

# STEWARTS

## COMPLAINTS HANDLING 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 the quality of our services. If you have any problem with our service, the level of our fees, or with the way in which we have dealt with any matter, please in the first instance contact the lawyer dealing with the matter or their head of department. You can do this by telephone, e-mail or by post. If, for any reason, you feel unable to raise your complaint either with the lawyer responsible for your case or their head of department, you may do so by emailing [fgillett@stewartslaw.com](mailto:fgillett@stewartslaw.com) or [gabel@stewartslaw.com](mailto:gabel@stewartslaw.com).

Please note that making a complaint about our service will not have a negative impact on how your matter is handled by us. We respect that it is your right to complain and we will continue to endeavour to provide you with the best legal service possible. We will not charge you for work we do in responding to your complaint.

### Timescales

All references to "days" in this procedure mean working days, which are Monday to Friday excluding bank holidays and notified days of office closure. Any time period referred to in this procedure starts from the next clear working day after the event triggering the relevant deadline.

### What is the procedure?

- 1 We will send you confirmation we have received your complaint within 5 days after receiving it. We will provide with that confirmation a copy of this procedure (usually by including a link to the procedure in that confirmation). If we need to clarify anything about your complaint with you, we will aim to do so at this point. We may also ask you about what outcome you would like to achieve through your complaint so we understand that as soon as possible.
- 2 We will then investigate your complaint. This will normally involve a review of your file by the supervising partner (identified in the engagement letter sent to you at the outset of the matter) alongside the lawyer who is acting (or who acted) for you in the matter. The head of the department will oversee this review. If your complaint is about the supervising partner on your matter, the head of department will normally lead the review. If your complaint is about the head of department, another partner in the department will normally lead the review.
- 3 In the course of investigating your complaint, we will also consider ways of resolving it with you. You will usually then be invited to a meeting to discuss and hopefully resolve your complaint. Wherever possible that meeting will take place within 15 days after sending you the confirmation described in paragraph 1 above. Within 5 days after such a meeting, we will write to you to confirm what took place and any resolution agreed with you.
- 4 Occasionally it may not be possible or appropriate to offer a meeting, or you may (in your sole discretion) choose to decline an offer to meet. In either case, we will instead send you a detailed written reply to your complaint, including any suggestions we

might have for resolving the matter. If we have decided that a meeting is not possible or appropriate, we will normally send you the written reply within 15 days after sending you the acknowledgement letter. If you choose to decline an offer to meet, we will normally send you the written reply within 10 days of your telling us that you do not wish to meet.

- 5 If, after sending you our written reply or holding a meeting with you, we do not hear from you within 10 days to express continued dissatisfaction, we will consider your complaint resolved. If, however, after the process above has been completed you are still not satisfied, you should contact [Fiona Gillett](#), the Partner who is our Compliance Officer for Legal Practice, or [Gideon Habel](#), our Compliance Lawyer, and they will independently investigate the complaint and our response. They will usually respond to you in writing with their findings (our final response) within 15 days after receiving your notification that you are not satisfied with the initial response.
- 6 Our internal complaints procedure concludes at this stage. If we do not hear from you within 15 days after sending you our final response (or the period stated in our final response, if different) we will consider your complaint closed. We will have no further duty to review your complaint once we have finished our internal process and closed your complaint.
- 7 If either you or we have stated an intention to start legal proceedings, or have started legal proceedings, about any aspect of your complaint (including you starting an assessment of our costs or us issuing costs recovery proceedings), then our investigation and response to your complaint may be paused pending the conclusion of those proceedings. Any matters not settled in the proceedings will then be investigated in accordance with this procedure. If this applies to your complaint we will let you know as soon as possible.
- 8 If we have not responded to your complaint within the timescales above without explanation or if you are not satisfied with our response, you can contact an alternative complaints body such as ProMediate – [www.promediate.co.uk](http://www.promediate.co.uk) - who can help to mediate complaints about legal services, should both you and we wish to use such a such a scheme to try to resolve your complaint.
- 9 In principle we agree to use ProMediate or another suitable independent Alternative Dispute Resolution provider to assist in resolving complaints. Please note, however, that we reserve the right not to agree to do so in certain cases.
- 10 If we are not able to resolve your complaint through our complaints process or through independent Alternative Dispute Resolution, you may be able to refer the matter to the Legal Ombudsman. The Legal Ombudsman is an independent service set up by parliament to help resolve disputes between consumers (like our clients) and legal service providers (like us). Usually, the Legal Ombudsman will expect you to have set out your complaints to the firm and to have completed our internal complaints process before referring a matter to them. If, having done so, you wish to refer your complaint to the Legal Ombudsman, you must do so within six months of our final response to your complaint. You can contact the Legal Ombudsman by visiting [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk) or on 0300 555 0333 or by email on [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk) or by post: Legal Ombudsman PO Box 6167, Slough SL1 0EH.

- 11 The Legal Ombudsman expects complaints to be made to them within a year of the date of the act or omission about which you are concerned or within a year of you realising there was a concern.
- 12 Please note that the service provided by the Legal Ombudsman is only available to certain types of clients/organisations. Further details about the scheme and of those eligible for the service can be found on the Legal Ombudsman's website <http://www.legalombudsman.org.uk/>. Alternatively, you can contact the Ombudsman on the helpline number given above.
- 13 If your complaint relates to our charges and/or any of our bills then, subject to the terms of your engagement of us, you may also have a right to object to the relevant bill by applying to the court for an Assessment of the bill under Part III of the Solicitors Act 1974.
- 14 Please note that if all or part of a bill remains unpaid, the firm may be entitled to charge interest and may exercise a lien over your papers, as explained in our Terms of Business.
- 15 If we have to change any of the timescales above, we will let you know and explain why.