

COMPLAINTS HANDLING POLICY

None of us likes to be the subject of a complaint, but if KPM is truly committed to providing a quality service to clients, all personnel need to pick up on client dissatisfaction when it does arise and address it as best they can. KPM therefore operates a complaints handling process that seeks to ensure 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 KPM 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.

We wish to emphasise that in accordance with the SRA Standards and Regulations, there is no charge levied by KPM Solicitors LLP for complaints handling.

A complaint means an oral or written expression of dissatisfaction which:

- (a) alleges that the client has suffered (or may suffer) financial loss, distress, inconvenience or other detriment (SRA Standards and Regulations);
- (b) is a complaint relating to an act or omission by an employee or Partner of KPM; and
- (c) this can also include a complain about the firm's bill.

The complaint must also relate to services which have been:

- (a) provided to the client; or
- (b) provided to someone authorised in England and Wales to carry out a reserved legal activity; or
- (c) provided to a personal representative trustee where the client is a beneficiary of the estate of trust; or
- (d) offered or refused to be provided to the client.

Some degree of common sense is needed in the application of the complaints handling procedure. If a client says 'you solicitors charge a lot for what you do' it would not usually be sufficient to amount to a complaint. If, however, the client claims that a quote or agreed costs ceiling has been exceeded without notice to them, it almost certainly will be. If, on checking the file, the fee earner is able to advise the client that a letter that the client had overlooked had been written to warn that the costs would be greater than previously discussed, the problem would probably have been dealt with and there would be no need to report the complaint as such. In all cases, however, it is necessary to take a view on how the client is reacting to the particular circumstances. KPM's overriding objective is to address client dissatisfaction.

All firms are obliged to make a copy of their complaints procedure available on request. The existence of the policy is referred to in KPM's client care letter sent at the outset of a matter and the full version of the complaints procedure can be found on KPM's website. If appropriate, you must refer the client to the complaints procedure, or print a copy off and send it to them if they might have difficulty in acquiring it for themselves.

This procedure is to ensure that everyone is aware of the process they should follow if they receive any substantive negative feedback regarding the practice's services. To assist in defining the processes to be followed, the following definitions should be borne in mind (as well as reference to the SRA Standards and Regulations):

Formal Complaint	<i>is a 'formal' complaint made to the Senior Partner (either directly by the client or via the Legal Ombudsman) and must be dealt with in accordance with SRA procedures. The Complaints Partner shall ensure that full cooperation is provided in such instances.</i>
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Dissatisfaction	<i>is any other substantive expression of dissatisfaction (oral or written) regarding the practice's services or of its personnel in the conduct of their duties or any request to speak to someone's Supervisor. Such dissatisfaction may indicate potential for improvement in the practice's processes and will be dealt with informally via 'in-house' procedures.</i>
Loss of Client	<i>even where no formal complaint or other form of dissatisfaction is expressed, the practice will attempt to identify reasons for clients instructing other firms.</i>
Important Notes	
<p>All expressions of dissatisfaction should be viewed as an opportunity to improve client care. Complaints may be in respect of poor service, negligence, misconduct or criminal conduct and may come from a range of sources and not just the client, for example:</p> <ul style="list-style-type: none"> • people connected with the client, such as family members, carers and guardians; • solicitors representing the other side of the dispute or transaction; • barristers or other third parties involved; • those involved in the justice system such as judges, court officials and prison officials. 	

If it is necessary to report a complaint, please complete the complaints report form and forward it to Matthew Stubbs. Client complaints will usually involve no risk of loss to KPM or the client, but if there is any chance that the complaint could amount to circumstances that should be reported to KPM's insurers you must stay on the side of safety by reporting it as such.

As required by our complaints policy, Matthew Stubbs will consider any complaint received in as objective a manner as possible and seek to resolve the dissatisfaction. In particular, he will offer to meet with the complainant when possible and suggest appropriate redress. In so doing they will also consider if a notification need to be made to the insurers and also consider if any aspect of the quality system needs amendment.

Complaints referred by the Legal Ombudsman

It is possible that a client may complain direct to the Legal Ombudsman (formerly the Legal Complaints Service, before that the Consumer Complaints Service and before that the Office for the Supervision of Solicitors) without first following the procedures given in the previous paragraphs. In such circumstances the Legal Ombudsman will immediately refer the complaint to Matthew Stubbs who is the designated liaison partner. The normal complaints procedures will then be followed.

Complaints review and Partner responsible for the procedure

Matthew Stubbs will maintain records of all complaints received and action taken on them. He is also responsible for conducting a review of all complaints records prior to submission of the firm's indemnity insurance renewal in October of each year to enable him to report to KPM on any trends. This will form part of an annual management review which is considered by the Partners and reported to all staff. It is essential that all personnel learn from their experience and address any underlying problems. In this way KPM can use its complaints data to help to prevent future difficulties.

Making complaints

There may be occasions when a complaint may be made by KPM, either against another solicitor through the Legal Ombudsman or through other procedures. The agreement of Matthew Stubbs is needed before doing so in order that the professional and commercial standing of KPM can first receive proper consideration.

Our complaints procedure

This is the procedure available to and submitted to clients on receipt of any complaint.

If you have a complaint, please contact Matthew Stubbs, our Client Care Partner on 020 7404 1995 or chancery@kpmlegal.co.uk or write to 87 Chancery Lane, London, WC2A 1ET.

If we have to change any of the responsibilities or the timescales set out below we will let you know and explain why.

What will happen next?

1. Within three days we will send you a letter acknowledging your complaint and asking you to confirm or explain any details. If it seems appropriate we will suggest a meeting at this stage. We will also let you know the name of the person who will be dealing with your complaint.
- *2. We will then record your complaint in our central register and open a file for your complaint. We will also investigate your complaint by examining the relevant matter file.
3. If appropriate we will then invite you to meet Matthew Stubbs to discuss and hopefully resolve your complaint. We would hope to be in a position to meet with you within 14 days of sending you the acknowledgement letter. If you would prefer not to meet, or if we cannot arrange this within an agreeable timescale, we will write fully to you setting out our views on the situation and any redress that we would feel to be appropriate, within 21 days of sending you the acknowledgement letter.
- *4. Within three days of any meeting we will write to you to confirm what took place and any suggestions that we have agreed with you. In appropriate cases we could offer an apology, a reduction of any bill or a repayment in relation to any payment received.
- *5. At this stage, if you are still not satisfied, please let us know why you remain unhappy with our response. We will then arrange to review our decision. We would generally aim to do this within 10 days of receiving your request for a review. This will happen in one of the following ways.
 - Matthew Stubbs will review his own decision.
 - We will arrange for someone in the firm who has not been involved in your complaint to review it.
 - Karen South will review your complaint within 10 days of receiving your request for a review.
 - We will ask our local law society or another local firm of solicitors to review your complaint. We will let you know how long this process will take.
 - We will invite you to agree to independent mediation. We will let you know how long this process will take.
6. We will let you know the result of the review within five 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. We will also give you the name and address of the Legal Ombudsman at the Office of Legal Complaints (OLC). If you are still not satisfied, you can contact them about your complaint. We very much hope that this will not be necessary.
7. Usually we are allowed eight weeks from receipt of your complaint to endeavour to resolve it. If we have not resolved it to your satisfaction within this time, you may complain to the Legal Ombudsman.

The Legal Ombudsman's Role

1. The Legal Ombudsman is an independent Ombudsman scheme that resolves complaints about lawyers. The Legal Ombudsman will normally only consider a complaint after the complainant has made the complaint to the practice and the

practice has failed to resolve it to the complainant's satisfaction.

2. Normally, if you are not happy with our final response, you have up to 6 months to take your complaint to the Legal Ombudsman. Your complaint should also be taken to the Legal Ombudsman:
 - No later than 6 years from when the problem first happened; or
 - No later than 3 years from the date when you should reasonably have known that there were grounds for complaint; or
 - Within 6 months of you receiving the final response from us.
3. Only individuals, small businesses and charities can use the Legal Ombudsman's service.
4. You can contact the Legal Ombudsman about your complaint in the following ways:-
 - by telephone on: 0300 555 0333 between 8.30am to 5.30pm. For minicom call 0300 555 1777;
Calls to 03 numbers will cost no more than calls to national geographic numbers (starting 01 or 02) from both mobiles and landlines. Calls are recorded and may be used for training and monitoring purposes.
 - via their website: www.legalombudsman.org.uk;
 - by letter to: P O Box 6806, Wolverhampton WV1 9WJ; or
 - by email at enquiries@legalombudsman.org.uk about your complaint.

Please see below links for the Legal Ombudsman's 'Here to Help' leaflet and additional factsheets:

<http://www.legalombudsman.org.uk/?portfolio=here-to-help-leaflet>

<http://www.legalombudsman.org.uk/portfolio-category/publications/fact-sheets/>

European Commission ODR Platform

If you have a complaint about our services but do not wish raise it with us in the manner described above, you may be able to raise it using the European Commission's [Online Dispute Resolution platform](#). Please see the below link:

<https://www.odrcontactpoint.uk/>