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## How do we sort out problems?

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Our job is to look at complaints about service providers in a fair and independent way – we will not take sides. Sometimes after we look at the facts we will find that there was no poor service – we will explain why we think that to you. But if there is a problem, we have official powers to put things right. Our service is free to consumers.

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## Who can use our service?

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All members of the public, very small businesses, charities, clubs and trusts can use our service.

We prefer you come to us directly, but you can ask a friend, relative or anyone else to get in touch for you.

You do not need to use a service provider to complain to us, but if you do, they may charge you a fee. If you want another person to act on your behalf we will require you to tell us that person has your permission to speak to us directly.

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## What problems can we help resolve?

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We can investigate lots of different types of service problems; for instance, if you've had poor service when making a claim for payment protection insurance or made a personal injury claim.

We can look into complaints about regulated claims management companies.

Regulated service providers should tell you about the Legal Ombudsman – an easy way to tell if we can sort out your problem.

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## When can't we help?

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We are unable to:

- Provide legal advice or represent you in legal proceedings.
- Recommend service providers or check whether a service provider is regulated.
- Investigate complaints where you are complaining about someone else's service provider.

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## When can you bring a complaint to us?

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Once you have made a complaint to your service provider, they have up to eight weeks to respond. If you aren't happy with their final response, or they haven't responded within the eight weeks, you can then ask us to look at it.

Ordinarily, you can ask us to look at your complaint if it meets all three of the steps below:

1. The problem or when you found out about it, happened after 5 October 2010; **and**
2. You are referring your complaint to the Legal Ombudsman within either of the following:
  - o Six years of the problem happening; **or**
  - o Three years from when you found out about it; **and**
3. You are referring your complaint to us within six months of your service provider's final response.

If your complaint does not meet these time limits we may not be able to investigate it.

A final response should tell you that they have nothing further to say in their response to your complaint and, if you are still unhappy with the reply, to contact the Legal Ombudsman.

Come to us as soon as you can after trying to resolve your complaint with the service provider – don't delay.

Please see our "How to complain to your claims management company" factsheet and example formal complaint letter for tips on how to do this.

Come to us as soon as you can after trying to sort things out with your service provider. If you aren't happy with their final response, you have up to six months to bring your problem to us.

If your complaint does not meet all of these time limits we may not be able to investigate it.

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## Are there any circumstances where we might refuse to deal with your complaint?

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There are certain circumstances where we might refuse to deal with a complaint. This might be, for instance, where the same complaint has already been dealt with by a court or other body or because of the length of time that has elapsed since the event that gave rise to the complaint.

We will write to you within three weeks to inform you if we refuse to deal with your complaint setting out the reasons why.

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## How do we resolve complaints?

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You can phone, email, or write to us. Our complaint form will tell you all the information we need to check if your complaint is something we can help with. When you contact us it will help if you have:

- The name and address of the service provider;
- License number (optional)
- The date you first told them about your complaint;
- The date you first became aware of the problem; and
- Details of their response.

We will ask you to send us a copy of your complaint, copies of any responses from the service provider and specific evidence. We may ask for more information later if we need it.

Our first step is to check that we can help resolve your problem – so we will ask about you, your service provider and the timeframes to make sure we have powers to investigate your complaint. If we can't, we will help you find the right organisation to contact.

If we can investigate your problem, your investigator will look at the facts and form an independent view about what happened. Sometimes after we look at the facts we find that there was no poor service – we will explain why we think that to you. But if there is a problem, we will first try to help you and your service provider to resolve the issue quickly and informally.

If that is not possible, your case will be passed to a senior investigator who will tell you their view of how things need to be resolved in a preliminary decision. If this does not resolve matters than an ombudsman may make a decision, which, once agreed, is final and binding.

We resolve most complaints in less than three months, although it can be longer if your complaint is more complex.

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## Additional information

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### **Is there a charge for your service?**

Our service is free to consumers and you can bring a complaint to us yourself.

### **Can I bring my complaint to you if I've got ongoing court proceedings?**

We wouldn't normally look at a complaint where the consumer was suing the service provider for negligence or where the court's decision had dealt with the same circumstances as the complaint to us. On the other hand, if you bring a complaint to us and accept our decision you cannot then bring a court case against the service provider about the same set of circumstances.

### **I want to complain, should I still pay the service provider's fee?**

Your service provider may decide to take action against you if you do not pay any outstanding fees. In order to prevent this you may wish to pay those fees; the Legal Ombudsman would still be able to investigate your complaint.

### **If the Legal Ombudsman does find poor service, what can the service provider be asked to do to put things right?**

The remedies available to us include instructing them to:

- Apologise to you.
- Give back any documents you might need.
- Do more work for you if this will put right what went wrong.
- Refund or reduce your legal fees. Or,
- Pay compensation if you have lost out or been badly treated (this can be anything up to £50,000 although our average compensation award is under £250).

The Legal Ombudsman is an independent organisation. It is not a law firm and is unable to provide any legal advice or opinion.

**Can I ask the Legal Ombudsman to look at my complaint if I've already accepted a remedy from my service provider?**

If you have already accepted a remedy the Legal Ombudsman is unable to help. We are also unable to sort out any issues that have already been looked at by the courts.

**Are the Legal Ombudsman's decisions legally binding?**

If it is not possible to resolve the issues informally, then we have official powers to sort problems out. Your investigator will tell you their view of how things need to be resolved. If needed, an ombudsman may make a decision, which, once agreed, is final and binding on your service provider.

**How long will all of this take?**

Once we have all of the necessary information we resolve most complaints in less than 90 days, although it can be longer if your complaint is more complex.

**Can you withdraw from the process once I have brought a complaint to us?**

Yes. You can withdraw your complaint at any time.

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## How to contact us

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

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

Telephone: 0300 555 0333

NGT Lite users: 18001 0300 555 0333

Minicom text phone user: 18002 0300 555 0333

Overseas: +44 121 245 3050

Postal address: PO BOX 6804,

Wolverhampton,

WV1 9WG

**If you need information in another language, large print, Braille or on audio CD then please let us know when contacting us.**

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## Important things to know about how we handle your information

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Calls are recorded, including calls you make to us, calls we make to you as well as calls to other people and organisations.

We will need to handle personal details about you which could include sensitive information.

We will need to share information we consider relevant about your complaint with the service provider and with their approved regulator.

We may also share details of your complaint with carefully selected third parties for research purposes, such as customer satisfaction surveys. If you don't want us to use these details or to be contacted for these purposes, please let us know.

We comply with data protection rules at all times. You can contact our dedicated team ([compliance@legalombudsman.org.uk](mailto:compliance@legalombudsman.org.uk)) for further information about this and any freedom of information requests.

**All documents you send to us will be scanned on to our computer system and then destroyed after 28 days. Case related information that is stored electronically will usually be deleted 18 months after the case file is closed.**

Please **do not** send us original documents unless we ask you to. If we do ask you to send us original documents, we will keep them safe and return them to you.



The Legal Ombudsman is committed to delivering high quality customer service in a timely, flexible manner that meets individual needs, situations and expectations. Our Service Principles are a reflection of our core values of being ***Open, Fair, Independent and Effective***. Our Standards apply to all, and show how we respect and respond to each other internally and externally with our customers and stakeholders. The Service Principles and Standards set out what this commitment means in practice and what our customers can expect from us.



**OPEN - We will always be clear with you**

**Our service standards**

- We will communicate using plain English so you can make appropriate, informed choices.
- We will discuss with you at the beginning what you can expect from the service we provide.
- We will explain the complaints process and keep you updated about what is happening throughout.

**You can expect us to:**

- Communicate in a way that can be understood, avoiding using jargon, providing clear and relevant information.
- Listen carefully and ask questions to understand your complaint.
- Be professional and knowledgeable.
- Make sure everyone is clear about our process at every stage of the complaint



• **OPEN - We will be understanding and approachable**

**Our service standards**

- We will recognise each individual's perspectives and experiences.
- We will take your individual needs into account.
- We will offer support in a variety of ways via BrowseAloud, large print, and languages other than English to help you access our service.

**You can expect us to:**

- Be polite and treat you with respect.
- Listen to you and take your views seriously.
- Be empathetic and sensitive to your needs, and support them.
- Make reasonable adjustments for people who require them.



**EFFECTIVE - We will make good use of everyone's time**

**Our service standards**

- We will deal with your complaint efficiently and keep you informed about progress.
- We will help both parties resolve the complaint at the earliest opportunity.
- We understand that some complaints can be complicated: we will be honest about what we can deliver.

**You can expect us to:**

- Ensure we understand your needs and deal with your complaint promptly.
- Keep you informed at all times throughout your involvement with us as to what to expect and when to expect it.
- Let you know as soon as possible if we are unable to help you.



**FAIR/INDEPENDENT - We will be impartial, thorough, and base our work on facts**

**Our service standards**

- We will be clear about what information we need from you.
- We will listen to what you have to say and consider relevant information provided by both parties before any final decision is reached.
- We will reach our decision based on information and what is balanced, fair and reasonable.
- We will provide a clear explanation of our decision.

**You can expect us to:**

- Ensure we are objective, non-judgmental, and fair throughout the investigation.
- Help you identify what information is needed, and be clear what can be used.
- Be consistent in our approach.
- Communicate our decisions clearly and concisely.



**EFFECTIVE - We will make a difference**

**Our service standards**

- We will be an independent voice and use our experience to inform debate within the legal, claims management and ombudsman sectors.
- We will help improve the complaint practices of service providers.
- We will identify the main causes of complaints and feed best practice information back to service providers.
- We will publish ombudsman decisions on our website, which will include information that is accurate, easy to find and understandable

**You can expect us to:**

- Listen to, consider, and learn from feedback we receive.
- Engage with service providers to provide support based on our learning.
- Provide information and learning to service providers by delivering external courses.