

Our complaints Procedure

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

Our complaints procedure

If you have a complaint with any aspect of the service or a bill that you have received please contact Suzanne Connell, our client care Director. You can contact her at: Scott Duff & Co, 3 Devonshire Street, Carlisle, Cumbria CA3 8LG. Suzanne Connell may pass your complaint to the director\fee earner in charge of the department involved in your complaint. If we have to change any of the timescales set out below, we will let you know and explain why.

What will happen next?

1. 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. You can expect to receive our letter within three days of us receiving 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 file.

3. We aim to deal with your complaint within 21 days after first receiving it. During this period the person dealing with your complaint will review the file and any further representations made by you. If you wish to meet the person dealing with your complaint, please indicate and normally this can be arranged within this period. If not we will decide matters on the basis of the information you have provided to us, our review of the file and a discussion with the fee earner in charge of your matter.

4. If a meeting has taken place we aim to write to you within two days of that meeting to confirm what took place and any suggestions that we had agreed with you. If a meeting did not take place we will write to you with our response to your complaint. If we uphold your complaint we could offer an apology and a reduction of any bill or a repayment in relation to any payment received. If we do not uphold your complaint we will explain fully our reasons why we are unable to do so.

5. At this stage, if you are still not satisfied, please let us know. We will then arrange to review our decision. We would generally aim to do this within 21 days. This will happen in one of the following ways.

- ☐ We will arrange for someone in the firm who has not been involved in your complaint to review it and to respond within 21 days.

or

- ☐ Suzanne Connell will review your complaint within 21 days.

6. We will let you know the result of the review within five working 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.

7. We confirm that we will therefore have fully responded to your complaint within a period of eight weeks from its receipt including our initial review and response and, if appropriate, any review of that response.

8. In the event that you are not satisfied with the firm's response then you can have the complaint independently looked at by the Legal Ombudsman. The Legal Ombudsman investigates complaints about service issues with lawyers. There are, however, restrictions to this service for organisations, as set out on their website (see below). 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.

In addition, you should be aware that the Legal Ombudsman will not accept your complaint if:

- more than one year has elapsed from the date of the act or omission giving rise to the complaint; or
- more than one year has elapsed from the time when you should have known about the complaint.

The Legal Ombudsman's contact details are:

- Telephone: 0300 555 0333
- Minicom: 0300 555 1777
- E-mail: enquiries@legalombudsman.org.uk
- Website: www.legalombudsman.org.uk
- Address: Legal Ombudsman, PO Box 6806, Wolverhampton WV1 9WJ

You may also be able to object to our bill by applying to the Court for an assessment under Part III of the Solicitors Act 1974. If you exercise this right, you would be prevented from making a complaint to the Legal Ombudsman. In addition, if you apply to the Court for an assessment and if all or part of the bill remains unpaid at the end of that assessment, we are entitled to charge interest. There are strict time limits that apply to this process and you may wish to seek independent legal advice.

Alternative Dispute Resolution (ADR)

In addition to directing a complaint to the Legal Ombudsman you will be able to refer your dispute for Alternative Dispute Resolution (ADR). There are three Institutions available to deal with disputes in the legal services sector, namely the Ombudsman Services, ProMediate and The Small Claims Mediation. If required, we will provide contact details for those mediation services.

We confirm we agree to use either of the above.