

## **BANKSIDE LAW COMPLAINTS PROCEDURE**

At Bankside Law we always aim to provide the best possible service and client care to our clients. We hope that it will never be necessary for you to lodge a formal complaint in to the service we provide. Good communication is essential if we are to work together as a team to achieve the best outcome in your case and attempt to achieve your objectives. Sometimes communications can break down and sometimes you may have concerns about the service we are providing to you. This complaints procedure is intended to avoid possible misunderstandings or failures in communication which can lead to concerns on your part and you considering making a complaint. The following procedure is intended to assist with communication and address any concerns you may have in what we hope would be the unlikely event of a complaint.

1. The first step is for you to raise with the fee earner responsible for your case the grounds of your complaint. Even if you do not wish to make a formal complaint please do not hesitate to raise with the responsible fee earner if you have a cause for concern about the service we offer or the advice we have given. Please be as clear as possible at this stage as to what your cause for complaint is. It may be that the responsible fee earner can address your concerns and the complaint need not proceed further. If you would feel embarrassed about raising it with the responsible fee earner you can raise it direct with our managing director and complaints director John Williams. If the complaint relates to conduct by John Williams and you would prefer not to raise it with him you can raise it direct with the person responsible for the next stage, a director of Bankside Law and Bankside Commercial Bill Wilson. Our fee earners will listen sympathetically and empathetically to your complaint and will attempt to resolve it to your satisfaction at this first stage. For these reasons, we ask you to be as clear as possible in the cause of your complaint and how you feel your complaint could be resolved. The responsible fee earner will confirm to you the outcome of the first stage in writing within 7 days of you making the complaint. The complaint in this first stage can be made by you in person or on the telephone, it need not be made by you in writing. However the responsible fee earner will confirm to you the outcome in writing. At this stage the fee earner may have resolved the complaint by a variety of means. These may include the following:-
  - a. Explaining the position to your satisfaction so that the complaint, with your agreement, is not proceeded with.
  - b. Disagreeing with you as to the circumstances surrounding the complaint in which case it will be referred on to the next level. This will be confirmed to you in writing and your complaint will be referred to John Williams our complaints director. If the complaint relates to the service or advice of John Williams and you have referred the case initially to Bill Wilson it will be referred on to Bill Wilson who is also a Director of Bankside Law.
  - c. (After consulting with John Williams) accepting that there has been a falling short of the highest standards we set for ourselves and

recommending an apology and redress which can include an ex gratia payment up to a maximum of £500 (with no admission of liability) or a waiver of fees up to a maximum of £500. If we can resolve your complaint on this basis with you we ask that this be in full and final satisfaction of all claims you may have against the fee earner or Bankside Law.

2. Stage two only applies if the fee earner has not resolved your complaint in accordance with paragraph 1 (a) or 1(c) above. You will have been written to by the person responsible for the first stage. If you are dissatisfied with the outcome we ask that you respond in writing setting out as clearly as possible why you are not satisfied with the outcome and what to you would be a suitable outcome. John Williams (or Bill Wilson if the complaint relates to the service given by John Williams and he has been unable to resolve it or Bill Wilson if Bill Wilson has carried out stage 1 in relation to the service of John Williams) will consider your letter and invite you in for interview or speak to you on the phone within 7 days of receipt of your letter. We will attempt wherever possible to resolve your complaint to your satisfaction at this stage. We will then confirm the outcome of this stage to you within 7 days.
  
3. In the event that we have been unable to resolve your complaint to your satisfaction after both of these stages you can make a formal complaint to The Legal Ombudsman. The Legal Ombudsman is an independent complaints handling body. Their role is to attempt to resolve complaints from solicitor's clients and if necessary to refer disciplinary matters against solicitors to the Solicitors Regulation Authority. The web address of the Legal Ombudsman [LO] is <https://www.legalombudsman.org.uk/make-a-complaint/> . Their address is PO Box 6806, Wolverhampton WV1 9WJ and their phone number is 0300 555 0333. Should you seek to complain direct to the LO they are likely to ask whether you have gone through our internal complaints procedure first and are likely to try and encourage you to do this before pursuing your complaint with them. For this reason (to save time) and also in the hope that the communication between you and us is maximised we ask that you proceed through our internal procedures rather than go straight to the LO. The complaint to the LO can lead to disciplinary proceedings for the fee earner responsible, you will be required to confirm the complaint in writing and ultimately, if the case is referred to the Solicitor's Disciplinary Tribunal this is like formal court hearing where evidence can be given on oath and witnesses be subject to cross examination. The outcome can be serious for the solicitor, it can in a serious case result in him or her being struck off, suspended or fined. Clearly we would in no way wish to discourage you from complaining to the SRA, particularly if the allegation is a serious one, however we would hope that if the problem is less serious or relates to a failure in communication we could resolve it to your satisfaction without this quite drastic step being taken. If you wish to complain about the behaviour of one of our solicitors or staff (as opposed to the service we have given you) you can complain direct to the Solicitors Regulation Authority. Please refer to this link for

information from the SRA about when to report a solicitor to the SRA and how <https://www.sra.org.uk/consumers/problems/report-solicitor/>

4. We sincerely hope that you never have cause to formally complain or if you do it never gets to this stage. We are serious about addressing our client's concerns and we would certainly see this as a failure on our part if a complaint proceeded beyond stage 2 in our procedure.

Bankside Law