

Complaints Procedure

What is a complaint?

If you are dissatisfied with the service you have received, or our legal charges, please let us know.

How do I complain?

First, discuss your dissatisfaction with the fee earner having the conduct of your case. This discussion could be by telephone. If you prefer send a letter explaining your concern. Allow a reasonable time to reply (at least fourteen days).

If you are not satisfied with the reply, please inform David Waterhouse, our Complaints Partner. We request clients to set out the reason for their dissatisfaction in writing.

If this is not convenient, please inform David Waterhouse by telephone (01827 311411), fax (01827 311666), or e-mail d.waterhouse@rutherfordslegal.com.

What happens to my complaint?

Once a formal complaint is received by the Complaints Partner, you will receive an acknowledgment by post within seven days. The acknowledgment will provide a timescale for a substantive response.

The Complaints Partner will thoroughly investigate the complaint. This will include reviewing the file, discussing the matter with the relevant department and reviewing any necessary documents.

What will I receive?

A detailed reply will follow by letter, usually within twenty-one days. The reply will include an explanation of the investigation and any appropriate action taken.

We may require further time to respond, for example, if many documents have to be considered before responding, files have to be retrieved from storage or from microfilm, or the nature of the case and/or complaint is particularly complex. If so, the acknowledgment will specify a different timescale.

If we do not receive a response from you to this letter we will try to contact you on one further occasion in order to attempt to address any outstanding issues.

What if I am not satisfied with the reply?

You may request a meeting with Complaints Partner, David Waterhouse, to discuss the complaint, and the letter of reply.

However, at the discretion of the Complaints Partner, this meeting may be declined on the basis that a detailed response has been provided to you and that a further discussion is unlikely to resolve the complaint amicably.

What else can I do?

If you are not satisfied with the response and any action taken to resolve your concerns, we will provide you with contact details for the Legal Ombudsman which is a completely independent body set up to provide legal service complaint handling for both solicitors and barristers.

The Legal Ombudsman will usually allow your lawyer a period of eight weeks to resolve the issue before accepting a complaint.

Complaints Procedure (Continued)

What if my complaint relates to costs?

Please use the complaints procedure outlined above and discuss your concerns with the fee earner handling your case.

If you are not satisfied with the reply, please write to the Complaints Partner, David Waterhouse. Again, if you are not satisfied with the action taken to resolve your concerns you can complain to the Legal Ombudsman.

Alternatively, you may be entitled to request the court to assess our costs to determine what is fair and reasonable under Part III of the Solicitors Act 1974. Generally the application for assessment must be made within one month of receiving the bill.

Alternative Complaints Handling Body

Under EU law, we are required to inform you that alternative complaints handling bodies (such as Pro mediate, Brow Farm, Top Road, Frodsham, Cheshire WA6 6SP, 01928 732455, www.promediate.co.uk) exist which are able to deal with complaints about legal services should both you and we wish to use such a scheme. However, given that the decision of a mediator is not binding on you or us we see no benefit in this and it will be unusual for us to agree to a reference to such a body.

What if I require further information?

Contact the Legal Ombudsman by email at enquiries@legalombudsman.org.uk or by telephone on 0300 555 0333. The helpline is open from 8.30am to 5.30pm.

You can write to the Legal Ombudsman at PO Box 15870, Birmingham, B30 9EB

Information and leaflets can also be obtained from the website www.legalombudsman.org.uk