

COMPLAINTS HANDLING POLICY

1. INTRODUCTION

Gillespie Macandrew LLP (“the firm”) aims to deliver complete client satisfaction in the provision of our services. However, if you are not satisfied with our services you should follow this complaints procedure which seeks to resolve any issues that may arise in a fair and efficient manner.

2. THE CLIENT RELATIONS PARTNER

Our Client Relations Partner, Colin Hamilton, is ultimately responsible for dealing with all complaints.

3. WHO MAY COMPLAIN

Any client of the firm may raise a complaint under this procedure.

Anyone who is not a client of the firm but considers that:

- they have been directly affected by inadequate services provided to the firm’s client, or
- they have a complaint about the professional conduct of any person employed by the firm,

may also raise a complaint under this procedure.

4. HOW TO MAKE A COMPLAINT

If you are a client, your letter of engagement with the firm will have set out who is the partner or legal director supervising the matter you wish to complain about. Normally they will be able to resolve your complaint informally, and you should contact them first. You can do this by e-mail, letter or by phone or you can leave a message and ask them to contact you.

Your contact will normally be acknowledged within 5 working days and the partner or legal director will endeavour to resolve your issue with you, informally, within 15 working days of acknowledgement.

If you have not heard within the timescales above, or you are dissatisfied with the response, or your complaint is about the professional conduct of an individual, you should contact the Client Relations Partner using the details at paragraph 5 below.

If you are not a client, you should in the first instance contact the Client Relations Partner by using the details below.

5. CLIENT RELATIONS PARTNER PROCEDURE

To contact the Client Relations Partner (CRP) write to:

The Client Relations Partner, Gillespie Macandrew LLP,
5 Atholl Crescent, Edinburgh, EH3 8EJ

You can also contact them through the main office number 0131 225 1677. Or you may email the following address: colin.hamilton@gillespiemacandrew.co.uk.

Your complaint will normally be dealt with as follows:

- **Acknowledgement** – we will issue an acknowledgement of your complaint to you. This will include details of who will handle your complaint (“the complaints handler”).
- **Informal resolution** – the complaints handler may request that the relevant legal director, Partner or Client Care Partner contact you to resolve a matter by informal discussion, especially if this has not happened already. The complaints handler may also discuss an informal resolution directly with you.
- **Formal investigation** – if matters cannot be resolved informally, we may ask you to submit a formal complaint form. On receipt of the completed form the person handling the complaint will proceed to a formal investigation.
- **Resolution** – you will be informed of the outcome of the investigations and whether we have upheld your complaint. If your complaint is upheld we will tell you what we intend to do to resolve it or we may offer to discuss a resolution with you.
- **Internal Review** – If the investigation has been carried out by someone else, and you are dissatisfied with its outcome, you can request a review by the Client Relations Partner.

Timescales

We will endeavour to acknowledge your complaint within 5 working days, and provide an informal resolution within 10 working days of acknowledging your complaint.

If we undertake a formal investigation, we aim to complete this within 20 working days of the date our investigation starts, which will normally be the date we receive the formal complaint form from you.

If these timescales are not practical we will give you a revised timescale for our response.

6. THIRD PARTY COMPLAINTS

In third party complaints (i.e. where you are not a client) please note we may need to adapt our procedures, and in particular we may be restricted in how we handle the complaint because of our obligations of confidentiality.

7. WHAT TO DO IF WE CANNOT RESOLVE YOUR COMPLAINT

Most complaints can be resolved informally or by our Client Relations Partner. However, if you are dissatisfied with our response, or we have not responded then you may refer your matter as follows.

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For complaints about the firm's service in Scottish matters, or about individual lawyers registered with the Law Society of Scotland

If you have given us at least 28 days to respond you may refer your complaint to the **Scottish Legal Complaints Commission** (SLCC). Their contact details are:

Post: The Stamp Office, 10-14 Waterloo Place, Edinburgh EH1 3EG

Tel: 0131 201 2130

E: enquiries@scottishlegalcomplaints.org.uk

W: www.scottishlegalcomplaints.org.uk

Time limits normally apply to making a reference to the SLCC. For services provided on or after 1 April 2017 this is normally 3 years after the date on which you were last provided with a service in connection with the specific piece of legal work you are complaining about. For third party complaints, or conduct complaints, the time limit is normally 3 years from the date the act or omission occurred. For services or conduct prior to 1 April 2017 the time limit is normally 1 year. You should contact SLCC for full details.

If your complaint relates to a fee you may also be able to refer the fee to the Auditor of the Court of Session. Please ask us for more details.

For complaints about the firm's service in English matters, or about the firm or individual lawyers registered with the Solicitors Regulation Authority (SRA)

If your complaint is about the service provided by an individual or the firm, and we have not given our final written response within eight weeks of your complaint, you should normally refer to the **Legal Ombudsman**. Their contact details are:

Post: PO Box 6806 Wolverhampton WV1 9WJ

Tel: 0300 555 0333

E: enquiries@legalombudsman.org.uk

W: www.legalombudsman.org.uk

Time limits normally apply to making a complaint to the Legal Ombudsman. Normally, you will need to bring a complaint to the Legal Ombudsman within six months of receiving a final written response from us about your complaint and within the following timescales:

- a) Six years from the date of the act or omission about which you are complaining occurring, or
- b) Three years from the date you should reasonably have known there were grounds for complaint.

Please note that not everyone is entitled to complain to the Legal Ombudsman. You should contact the Legal Ombudsman for full details of who can complain, and time limits for doing so.

If your complaint is about the professional conduct of a solicitor or the firm breaching SRA principles (for example dishonesty, losing your money, discrimination), and we have not given our final written response within a reasonable time (usually eight weeks of your complaint) then you should normally refer to the SRA.

Visit the SRA's website to see how you can raise your concerns with them:

W: www.sra.org.uk/consumers/problems/report-solicitor/

If your complaint relates to a fee you may also be able to refer your fee for assessment as set out under Part III of the Solicitors Act 1974.