

# KINGSLEY NAPLEY

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## COMPLAINT HANDLING PROCEDURE

### 1 Introduction

- 1.1 Providing our clients with a good service is important to us. Continuously improving the service we provide, including by learning from our mistakes, is our aim.
- 1.2 If despite our best efforts something goes wrong and you are dissatisfied with any aspect of the service we have provided, or with any fees we have billed, please tell us so that we may take steps to try and resolve the matter as promptly as circumstances allow.
- 1.3 Unless it can be resolved quickly or we feel that there a better way to address your concern, we will use the procedure described below to investigate and respond to a complaint about our service or our fees or an invoice we have delivered.

### 2 Overview of the complaint handling process

- 2.1 Our complaint handling process has three stages: most complaints are resolved at the first stage, by the relevant supervising partner, which is always our aim.
  - Stage 1: Notification of the complaint to, a written acknowledgement of the complaint by, and a written response to the complaint from, the **supervising partner**.
  - Stage 2: If you are still not satisfied, escalation of the complaint to, an independent investigation by, and a written decision from, the **practice area leader**.
  - Stage 3: If you continue to be dissatisfied, escalation of the complaint to, reviews of the practice area's handling of the complaint and of the practice area leader's decision by, and a final response from, the **Complaints Partner** (Richard Foss).

### 3 Complaint handling procedure

#### 3.1 Stage 1

- 3.1.1 The supervising partner will be able to resolve most issues quickly, so please contact them in the first instance. Their name and contact details will appear in the engagement letter and in other letters and emails they have sent to you. They will acknowledge receipt of the complaint, investigate your concerns, and provide a written response.

#### 3.2 Stage 2

- 3.2.1 If the supervising partner is unable to resolve the matter, please contact the relevant practice area leader. An enquiry of the supervising partner or responsible fee earner, or of our switchboard or website, will provide their name and contact details. The practice area leader will acknowledge receipt of the complaint and send you a copy of this Complaint Handling Procedure. When they do this they may also ask you to explain any aspect of the complaint that is unclear to them or invite you to suggest an appropriate remedy if you have not done so.
- 3.2.2 The practice area leader will investigate the complaint in whatever manner they consider is appropriate having regard to the issue(s) raised. Normally they will speak to the supervising partner and the responsible fee earners and examine the file or the relevant part of it. When their investigation is complete, they will write to you setting out their view of the matter and suggesting any redress they feel is appropriate.
- 3.2.3 If the practice area leader considers that a meeting might help to explain or resolve a complaint, they will write to you suggesting a meeting. You are under no obligation to attend a meeting however. If you would prefer not to do so, they will write to you instead. If a meeting takes place, they will write to you confirming what was discussed and agreed afterwards.

### 3.3 Stage 3

- 3.3.1 If the practice area leader is unable to resolve the matter, please contact the Complaints Partner (Richard Foss). He is responsible for the firm's complaints handling process and for reviewing any complaint which cannot be resolved by the relevant practice area. If you are dissatisfied with the practice area leader's response and you wish to escalate the matter to the Complaints Partner, please tell him why you continue to be unhappy.
- 3.3.2 The Complaints Partner will acknowledge receipt of your complaint and review how the practice area handled it and the practice area leader's decision in such manner as he considers is appropriate. When he has done that he will write to you setting out the firm's final position. In his final response letter, he will tell you about the Legal Ombudsman Scheme and how and within what time period you may contact the Legal Ombudsman should you wish to do so.

### 3.4 Practicalities and timescale

- 3.5 How the firm handles a complaint and the length of time it might take us to investigate it and respond to it will depend upon a number of factors, some of which might be outside our control. They include: the size and complexity of the matter; the nature and circumstances of the complaint; the quantity of material to be reviewed; the time that has elapsed since the matter complained about occurred; whether an archived file needs to be retrieved from storage off-site; and the availability of the partner and fee earners who had, or have, conducted the matter.
- 3.6 The Legal Ombudsman Scheme gives the firm eight weeks in which to issue a final written response to a complaint. Subject to the above considerations, we will try to complete all three stages of our complaint handling process within that eight-week period. If exceptionally and because of circumstances beyond our control more time is needed, we will tell you and indicate how long we believe we might need to investigate and respond to your concerns properly.

## 4 **Legal Ombudsman Scheme**

- 4.1 If having exhausted our own internal complaint handling procedure (as described above) you are still not satisfied with our final response to your complaint, you can have the complaint independently looked at by the Legal Ombudsman, who investigates complaints about service issues with lawyers.
- 4.2 The Legal Ombudsman expects complaints to be made to them within one year of the date of the act or omission about which you are concerned or within one year 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.
- 4.3 Information about the Legal Ombudsman Scheme (including who may submit a complaint, the types of complaint that can be considered, the timescales within which a complaint must be submitted, and the procedures that might be used if a complaint is accepted) is published on the Legal Ombudsman's website: [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk)
- 4.4 The Legal Ombudsman can be contacted by:
- Post: Legal Ombudsman, PO Box 6167, Slough SL1 0EH
  - Email: [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk)
  - Telephone: 0300 555 0333

## **Kingsley Napley LLP**

22 January 2024