

## **COMPLAINTS HANDLING PROCEDURE**

This procedure is the responsibility of Toby Gibson and is reviewed annually. It is next due for review in February 2025.

Our commitment is to provide the highest quality standard in legal services to all our clients. We take any problems that do arise extremely seriously and strive to ensure that any complaints are identified quickly and dealt with thoroughly. When something does go wrong, we need you to tell us about it as soon as possible. You will have been advised at the outset of the right to raise a complaint. Advice about complaints is included in our Terms of Business which are sent to every client upon our instruction to act.

You will not be charged for any time spent handling your complaint and making a complaint will not change the way that we handle your case.

### **What is a complaint?**

A complaint is any expression of dissatisfaction about the quality of the legal services that we have provided to you and/or the manner in which we have provided them.

### **To whom do you complain?**

If you are unhappy with any aspect of the service provided it may be helpful, in the first instance, to contact the person who is working on your case to discuss your concerns and we will do our best to resolve any issues at that stage. If you do not feel able to discuss your concerns with them, please contact the person responsible for the overall supervision of your matter, who will be named in the client care letter we sent you at the beginning of your matter. This complaint may be by telephone, in writing (including by e mail) or in person.

If the complaint cannot be resolved with the fee earner or you do not feel able to raise your concerns with either the fee earner or their supervisor, you can make a formal complaint, in writing, to either:

- Toby Gibson, Partner Gibson & Co. Solicitors, 77-87 West Road, Newcastle upon Tyne, Tyne & Wear, NE15 6PR or via e-mail to [toby.gibson@gibsons-law.com](mailto:toby.gibson@gibsons-law.com)
- Derwent Gibson, Partner Gibson & Co. Solicitors, 27 Priestpopple, Hexham, Northumberland, NE46 1PB or via e-mail to: [dg@gibsons-law.com](mailto:dg@gibsons-law.com)

Making a complaint will not affect how we handle your case. If you do need to make a complaint, you should:

- Complain as soon as possible;
- Provide your full name and contact details;
- Provide us with your file reference number, if you have it;
- Be clear on what the issue is and how you would like it to be resolved;
- Allow us up to eight weeks to resolve your complaint.

If you require any help in making your complaint, we will try to help you.

## Handling and Resolving a Complaint

1. Every formal complaint is acknowledged within 3 days (unless there are exceptional circumstances). The acknowledgement should advise of the date by which you should receive a considered response and will include a copy of this policy.
2. We will investigate your complaint. This will usually involve:
  - Reviewing your complaint;
  - Reviewing your file(s) and other relevant documents; and
  - Liaising with the person who dealt with your matter.
3. We may also need to ask you for further information or documents. If so, we will ask you to provide the information within a specific period of time.
4. We will update you on the progress of your complaint at appropriate times.
5. We may also, if appropriate, invite you to a meeting to discuss your complaint. You do not have to attend if you do not wish to or if you are unable to. We will be happy to discuss the matter with you by telephone.
6. Following our investigation, we will provide you with a written outcome of your complaint to tell you what we have done and what we propose to do to resolve your complaint.
7. Our aim is to resolve all complaints within 8 weeks from the date of receipt.

If we cannot resolve your complaint, you can speak directly to the Legal Ombudsman, provided that you fit one of the following categories:-

- an individual.
- a business or enterprise that was a micro-enterprise (European Union definition) when it referred the complaint to the authorised person.
- a charity that had an annual income net of tax of less than £1 million when it referred the complaint to the authorised person.
- a club/association/organisation, the affairs of which are managed by its members/a committee/a committee of its members, that had an annual income net of tax of less than £1 million when it referred the complaint to the authorised person.
- a trustee of a trust that had an asset value of less than £1million when it referred the complaint to the authorised person.
- a personal representative or beneficiary of the estate of a person who, before he/she died, had not referred the complaint to the Legal Ombudsman.

## The Legal Ombudsman

The Legal Ombudsman is an independent organisation established to deal with complaints against Solicitors about the legal service that has been provided. Before it will consider a complaint, the Legal Ombudsman generally requires that the firm's internal complaints procedure has been exhausted. If the Legal Ombudsman is satisfied that the firm's proposal for resolving a complaint is reasonable, it may decline to investigate further.

The Legal Ombudsman expects complaints to be made to them within one year of the date of the act or omission about which you are concerned or within one year of you realising there was a concern. You must also refer your concerns to the Legal Ombudsman within six months of our final response to you.

The Legal Ombudsman's contact details are as follows:-

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

**Telephone:** 0300 555 0333 between 9am to 5pm.

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

**Address:** Legal Ombudsman, PO Box 6167, Slough, SL1 0EH.

For complaints that relate specifically to an alleged breach of the SRA Standard and Regulations including the SRA Accounts Rules, you should refer the matter to the **Solicitors Regulation Authority** (SRA). This could be for things like general misconduct, losing your money or treating you unfairly because of your age, a disability or other characteristic. The SRA will not investigate complaints about services provided by the Firm. They will refer such matters to the Legal Ombudsman.

**Website:** <https://www.sra.org.uk/consumers/problems/>  
**Telephone:** 0370 606 2555 between 8am to 5pm. Except Tuesday 9:30am to 5pm.  
**Contact page:** <https://www.sra.org.uk/home/contact-us/>