

Barcan+Kirby Complaints Policy

Barcan+Kirby

Introduction

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

If you have concerns at any stage about the way your matter is dealt with or about your bill, please raise those concerns as soon as possible with the person dealing with your affairs. If you have a complaint please contact us with the details.

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 you have special needs – such as language difficulties or a disability – which we should take into account, please let us know in advance.

The complaints procedure

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

Informal stage

The aim of the firm is to resolve your complaint as quickly and smoothly as possible. If you have a complaint please contact the person dealing with your matter or their Head of Department (named in the client care letter sent to you when you instructed us) to see if we can resolve the problem. We will try to resolve any issues you may have but 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. If this is the case the Head of Department will refer your complaint on for further investigation.

What will happen in that case?

1. We will send you a letter acknowledging your complaint and a copy of this procedure within two working days of receiving your complaint. We 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. **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 the circumstances surrounding your complaint.

3. You may be asked by letter, telephone or email for further information, or we may propose a meeting with you.

A detailed reply to your complaint will normally be sent to you within three working days of any meeting or ten working 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 to complete our enquiries.

4. Further updates will be sent to you at ten working day intervals until we are able to respond fully to your complaint. Once we have clarified the circumstances relating to your complaint we will provide a written explanation.

Appeal stage

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

We have eight weeks to consider your complaint from start to finish. If we have not resolved it within this time or you do not agree with the outcome you may complain to the Legal Ombudsman if you are an individual or small business.

Complaints to the Legal Ombudsman must usually be made within six months of receiving the final written response from us about your complaint. The Legal Ombudsman can investigate complaints for up to six years from when you found out about the act or omission about which you are complaining. (If you are already outside this period, then you would need to contact the Ombudsman within three years of the date you should reasonably have been aware of the issue).

For further information you can contact:

Legal Ombudsman

PO Box 6806,
Wolverhampton,
WV1 9WJ

0300 555 0333

enquiries@legalombudsman.org.uk
www.legalombudsman.org.uk

Barcan+Kirby LLP does not charge for work involved 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.

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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 the Solicitor's Act 1974 as amended by the Legal Services Act 2007. This is known as an s70 assessment. 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.

Their address is:

Solicitors Regulation Authority

The Cube
199 Wharfside Street
Birmingham, B1 1RN

0370 606 2555

report@sra.org.uk

www.sra.org.uk