Feedback/Complaints Procedure

1. This document sets out the policy and procedures to be adopted by Hames Private Clients Limited in relation to any feedback or complaints made about it by a professional or lay client or by another person.

Feedback

2. If positive feedback is received, an expression of thanks will be given. Any such feedback will not be used by Hames Private Clients Limited for any marketing purpose without the written permission of the provider of the feedback.

3. If there is any doubt about whether an adverse comment or criticism might amount to a complaint, the provider of the feedback will be asked to consider pursuing the complaints procedure set out below.

Complaints by professional or lay clients

4. Our aim is to always provide a good service. However, if you have a complaint, please notify us as soon as possible. It is not necessary to involve another lawyer, but you may do so if you wish.

5. If you are not happy with the outcome of the complaints procedure you can contact the Legal Ombudsman. The Legal Ombudsman is a free, impartial and independent service set up by the Government which deals with complaints about the service you have received.

6. You must complain to the Legal Ombudsman within six months of receiving a final response to your complaint from the Company (provided the response specifically notifies you of your right to complain to the Legal Ombudsman and of the six month time limit). A complaint to the Legal Ombudsman must also be made not more than six years after the act or omission complained about or not more than three years from the date when you should reasonably have known that there were grounds for complaint. The Legal Ombudsman can extend the time limit in exceptional circumstances.

7. We will have regard to the above timeframe when deciding whether we are able to investigate your complaint. We will not usually deal with complaints that fall outside those limits.

8. For further details about how to make a complaint to the Legal Ombudsman, including guidance about the rules of the scheme, please contact the Legal Ombudsman directly at:

   Address: Legal Ombudsman, PO Box 6806, Wolverhampton WV1 9WJ
   Email: enquiries@legalombudsman.org.uk
   Telephone: 0300 555 0333
   Website: www.legalombudsman.org.uk

Frequently asked questions about the Legal Ombudsman can be found on the Bar Standards Board’s website:

https://www.barstandardsboard.org.uk/complaints-and-professionalconduct

The Legal Ombudsman’s Decision Data is available online here

9. If your complaint is about professional misconduct or professional negligence it would be more appropriate to address your complaint to our regulator, the Bar Standards Board, by writing to them at:

LCW/20.02.20

Brinkworth House, Brinkworth SN15 5DF
tim@hamesprivateclients.co.uk www.hamesprivateclients.co.uk Tel: 01666 817308
Regulated by the Bar Standards Board ER130691
Complaints Division, Bar Standards Board, 289-293 High Holborn, London WC1V 7HZ
Telephone: 020 7611 1444
Website: www.barstandardsboard.org.uk

Complaints by others

10. The Legal Ombudsman will only deal with complaints from consumers. This means that only complaints from our clients fall within their jurisdiction. Those who are not our clients and who are dissatisfied with the outcome of our complaints procedure should contact the Bar Standards Board and not the Legal Ombudsman.

11. Our ability to investigate and resolve complaints by those who are not our clients is limited and complaints of this nature are sometimes better suited to the disciplinary processes of the Bar Standards Board, whose details are at section 9 above.

First Stage

12. If you prefer to make a written complaint, please follow the procedure set out in the Second Stage set out below.

13. If you do have a complaint, however, we would invite you to initially telephone Tim Wallis or Lynn Wallis, who will take details of your complaint, discuss your concerns and endeavour to resolve the matter swiftly and informally.

14. You will be asked if you are satisfied with the outcome and a note of your response will be recorded by us and confirmed to you in writing unless you specifically ask us not to do so.

15. We recommend that you keep a note of the conversation(s).

16. If your complaint cannot be resolved in this way, you will be invited to make a formal written complaint.

Second Stage

17. Complaints in writing should be sent to Tim Wallis or Lynn Wallis. They may be sent by post or email.

Address: Brinkworth House, Brinkworth, Chippenham, Wiltshire SN15 5DF
Tim Wallis email: tim@hamesprivateclients.co.uk
Lynn Wallis email: lynn@hamesprivateclients.co.uk

18. Please include your name and address, whom the complaint is about, full details of the issues you wish to have investigated, any documents you wish to send us in support of your complaint and what you would like done about it.

19. We will respond as soon as possible but certainly within 28 days to acknowledge receipt and to inform you of the likely time frame for dealing with your complaint.

20. You may be asked to provide further information or clarification. You are also free to volunteer further information or to raise questions during the investigation.

21. We aim to complete any investigation and to record our decision to you in writing within 6 weeks of receipt of the complaint. If this is not possible, we will write to you explaining the issue and providing a new time frame.
22. If we decide that the issues raised cannot be satisfactorily resolved through our complaints procedure, we will notify you and advise you where to direct your complaint, if you wish to pursue it.

23. If your complaint involves a matter that may give rise to an insurance claim, we will be obliged to inform the Bar Mutual Indemnity Fund (BMIF), the Bar’s insurer. The BMIF will then have to be consulted before any proposals can be given to you to resolve your complaint. This may delay the process.

24. If your complaint is a mixture of allegations of misconduct and/or professional negligence and a service issue, we will endeavour, if possible, to address the service element.

25. When our investigation is completed, we will provide you with a written determination, setting out the documents we have considered, the results of any further investigation and the conclusion for each complaint. If your complaint is found justified, we will set out our proposals for resolving the complaint.

26. There is no appeal from our determination within Hames Private Clients Limited. If you are unhappy with the outcome, please refer to sections 8 and 9 above if you wish to pursue the matter and you fall within their jurisdiction.

27. We will make a written record of any complaint and retain all documents and correspondence generated by the complaint for a period 6 years.

28. All conversations and documents relating to any complaint shall be confidential and disclosed only to the extent necessary.