

# Problem handling policy and procedure

## 1. Introduction

Our Client Charter sets out the client service standards you can expect from us every time we do work for you.

We want you to tell us if we have met those standards so we can celebrate success and equally if we have disappointed you, we strive to meet those standard everyday but occasionally things go wrong and when they do we will investigate what went wrong, apologise and put it right where we can, learn from our mistakes and make changes to improve our processes, procedures and service delivery to prevent the issue arising again.

This policy applies only to Capsticks' clients.

## 2. What to do if you have a client service problem

### 2.1. Stage one

If you are not getting the client service you expect, we have failed to deliver what we said we would or you are concerned about the cost of a matter, we need you to tell us straight away so that we can try to resolve your concerns quickly. We always investigate any client dissatisfaction with our service or costs.

If you have a concern you should initially raise any problems or concerns with the:

- person dealing with your matter; or
- matter supervisor.

The person you contact will try to resolve the problem as soon as possible but within 10 working days. If they cannot or you do not feel it is appropriate to raise the issue with those with the day-to-day responsibility for your matter then you can move to stage two.

### 2.2. Stage two

If you are dissatisfied with the resolution offered in stage one or you feel stage two is the more appropriate stage to raise your concerns then please contact your client partner or Rachael Heenan, our Senior Partner, whose contact details are as follows:

Email: [Rachael.Heenan@capsticks.com](mailto:Rachael.Heenan@capsticks.com)

Mobile: 07538 680529

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At this stage, within two working days we will:

- acknowledge receipt of the notification of a problem
- summarise the problem(s) you have raised and give you the opportunity to correct our understanding if this is incorrect;
- give you a point of contact; and
- tell you when you can expect to receive a substantive response from us but usually we will try to resolve problems within 10 working days.

When we review the issues you have raised, we may need to contact you for further information. If the additional information you provide affects the timescale for providing a response, we will tell you.

When we have investigated the issues you have raised we will report our findings to you and agree steps to put things right or compensate you for any poor service received if that is more appropriate.

### 2.3. Legal Ombudsman (LeO)

At the end of stage 2 if you remain dissatisfied, you will be able to complain to the LeO if you are:

- an individual;
- a business or enterprise that is a micro-enterprise
- a charity with an annual income net of tax of less than £1 million;
- a club/association/organisation, the affairs of which are managed by its members/a committee/a committee of its members, that has an annual income net of tax of less than £1 million
- a trustee of a trust that has an asset value of less than £1 million

If you fall into one of these categories, and we have not been able to resolve your concerns, you have six months from the date of our final response to refer your concerns to the LeO, who can be contacted as follows:

#### **The Legal Ombudsman**

PO Box 6167  
Slough

SL1 0EH For further information, you should contact the Legal Ombudsman on 0300 555 0333 or at: [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk)

If you fall within the remit of The Legal Ombudsman Scheme, we need to advise you that alternative complaints bodies (such as ProMediate: <https://www.promediate.co.uk/>) exist which are competent to

deal with complaints about legal services should both you and our firm wish to use such a scheme, but we do not generally agree to use the alternative service.

### 3. Professional conduct issues

If you think anyone at Capsticks has behaved unprofessionally and has breached the Solicitors Regulatory Authority's (SRA) Standards and Regulations which can be found [here](#), you can raise your concerns with Andrew Rowland, our Compliance Officer for Legal Practice. His contact details are as follows:

Email: [Andrew.Rowland@capsticks.com](mailto:Andrew.Rowland@capsticks.com)

Telephone: 020 8780 4760

He will acknowledge your concerns, provide a timetable for the investigation and reporting his findings to you.

You may also raise concerns directly with the SRA:

#### Solicitors Regulation Authority

The Cube

199 Wharfside Street

Birmingham

B1 1RN

Tel: 0370 606 2555

Email: [report@sra.org.uk](mailto:report@sra.org.uk) [www.sra.org.uk](http://www.sra.org.uk)

### 4. Professional Indemnity Insurance

In line with our regulatory obligations, we confirm Capsticks LLP has professional indemnity insurance in place in excess of the compulsory minimum level for users of our services in England and Wales.

Details will be provided in response to any qualifying enquiry by contacting:

Governance & Risk, Capsticks Solicitors LLP, Wellington House, 68 Wimbledon Hill Road, Wimbledon, SW19 7PA

#### CAPSTICKS

capsticks.com

Twitter: @capstickslip

#### BIRMINGHAM

1 Temple Row

Birmingham B2 5LG

T +44(0)121 230 1500

F +44(0)121 230 1515

DX: 13003 - Birmingham

#### LEEDS

Toronto Square, Toronto Street

Leeds LS1 2HJ

T +44(0)113 322 5560

F +44(0)113 242 2722

DX 713112 – Leeds Park Square

#### LONDON

Wellington House,  
68 Wimbledon Hill Road  
Wimbledon SW19 7PA

T +44(0)20 8780 2211

F +44(0)20 8780 1141

DX 300118 – Wimbledon Central

#### MANCHESTER

Clarence House,

Clarence Street

Manchester M2 4DW,

T +44(0)125 726 6008

#### WINCHESTER

Staple House, Staple Gardens

Winchester SO23 8SR

T +44(0)1962 678 300

F +44(0)1962 678 311

DX 2532 - Winchester