



Complaint's procedure

2021-2022 edition

Introduction

SCJ Solicitors is a firm of solicitors based in Caernarfon, North Wales. We strive to offer our clients legal services that are unbeaten in terms of results, service levels and friendliness of approach.

This document outlines the process for submitting a complaint to us when someone feels our service to them has not been to the expected standard or if they feel aggrieved by any issue that may have arisen in our relationship with them as a client. We will handle a complaint in accordance with SRA complaints transparency rules, as well as providing information about who will handle a complaint, how long it will take, and any further redress should our handling of a complaint not be to the client's satisfaction.

SCJ Solicitors considers any complaint about our firm, our service to our clients, our staff or a complaint for any other reason to be a very serious matter, and as such it is assured it will be dealt with seriously and as swiftly as possible.

Contact information

Address: SCJ Solicitors
37 High Street
Caernarfon
Gwynedd
LL55 1RH

Phone number: 01286 677 897

Email address: enquiries@scjsolicitors.co.uk

Regulatory information

SCJ Solicitors is regulated by the Solicitors Regulation Authority and its regulated number is 613541. You can find out more information about how we are regulated by visiting <http://www.sra.org.uk>.

SCJ Solicitors is a member of the Conveyancing Quality Scheme operated by the Law Society. This ensures that we handle all conveyancing matters according to industry best standards.

Who can make a complaint?

Clients of the firm

Any person who is considered to be a client of our firm can make a complaint using this procedure if they feel dissatisfied or aggrieved with our legal services to them. A client is someone who has signed and agreed to our client care and terms of business and from whom we have taken instructions from and are therefore considered to be acting on their behalf.

Any persons reporting misconduct or malpractice

Any person alleging misconduct or malpractice (As defined by our regulator the Solicitors Regulation Authority) may make a complaint under this procedure.

Other individuals and entities

We will also accept complaints from individuals or entities that are not considered any of the above provided the complaint does not relate to a legal matter. Examples of such a complaint might be inappropriate behaviour or language from an employee, objections to our advertising, etc.

Please note that if the person or entity making a complaint is not considered a client of SCJ Solicitors and where the complaint does not refer to a legal matter, certain parts of this complaint's procedure will differ or not be available. This will be highlighted in in the relevant sections.

Complaints we will not accept

We are unable to accept or consider complaints from any individual or entity when the complaint regards an outcome of a legal process in which we acted for a client of the firm and the complainant is the “Opposing” or “Other” side in the legal matter.

We act at all times in the interests and on the instruction of our own clients, and to achieve the legal outcome they seek within the framework of the law of England and Wales. This may sometimes be to the detriment of the other or opposing side, but this cannot be considered cause for complaint on our part as it is central to our role as Solicitors acting in the best interests of our own client.

An example of this might be if we act in a property sale for our client who is the seller, and the buyer (The “other side”) chooses not to complete on the sale after exchanging contracts. We would not be able to consider a complaint from the buyer that they suffered financial harm because we followed our clients’ instructions to enforce the contractual penalties of failing to purchase of the property that the buyer entered into.

The exception to this is if the complaint alleges misconduct or malpractice, in which case we will view the complaint solely on the basis of the allegations. However, in most cases such allegations should be directed to our regulatory body, the Solicitors Regulation Authority whose details can be found in this document.

Submitting a complaint

SCJ Solicitors feels the best way to deal with complaints is informally. If a client feels aggrieved or let down by what they feel is poor service, very often a simple phone call or email can be enough to help us solve the problem and our staff will always endeavour to make our clients feel they are getting the best service possible. However, the firm recognises this is not always possible, particularly if the person or persons making the complaint is not a client of the firm.

To submit a complaint to the firm, the persons or entity making the complaint must do so in writing either via email or via a letter submitted to our office using the contact details in this document. To assist us with a complaint it would be helpful if the person or entities making the complaint could provide us with as much information as possible. Information we will need will include:

- A name, address and telephone number and any additional contact information such as an email address of the complainants.
- Whether the person making the complaint is a client of the firm or not
- The nature of the complaint and who and what it is directed at
- How the cause for the complaint has aggrieved the person making the complaint and if it has caused them any hardship
- What the person making the complaint would like us to do in terms of remedy

Please note, except in the case where a complainant may be considered to be exposing corrupt information, persons or malpractice (Known as "Whistleblowing") we are unable to accept complaints that are submitted anonymously.

Responding to a complaint

After initial receipt of a complaint the firm will respond to the relevant person or persons (Usually the person making the complaint) with an acknowledgement letter or email within 7 days to confirm that we have received it. We may ask for further information to assist us in this letter or email. The firm will then open an investigation into the circumstances surrounding the complaint.

Persons responsible

The persons responsible for investigating a complaint will be as follows:

Samantha Jones, Principle Solicitor of the firm

Samantha will handle all complaints arising from a legal matter

Keith Harbridge, Operations Manager

Keith will handle all complaints that do not directly refer to a legal matter

Expected timeline

The firm will endeavour to respond to a complaint within 30 working days of either:

- a) Providing our initial acknowledgement letter/email OR
- b) Receipt of any further information requested in our acknowledgement letter

If there are any delays to this process, we will inform the relevant persons (Usually the person making the complaint) as soon as possible.

Investigation and provision of any remedy

Our investigation will aim to determine the following:

- The events and history relating to the complaint
- The staff or persons at the firm involved
- The actions of those staff or persons
- The procedures that either were or were not in place to prevent the cause for the complaint
- Where any procedures, rules or guidance breached leading to the cause of the complaint
- Whether or not the complaint is justified in view of the determined facts
- If the complaint is justified whether there is a reasonable defence to the complaint
- The hardship imposed on the person or persons making the complaint

After determining these factors, the firm will decide whether the complaint is justified, and if so, how we will provide remedy to any aggrieved parties. We will be guided by any requests or advice the complaining person or persons make or provides in terms of how we might provide remedy but ultimately the firm's decision will be final.

Remedy may take the form of a written apology at minimum and may also include an offer of compensation and/or disposal of our fee for services rendered or a combination of these.

Where the person making the complaint is not a client, we will endeavour to provide a remedy that is appropriate to the complaint.

Unjustified complaints

If, after investigating, the firm feels the complaint is not justified, the firm may decide not to offer any remedy and may choose to defend its position, actions and choices. The complainant will be given written notice including the reasoning for this decision, our appeals process and details for contact the Legal Ombudsman or SRA if relevant.

Appeals

In the event of an offered remedy to a complaint not being satisfactory, or where the firm has decided the complaint is unjustified, the relevant persons may appeal the decision to the firm. This must be done in writing and the relevant person must provide reasons why they feel the decision, or any remedy offered is unacceptable. The firm will use this information to reinvestigate the complaint using an independent member of staff from the original investigation.

If the appeal finds that the original decision was incorrect, unwarranted or did not adequately provide remedy, the firm will act on the new recommendations and adjust its response and remedy accordingly.

Please be aware that if you are not a client of SCJ Solicitors and if you have not received a legal service from us, the appeal is final (Save any action available to you under the law of the United Kingdom).

However, if the relevant person or entity is a client and/or has received a legal service from us and they are still unhappy, they may now decide to refer the matter to the Legal Ombudsman or Solicitors Regulation Authority.

Further action

If having appealed and the complaining person or persons are still unhappy with the way we have dealt with the complaint or they continue to feel our response is not adequate, they may wish to refer the complaint to the Legal Ombudsman if the complaint refers to the service we have provided to them as our client.

Please be aware that only direct clients of our firm can submit a complaint to the legal ombudsman. A client wishing to complain must send their complaint to us first and exhaust our appeal process before they can seek remedy from the Legal Ombudsman as it will not consider a complaint in most cases unless the complaining person or persons have given us a chance to respond to the complaint and offer our remedy first.

The Legal Ombudsman

The Legal Ombudsman is an independent service set up to investigate and provide remedy for complaints relating to legal services. They have the power to direct regulated firms to provide remediation in the event of dissatisfaction relating to poor service. The contact details for the Legal Ombudsman are as follows:

Telephone: 0300 555 0333

Address: Legal Ombudsman, PO Box 6806, Wolverhampton, WV1 9WJ

Website: <https://www.legalombudsman.org.uk>

The Solicitors Regulation Authority (SRA)

The Solicitors Regulation Authority (SRA) is the regulatory body for all Solicitors in England and Wales. They enforce the standards, ethics and behaviours that all solicitors are expected to comply with and abide by. If you feel your complaint is of a regulatory nature concerning malpractice or misconduct, you can report it to the SRA using the below information.

Address: SRA, The Cube, 199 Wharfside Street, Birmingham, B1 1RN

Website: <https://www.sra.org.uk/consumers/problems/report-solicitor/>