

# Barcan+Kirby Complaints Policy

Barcan+Kirby

## Introduction

We are committed to providing a high-quality legal service to all our clients. If something goes wrong, we need you to tell us about it. This will help us to improve our standards.

If you have a complaint, please contact us with the details. We have eight weeks to consider your complaint. If we have not resolved it within this time you may complain to the Legal Ombudsman.

This complaints guidance applies only to our clients, or people who have client status. If you are not a client of the firm, then a different procedure applies. Other parties to litigation or other dispute resolution procedures in which one of our clients is a party should usually raise the matter in the relevant proceedings. Otherwise please see the final section below.

If however you have concerns at any stage about the way we have undertaken work on your behalf or your bill, we should be grateful if you would please raise those concerns as soon as possible with the solicitor concerned. If you do not feel able to discuss the matter with them, please contact the Head of Department in which that solicitor works. The Head of Department will acknowledge your complaint and give you a time scale for responding to your complaint, adapting the following procedure to suit the circumstances. They will either deal with the matter themselves or ask another senior solicitor to do so, if that is more appropriate.

Most complaints that we receive are resolved in this way.

In the event that you feel unable to speak with the Head of Department, or are not satisfied with the response, you should write to:

**Amanda Firth**  
Head of Client Care  
49/50 Queen Square  
Bristol BS1 4LW

**Although not essential, it would be helpful to us if you could provide details of your concerns in writing (if you have not already done so).**

This note gives some guidance about what will happen next together with a guide timetable.

## The complaints procedure

The complaints procedure is as simple as possible and has three stages – informal stage, formal stage and appeal stage.

### Informal stage

The aim of the firm is to resolve your complaint as quickly and smoothly as possible. We will try to resolve any issues you may have by offering an apology and, if necessary a practical solution. If the matter cannot be resolved informally then we will move on to the formal stage.

### Formal stage

If a complaint involves issues which cannot be resolved informally by the fee earner or their Head of Department there may be a need to act more formally.

### What will happen in that case?

1. We will send you a letter acknowledging your complaint and may ask you to confirm or explain your complaint in more detail. We will also let you know the name of the person in the firm who will be dealing with your complaint and enclosing a copy of this procedure. **You can expect to receive our letter within five days of us receiving your complaint.**
2. Your complaint will be recorded in our Central Register and we will immediately start to investigate your complaint.
3. The person dealing with your complaint will investigate the matter. If necessary they will ask you for further information or may propose a meeting with you. **A detailed reply to your complaint will normally be sent to you within 10 days of acknowledging your complaint.** This may include suggestions for resolving the matter. If for any reason it is not possible to provide a full response to your complaint within this period, the person responsible for the investigation will write to you and explain why further time is needed before we can respond fully.

### Appeal stage

4. If, having received our report, you are still not satisfied, you will need to contact us again setting out your reasons why. **We will then arrange for a partner not involved in your complaint to review the original decision and advise you of their opinion within 10 days of receiving your response.**

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5. If you are an individual or a small business, you have a right to complain to the Legal Ombudsman at the conclusion of our complaints procedure. Normally, you will need to bring a complaint to the Legal Ombudsman within six months of receiving a final written response from us about your complaint or within six years of the act or omission about which you are complaining (if outside of this period, within three years of when you should reasonably have been aware of it).
6. For further information you can contact the Legal Ombudsman on **0300 555 0333**; via email ([enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk)); via PO Box 6806, Wolverhampton WV1 9WJ or [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk).

Barcan+Kirby LLP does not charge for work processed in dealing with complaints using this procedure.

This procedure does not apply to cases where you consider we have been negligent or any other situation where we have a professional obligation to refer you to another solicitor. You will be advised if this is the case.

7. If you are dissatisfied with our bill to you, and we cannot resolve this between us, you can apply to the court for an assessment of the bill under Part III of the Solicitor's Act 1974. However, the Legal Ombudsman may not consider a complaint about the bill if an application has been made to the court for assessment. Please also note that if all or part of the bill remains unpaid the firm may be entitled to charge interest.

### Procedure for non-clients

We can only deal with complaints from non-clients if there is an allegation that we are in breach of the Solicitors Code of Conduct. If you think this applies, you will need to specify the alleged breach before we agree to deal with your complaint. You should write to Amanda Firth at the address stated above. You will be informed as soon as possible if we consider there has been a breach and how we intend to deal with your complaint. If at any time you are not satisfied with the response you are entitled to ask the Solicitors Regulation Authority to investigate.

Their address is:

#### Solicitors Regulation Authority

The Cube  
199 Wharfside Street  
Birmingham B1 1RN

**0370 606 2555**  
[report@sra.org.uk](mailto:report@sra.org.uk)  
[www.sra.org.uk](http://www.sra.org.uk)