

Complaints

No one likes to be the subject of a complaint, but as the Firm is committed to providing a quality service to Clients, all staff need to pick up on Client dissatisfaction when it does arise and address it as best they can. The Firm operates a Complaints Handling Procedure (MDY-P-08 – please see copy below) that ensures that it:

- Knows about Client dissatisfaction if and when it does arise.
- Takes all reasonable steps to ensure that the dissatisfaction is addressed and resolved wherever possible.
- Reassures all Clients who do complain that the Firm will address their concerns without delay and that it takes all complaints seriously.
- Learns from experience to lessen the risk of complaints in the future.

A complaint is any expression of Client dissatisfaction, however it is expressed. Some degree of common sense is needed in the application of the Complaints Handling Procedure. In all cases it is necessary to take a view on how the Client is reacting to the particular circumstances. The Firm's overriding objective is to address any Client dissatisfaction.

As required by the Firm's Complaints Handling Policy, the Designated Member will consider any complaint received in as objective a manner as possible and seek to resolve the dissatisfaction. On receipt of a complaint from a Client, the Designated Member will acknowledge the complaint and advise the process for investigating the dissatisfaction with the service provided. The initial response will be on receipt of the complaint and a substantive response will be issued once the matter is investigated - this will depend on the nature of the complaint. Another option is that the Designated Member will offer to meet with the complainant when possible and suggest appropriate action.

It is possible that a Client may complain direct to the Legal Ombudsman without first following the procedures identified in the Client Care Letter. In such circumstances the Legal Ombudsman will immediately refer the complaint to the Compliance Officer for Legal Practice (COLP) who is the Designated Liaison Partner. The normal complaints procedure will then be followed.

The Office Manager maintains records of all complaints received and action taken on them. They are recorded in the Complaints Register. The complaints records are reviewed on a monthly basis at the Monthly Management Meetings and any trends noted. Staff are made aware of any complaints and it is essential that all staff learn from their experience and address any underlying problems. In this way the Firm can use complaints data to help prevent future difficulties.

Complaints Handling Procedure

The key to good client relationships is communication between the Firm and the Client and the objective of MDY Legal is always to provide our Clients with a cost effective, high quality service.

1. The Client should always be advised at the outset of the right to raise a complaint. Advice about complaints is included in our Terms of Business which is sent to every Client upon our instruction to act. Details are also included in the Client Care Letter.
2. If a Client is unhappy with any aspect of the service provided, a complaint should be raised with the person who has day-to-day conduct of the matter.
3. A Client who raises a complaint must behave and be treated politely and courteously.
4. A Client may raise a complaint by telephone, in writing (including e-mail) or in person.
5. If the complaint cannot be resolved with the Fee Earner the Client MUST be advised of his/her/their right to make a formal complaint and be advised of the process. This complaints procedure is accessible to all staff and should be sent to a client who confirms they wish to progress a complaint.
6. The Client shall set out his complaint(s) in writing and send it/them to the Compliance Officer for Legal Practice ("COLP"), being Mr Liam Davies at MDY Legal, Temple Chambers, 3-7 Temple Avenue, London, EC4Y 0DA or by e-mail to liam.davies@mdy.co.uk
7. The complaint will be acknowledged within 7 days of receipt (unless in exceptional circumstances) and the acknowledgement should advise the date by which the Complainant should receive a considered response. Unless otherwise advised, the Firm will seek to resolve the dispute within 8 weeks of receipt of the written complaint.
8. The COLP will submit a copy of the complaint to the Fee Earner and request a response within 14 days (unless in exceptional circumstances). The Fee Earner will submit a written reply, together with any relevant documentation or the file, as appropriate, within the time frame.
9. The COLP will respond in writing to the written complaint within 28 days of receipt setting out the conclusions and any action necessary.
10. The client is asked to respond within 14 days of receipt of this letter, confirming that he/she/they is satisfied or otherwise. If no response is received the matter will be deemed to have been concluded.
11. If the Client remains unsatisfied he/she/they should advise the COLP who will arrange a suitable appointment to meet with the Client and discuss the reason why the Client remains unsatisfied.
12. The COLP will write within 14 days of the meeting to summarise the issues still in dispute and the Firm's approach to these issues. This will, unless otherwise communicated, conclude the Firm's internal Complaints Procedure.
13. The Client must be advised in the final letter that, if for any reason the client nevertheless remains unhappy, he/she/they has a right to complain to the Legal Ombudsman, PO Box 6806 Wolverhampton WV1 9WJ or by e-mails to enquiries@legalombudsman.org.uk or telephone 0300 555 0333.