

Complaints Handling Procedure

This Complaints Handling Procedure tells you how we will deal with your complaint and how long it is likely to take. It also provides important information about what you can do if you are not happy with the way in which we are dealing with your complaint, or about our final decision. Our Complaints Policy contains further information about what you can expect from us when you make a complaint. We will ensure that all complaints are dealt with promptly, fairly, and free of charge.

Designated Complaints Handler

If you have any concerns about our service, our work, or our charges, you should discuss these first with the individual who has day-to-day control of your matter.

If this person cannot satisfactorily address your concerns and you wish to make a complaint, please contact the appropriate person:

- If your complaint relates to your residential property instruction to the firm, please contact our Designated Complaints Handler, **Mr Damien Todd, Solicitor/Member**.

You can write to him at **Mowbray Villas, Mowbray Road, Sunderland, SR2 7EA** or send an Email to Damien@sweenymiller.co.uk

- For all other legal matters, for which you have instructed the firm to act for you in relation to, please contact our Designated Complaints Handler, **Mrs Surbhi Vedhara, Solicitor/Member**.

You can write to her at **Bulman House, Regent Centre, Henry Street, Gosforth, Newcastle Upon Tyne, Tyne and Wear, NE3 3LS** or send an Email to surbhi@sweenymiller.co.uk

Step One: Acknowledging your Complaint

Within five working days of receiving your complaint, your complaint will be recorded in our Complaints Register and we will send you a letter/Email acknowledging your complaint.

Step Two: Investigating your Complaint

Within twenty working days of receiving your complaint, we will review your file(s) and any other relevant documentation and send you a letter telling you how we propose to deal with your complaint. Examples of what we might say in this letter/Email are as follows:

- If your complaint is straightforward we might make suggestions as to how we can put things right or we may offer you some form of redress;
- If your complaint is more complicated we might ask you to confirm, explain or clarify any issues;
- We may ask to meet with you to discuss things face-to-face and we would hope to be in a position to meet with you no longer than fourteen working days after first receiving your complaint. If you would prefer not to meet, or if we cannot arrange this within an agreeable timescale, we will write to you fully setting out our views on the situation and making suggestions as to how we can put things right, or asking you to confirm,

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explain or clarify any issues. Within three working days of any meeting, we will write to you again to confirm what took place and to confirm any offer of redress that we have made.

Whichever form our investigation takes, we will aim to give you our final decision within twenty working days of receiving your complaint (or sooner if possible).

Step Three: Appealing against our Final Decision

If you are not satisfied with our final decision, please let us know via letter/Email and we will review our decision again. We will let you know the result of any appeal within ten working days of receiving your appeal.

Step Four: The Legal Ombudsman

If you are still not satisfied, you can then contact the Legal Ombudsman about your complaint provided you do so within six months of the end of our Internal Complaints Handling Procedure.

In addition, there are time limits relating to the date you first became aware or should have become aware of the problem. The relevant time limits are set out in the version of the Legal Ombudsman's Scheme Rules in force from time to time (which can be accessed at:

<http://www.legalombudsman.org.uk/downloads/documents/publications/Scheme-Rules.pdf>

or by contacting the Legal Ombudsman using the contact details provided below) and may only be extended by the Legal Ombudsman in exceptional circumstances.

Ordinarily, you cannot use the Legal Ombudsman unless you have first attempted to resolve your complaint using our internal Complaints Handling procedure, but you will be able to contact the Legal Ombudsman if:

- The complaint has not been resolved to your satisfaction within eight weeks of first making the complaint to us; or
- The Legal Ombudsman decides that there are exceptional reasons why the Legal Ombudsman should consider your complaint sooner, or without you having to use our internal Complaints Handling Procedure first; or
- The Legal Ombudsman considers that your complaint cannot be resolved using our internal Complaints Handling Procedure because the relationship between you and us has broken down irretrievably.

If you wish to make a complaint to the Legal Ombudsman you must be one of the following:

- An individual;
- A micro-enterprise as defined in European Recommendation 2003/361/EC of 6 May 2003 (broadly, an enterprise with fewer than 10 staff and a turnover or balance sheet value not exceeding €2 million);
- A charity with an annual income less than £1 million;
- A club, association or society with an annual income less than £1 million;

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- A trustee of a trust with a net asset value less than £1 million; or
- A personal representative or the residuary beneficiaries of an estate where a person with a complaint died before referring it to the Legal Ombudsman.

If you are not, you should be aware that you can only obtain redress by using our Complaints Handling Procedure or by mediation or arbitration, or by taking action through the Courts.

Legal Ombudsman Contact Details

Address: PO Box 6806, Wolverhampton WV1 9WJ

Telephone: 0300 555 0333

Email: enquiries@legalombudsman.org.uk

Website: www.legalombudsman.org.uk

What to do if you are unhappy with our behaviour

Reports about our conduct (behaviour), rather than about our service levels, can be made to the Solicitors Regulation Authority (SRA). Visit their website to see how you can raise your concerns with the Solicitors Regulation Authority. See www.sra.org.uk/consumers/problems/report-solicitor.page for more details.

Alternative Dispute Resolution (ADR)

Alternative complaints bodies, such as ProMediate UK Ltd (www.promediate.co.uk) exist and are competent to deal with complaints about legal services should both you and this firm wish to use such a scheme. However, we do not agree to use the scheme operated by ProMediate UK Ltd as we believe the Legal Ombudsman is better equipped to resolve complaints against legal firms.