

# PAYNE HICKS BEACH

## COMPLAINTS PROCEDURE

### WHAT IF THINGS GO WRONG?

All of us at Payne Hicks Beach LLP ("**the firm**") pride ourselves on doing the best job we can for our clients, whatever the nature of the task in hand, and on maintaining the excellent reputation of the firm.

However, we are only human and we have to recognise that occasionally we may fall short of the high standards to which we all aspire. We will have told you at an early stage the names of:

- the partner of the firm who has overall responsibility for our relationship with you as a client;
- any other staff who will handle individual matters for you and their status in the firm; and
- if different from either of the above, the partner in the department handling any given matter for you who has responsibility for the supervision of that matter.

### HOW SHOULD YOU COMPLAIN?

If at any point you become unhappy with the service we provide to you, then please inform us immediately so that we can do our best to resolve the problem for you.

If we are unable to resolve your complaint, then you can have the complaint independently looked at by the Legal Ombudsman. The Legal Ombudsman investigates complaints about service issues with lawyers (subject to the Scheme Rules).

The Legal Ombudsman expects complaints to be made to them within six years of the date of the act or omission about which you are concerned or within three years of you realising there was a concern. You must also refer your concerns to the Legal Ombudsman within six months of our final response to you.

**However, please note that from 1 April 2023 these time limits are changing. From 1 April, the Legal Ombudsman expects complaints to be made to them within a year of the date of the act or omission about which you are concerned or within a year of you realising there was a concern. The requirement to refer your concerns to the Legal Ombudsman within six months of our final response to you remains the same.**

In the first instance, we would suggest that you contact your usual client relationship partner. Alternatively, or if you are not satisfied with the response from your client relationship partner, please contact the firm's complaints partner, Jonathan Sewell (telephone: 020 7465 4388 or email: [jsewell@phb.co.uk](mailto:jsewell@phb.co.uk)). In either case, it will help us in dealing with your complaint if you can describe as clearly as possible the problem as you see it, and also say what you want us to do about it.

The Solicitors Regulation Authority ("**SRA**") can help if you are concerned about our behaviour. This could be for things like dishonesty, taking or losing your money or treating you unfairly because of your age, a disability or other characteristic. The SRA's telephone number is 0370 606 2555 and its website is at <https://www.sra.org.uk>.

### HOW WILL WE APPROACH YOUR COMPLAINT?

The person looking into your complaint (either the client relationship partner or the complaints partner) will, wherever appropriate, call for the file internally and review it, including speaking to

whoever has the conduct and supervision of the matter in question. They will then report back to you as soon as practicable with the results of the investigation and with any proposals as to what should be done in the light of your complaint. Where appropriate, this may include suggestions as to what we, and possibly you, can do to avoid the problem recurring. You are naturally free to come back to us and discuss these conclusions and proposals as necessary, in writing or at a meeting if you prefer.

We will make every effort to deal with your complaint promptly, fairly and effectively. Our normal aim is to let you have at least an interim response within 14 days, or to tell you within that time how much longer the response is likely to take and why. However, please bear in mind that, if what you say involves a suggestion that our conduct of your affairs has caused you loss for which you consider the firm to be legally liable, the terms of our indemnity insurance cover do not allow us to accept responsibility, or to make any offer of amends, without having first submitted a full report to our insurers and cleared the proposal with them in detail. That is so even if we ourselves think your complaint is justified and can immediately identify a fair way of putting matters right. Experience shows that this can sometimes lead to delays which are outside our control.

### **WHAT IF YOU ARE STILL NOT SATISFIED?**

If the client relationship partner or complaints partner has not been able to resolve matters to your satisfaction and you are an individual or represent a small enterprise, charity, club, association, organisation or trust you can refer the matter to the Legal Ombudsman.

If you are in any doubt as to your right to complain, you should check with the Legal Ombudsman, whose contact details are:

Address: PO Box 6806, Wolverhampton WV1 9WJ

Telephone: 0300 555 0333

Minicom: 0300 555 1777

Email: [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk)

Website: [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk)

The Legal Ombudsman might not be able to adjudicate on a claim that the firm may be legally liable for loss you have sustained. It should become clear in the course of our looking into the complaint if this is what is involved. If we are not able to sort this out to your satisfaction with our insurers' approval, you will have to take independent legal advice on the matter.

### **WHAT IF YOUR COMPLAINT RELATES TO OUR CHARGES?**

If you are dissatisfied about any invoice which you receive from the firm, you may make use of the complaints procedure set out above.

You may also apply to the court for an assessment of the invoice in accordance with Part III of the Solicitors Act 1974. To apply for an assessment you should do so within One (1) month of our delivering the invoice to you or of our notifying you of your rights in this respect. The contact details of the court to which you should apply are:

Name: The Senior Courts Costs Office

Address: Clifford's Inn, Fetter Lane, London EC4A 1DQ

Tel: 020 7947 7124

If you are entitled to make a complaint to the Legal Ombudsman as above, you may also be entitled to complain in respect of an invoice within six months as above, although the Legal Ombudsman will not deal with a complaint about an invoice if you have applied to the court for an assessment.

A notice about complaints relating to the firm's charges and the right to an assessment is printed on the back of all invoices issued by us. Additional copies of the notice are available on request.

Leaflets giving further information on complaints, whether about fees or generally, and on negligence claims, are available from the Legal Ombudsman at the contact details given above or from the firm's complaints partner.

#### **WHAT IF YOU ARE NOT A CLIENT?**

In appropriate circumstances, we will also deal with complaints from prospective clients. Third parties may complain, for example, about an insurance contract we have arranged. Any third party or prospective client wishing to complain should contact the firm's complaints partner in the first instance.

The Legal Ombudsman will ordinarily investigate complaints made by prospective clients. Any person may report concerns about behaviour to the SRA.

Further information about the SRA, the Legal Ombudsman, the firm's complaints partner and our time estimate for responding to complaints (where applicable) is set out above.

10 New Square, Lincoln's Inn, London WC2A 3QG DX Box 40 London, Chancery Lane  
Tel: 020 7465 4300 Fax: 020 7465 4400 E-mail: [jsewell@phb.co.uk](mailto:jsewell@phb.co.uk) [www.phb.co.uk](http://www.phb.co.uk)

VAT registration number: GB 232 667364

Authorised and regulated by the Solicitors Regulation Authority SRA number: 807106

© Payne Hicks Beach LLP: 13 February 2023