

# Good Complaints Handling

Complaints handling is a topic that will always provoke discussion in law firms. It's a sensitive area for firms, but it's also important to remember that almost all firms will receive a complaint about something at some point, even if it turns out to be unjustified.

However you view the complaints process, there are things firms can do to demonstrate a complaint has been handled well, giving the client (and potentially LeO) confidence that there's been a fair outcome.

Dealing with complaints efficiently and thoroughly at the first tier stage, before it has chance to be passed on for external consideration, is definitely the best way to address them.

## Some things to remember:

- A complaint doesn't need to be in writing and addressed as a 'formal complaint' to be considered as a complaint. LeO's guidance refers to an "expression of dissatisfaction". It's for firms to decide what that means.
- The client doesn't have to wait for a response to their complaint before referring it to the Ombudsman. They must wait for at least 8 weeks before making a referral, but avoiding sending a response, or delaying it without giving a reasonable explanation about why it will take longer, will not thwart the client's ability to take it further.
- Make sure you understand the reasons for the complaint, and what it's about. You may have to ask questions at the beginning of the process to get more information. Make sure you can confidently summarise the client's concerns.
- Acknowledge the complaint and let the client know how long it'll be before you let them know the outcome. Communication is key.
- The outcome response needs to be thorough and clear. You must include referral information for LeO and the timescales for that process. It doesn't need to be War and Peace, and you must avoid bamboozling clients with technical legal language. Tell clients what you investigated, what you found and whether you agree with them.
- Language and tone are so important! As lawyers we know this, but remember that it applies to responding to complaints. Avoid being confrontational; use collaborative language.
- Even complaints that aren't upheld can give firms insight about how to improve things to avoid similar complaints in the future. Could there have been a clearer way to explain something, to avoid misunderstanding? Are there things your teams can do differently? If there are lessons to be learned, make sure everyone knows what's expected in future (although keep it anonymous – no-one wants to be hung out to dry).

There's no escaping the fact that the number of complaints is increasing in general (and not only in the legal profession), so keeping on top of them and dealing with them productively will make things a lot easier to manage and report them when needed to PI insurers and the SRA.