
Listen, Inform, Respond: A guide to good complaints handling

LEGAL
OMBUDSMAN

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Introduction

In the rapidly changing world of legal services, one of the best ways to ensure long-term success is client satisfaction.

A recent survey into the use of legal services found that 82% of consumers would choose a lawyer based on personal experience or recommendations from friends, relatives and work colleagues. Satisfied customers will be loyal; they will use your services again. Satisfied customers spread the word; they'll tell other people how much they like your business and value the service you offer. You won't have to invest as much in bringing new people through your door.

Our research shows that a good complaints process – one that is well explained and easy to follow – can increase consumer confidence in a firm, especially when they are able to address problems that arise. It demonstrates that the firm has confidence in the service they offer and that they are committed to delivering to the highest standards.

We hope that this guide, which has been updated using first tier complaints research, will help lawyers and law firms to improve their levels of customer service overall, to reduce the number of complaints finding their way to the Legal

Ombudsman and to increase service standards across the profession. As well as reinforcing some of the practical and common sense approaches to good complaint handling, the guide highlights some of the steps that can be taken to ensure the process works towards a positive outcome for all.

Before you receive a complaint

Having a clear complaints process in place will mean you're ready to deal with a complaint when the time comes.

Some things to consider are:

- Appointing someone to act as a point of contact, to whom complaints should be sent in the first instance: this will avoid the possibility of complaints going unanswered due to a lack of ownership. Give their details on your correspondence and your website.
- If you don't have a dedicated point of contact, consider involving someone else early in the process. This will allow the complaint to be moderated, and gives you the benefit of a more objective viewpoint. In addition, complainants often appreciate having a second opinion.

- Your complaints process should be accessible to all, including vulnerable customers and those with special needs or requirements. You should be contactable by email, phone and letter. Complaints do not need to be made in writing. Be alert to any customer contact that looks like a complaint.
- If you are unable to resolve the complaint, you should inform your customer that they can bring it to the Legal Ombudsman. If this happens, we'll ask you for a record of any contact with the complainant to assist our investigation. You'll also be able to refer back to these documents in the event of any queries from a complainant throughout the complaints process.

Ten simple steps: Listen, inform, respond

Listen

1. **Identify when a complaint is being made.** When a customer is unhappy with the service they receive, there are factors that could prevent them from making a formal complaint. They might feel intimidated or concerned that a complaint will affect their case. Or they may have special needs or requirements, which need

accommodating in order to make your complaints process accessible and fair.

2. **Understand the reason for the complaint.** Good practice takes into consideration the type of complaint that's being made. Try to spot the signs and 'softer' cues to establish early on what type of complaint is being made. For instance, although they may not mention the word 'complaint', a customer may indicate they're unhappy with the costs or that they're confused about the length of time a case is taking to proceed.

It may also be helpful to think about any underlying reasons for the complaint. Perhaps a customer is anxious about the progress of their case, hasn't fully understood the legal process or is working to a limited budget. Take these things into account as the complaint progresses.

Inform

3. **Acknowledge the complaint within two working days of receipt.** Good practice requires a timely acknowledgement of a complaint. The experience of consumers in other sectors shows that a response within

two working days increases their confidence in a complaint handling process.

4. **Provide a map of options.** Rather than just asking the customer what they want to do next, provide options. For example, you could offer formal and informal routes to resolving their complaint. For instance, if the issue relates to greater clarity over costs, you might simply need to provide the customer with a more detailed breakdown of their bill. In this way, the complaint could be dealt with quickly and informally. On the other hand, if the complaint is about whether you have followed their instructions regarding the work it may require a more formal route in which both parties provide written evidence to support their argument.
5. **Spell out implications.** Reassure the customer that they won't be charged for complaining. Be clear and upfront about how long it will take to investigate the complaint and that you have eight weeks in which to resolve it. Additionally, some customers may be concerned that raising a formal complaint will prejudice or disrupt their case. You should explain what, if any, impact the complaint will have as early as possible.

6. **Use clear, comprehensible language and neutral tone.** Clarity in any communication is vital to a considered and effective complaints procedure. Avoid jargon and emotive or provocative language.

Respond

7. **Share your findings.** Once you have conducted a thorough investigation, and have established all the facts required to make a decision, share the findings and your conclusion with your customer. Include as much detail as is necessary for the customer to understand how and why you reached a decision.
8. **If you find that you provided poor service** acknowledge what went wrong and offer the customer a suitable remedy, along with a full explanation of what happened. The remedy should be proportionate to the level of poor service. For example, if there was a small administrative error that didn't adversely impact their case but which caused minor inconvenience, an apology might be more appropriate. If, on the other hand, they've been overcharged, it would be sensible to apologise, refund the amount and perhaps pay a small amount of compensation.

9. If you decide you offered a reasonable service

provide a full and clear explanation about how you reached that decision and show evidence where possible.

10. Signpost the customer to the Legal Ombudsman.

If you can't agree on a resolution to the complaint you must signpost your customer to us.

In summary

Good complaints handling can be positive for firms – dealing with complaints effectively gives consumers confidence that a firm is customer focused. An effective complaints process can also help you learn from mistakes and identify ways to improve the services you are providing, which can only be good for business.

How to contact us

You can call us on 0300 555 0333

(Calls to the Legal Ombudsman cost the same as a normal 01 or 02 landline number, even from a mobile phone, and are recorded for training and monitoring purposes.)

We are open Monday to Friday between 8.30am and 5.30pm.
If you are calling from overseas, please call +44 121 245 3050.
For our minicom call 0300 555 1777.

You can also email us at enquiries@legalombudsman.org.uk

If you want to find out more about us and what we do, please
visit www.legalombudsman.org.uk

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