

## **COMPLAINTS PROCEDURE**

This is the Complaints Procedure for Ware & Kay Solicitors Ltd which trades as Ware & Kay and Pearsons & Ward.

### **1 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 our standards.

### **2 Our complaints procedure**

If you have a complaint, we prefer that you write to us with the details.

### **3 What will happen next?**

1. We will send you a letter acknowledging your complaint. We may ask you to confirm or explain the details set out either by letter, by telephone or in a meeting. We will also let you know the name of the person who will be dealing with your complaint. You can expect to receive our letter within 5 working days of us receiving your complaint.
2. We will record your complaint in our central register and open a separate file for your complaint. We will do this within 2 working days of receiving your complaint.
3. We will then start to investigate your complaint. This will normally involve the following steps.
  - We will pass your complaint to Mr Peter Kay, our Client Services Director. If Mr Kay was involved in the matter then, dependent on which office you are used to dealing with, the complaint will be passed to Mr Michael Peach, our Alternative Client Services Director (Wetherby), Mr David Hyams, our Alternative Client Services Director (York) or Emma Elwess, our Alternative Client Services Director (Malton).
  - The Client Services Director will ask the member of staff who acted for you to reply to your complaint within 5 working days.
  - He will then examine their reply and the information in your complaint file. And, if necessary, he may also speak to them. This will take up to 5 working days from receiving their reply and the file.
4. Our Client Services Director may then invite you to meet him and discuss and hopefully resolve your complaint.
5. If there is a meeting, our Client Services Director will write to you within 4 working days to confirm what took place and any solutions he has agreed with you.

6. If a meeting is not required, our Client Services Director will send you a detailed reply to your complaint. This will include his suggestions for resolving the matter. He will do this within 5 working days of completing his investigation.
  7. At this stage, if you are still not satisfied you can ask for a review of the decision. We will then arrange to review our decision. This will happen in one of the following ways:
    - Another director of the firm may review the Client Services Director's decision within 10 working days.
    - We may ask another local firm of solicitors to review your complaint within 10 working days. We will let you know how long this process will take.
    - We may invite you to agree to independent mediation. We will let you know how long this process will take.
  8. If a review takes place, we will let you know the result of the review within 5 working days of the end of the review. At this time we will write to you confirming our final position on your complaint and explaining our reasons.
  9. We will also give you the name and address of the Legal Ombudsman Service which resolves complaints about solicitors. If there is dissatisfaction with our handling of a complaint The Legal Ombudsman can be asked to consider the complaint.
  10. If we fail to complete our consideration and findings in respect of your complaint within 8 weeks of the date of your complaint you have the right to complain to the Legal Ombudsman whose details are given below.
  11. There is a time limit for contacting the Legal Ombudsman of 6 months from when we make a decision on your complaint.
  12. Please note the time limits for the Legal Ombudsman accepting a complaint:
    - 6 years from the date of the act/omission complained of; or
    - 3 years from when the complainant should have known about the complaint.
- The Legal Ombudsman will not accept complaints where the act or date of awareness was before 6 October 2010.
13. The Legal Ombudsman can be contacted at PO Box 6806, Wolverhampton WV1 9WJ. Further information can be obtained on 0300 555 0333 or by email to [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk).
  14. The website <http://www.legalombudsman.org.uk/> also provides details of the Legal Ombudsman Service's vision, their mission and values.
  15. If we have to change any of the timescales above, we will let you know and explain why.

Ware & Kay and Pearsons & Ward are trade names of Ware & Kay Solicitors Ltd. Ware & Kay Solicitors Ltd is a limited company registered in England & Wales (Company No. 8842594) and is authorised and regulated by the Solicitors Regulation Authority (SRA No. 611838). The registered office is: Sentinel House, Peasholme Green, York YO1 7PP.