What happens when my complaint is investigated?

The Legal Ombudsman is here to resolve complaints in a way that is fair and reasonable. We don’t take sides, or make assumptions about who might be right or wrong. We are not a law firm and are unable to provide any legal advice or opinion.

We aim to resolve complaints quickly and simply. We will try to reach an agreement between you and the service provider about whether anything should be done to put things right. We also have formal powers to put things right.

We accept your complaint for investigation if you agree that:

• To the best of your knowledge, everything you have told us is correct.
• The Legal Ombudsman has your permission to contact your service provider.
• You understand that the Legal Ombudsman can share information provided by you with others, on a confidential basis. This includes regulators such as the Solicitors Regulation Authority and Bar Standards Board.
• You will cooperate fully with staff from the Legal Ombudsman during their investigation of your complaint, and follow our process.
• You will follow the expectations set out in our Customer Commitment which you can find here.
• You will treat any information provided to you by the Legal Ombudsman during the investigation of your complaint as confidential and not pass it on to anyone else or publish details on social media. If you do this, we may stop the investigation and close your case. This is due to the law we operate under and is intended to ensure that personal information is protected.

If you do not agree, or you do not act in accordance with these principles, we may close your case.

How will you resolve my complaint?

Throughout our investigation, we will look for opportunities to resolve your complaint by finding a solution that you and your service provider can agree to.

We will listen to both parties, look at the facts and the evidence, and will then tell you our view. If we think the service was reasonable, we will explain why we think so. Or if we think there is something to put right and an agreement can’t be reached, then we have official powers to order what needs to be done.

In some cases we may suggest a way of resolving the complaint which involves both sides in a bit of give and take. It can be quicker to sort out a problem if everyone agrees what the solution needs to be. But if you don’t feel comfortable, you don’t have to agree to anything.
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If we think that the service provided wasn’t good enough, and something needs to be put right, we can instruct the service provider to do any of the following things:

- 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 their bill; or
- Pay you compensation.

Although we can tell the service provider to pay compensation of up to £50,000, most of the time it is under £500. Usually higher compensation is limited to those cases where we have seen evidence that the service provided has caused a direct financial loss. Any compensation will always be based on the individual circumstances of your complaint. For more information on how we decide how to put things right, please see our remedies guidance. More information about the compensation we’ve awarded can be found in the ‘Data and decisions’ area of our website.

What do you need to look into my complaint?

As part of looking into the complaint you’ve raised with us, we will ask both you and your service provider to provide us with evidence, for example letters sent or bills received. We will weigh up the facts to reach a conclusion. We will give you and the service provider the opportunity to see the evidence we have relied on and hear why the investigator has come to their view. If at any point the investigator refers to something you have not seen, please let them know so they can share it with you.

It is really important that you send us the evidence we have asked for so that we can reach a fair conclusion on your complaint. If you do not send us something we have asked for we can reach a conclusion on the basis of what we do receive, draw inferences or, where necessary, dismiss your complaint.

Please treat any evidence we share with you as confidential. Please do not pass it on to anyone who is not involved. We can stop the investigation and close your case if you pass on confidential information you have obtained during the investigation to someone who is not directly involved. This is due to the law we operate under, and is intended to help people have confidence in the process (and be sure that personal information is protected) while being able to resolve complaints as quickly and fairly as possible.

What if my service provider and I can’t agree?

Our aim is to resolve complaints by agreement. If an agreement can’t be reached the investigator will set out their views in writing. This is called a case decision. If the investigator identifies service that has had a negative effect on you, they may suggest that something needs to be done to put things right.
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We send the case decision to both you and the service provider for you to tell us what you think. When you respond, you should focus on letting us know:

- If any of the facts we have used are incorrect;
- If you have further evidence that we have not yet seen but you believe is relevant;
- If you accept or reject the investigator’s view; and
- If you reject their view, briefly explain why.

If you and your service provider agree with the investigator’s view, we will treat your complaint as resolved.

If you disagree, let your investigator know your reasons why and confirm if you would like an ombudsman to make a final decision.

If you don’t respond to the case decision within the timescale provided, or if you don’t tell us that you disagree with it, we’ll treat your complaint as resolved. We’ll close the case and take no further action. We don’t normally reopen cases other than in exceptional circumstances.

Can I ask for an ombudsman to look at my complaint?

If you disagree with the investigator’s view and ask for a final decision, the ombudsman will review the case, including your reasons for disagreeing with the investigator, and make a final decision. This will be confirmed to you and the service provider in writing.

An ombudsman takes a fresh look at the complaint and may reach a different view of what is appropriate to resolve it. Their decision could be quite different from the case decision, so please bear that in mind. The final decision may be more or less favourable to you.

After an ombudsman has made their final decision, we will ask you if you accept it. If you do, then the service provider must do what is asked of them. This is the end of our process and means you won’t be able to have the same complaint looked at again. Accepting a final decision also stops you from taking any legal action in relation to the same complaint.

If you reject the final decision or don’t tell us what you think about it, the service provider does not have to do what is asked of them. In these circumstances, your case will be closed and we will not take any further action. You would be free to make any other claim in relation to your complaint or seek independent legal advice. You will not be able to bring the same complaint back to us.

Once a final decision has been made our investigation of your complaint is over.
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How long will it take you to look at my complaint?

Once we’ve confirmed what your complaint is about, we will look at any information you have provided, and may ask you for some more.

We aim to resolve complaints within three months, although it can be longer if the issue is more complex or if an ombudsman’s decision is needed.

Do you ever end an investigation for any reason?

We have done an initial review of your case and on the basis of this, we believe that your case is one we can and should investigate at this stage. However, there are times when we can still end an investigation, as set out below:

- The investigator assigned your case will carry out a detailed review and if they believe your case is one we can’t look at under our rules, we could close the case. For example, this could be because the complaint falls outside of our time limits.
- If we receive new information during an investigation which shows we can’t look at your case under our rules, we may stop the investigation and close the case.
- The service provider may have reason to believe we can’t or shouldn’t look at your case, and may ask us to dismiss it. If this happens, an ombudsman will be asked to decide whether the investigation should continue or not.
- If you do not co-operate with our staff or our process, behave unreasonably, do not send us information we have asked for, or fail to comply with our time limits, we may close your case.

How will you stay in touch?

We generally try to speak to you on the telephone, as this is the best way to ensure we have a good understanding of your complaint and to tell you what will happen next. If this is not possible, we will use email and/or a letter. As each investigator will have several ongoing investigations, you can expect to be updated every few weeks.

If you need us to communicate with you in a different way because of your circumstances, please let us know as soon as possible.

What if I am unhappy with the service provided by the Legal Ombudsman?

Please tell the person dealing with your case as soon as possible if you are unhappy with the service we have provided. An example of this might be that we have not kept you informed or not explained things properly to you. They, or their manager, will try to put right anything we may have
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done wrong as quickly as possible. However, you cannot complain about the investigator’s view, case decision, or about any final decision that we may make.

If we are unable to resolve your complaint about our service at this stage, the next step would be for your complaint to be investigated by our Customer Experience Specialist. Full details of our complaints policy can be found on our website.

How to contact us

Postal address: PO Box 6806, Wolverhampton, WV1 9WJ

Website: www.legalombudsman.org.uk

Email: enquiries@legalombudsman.org.uk

Telephone: 0300 555 0333

NGT Lite users: 18001 0300 555 0333

Overseas: +44 121 245 3050

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

Important things to know about how we handle your information

Visit our website to find out how we use your personal data.

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

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.

In accordance with current data protection legislation we may collect and hold your personal information. For further details on how we will use your information, including processing your complaint file and entities we may share information with such as other regulators or research companies please visit our privacy statement at www.legalombudsman.org.uk.