

LEGAL
OMBUDSMAN

**A guide on how to
complain to your
service provider**

January 2018
www.legalombudsman.org.uk

Be clear, be bold, be fair

In the vast majority of cases, legal service providers and claims management companies (CMCs) and their customers enjoy good working relationships and get to a satisfactory result. This is managed even though they are often dealing with difficult and stressful matters.

If you go to a legal service provider or CMC for help, you have the right to expect clear advice and reasonable quality of service. You should also be told clearly what you will be expected to pay and be able to agree this in advance.

If things do go wrong, however, you have a right to make a complaint to explain why you are not happy. This guide is to support you when making a complaint to your service provider and to explain what you should expect from them once they've received it.

What should you expect from your service provider?

They should:

- Treat you fairly and provide for any special access requirements you may have
- Give you all the information you need to decide what service you require
- Tell you how your problem will be handled and the options available to you
- Give you reasonable information about the likely costs
- Keep you informed of progress and any changes
- Tell you about your right to complain and how to make a complaint

You should make sure you understand what your service provider has told you and you shouldn't be afraid to ask questions.

Sometimes your expectations are not met for one reason or another, and you may feel that you've received a poor service. If left in this position, you may decide to complain.

Service providers can appear intimidating and difficult to approach, but they are required by their regulator to deal with complaints promptly and fairly.

How to complain: The three steps

Be clear

Be sure in your own mind why you want to complain. It is important that you are clear about the reason for your complaint, as it will help you to describe the problem to your service provider. For example, have you been charged more than you were expecting? Or has the service provider lost an important piece of documentation?

Have a clear idea of what you want to happen as a result of making a complaint. For example, would you like your service provider to reduce or waive part of their bill? Or would a simple apology be enough? You can help the service provider understand how they can put things right if they have provided a poor service.

Be bold

Contact the service provider directly. Sometimes, people don't complain because they feel it won't be taken seriously, or because they fear that the complaint could increase their costs or affect the outcome of what your service provider is doing for you. Neither of these things should happen. If they do, you should ask to speak to a senior person at the legal firm or CMC, or contact the Legal Ombudsman.

Go back to your main contact at the service provider and tell them you want to complain and why. You could either raise the complaint directly with the person you've been dealing with, or ask to speak to a manager or complaint handler. Ideally, you should make your complaint in writing or by email, although your service provider should also accept a verbal complaint.

Tell your service provider about your dissatisfaction. Give them an opportunity to address your complaint. Don't be scared about using the words 'I want to make a complaint' and make sure you give as much information as you think they will need in order to deal with it. Use clear language and stick to the facts – try to remain objective and not get upset or angry.

They should listen to you and advise you on how to use their complaints procedure. Many complaints are successfully resolved in this way. (Keep a copy of your complaint as we will need to see it if you bring the complaint to the Legal Ombudsman later on.)

Be fair

Work with the service provider to help them carry out a thorough investigation. Your service provider may want to speak to you to understand more about your complaint. It is important to cooperate with them and remain calm and focused as this may help you both to reach a satisfactory outcome.

Keep any evidence that could help the service provider investigate and resolve your complaint, such as emails and letters. It may also be useful to set up a file of any documents which you think help to show the poor service you have received, such as invoices (if you're unhappy with their costs), correspondence (if you feel it hasn't been answered or acted on) and phone bills (to show calls you've made).

Be patient. It could take a while for your service provider to investigate your complaint. Once an investigation has been carried out they should tell you their findings. You should expect this within eight weeks of your initial complaint. If you are not happy they should tell you about your right to take your complaint to the Legal Ombudsman. (Please also keep a copy of your service provider's response to your complaint.)

Contacting the Legal Ombudsman

If you're not happy with your service provider's final response – or if you don't get one after eight weeks – call us as soon as possible on 0300 555 0333.

When you call us, it will be helpful if you know:

- The name and address of the service provider
- The date you found out about the problem you're complaining about
- The date you complained
- How and when your service provider responded to your complaint

Helpful tips

Here are some helpful hints, which should help you to get the result you are looking for:

- *Don't leave it too long to complain.* The Legal Ombudsman can only investigate complaints within one year of the problem happening **OR** within one year of when you found out about the problem **AND** you must complain to us within six months of your service provider's final response to your complaint.
- *Keep records.* It is important that you keep any evidence about your complaint. If you have a conversation with someone (either face to face or over the phone) keep a record of who it was and when. Keep records of all written communication such as emails and letters.
- *Stay focused.* Remember to be clear about what it is you're complaining about and what you think should be done to put things right. Legal or claims management services are often used at very stressful times in our lives but it is important to stick to the facts and try to stay calm.
- *Be patient.* It is important to give the service provider the opportunity to investigate your complaint fully. The Legal Ombudsman won't usually accept a case until the service provider has had at least eight weeks to resolve the complaint first.
- *Don't be intimidated.* Legal and CMC services can be complex and confusing, but we would expect the service provider to give information in plain English and to take time to address your concerns. If you feel that you're not getting a helpful response, remain calm and take the complaint to the next level.
- *Your rights as a consumer.* You are entitled to complain if you have received poor service and this should be fully and fairly investigated by the service provider. However, a complaint is not always justified and there may be good reasons why an investigation by the service provider or by the Legal Ombudsman does not find in your favour. Whatever the outcome, it should be an open and transparent process for both parties and decisions should be clearly explained.

Other sources of information on complaints

The Law Society produces a useful guide to using a solicitor, which you can see on their website at www.lawsociety.org.uk/for-the-public/using-a-solicitor/

The guide is also available in other formats and selected languages – you can phone the Law Society on 020 7320 5650 for more information.

The Claims Management Regulator has information on their website about complaining about a CMC. You can find it at www.gov.uk/complain-about-claims-company

Citizens Advice also provides guidance on how to complain at www.adviceguide.org.uk.

Contact us

Website: www.legalombudsman.org.uk
Email: enquiries@legalombudsman.org.uk
Telephone: 0300 555 0333
Minicom: 18002 0300 555 1777
Overseas: +44 121 245 3050
Postal address: PO BOX 6806,
Wolverhampton, WV1 9WJ

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