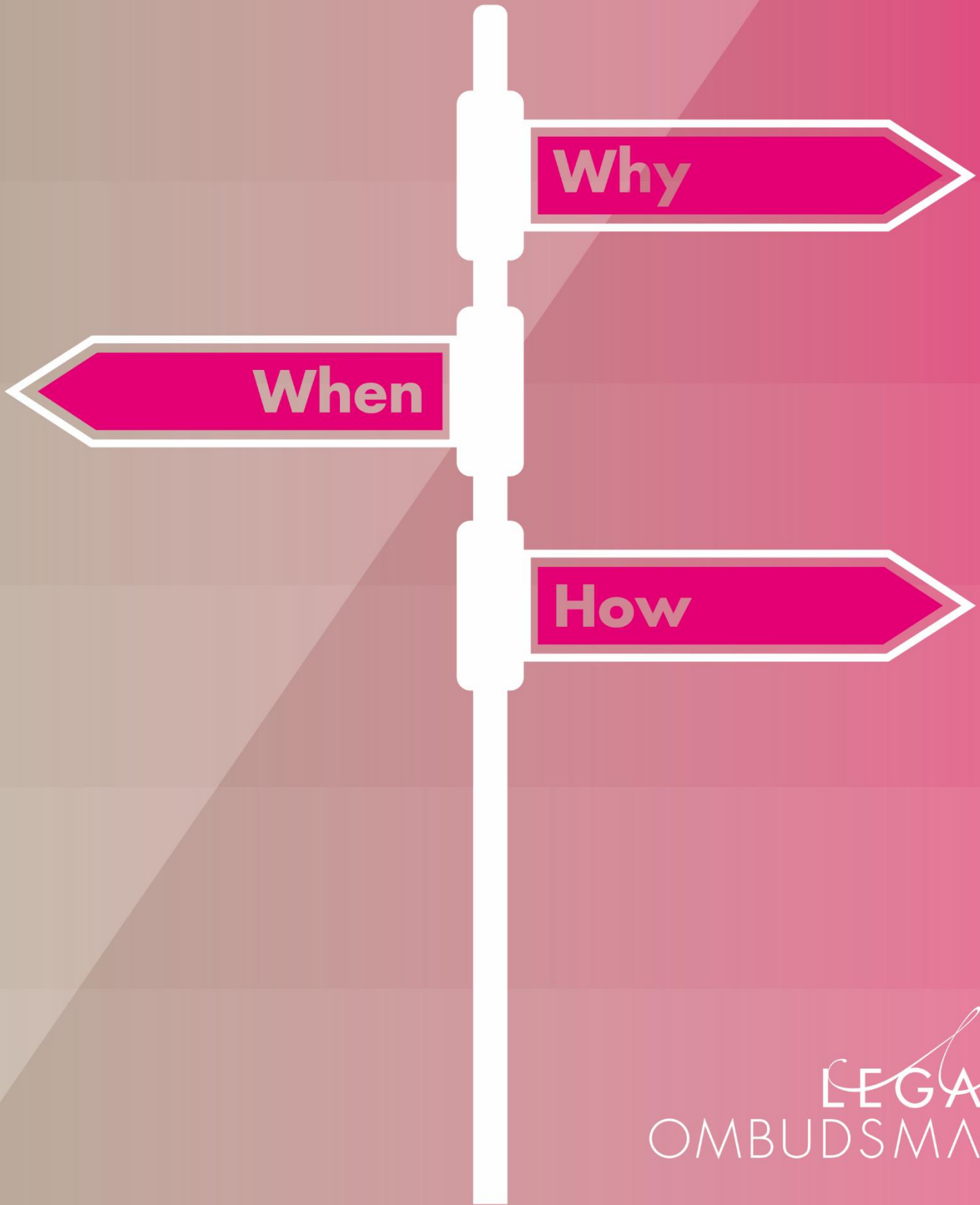


Signposting consumers to the Legal Ombudsman



This signposting pack has been created to help you meet the statutory requirements set out below. It includes suggested text you could use to signpost customers to the Legal Ombudsman (LeO) and when you should do this. You don't have to use it word for word, but it sets out the basics of what we'd expect to see.

Why should you signpost customers to LeO?

1) It's a regulatory requirement

There is a requirement under [section 112](#) of the Legal Services Act for all authorised persons¹ to signpost customers to LeO. Section 3.2 of our [Scheme Rules](#) sets out the Legal Services Board's (LSB) requirements that you inform your customers how to complain at the time of engagement and in writing at the end of the complaints process.

2) It's good practice



92% of solicitor firms provide information to consumers about LeO at the point of engagement

Only 34% of solicitor firms provide information to consumers about LeO in writing at the end of the complaints procedure



Only 4% of consumers recall receiving this information at the end of the complaints process

In December 2017 LeO released jointly commissioned research with the Solicitors Regulation Authority (SRA) which indicates that clients aren't routinely being made aware of their right to complain about poor service by lawyers, despite the regulatory obligation to signpost clients to the scheme. The research into the experiences and effectiveness of solicitors' first tier complaints handling processes can be found [here](#).

LSB requirements mean that simply signposting at the start of the process is not enough. There is still a requirement to signpost at the end of the process. Signposting to LeO makes customers aware of all of their

¹ Authorised persons is defined here as legal service providers regulated by the Solicitors Regulation Authority, Bar Standards Board, Council for Licensed Conveyancers, CILEx Regulation, Costs Lawyers Standards Board, Intellectual Property Regulator, Masters of Faculties, ICAEW (members authorised for probate).

options and concludes the complaint by referring to a statutory independent scheme.

3) Time limits

Did you know that if you don't tell consumers in your final response letter about the six-month time limit for bringing complaints then the six month clock never starts? Our Scheme Rules state that we cannot look at a complaint if it is brought to us more than 6 months after a final response has been issued by a firm. This does not apply if the customer wasn't made aware of the six month time limit.

When to signpost

When/where should you inform customers?	What should you tell customers?	What do we look for?
Website or advertising material	Inform customers that: <ul style="list-style-type: none"> - There is a clear process to resolve any problems, should they arise. - They can access a free and independent service from LeO if necessary. 	We won't usually check this as part of our investigations. It can be useful to have this information available for customers and reassure them that they can raise any problems with you.
Initial engagement document (i.e. contract, terms and conditions, client care letter)	Draw attention to the existence of your complaints procedures and how customers can make a complaint if they need to.	If we have concerns about your complaints handling we will look at this document and check whether you provided the right information.
When they seem to be dissatisfied with your service	LeO defines a complaint as an "oral or written expression of dissatisfaction" Scheme rules - s1.6 . It is best practice to be alert to conversations / correspondence that indicates a customer may be unhappy. This provides an opportunity for dealing with issues at an early stage.	If a case comes to LeO we will be alert to correspondence that indicates a customer was unhappy (i.e. they have expressed their dissatisfaction) and look for evidence that you have responded to it.
When you have finished your first tier complaints process	If you have been unable to resolve the complaint you should: <ul style="list-style-type: none"> - Tell the customer clearly that this is your final response - Tell them that they can complain to LeO and the time limits for bringing a complaint to us - Tell them how to contact LeO - Signpost to an ADR entity. 	We will look at whether you signposted them to LeO within the correct time limits.

How to signpost - suggested text to use

Website

We want to give you the best possible service. However, if at any point you become unhappy or concerned about the service we/I have [change as appropriate] provided to you then you should inform us immediately so that we can do our best to resolve the problem for you. In the first instance it may be helpful to contact the individual who is working on your case to discuss any concerns and we will do our best to resolve any issues at this stage [delete if not required]. If you would like to make a formal complaint then you can access our full complaints procedure here [link to process].

What happens if I don't agree with your views on the complaint?

If we are unable to resolve the complaint with you then you can have the complaint independently looked at by the Legal Ombudsman. The Legal Ombudsman investigates problems about poor service from lawyers / accountants [amend as appropriate].

Before accepting a complaint for investigation the Legal Ombudsman will check that you have tried to resolve your complaint with us first. If you have, then you must take your complaint to the Legal Ombudsman:

- Within six months of receiving a final response to your complaint **and**
- No more than six years from the date of act/omission; or
- No more than three years from when you should reasonably have known there was cause for complaint.

If you would like more information about the Legal Ombudsman please contact them.

Contact details:

Visit www.legalombudsman.org.uk

Call 0300 555 0333 between 9am to 5pm.

Email enquiries@legalombudsman.org.uk

Legal Ombudsman PO Box 6806, Wolverhampton, WV1 9WJ

Text for your engagement letter

(Amend as required for your business model)

If at any point you become unhappy with the service we provide to you then please inform us immediately so that we can do our best to resolve the problem for you. You can obtain a copy of our complaints procedure here [\[insert link\]](#).

If we are unable to resolve your complaint then you can have the complaint independently looked at by the Legal Ombudsman. The Legal Ombudsman investigates complaints about service issues with lawyers /accountants [\[amend as appropriate\]](#).

If you would like more information about this service, including the time limits for taking a case to them, please contact the Legal Ombudsman directly. You can find out more about their service by visiting www.legalombudsman.org.uk or contacting them on 0300 555 0333.

Signposting for the end of your complaints process

This letter is the firm's final response to your complaint. If you choose to accept our response then please let us know by [\[date\]](#).

We hope that we have been able to resolve your complaint satisfactorily. However, if you remain unhappy with our response then you can refer your complaint to the Legal Ombudsman, an independent complaints body established under the Legal Services Act, who can investigate complaints about the legal service you have received from us.

The Legal Ombudsman can investigate complaints up to six years from the date of the problem happening or within three years of when you found out about the problem. If you wish to refer your complaint to the Legal Ombudsman this must be done within six months of the date of this letter.

You can contact the Legal Ombudsman by visiting www.legalombudsman.org.uk contacting them on 0300 555 0333 or by email on enquiries@legalombudsman.org.uk

What about ADR?

The EU Directive² and UK regulations³ require you to give consumers the details of an Alternative Dispute Resolution (ADR) entity which has been approved to deal with the complaint. LeO is not an EU ADR provider but will consider complaints that have previously been considered by an ADR entity.

You can find specific information about the different ADR providers and suggested wording for your letters here:

[Trading Standards](#)

[Law Society](#)

[Bar Standards Board](#)

[CILEx Regulation](#)

[Council for Licensed Conveyancers](#)

If you are an online trader, you must provide additional information to clients on your website to meet Online Dispute Regulations⁴. An online trader is defined as, 'a trader who intends to enter into online sales contracts or online service contracts with consumers'.

If you would like any more information about signposting, please contact support@legalombudsman.org.uk

² Directive 2013/11/EU on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32013L0011>

³ The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015 No. 542 <http://www.legislation.gov.uk/ukSI/2015/542> and The Alternative Dispute Resolution for Consumer Disputes (Amendment) Regulations 2015 No. 1392 <http://www.legislation.gov.uk/ukSI/2015/1392>

⁴ Online dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Regulation on consumer ODR) <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:165:0001:0012:EN:PDF>
Signposting customers to the complaints process – May 2018