



## Berkeley EXT - raising concerns and making complaints

### Procedure for clients

#### Introduction

- 1.1 Berkeley EXT ("the **firm**") is committed to providing outstanding client service to all its clients and we do our utmost to treat all our clients fairly. When a problem arises or something goes wrong, we need you to let us know as soon as possible. This gives us the opportunity to investigate your concerns objectively, address the issues you have raised, and to try to satisfy your concerns. It also helps us to improve our standards.

#### What to do if you have concerns about our service

- 2.1 In the first instance, you will probably find it helpful to discuss your concerns with the person dealing with your matter. This might be the individual working on your matter day to day or their supervisor. You can find their contact details in the firm's Letter of Engagement sent to you at the start of your matter and you may contact them either by telephone, by email, or in writing.
- 2.2 The person looking into your concerns will acknowledge receipt as soon as possible. They may also need to ask you for further clarification about your concerns if further information is required.
- 2.3 It may be possible to offer a solution to resolve your concerns quickly. The type of solution offered and the manner in which it is proposed will depend on the individual circumstances. If appropriate, you may be sent a detailed reply to your concerns or suggest a meeting. When addressing your complaint in this way, we will aim to provide you with a substantive reply or proposals within 28 days of receiving the necessary details of your concerns.

If your concerns are not resolved to your satisfaction, you may ask for a formal review, in which case the matter will be referred to the firm's complaints partner. The firm's complaints partner is: Mr Shyam Mistry [sm@bextlaw.com](mailto:sm@bextlaw.com)

#### Review by the complaints partner

- 3.1 The complaints partner will acknowledge it in writing (usually by email if that is your preferred mode of contact) within three working days of receiving details of your complaint.
- 3.2 The complaints partner will arrange for an investigation and will endeavour to write to you with a full response within 28 days from when your complaint was referred to them. That response will summarise the findings of the investigation, the conclusions on your complaint, and the solution proposed.
- 3.3 If it is not possible to issue a detailed response within 28 days, the complaints partner will update you on the progress of the investigation and provide an estimate of the likely time frame for issuing a final response.
- 3.4 If the complaints partner considers that your concerns would be better addressed by a different means, for example, in a meeting to discuss your concerns, they will write to you and let you know how they propose to resolve the complaint.
- 3.5 You will not be charged for the handling of your complaint.

#### Referring your complaint to the Legal Ombudsman

- 4.1 If we are unable to resolve your complaint to your satisfaction within eight weeks of receiving full details of your complaint, you can ask the Legal Ombudsman to consider your complaint.
- 4.2 The Legal Ombudsman is an independent complaints body which was established under the Legal Services Act 2007 and deals with legal services complaints. You may wish to submit your concerns to the Legal Ombudsman via their online



form at: <https://www.legalombudsman.org.uk/helping-the-public/make-a-complaint/>. Alternatively, you can submit your concerns via PO Box 6806, Wolverhampton, WV1 9WJ.

- 4.3 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, or within six years of the act or omission about which you are complaining occurring (or if outside of this period, within three years of when you should reasonably have been aware of it). The act or omission, or when you should reasonably have known there was cause for complaint, must have been after 5 October 2010. Please note that the Legal Ombudsman may consider complaints from prospective clients in certain circumstances, but may decline to deal with complaints from certain types of clients (for example, if the client does not meet the Legal Ombudsman's criteria for being a micro-enterprise or small business).
- 4.4 For further information you should contact the Legal Ombudsman via [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk), by telephone 0300 555 0333 (or +44 121 245 3050), or go to [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk).
- 4.5 We are obliged to point out to you that there are alternative complaints bodies, such as ProMediate ([www.ProMediate.co.uk](http://www.ProMediate.co.uk)), who can deal with complaints about legal services where all the parties agree to use such a scheme. Berkeley EXT submits to the jurisdiction of the Legal Ombudsman but does not agree to use ProMediate.

#### Complaints about bills

- 5.1 Please also use this procedure if you have a concern or complaint about a bill. In addition, you have the right to object to a bill by applying to the court for an assessment of the bill under Part III of the Solicitors Act 1974. If you apply to the court, the Legal Ombudsman (see paragraph 4.1 above) may decide not to deal with a complaint about the bill.

#### Referring a complaint to the Solicitors Regulation Authority ("SRA")

- 6.1 Subject to paragraph 5.1 above, complaints about poor service should be directed to the Legal Ombudsman. If you are concerned about matters such as the conduct of an individual or the firm, you should report these concerns to the SRA. Details of how to do this can be found at: [www.sra.org.uk/consumers/problems](http://www.sra.org.uk/consumers/problems).
- 6.2 The SRA can be contacted via their website: <https://www.sra.org.uk/home/contact-us/> or by the following means:
- 6.2.1 Tel: 0370 606 2555 / +44 (0)121 329 6800 (Monday to Friday: 08.00 to 17.00)
- 6.2.2 Fax: +44 (0)121 616 1999
- 6.2.3 Post: Solicitors Regulation Authority, The Cube, 199 Wharfside Street, Birmingham, B1 1RN.