

# Complaints procedure

## Introduction

We are confident in our ability to provide a high-quality service. All of the firm's lawyers are obliged to attempt to resolve any problems that you may raise about the service that we provide. Therefore, initially you should explain any concerns that you have to the lawyer advising you immediately.

If the problem cannot be resolved in this way or if you prefer to discuss the problem with someone else, you should contact our Head of Risk and Compliance, Nicola Patten, who will agree with you the best means to resolve the problem. This includes any issues or concerns that you may have in respect of our fees and other charges. Her email address is [RiskandCompliance@boyesturner.com](mailto:RiskandCompliance@boyesturner.com)

We will try to resolve the problem as quickly as possible and usually within 28 days.

To help us to understand your complaint, and in order that we do not miss anything, please tell us:

- your full name and contact details;
- what you think we have got wrong;
- how you would like your complaint to be resolved; and
- your file reference number (if you have it).

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 or video conference.

We will write to you at the end of our investigation 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.

We will not charge you for handling your complaint.

## What to do if we cannot resolve your complaint

We have eight weeks to consider your complaint. If we have not resolved, it within this time you may be able to complain to the Legal Ombudsman. This applies if you are an individual, a business with fewer than 10 employees and turnover or assets not exceeding a certain threshold, a charity or trust with a net income of less than £1m, or if you fall within certain other categories (you can find out more from the Legal Ombudsman). The Legal Ombudsman will look at your complaint independently and it will not affect how we handle your matter.

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

- Within six months of receiving a final response to your complaint; and
- No more than one year from the date of the act / omission; or
- No more than one year from when you should reasonably have known there was a cause for complaint.

If you would like more information about the Legal Ombudsman, please contact them at [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk). The Legal Ombudsman service is free of charge.

## What to do if you are unhappy with our behaviour

The legal Ombudsman deals with complaints about the work we undertake and the service we provide for you and our charges. If you have a complaint 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, or compliance with The Solicitors Regulation Authority rules you can raise that with the Solicitors Regulation Authority. Details of the rules and their contact information are on their website [Solicitors Regulation Authority](http://www.sra.org.uk).

## For Mediation clients

Complaints can also be referred to the Family Mediation Council (FMC). All mediators working for us are all registered with the FMC. The FMC regulates them, and they must adhere to a Code of Practice and professional standards.

If we are unable to resolve your complaint and it is in relation to a breach of the FMC Code of Practice and professional standards you can ask the Family Mediation Standards Board (FMSB) to consider the complaint, if certain criteria are met. You can raise your concerns with the FMC at [familymediationcouncil.org.uk/complaints-about-mediators/](http://familymediationcouncil.org.uk/complaints-about-mediators/).

## What to do if you are unhappy with our charges

In addition to the above, you may also have the right to object to our charges by applying for an assessment of them in court or tribunal cases.

The procedure is set out in sections 70, 71 and 72 of the Solicitors Act 1974.

The usual time limit for making such an application is one month from the date the bill was delivered to you. If the application is made after one month but before 12 months from delivery of the bill, the court's permission is required for the bill to be assessed.

Unless there are special circumstances, the court will not usually order a bill to be assessed after:

- 12 months from delivery of the bill
- a judgment has been obtained for the recovery of the costs covered by the bill
- the bill has been paid, even if this is within 12 months in court or tribunal cases.