

CLC Complaints Policy

We are committed to providing a first class quality service to all our clients in accordance with the CLC Code of Conduct and their 6 overriding principles. The Firm operates an effective complaints procedure in accordance with the Complaints Code. The complaints procedure achieves delivery of the following outcomes:

The Firm will

- Accept responsibility where the service provided is not of the expected standard and provide appropriate redress for the Client where necessary (outcome 6.3).
- Ensure that the handling of complaints takes proper account of Clients' individual needs, including those that are vulnerable (Outcome 6.4).
- Ensure complaints are dealt with impartially and comprehensively (Outcome 6.5).

Further the Firm will:

1. Act with independence and integrity;
2. Maintain high standards of work;
3. Act in the best interests of our clients;
4. Comply with your duty to the Court;
5. Deal with regulators and ombudsman in an open and co-operative way;
6. Promote equality of access and service;

Operating an effective Complaints Procedure is fundamental in the early resolution of any complaint.

The definition of a complaint is any expression of dissatisfaction by a client, whether justified or not. It is not intended to include any expression of dissatisfaction on any issue which has been immediately and successfully resolved by the Licensed Conveyancer concerned, and which has related to the subject matter of the case in hand. A complaint may be identified in the form of a letter, e-mail, telephone call, face to face conversations or by way of notification on social media.

If we receive a complaint, we will deal with it calmly and objectively. Wherever possible, the simplest way is to offer a practical solution. If you are not happy with the answer we have provided, then we will refer the matter to our Complaints Handler, Simon Long (Director) who will investigate your complaint constructively, impartially and fairly basing his decision upon sufficient investigation of the circumstances. The response will be reported in line with our Complaints Procedure.

On receipt of a formal complaint, Simon Long will commence the steps for action outlined in the Complaints Procedure. The Complaints Procedure fully outlines each key stage and target dates set to deal with each step as the matter progresses. Formal complaints will be acknowledged within 2 working days of receipt. In line with the Complaints Code a complaint will be treated fairly and a response will be provided within 28 days. Where redress is concerned the same will be actioned within 28 days of the initial complaint. If you are unsatisfied with the handling of your complaint you may escalate your complaint to the Legal Ombudsman, you may do this after 8 weeks of notifying us of your initial complaint. You are also entitled to refer your complaint to the Legal Ombudsman for further investigation. Before accepting a complaint for investigation the Legal Ombudsman will check that you have tried to resolve your complaint with us first. If you have, then you must take your complaint to the Legal Ombudsman:

- Within six months of receiving a final response to your complaint and
- No more than six years from the date act/omission; or
- No more than three years from when you should have reasonably known there was cause for complaint.

The written response will include the following:

- A clear explanation of our assessment of the complaint;
- The outcome, decision of the complaint;
- Offer of remedial action and/ or redress where a complaint is upheld;
- Information on complaint handling review procedure (if applicable), its timeframes and how it can be assessed;
- Sign posting to the Legal Ombudsman, advising of your right to complain, the time constraints and their contact details;

If you are dissatisfied with the resolution process and the resolution outcome, you are able to refer this matter to the Office of the Legal Ombudsman, PO Box 6806, Wolverhampton, WV1 9WJ.

Telephone: 0300 555 0333

Email: enquiries@legalombudsman.org.uk

Reporting Problems

We are regulated by the Council of Licensed Conveyancers (CLC) and are required to comply with the CLC's Regulatory Arrangements. These set out the professional standards expected of all practices and individuals. The CLC work with practices and individuals to mitigate any risk they may pose to the public by helping them comply with these Regulatory Arrangements.

Complaints are separated into three types:

Service Complaints- referred to the practice

A service complaint is about the service a client had received from a CLC regulated practice. The CLC does not investigate or determine these complaints. A service complaint can usually be made by the client, who should always refer to us first to try and resolve the issue.

Negligence complaints referred to the practice

We will generally treat complaints as negligent complaints where the compensation payable if the complaint is agreed is likely to be substantial and/or there is a dispute as to whether we have made a mistake. All CLC Practices have Professional Indemnity insurance (PII) to provide cover in these situations.

Please email the CLC on clc@clc-uk.org if you believe that we have not responded promptly after you have set out your concerns in writing to us.

Most disputes are resolved quickly by the parties. If they are not, court proceedings are started which are decided by a single judge applying the law on the basis of the evidence given by the parties.

Where the CLC is aware that a complaint has been referred to insurers it will generally take no further action in relation to the complaint until it has received confirmation that the matter referred to insurers has been resolved (the claim is either paid- in whole or in part – or it is rejected by insurers).

After the matter has been determined by insurers and at the request of the complainant, the CLC will determine whether there is a conduct complaint which should be investigated (see details below).

Conduct Complaints – Investigated by the CLC

The CLC does not operate a general complaints service about CLC regulated persons. The CLC can only investigate complaints about the professional conduct of a CLC regulated person/practice.

You may raise a complaint about the conduct of the CLC regulated persons if their actions may have been breached the CLC's Code of Conduct or other regulatory Arrangements.

What is a conduct complaint?

A copy of the CLC's codes can be found here: <https://www.clc.-uk.org/handbook/the-handbook/>.
The CLC do not have power to award the compensation for poor service or to reduce or refund legal fees.

A conduct complaint will generally include breach of one or more of the following overriding principles (set out the CLC's Code of Conduct):

Act with independence and integrity

Maintain high standards of work

Act in the best interests of your Clients;

Deal With regulators and ombudsmen in an open and co-operative way

Promote equality of access and service

A conduct complaint will often include mismanagement of client money

To make a conduct complaint please complete the [Complaints Form](#).

You will be asked to provide documentary evidence in support of your complaint. Such documentation should support the grounds of the complaint and must be relevant to your complaint.

If you make a valid claim against us for a loss arising out of work for which we are legally responsible, and we are unable to meet our liability in full, you may be entitled to claim from the Compensation Fund administered by the Council for Licensed Conveyancers (from whom details can be obtained”).

The CLC operates a compensation fund. You can apply for compensation if you suffered an actual loss of money or of monetary value arising out of work that we are legally responsible for and if we are unable to meet the liability in full.

You can make a claim if you have suffered a loss that was caused by:

- Dishonesty
- Fraud
- Negligence
- Failure to account for money received

The CLC will not consider making a payment unless it is satisfied that a person has taken all necessary and appropriate steps.

To apply for compensation you must contact the CLC as soon as possible if you:

- Are considering making an application for a grant (applications need to be made within 6 months after you have discovered you may have a claim) or
- Are considering taking legal advice (since only in exceptional circumstances will the CLC make an allowance for legal costs claimed by an applicant)

Application Forms are available by email, or you can call 0203 859 0904