



# Complaints Procedure

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## **If you are not happy with the service you have received:-**

Although we strive for excellence in the service, we provide to all our clients and the customers of our Lender clients, there is still the possibility that you may be dissatisfied with our performance. So, if something goes wrong, we need you to tell us about it so that we can monitor and improve our standards. Our Complaints Procedure is intended to set out our approach to client complaints and to reassure you that these will be dealt with fairly, effectively and swiftly, whilst helping us to retain your goodwill and continuing professional relationship with the firm.

### **What is a Complaint?**

- A report, whether verbal or in writing, by a client or the customer of a Lender-client, that their expectation of what they consider to be a good service has not been met, or
- A report, whether verbal or in writing, by a prospective client that we have unreasonably refused a service to them and/or persistently or unreasonably offered a service that they do not want

### **Our Complaints Procedure:-**

If you have a concern or complaint, you should contact the Supervisor of your Case Manager (for Cavendish Legal Group (CLG) complaints you should contact the acting Solicitor) as soon as you become aware of the issue to try and resolve the matter with them. Details of the Supervisor can be found in our initial letter to you. In many cases the Supervisor, together with your Case Manager, will be able to resolve any problem for you straightaway, however, it is sometimes necessary for a review to be carried out on your file which may take a little longer. You will be provided with an acknowledgment of your complaint and we will let you know when you can expect to receive our formal response, although this is usually within 10 days. Sometimes we may suggest a telephone call if we think it might help to resolve the issues.

If your complaint remains unresolved at this point, you will have the opportunity to escalate the matter further to the Senior Operations Manager (for CLG Complaints your complaint will be escalated to a Head of Department) and they will complete their own independent investigation. Again, you will be provided with an acknowledgment and time frame of when you can expect to receive their response, but this is usually within 14 days.

If you remain unhappy at this stage of the procedure, your complaint will be escalated for a final review. The person with ultimate responsibility for client care is Julie Flint, the Complaints Manager for the firm. Julie will independently investigate your complaint, reviewing the transaction in its entirety, including all complaint correspondence up to that point, and she will provide you with her final response together with any further suggestions for resolution. You can expect to receive a response from Julie usually within 21 days.

If you do not accept, or continue to remain dissatisfied with our final response to your complaint, you will be entitled to refer the matter to the Legal Ombudsman, contact details of which you will find below.

If we are unable to meet our time frames at any point of the escalation process, we will contact you again with a revised date on when we expect to complete our investigation and provide our response to you. Our written reply will confirm the outcome of our findings together with proposed solutions or remedies to resolve your complaint.

At any point a complaint is escalated, an investigation is carried out independently, therefore, it does not necessarily follow that the findings of that investigation will result in the same outcome. Please be assured that we review all complaints objectively, with independence of mind to ensure impartiality and fairness when considering an appropriate resolution.

It is important to note that a formal complaint will be handled separately from an ongoing conveyancing transaction. The individuals involved in reviewing your complaint will not be able to assist you in the day-to-day progression of your matter.

<b>Escalation Process (ONP)</b>	
First Instance	Supervisor of Case Manager (details of whom can be found in our initial letter)
Second Instance	Senior Operations Manager or person appointed by the Senior Operations Manager
Third and Final Instance	Complaints Manager (Julie Flint) <a href="mailto:Julie.flint@onpgroup.co.uk">Julie.flint@onpgroup.co.uk</a> Telephone: 01782 389822

<b>Escalation Process (CLG)</b>	
First Instance	Solicitor/Fee Earner dealing with your transaction
Second Instance	Supervisor for the Solicitor/Fee Earner (details can be found on your initial client care letter)
Third and Final Instance	Complaints Manager (Julie Flint) <a href="mailto:Julie.flint@onpgroup.co.uk">Julie.flint@onpgroup.co.uk</a> Telephone: 01782 389822

### **The Legal Ombudsman:-**

If our complaints procedure has been exhausted and we have not been able to reach an amicable resolution, you can refer your complaint to the Legal Ombudsman. Before accepting a complaint for investigation, the Ombudsman will check that you have tried to resolve your complaint with us first. Any complaint should be referred to them:-

- Within 6 months of receiving a final response from us
- No more than 1 year from the date of the act/omission
- No more than 1 year from when you should reasonably have known there was cause for complaint
- If your transaction completed more than one year ago within 1 of you becoming aware of the act or omission that is the subject of your complaint

The Legal Ombudsman may investigate:-

- the quality of professional service supplied by a Solicitor to a client
- allegations that a Solicitor has breached rules of professional conduct
- allegations that a Solicitor has unreasonably refused to supply a professional service to a prospective client
- allegations that a Solicitor has persistently or unreasonably offered a professional service that the client does not want

Please note that the Ombudsman expect Solicitors to try and resolve complaints within 8 weeks of them being raised before you are entitled to refer the matter to them. Of course, it is our intention to work with clients to resolve any issues swiftly and satisfactorily. Please note that making a complaint will not affect how we handle your ongoing matter.

Contact details for the Legal Ombudsman: PO Box 6167, Slough, SL1 0EH; email at [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk) or by telephone on 0300 555 0333. Their website address is [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk)

**The Solicitors Regulation Authority:-**

The most common complaints about Solicitors are about poor service and should therefore be sent to the Legal Ombudsman. If, however, you consider that your complaint involves a breach of SRA Standards and Regulations (<https://www.sra.org.uk/solicitors/standards-regulations>) you may wish to refer the matter to them. Please note however that the SRA do not have the power to award compensation for poor service or to reduce or refund your legal fees.