036213908 and 07827961764; Web Address: www.promediate.co.uk; E-mail: enquiries@promediate.co.uk) exist which are competent to deal with complaints about legal services should both you and we wish to use such a scheme.

We will let you know whether we agree to use such a scheme in our response to your complaint.

The Legal Ombudsman is still able to consider complaints that have previously been considered by an ADR entity.