

COLE FRANCIS COMPLAINTS HANDLING PROCEDURE

1. Here are details of our complaints handling procedure including details about how and when a complaint can be made to the Legal Ombudsman and to the Solicitors Regulation Authority (“**the SRA**”).
2. Cole Francis is regulated by the SRA. The SRA's Rules can be found in its Code of Conduct, available at <https://www.sra.org.uk/solicitors/standards-regulations/>.
3. The Law Society of England and Wales is the designated professional body but responsibility for regulation and complaints handling has been separated from the Law Society's representative function. The SRA is the independent regulatory body and the Legal Ombudsman is the independent complaints handling body – see <https://www.legalombudsman.org.uk/>.
4. Cole Francis is committed to providing its clients with commercially focused, timely legal advice of the highest quality. Any client who is unhappy about the advice and assistance that it receives from the Firm, including any concerns about a bill, is entitled to complain.
5. You have the right to complain if you are dissatisfied with our services. Complaints must be made by email. Our complaints procedure enables complaints to be dealt with promptly, fairly, openly and effectively, with decisions based on a sufficient investigation of the circumstances and provides for appropriate remedies. There will be no charge to you for handling your complaint.
6. The starting point is to send an email to david@colefrancis.com with details of your complaint in writing. This email should include the identity or identities of the person(s) complaining and any other relevant parties, and a clear chronological summary (including key dates) of the facts on which the complaint is based, and the allegations against the Firm setting out what has been done wrong or not been done and what should we have done acting correctly. The complaint should include an explanation of how the alleged error has caused the loss claimed. This should include details of what happened as a result of you relying upon what we did wrong or omitted to do, and what might have happened if we had acted correctly. The complaint should also include an estimate of the financial loss suffered by you and how it is calculated. Supporting documents should be identified, copied and enclosed.
7. We will send an acknowledgment of your complaint within 3 working days.
8. If we consider that, for any reason, the email does not comply with these requirements, we will as soon as reasonably practicable inform you why and identify the further information which we reasonably require.
9. We will have one month from the date of our email of acknowledgment to investigate and respond to your complaint by the provision of a Letter of Response. As soon as we have completed our investigations (and in any event within one month of the email of acknowledgment unless an extension has been agreed), we will send to you a Letter of Response which will be a reasoned answer to the complaint.
10. If the complaint is admitted we will say so in clear terms.

11. If only part of the complaint is admitted we will make clear which parts of the complaint are admitted and which are denied.
12. If the complaint is denied in whole or in part, the Letter of Response will include specific comments on the allegations against us and, if your version of events is disputed, we will provide our version of events.
13. If we are unable to admit or deny the complaint, we will explain why and identify any further information which is required.
14. If we dispute the estimate of your financial loss, the Letter of Response will set out our estimate. If an estimate cannot be provided, we will explain why and when we will be in a position to provide an estimate. Our estimate will be sent to you as soon as reasonably possible.
15. If the Letter of Response denies the complaint in its entirety, it is open to you to take the matter further and any client who is not satisfied with the Firm's handling of a complaint may be entitled to ask the Legal Ombudsman of England and Wales to consider the complaint. A complaint to the Legal Ombudsman must normally be made within six months of the date of the conclusion of the Firm's complaints procedure. A client may also be entitled to apply for an assessment of a bill sent by the Firm under Part III of the Solicitors Act 1974. Please note that the Legal Ombudsman may not consider a complaint about a bill if a client has applied to the court for assessment of that bill. In addition, complaints and redress mechanisms are provided by the SRA. See www.sra.org.uk for more details.
16. In respect of any contentious work, you are entitled to ask the court to conduct an assessment of our Fees under this contract if you are dissatisfied with any aspect of those Fees. There are strict time limits within which this must be done. In particular: you have a right to have our Fees assessed if you apply to court within one month of delivery of the relevant invoice; the court has a discretion to order assessment if you apply between one and twelve months of delivery; and the court will only order assessment in exceptional circumstances if you apply after twelve months of the invoice's delivery
17. The parties should also consider whether some form of alternative dispute resolution procedure might enable us to settle our dispute without taking the matter further, and if so, endeavour to agree which form to adopt. Parties may negotiate to settle a dispute or may use a form of ADR including mediation i.e. a third party facilitating a resolution – see <https://www.gov.uk/guidance/a-guide-to-civil-mediation>.

Effective from 1 September 2021