

COMPLAINTS PROCEDURE

What if things go wrong?

All of us at Payne Hicks Beach pride ourselves on doing the best job we can for our clients, whatever the nature of the task in hand, and on maintaining the excellent reputation of the Firm.

However we are only human and we have to recognise that occasionally we may fall short of the high standards to which we all aspire.

We will have told you at an early stage the names of:

- the partner in the Firm who has overall responsibility for our relationship with you as a client;
- any other members of staff who will handle individual matters for you and their status in the Firm; and
- if different from either of the above, the partner in the department handling any given matter for you who has responsibility for the supervision of that matter.

Whom should you contact?

Should you feel at any point that something has not gone right in the way in which we are handling your affairs, and which cannot be immediately put right by those handling or supervising the particular matter, please contact your usual client relationship partner.

Alternatively, or if you are for any reason not satisfied with the response from your client relationship partner, please contact the Firm's Complaints Officer, Jonathan Sewell (telephone: 020 7465 4388 or email: jsewell@phb.co.uk).

In either case, it will help us in dealing with your complaint if you can describe as clearly as possible the problem as you see it, and also say what you want us to do about it.

How will we approach your complaint?

The person looking into your complaint (either the client relationship partner or the Complaints Officer) will, wherever appropriate, call for the file internally and review it, including speaking to whoever has the conduct and supervision of the matter in question. He or she will then report back to you as soon as practicable with the results of the investigation and with any proposals as to what should be done in the light of your complaint. Where appropriate, this may include suggestions as to what we, and possibly you, can do to avoid the problem recurring. You are naturally free to come back to us and discuss these conclusions and proposals as necessary, in writing or at a meeting if you prefer.

We will make every effort to deal with your complaint promptly, fairly and effectively. Our normal aim is to let you have at least an interim response within 14 days, or to tell you within that time how much longer the response is likely to take and why. However, please bear in mind that, if what you say involves a suggestion that our conduct of your affairs has caused you loss for which you consider the Firm to be legally liable, the terms of our indemnity insurance cover do not allow us to accept responsibility, or to make any offer of amends, without having first submitted a full report to our insurers and cleared the proposal with them in detail. That is so even if we ourselves think your complaint is justified and can immediately identify a fair way of putting matters right. Experience shows that this can sometimes lead to delays which are outside our control.

What if you are still not satisfied?

If the client relationship partner or Complaints Officer has not been able to resolve matters to your satisfaction and you are an individual or represent a small enterprise, charity, club, association, organisation or trust you can refer the matter to the Legal Ombudsman. Ordinarily, you can ask the Legal Ombudsman to investigate your complaint if it meets the

following criteria:

- the problem, or when you found out about it, happened after 5 October 2010; and
- you refer your complaint to the Legal Ombudsman within either six years of the problem happening or three years from when you found out about it; and
- you refer your complaint to the Legal Ombudsman within six months of our final response.

If you are in any doubt as to your rights in this respect you should check these with the Legal Ombudsman.

The Legal Ombudsman's contact details are:

Address: PO Box 6806, Wolverhampton WV1 9WJ

Tel: 0300 555 0333

Email: enquiries@legalombudsman.org.uk

Website: www.legalombudsman.org.uk.

The Legal Ombudsman may not be able to adjudicate on a claim that the Firm may be legally liable for loss you have sustained. It should become clear in the course of our looking into the complaint if this is what is involved. If we are not able to sort this out to your satisfaction with our insurers' approval, you will have to take independent legal advice on the matter.

What if your complaint relates to our charges?

If you are dissatisfied about any invoice which you receive from the Firm, you may make use of the complaints procedure set out above.

You may also apply to the court for an assessment of the invoice in accordance with Part III of the Solicitors Act 1974. To apply for an assessment you should do so within One (1) month of our delivering the invoice to you or of our notifying you of your rights in this respect. The contact details of the court to which you should apply are:

Name: The Senior Courts Costs Office

Address: Clifford's Inn, Fetter Lane, London EC4A 1DQ

Tel: 020 7947 7124.

If you are entitled to make a complaint to the Legal Ombudsman as above, you may also be entitled to complain in respect of an invoice within six months as above, although the Legal Ombudsman will not deal with a complaint about an invoice if you have applied to the court for an assessment.

A notice about complaints relating to the Firm's charges and the right to an assessment is printed on the back of all invoices issued by us. Additional copies of the notice are available on request.

Leaflets giving further information on complaints, whether about fees or generally, and on negligence claims, are available from the Legal Ombudsman at the contact details given above or from the Firm's Complaints Officer.

What if you are not a client?

In appropriate circumstances, we will also deal with complaints from prospective clients. Third parties may complain, for example, about an insurance contract we have arranged. Any third party or prospective client wishing to complain should contact the Firm's Complaints Officer in the first instance.

The Legal Ombudsman will ordinarily investigate complaints made by prospective clients and any person may report professional misconduct, dishonesty or discrimination to the Solicitors Regulation Authority (telephone: 0370 606 2555, website: <https://www.sra.org.uk>).

Further information about the Legal Ombudsman, the Firm's Complaints Officer and our time estimate for responding to complaints (where applicable) is set out above.