

Goodwin Procter (UK) LLP – Complaints Handling Procedure

UK Offices

Summary: We are committed to providing a high quality legal service and to dealing with all our clients fairly. However, we also acknowledge that, as in all businesses, dissatisfaction with our service can occasionally happen. This procedure tells you what you can do if something has gone wrong, and explains how we will deal with that complaint. This procedure applies to complaints about our charges in the same way as to any other complaint.

1. Who can complain?

- 1.1 This procedure applies to complaints from our clients. It also applies to complaints from third parties but, for the reasons set out in paragraph 1.2 below, we may have to delay or reject those complaints.
- 1.2 Our primary duty is to our clients; however, in performing those duties we may do things to which third parties object, even though we may be acting within the law, applicable procedure, and our professional code. Whether we have been in breach of a duty to a third party will, in certain circumstances, be a matter for someone else to decide. For example, the way we behave in court is primarily a matter for the court.

2. How do you make a complaint?

- 2.1 For clients, in the first instance, we would like to resolve any complaints (including complaints about our charges) through an informal discussion (either in person or on the telephone / video call) with the matter partner responsible for your engagement or, if the complaint is in relation to more general matters, your relationship partner (if different). Their names and contact details will be in the engagement letter you received when you first instructed the firm, or should have been given to you when you first instructed us on the relevant matter. Please let us know if you need to be reminded of those details
- 2.2 If you would prefer to put your complaint in writing (by email or letter) to the matter partner or relationship partner, you are welcome to do so. You are also welcome to put your complaint in writing (by email or letter) if you have attempted to address the problem informally but this has not been successful. In either event, please write to the relevant partner setting out the problem and stating that you are making a formal complaint under the firm's complaints handling procedure.
- 2.3 If you are a third party, please address your complaint in writing to the person with whom you are dealing, or to their supervising partner, saying that you are making a formal complaint under the firm's complaints handling procedure. If you have instructed solicitors in relation to the relevant matter, our professional rules may restrict our ability to correspond with you directly.
- 2.4 To help us to understand your complaint, and in order that we do not miss anything, please tell us:
 - 2.4.1 your full name and contact details;
 - 2.4.2 what you think we have got wrong;
 - 2.4.3 how you would like your complaint to be resolved; and
 - 2.4.4 your file reference number (if you have it).

3. How will we deal with your complaint?

3.1 We endeavour to acknowledge any written complaint as soon as possible. When acknowledging your complaint we will tell you when you should next hear from us. Where possible, we will aim to do this within a further 21 days.

3.2 We will investigate your complaint. This will usually involve:

3.2.1 reviewing your complaint;

3.2.2 reviewing your file and other relevant documents;

3.2.3 liaising with the people who dealt your matter; and

3.2.4 making any wider enquiries with the firm as may be necessary.

3.3 We may also need to ask you for further information or documents. If so, we will ask you to provide the information within a specified period of time.

3.4 After we have carried out our investigation, we will respond to you fully, usually in writing, and we may suggest a meeting. We will tell you about our reaction to your complaint and how we propose to resolve it in a way which we hope will be to your satisfaction.

4. What if you are not satisfied with the outcome?

4.1 If you are not satisfied with our response, please write (by email or letter) to [Gemma Roberts](#) and / or [Ajay Pathak](#), as the firm's designated complaints handling partners. They will review the way in which your complaint has been handled to date and will either:

4.1.1 review the substance of your complaint themselves; or

4.1.2 appoint another senior partner in the firm to look at the complaint,

assisted where appropriate by any relevant partners or staff.

4.2 We may have to ask you to clarify your complaint further, which may involve explaining more clearly what we have done or not done, what the consequences have been for you, and what you would like us to do in order to resolve the issue.

4.3 We will then undertake whatever work we consider necessary to investigate your complaint. We will respond to you when that investigation has been completed. Where possible, we will aim to do this within 21 days of receipt of your letter or email to the firm's designated complaints handling partners or receipt of the further information from you, whichever is the later. However, this will depend on the complexity of the problem and the quantity of documents to be read.

5. What will it cost?

The firm will not charge you for handling your complaint.

6. The Legal Ombudsman

6.1 If you are a client and your complaint remains unresolved, you may have the right to refer your complaint to the Legal Ombudsman. The Legal Ombudsman is an independent organisation which deals with service complaints about solicitors and other legal professionals. This will not affect how we handle your matter.

6.2 The Legal Ombudsman will consider complaints from:

6.2.1 individuals;

- 6.2.2 very small businesses;
- 6.2.3 a charity, club or organisation with an annual net income of less than £1,000,000;
or
- 6.2.4 a trust with a net asset value of less than £1,000,000.

The Legal Ombudsman also accepts complaints from prospective clients, either where they have unreasonably been refused a service or have persistently or unreasonably been offered a service that they do not want.

- 6.3 There are time limits which apply for submitting your complaint to the Legal Ombudsman. Generally, you must do so within 6 months of receiving our final written response to your complaint. The Legal Ombudsman will also only accept a complaint if it is referred within one year of the problem arising, or one year from when you should reasonably have known there was a cause for complaint.
- 6.4 You may be entitled to have our fees and expenses reviewed by the court by applying for an assessment of our invoice under Part III of the Solicitors Act 1974. This applies to all our work and is not limited to the conduct of litigation. If you invoke this procedure within a month from the date of our invoice, your right to a detailed assessment is unconditional. If you delay beyond a month the court may impose conditions. Once a year has elapsed since the date of the invoice you will lose the right to a detailed assessment unless there are special circumstances. The Legal Ombudsman may not consider a complaint about an invoice if you have applied to court for such an assessment.
- 6.5 Before it will consider a complaint, the Legal Ombudsman generally requires that a firm's internal complaints handling procedure has been exhausted. If the Legal Ombudsman is satisfied that the firm's proposals for resolving the complaint are reasonable, it may decline to investigate further. If the Legal Ombudsman believes that there may have been a breach of the rules governing the professional conduct of solicitors (as opposed to a problem with the service we have provided) it may refer the matter to the Solicitors Regulation Authority which is a separate independent body charged with the regulation of the solicitors' profession.
- 6.6 For further information, including in relation to types of complaint that you could expect the Legal Ombudsman to deal with, visit the Legal Ombudsman's website at www.legalombudsman.org.uk.
- 6.7 Alternatively, you can contact the Legal Ombudsman:
 - 6.7.1 by post at PO Box 6167, Slough, SL1 0EH;
 - 6.7.2 by telephone on 0300 555 0333 (or, from overseas, on +44 121 245 3050); or
 - 6.7.3 by email at enquiries@legalombudsman.org.uk.

7. The Solicitors Regulation Authority

- 7.1 If you are a client or a third party and your complaint relates to the professional conduct or behaviour of either the firm or any of its partners or employees (for example, where there has been a failure to comply with the [SRA Code of Conduct for Solicitors](#), the [SRA Code of Conduct for Firms](#) or the [SRA Principles](#)), you can raise your concerns with the Solicitors Regulation Authority as set out in more detail here: <https://www.sra.org.uk/consumers/problems/report-solicitor/>.
- 7.2 Alternatively, you can contact the SRA:
 - 7.2.1 by post at The Cube, 199 Wharfside Street, Birmingham, B1 1RN;

7.2.2 by telephone on 0370 606 2555 (or from overseas +44 121 820 2250); or

7.2.3 by getting in touch on the website here: <https://www.sra.org.uk/home/contact-us/>.

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