

LEGAL
OMBUDSMAN

Signposting Information

Helping you to get it right

We want to help you learn from complaints to improve your customer service and business. We have produced this signposting pack to help you tell your customers about the Legal Ombudsman.

There is a requirement under section 112 of the Legal Services Act and Chapter 3.2 of our Scheme Rules which puts an obligation on you and your company to inform customers how to complain. This requirement also features in the Claims Management Regulator's Complaints Handling Rules.

You may also be aware of recent EU Directive¹ and UK regulations² on Alternative Dispute Resolution (ADR) which came into effect on 1 October 2015. The regulations require you to give the consumer the details of an ADR entity which has been approved to deal with the complaint. You must also tell the consumer whether you are prepared to use that ADR provider as there is no legal requirement for you to do so. The Legal Ombudsman is still able to consider complaints that have previously been considered by an ADR entity.

If you are an online trader, you must provide additional information to clients on your website from 15 February 2016 to meet the ODR regulations³. An online trader is defined as, 'a trader who intends to enter into online sales contracts or online service contracts with consumers'. This definition is likely to capture many lawyers and CMCs who would not ordinarily consider themselves to be online traders. The Department for Business, Innovation and Skills (BIS) has confirmed that this is likely to include people who send and receive contracts, customer-care information, etc to consumers via email.

¹ 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>

² 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>

³ eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:165:0001:0012:EN:PDF

In this signposting pack we have provided information that you can use - on your website, in your terms of business letter, and text for you to provide at the end of your complaints process. You don't have to use it word for word, but it is there to help you and sets out the basics of what we would expect to see.

Text for your company's website

We want to give you the best possible service. However, if at any point you become unhappy with the service we have provided to you or you have concerns about your bill then you should inform us immediately so that we can do our best to resolve the problem for you.

We have a procedure in place which details how we handle complaints, which is available at [insert details of how to obtain it]. We have up to eight weeks to consider your complaint. If we are unable to help you, then you can have the complaint independently looked at by the Legal Ombudsman.

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 our final response to your complaint. If you would like more information about the Legal Ombudsman their contact details are as follows:

Visit www.legalombudsman.org.uk/cmcc

Call 0300 555 0333

Calls to 03 numbers will cost no more than calls to national geographic numbers (starting 01 or 02) from both mobiles and landlines.

Calls are recorded and may be used for training and monitoring purposes.

Need to insert details of BGT Lite

Email cmcc@legalombudsman.org.uk

Legal Ombudsman
PO Box 6804,
Wolverhampton,
WV1 9WG

(To comply with the ODR regulations)

1. A link to the ODR platform (<http://ec.europa.eu/odr>), and
2. the email address of the online trader

Do not send original documents to the Legal Ombudsman. They will scan any documents you send us to make computer copies and then destroy the originals.

Text for your terms of business letter

If at any point you become unhappy with the service we provide to you or you have concerns about your bill then you should inform us immediately so that we can do our best to resolve the problem for you. We have a procedure in place which details how we handle complaints which is available at [insert details of how to obtain it]. We have up to eight weeks to consider your complaint.

If we are unable to resolve your complaint then you can have it independently looked at by the Legal Ombudsman.

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 our final response to your complaint. If you would like more information about the Legal Ombudsman their contact details are as follows:

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Signposting for end of 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 to your satisfaction. However, if you remain unhappy with our response then you can refer your complaint to the Legal Ombudsman.

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.

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and

(To comply with ADR regulations) Inform the consumer:

1. that they cannot settle the complaint with the consumer
2. of the name and web address of an ADR approved body which would be competent to deal with the complaint, should both parties wish to use the scheme
3. whether they intend to use that ADR approved body

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