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WATERHOUSE SOLICITORS

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Complaints Policy and Procedure

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Waterhouse solicitors is committed to providing a high quality, transparent and accessible service to everyone we deal with. In order to do this, we need you to tell us when we get things wrong. We want to help resolve your complaint as quickly as possible.

We handle any expression of dissatisfaction with our service which calls for a response as a complaint. We listen to your complaints, treat them seriously, and learn from them so that we can continuously improve our service.

What is a complaint?

A complaint is an expression of dissatisfaction, whether justified or not.

Our policy covers complaints about:

- the standard of service you should expect from us
- the behaviour of our staff in delivering that service
- any action, or lack of action, by our staff or others, engaged on Commission business

We refer to these complaints as “customer complaints”.

Our complaints policy does not cover:

- comments about our policies or policy decisions
- dissatisfaction or complaints expressed with our policies or decisions about individual cases, funding, or requests for legal advice and assistance
- matters that have already been fully investigated through this complaint procedure
- anonymous complaints

We refer to these types of comments or complaints as ‘non-service complaints’. These are handled differently, as set out in the ‘Comments and Non-service complaints’ section on page 10.



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Our standards for handling complaints

We can receive complaints by letter or email, or orally. We treat all complaints seriously.

You can expect to be treated with courtesy, respect, and fairness at all times. We expect that you will also treat our staff dealing with your complaint with the same courtesy, respect, and fairness.

- We will treat your complaint in confidence.
- We will deal with your customer complaint promptly. We will acknowledge receipt of a written complaint within five (5) working days where we have a return address and you can expect to have a full reply within 14 working days. In a few cases, we will not be able to send a full reply within 14 working days of receipt, for example, if your complaint is very complex. If this happens, we will tell you the reason why and let you know when we will be able to reply in full, keeping you fully informed of progress.
- We intend to keep further information in our Annual Complaint Report on the number and categories of customer complaints, and the percentage of those upheld.
- We will not treat you less favourably than anyone else because of your:
 - sex or legal marital or same-sex partnership status: this includes family status, responsibility for dependants, and gender (including gender reassignment, whether proposed, commenced, or completed)
 - sexual orientation
 - colour or race: this includes ethnic or national origin or nationality
 - disability
 - religious or political beliefs, or trade union affiliation
 - any other unjustifiable factors, for example, language difficulties, age, pregnancy, and maternity.

Third-Party Reporting

Complainants may wish to have a third-party act on their behalf. A third party is any person or organisation acting on behalf of or making enquiries for the complainant. For example, third parties may include:

- advice organisations
- professionals such as social workers, nurses, doctors, or solicitors
- family members or friends

Where a third party is helping a complainant with a particular complaint, we need written consent to that effect. Where we have this authority, we will endeavour to take all possible steps to keep the third party informed of the progress on the complaint.

We do not require written consent if an MP or elected Councillor is helping a constituent with a complaint, and we can disclose information to them in response to their enquiries.

Also, some lawyers and attorneys are legally empowered in certain circumstances to act on behalf of a complainant, and consent to disclose information is not required.

Confidentiality

All complaints received will be dealt with confidentially and following the requirements of the Data Protection Act 2018, subject to the need to disclose information as required by statutory authorities, and/or as a result of statutory, legal, or parliamentary obligations placed on the Commission.

How to complain to us

If you wish to make a complaint, you can do so by email or letter or by filling our online form.

If you are disabled and need a reasonable adjustment to ensure you can register your complaint, you can contact us alternatively by:

- telephone (one of our officers will help you by writing out your complaint)
- fax
- asking a member of staff to help you in writing out your complaint

Our contact details are in the Contacting Us section below. If you require different adjustments, let us know and we will try and put those arrangements in place where we can.

How we will respond to your complaint

Customer complaints procedure

We have two-stage service complaints handling procedure. At each stage, it will help us to resolve your complaint quickly if you can give us as much clarity and detail as possible, including providing any documents and correspondence and stating that you are making a complaint. If we do not have all the details required to deal with the complaint, we may contact you and ask you for further information.

Our Adetayo Ogunfuwa is responsible for managing the handling of service complaints including notifying you of the outcome.

Stage 1

This is the first opportunity for us to resolve your dissatisfaction. We expect the majority of complaints to be resolved at this stage.

- On receipt of your complaint, we will send you a letter acknowledging receipt of your complaint within five (5) days of receiving it, enclosing a copy of this procedure.
- We will then investigate your complaint. This will normally involve

passing your complaint to our client care principal. Adetayo Ogunfuwa, who will review your matter, file, and speak to the member of staff that acted for you.

- Adetayo Ogunfuwa will then invite you to a meeting or call you on phone to discuss your complaint within 14 days of sending you the acknowledgment letter.
- Within seven (3) days of the meeting or calling you, Adetayo Ogunfuwa will write to you to confirm what took place and any solutions he has agreed with
- If you do not want a meeting or it is not possible, Adetayo Ogunfuwa will send you a detailed written reply to your complaint, including his suggestions for resolving the matter within twenty-one (21) days of sending you the acknowledgment letter.

Stage 2

If you are dissatisfied with the response at stage 1, you may request a review. This will be carried out by someone unconnected with the matter at the firm to review the decision. Your request together with all subsequent correspondence relating to it should be sent to Adetayo Ogunfuwa, who will forward your request to the relevant person to be reviewed. We will write you within fourteen (14) working days of receiving your request for a review, confirming our final decision on your complaint and explaining our reasons.

If you are still dissatisfied

If having followed the two internal stages of our service complaints procedure you remain dissatisfied, you can ask to have your complaint reviewed by the Legal Ombudsman (LeO) at PO Box 6806, Wolverhampton WV1 9WJ who is independent of the Commission. You can also email the Legal Ombudsman (LeO) at enquiries@legalombudsman.org.uk or telephone ON 03005550333 or +441212453050 from overseas between 09.00 to 17.00. You also access further information on the Legal Ombudsman (LeO)'s website – www.legalombudsman.or.UK The Ombudsman will assess whether there is evidence of service failure or maladministration on our part.

Timescales

Stage 1

We will acknowledge complaints within 5 days of receiving each complaint. We will invite you to a meeting or have a telephone conference with you within 14 working days of receiving each complaint.

If you make a complaint in-person to a member of our staff (at an event or meeting), we will record your complaint in writing within 3 working days, and acknowledge it within 5 working days thereafter. We will then deal with your complaint following our policy for written complaints.

Stage 2

We will acknowledge complaints within 5 days of receiving each complaint. We will send a full response within 14 working days of receiving each complaint.

Extending time limits

We aim to complete our investigation into all complaints received about our service within the timescales set out above. However, in a limited number of cases - for example, if a complaint is very complex or requires further breakdown, it may be necessary to extend the time limit to ensure we have all the information necessary to deal with it. If this is the case, we will keep you informed of progress with the investigation, the reasons for the delay, and inform you of the next steps.

Remedies

- When we get things wrong, we will act to:
- accept responsibility and apologise
- explain what went wrong and why, and
- put things right by making any changes required
- learn lessons from mistakes and change policies and practices where proportionate and sensible to do so

The action we take to put matters right (i.e. redress) in response to a customer complaint can include any combination of the remedies set out in the list below. The general principle we follow is that complainants should, so far as possible, be put in the position they would have been in, had things not gone wrong.

The remedy applied needs to be proportionate and appropriate to the failure in service, and take into account what redress people seek when they complain. An apology is generally the most appropriate action, but other steps may also be necessary depending on the circumstances.

List of remedies

- A full apology, explaining what happened and/or what went wrong. (an apology is not an acceptance of liability.)
- Prompt remedial action, which may include reviewing or changing a decision on the service given to an individual complainant
- Provide the service required in the first instance (immediately, if appropriate)
- Putting things right (for example a change of procedure to prevent future difficulties of a similar kind, either for the complainant or others)
- Training or supervising staff; or a combination of both
- Restitution

Compensation

In the majority of cases, remedies other than financial compensation will satisfy the complainant. Financial compensation is a final option, and will only apply in cases where the loss or suffering is considered to warrant such a payment i.e., in cases of actual direct or indirect financial loss.

In circumstances where it is decided that our action or lack of action has resulted in maladministration, if the complainant has suffered direct or indirect financial loss, compensation may be payable. In determining this, we will have regard to the Legal Ombudsman (LeO) published

“Legal Ombudsman Guidance Our Approach to Putting Things Right”.

Where it is decided, following investigation of a complaint, that a complainant has suffered injustice and or hardship resulting in direct or indirect financial loss due to maladministration, we will determine whether compensation is an appropriate remedy by looking at all the evidence, including how much the complainant can demonstrate they have lost, or what extra costs they have incurred as a result of our maladministration.

The reason for our decision will be recorded by the decision-maker and included in our response.

Recording complaints

Complaint details, outcomes, and the actions that were taken are recorded by us and used for service improvement. We record all complaints we receive and collate data from them to help us understand what types of problems are most prevalent, and how well we are doing to resolve them.

We value your feedback and expect to use it to help us to:

- get things right in the future if we have not done so already
- become more customer-focused
- be more open and accountable
- act fairly and proportionately
- seek continuous improvement

We will handle your information so that it is only processed and retained appropriately and legally, in line with data protection legislation.



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Contacting us

All complaints and requests for review under our complaint's procedure should be sent as follows:

By post:	Suite H: 3rd Floor: The Clock House East Street Barking, IG1 18EQ
By email:	info@waterhousesolicitors.co.uk
If you are unable to contact us in writing as above and require a reasonable adjustment because you are a disabled person	
You may contact us as follows:	
Telephone:	To be advised

Comments and non-service complaints

Quality of service is an important measure for us of our effectiveness. Learning from complaints, including non-service complaints (complaints not covered by this policy), is a powerful way of helping continuous improvement at the Commission and enable us to better deliver to our values and standards. All non-service complaints will be looked at by the principal and a response, if required, sent to you directly within 21 working days where possible. Non-service complaints should be sent to the Correspondence Unit.

As well as learning from your complaints we are also interested in ideas you may have on how we might do things better. We would also like you to tell us when we do things well.

Your comments will be passed on to the relevant team and we will use them to help improve our service and the way we do things. You can make your comments by contacting any members of our staff, or you can e-mail info@waterhousesolicitors.co.uk