

# Identifying and dealing with Complaints at first tier

Jason Chapman    Ombudsman

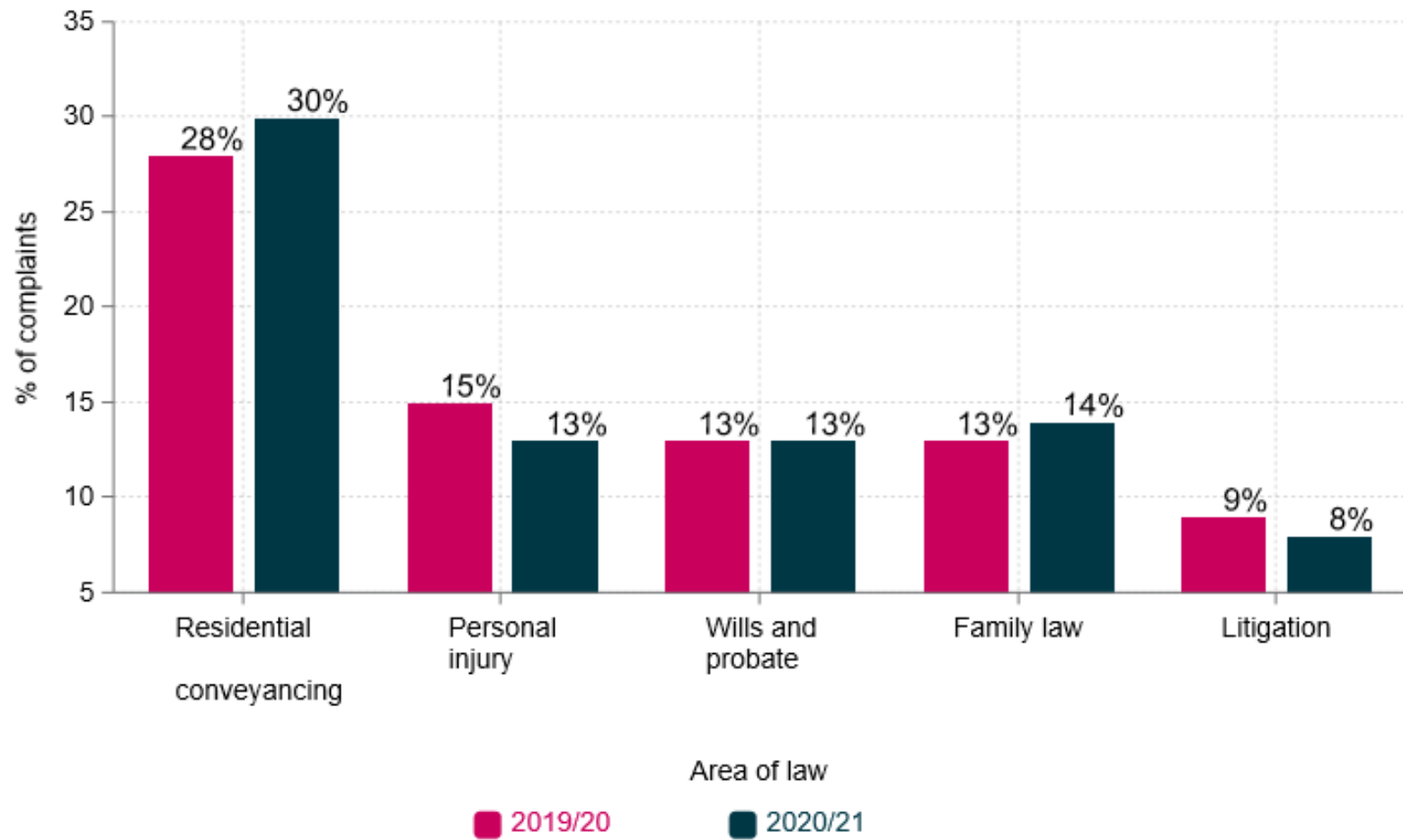
# Purpose

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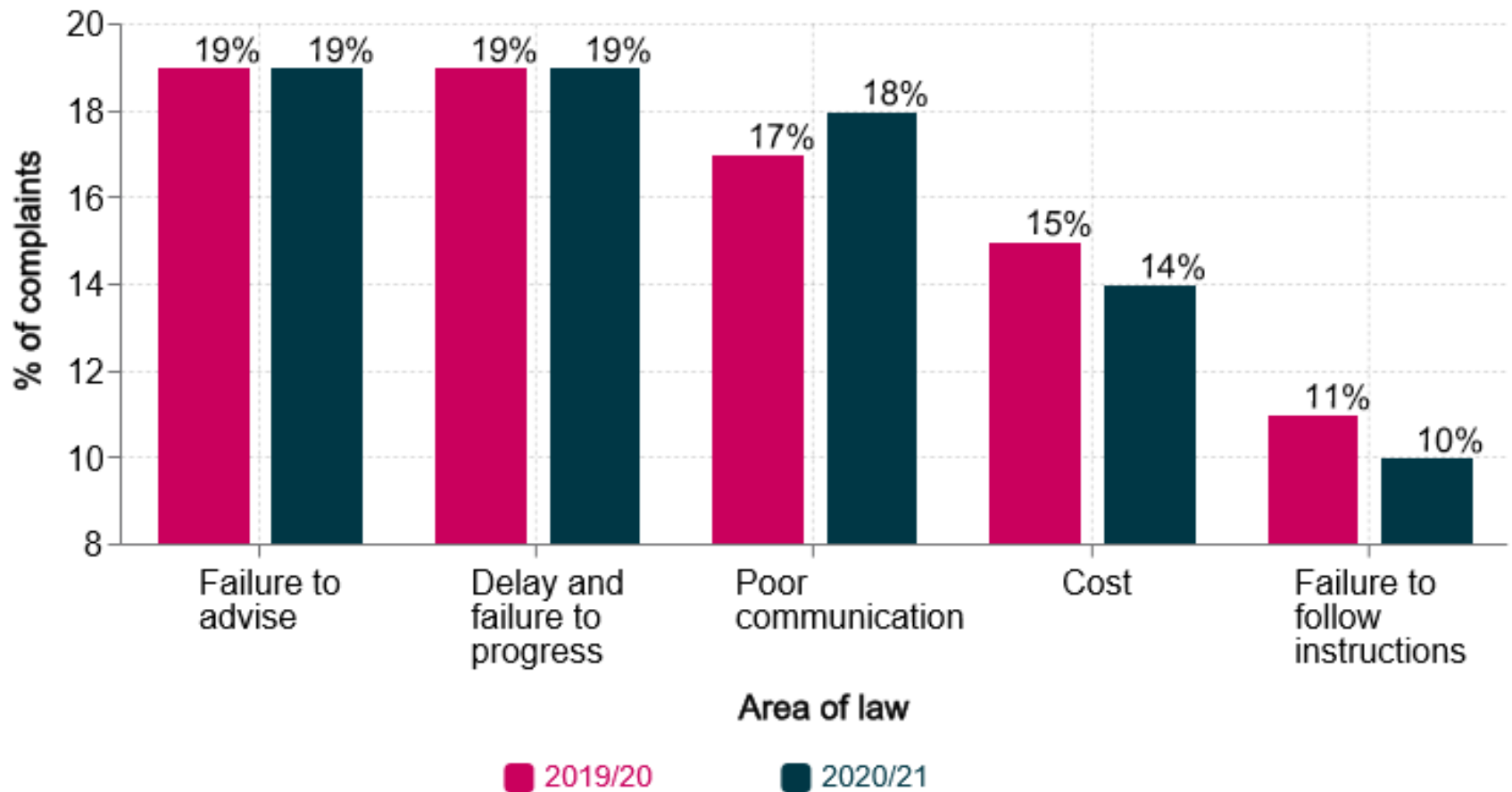
## Aims:

- Share the latest data
- In 2020/21, the Legal Ombudsman received 6,246 contacts from customers wanting to complain about their lawyer who had not raised a formal complaint with the service provider first
- We have undertaken research to determine why customers come directly to the Legal Ombudsman rather than approaching their service provider first
- We want to inform service providers on why customers are not raising complaints with them and tell them, from the findings we have made, what they can do to make it easier for customers to raise issues with them so they can deal with them

What areas of law attracted the most complaints?



### What did people complain about?



# Why don't customers complain

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## And why do they come directly to the Legal Ombudsman:

- **Lack of confidence** that the service provider would deal with the complaint fairly or were worried that they would withdraw
- **Lack of awareness** of the service provider's complaints process and that the customer could make a complaint to either a complaints handling partner or a complaints department – poor signposting or lack of information
- **Lack of understanding** about where the Legal Ombudsman fits into the complaints process - 52% of respondents are not told about LeO at any point
- Complaining is **time consuming**
- Complaining is unpleasant and customers feel **intimidated**



# Lack of confidence

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- ✓ Encourage feedback from your customer and make it clear what they need to do if they want to make a complaint
- ✓ Learn to spot potential issues and complaints so you can deal with them

Use a complaint as both,

- ✓ A feedback mechanism, and
- ✓ An opportunity for learning

- × Dissatisfied customers tell 15 other people.
- × 70% of people who have a bad experience will warn others not to use the same organisation.

(Institute of Customer Service 2013)

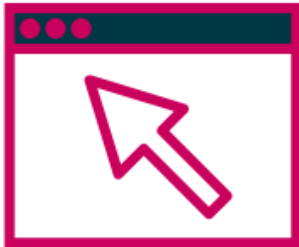
## Lack of awareness and understanding

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- Of the five service providers who had the most premature complaints in 2020/21:
  - only one published its complaints procedure online
  - two asked customers to contact them if they had a complaint for a call back
  - two had no information online regarding how to complain at all
- 47% of premature complainants contacted the Legal Ombudsman as they did not know how to complain to their service provider
- The SRA's 2018 Transparency Rules require service providers to publish complaints procedures on their website

# Lack of awareness and understanding

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Make it clear how a customer can raise a complaint if they have cause to do so – have a complaints handling procedure in place and include information in initial client care letter and on website if you have one, including what the customer has to do and who they have to contact

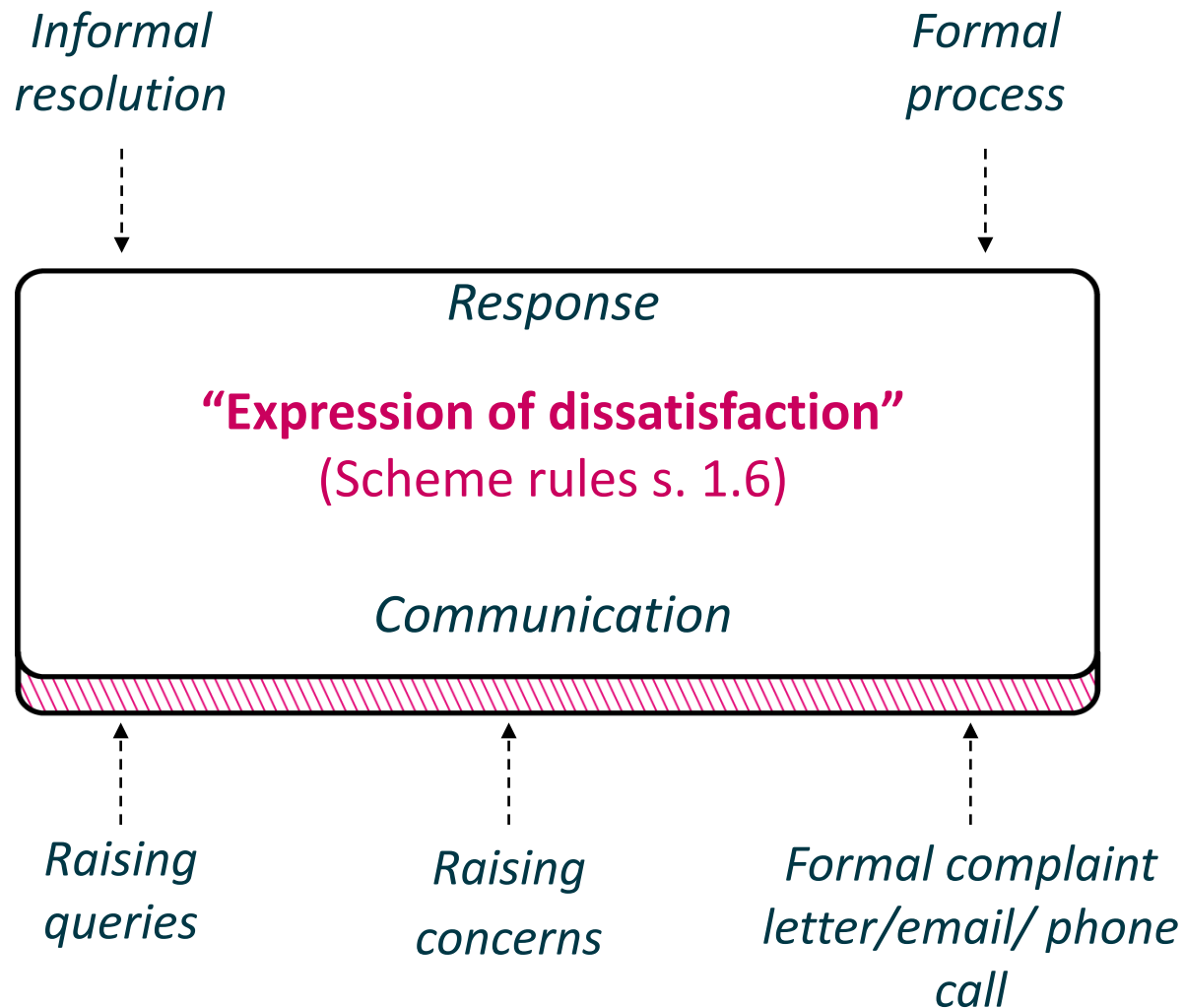


Recognise complaints and potential complaints and address them

The Legal Ombudsman will not accept any complaints for investigation unless the service provider has been given the opportunity to resolve the complaint first



# Recognising a complaint



# Awareness – signposting to LeO

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At the beginning:

- Include LeO in client care letter and complaints process

At the end:

- Ensure LeO contact details and timescales are in your final response\* letter:
  - Consumer has *6 months*\*\* from date of final response to bring the complaint to LeO
  - LeO can accept complaints about problems that have arisen in the last *6 years* (or if the matter is older than 6 years then the consumer should have become aware of the problem in the last *3 years*).  
(LSB requirements)

*\* If you do not hear from the consumer send final response within 8 weeks.*

*\*\* 6 month timescale does not apply if not in the letter*

# Overview of complaints process

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## 1. Listen

Is a complaint being made?  
What are the reasons for the complaint?

## 2. Inform

Acknowledge and explain the process  
Reassure about any worries

## 4. Learn

Root cause analysis?  
Any lessons for staff or firm?

## 3. Respond

What did you find out?  
How will you put things right?  
Send final response within 8 weeks and signpost

# Feeding back to the profession

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[courses@legalombudsman.org.uk](mailto:courses@legalombudsman.org.uk)

**Thank you for your  
time**



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