STIKEMAN ELLIOTT (LONDON) LLP

Authorised and regulated by the Solicitors Regulation Authority SRA No. 569318

Complaints

Effective October 2011

1. POLICY STATEMENT

1.1. We are committed to providing a high quality, professional, efficient and courteous service to all our clients.

1.2. The aim of this policy is to establish procedures for dealing with any complaints from clients about our services.

1.3. Through this policy the firm accordingly seeks to ensure that it:

- knows about client dissatisfaction if and when it does arise;
- takes all reasonable steps to ensure that the dissatisfaction is addressed and resolved wherever possible;
- reassures all clients who do complain that the firm will address their concerns without delay and that it takes all complaints seriously;
- learns from experience to lessen the risk of complaints in the future.

2. WHO AND WHAT IS COVERED BY THIS POLICY?

2.1. This policy applies to all individuals working at all levels including partners, solicitors, lawyers, employees, consultants, contractors, trainees, homeworkers, part-time and fixed-term workers, casual and agency staff (collectively referred to as **staff** in this policy).

2.2. This policy applies to all any expression of dissatisfaction which alleges that a client has, through our fault, suffered (or may suffer) financial loss, distress, inconvenience or other detriment made by a client in any manner which the relevant lawyer is unable immediately to resolve to the client's satisfaction and which the client wishes to take further (a "**complaint**").

3. COMPLAINTS HANDLING

None of us likes to be the subject of a complaint, but if the firm is truly committed to providing a quality service to clients it needs to pick up on client dissatisfaction when it does arise and address it as best it can.

If a number of staff receives a compliant, then it must be handled in accordance with the procedures set out in the firm's Complaints Procedure and always promptly and fairly. In particular:

- a written record is kept of any complaint, what it relates to and the date it is received (see the Complaint Report Form)
- the complaint is acknowledged in writing within three working days, if not resolved immediately on being made to the client's satisfaction
- (a diary note is made to) ensure a full response is made within 14 days (both initially or when a review is requested)
- an appropriate and sufficient investigation of the circumstances of the complaint must be undertaken
- we must be responsive to the needs of individual clients, particularly any that are vulnerable
- we must provide to clients all necessary information concerning the handling of the complaint
- a log of all complaints will be kept, including our response and whether the client's complaint has been addressed to his satisfaction.

4. INTERNAL REPORTING

If it is necessary to report a complaint staff must complete the Complaints Report Form and forward it to Managing Partner and Compliance Officer. Client complaints will usually involve no risk of loss to the firm or the client, but if there is any chance that the complaint could amount to circumstances that should be reported to our insurers you must stray on the side of safety by reporting it as such.

The Managing Partner (or Compliance Officer) will maintain a record of all complaints reported to them and responses made. You must give them a copy of each communication with a client relating to a complaint. We must report to the SRA each year any complaint and our handling of them.

To enable us to do so, when reporting a complaint please categorise it using the following categories:

Conduct: This category covers complaints in which an element of the complaint is deemed to constitute a potential breach of the core principles in the Code of Conduct by the firm. These are issues that the Legal Ombudsman does not have the jurisdiction to investigate and will refer to the SRA to investigate - for example, fraud, conflict, misleading.

Costs information deficient: This category covers complaints about inadequate costs information and about final costs in excess of those specified in the costs information.

Costs excessive: This category covers complaints that the fees charged by the firm are too high.

Criminal activity: This category is to record complaints that the firm, or a member of the firm, has been involved in criminal activity.

Data protection: This category is for complaints that the firm has failed to protect the confidentiality of a client.

Delay: This category is for circumstances in which a client complains that the service provided by the firm has caused a matter to go on for longer than it otherwise would have done.

Discrimination: This category is for circumstances in which a client complains that the basis for the poor service received is one of discrimination.

Failure to advise: This category is for complaints in which it is reported that the firm did not provide legal advice which would reasonably have been expected.

Failure to comply with agreed remedy: This category is for complaints in which we agreed with the client how to resolve their concerns but failed to implement the remedy.

Failure to follow instructions: This category is for complaints in which it is reported that a client's instructions have not been followed.

Failure to investigate complaint internally: This category is for complaints in which a client reports that the firm has failed to investigate their complaint.

Failure to keep informed: This category is for complaints in which it is reported that the firm has not kept a client informed of progress.

Failure to keep papers safe: This category is for complaints in which it is reported that the firm has lost a client's papers.

Failure to progress: This category is for complaints in which it is reported that you have failed to act as would reasonably be expected in moving a client's case forward.

Other: This category is for complaints that do not easily sit within one of the other categories.

5. COMPLAINTS REVIEW

It is the responsibility of the Managing Partner to review all complaints records annually to enable him to report to the firm on any trends. This will form part of an annual management review which is considered by the Partners. It is essential that all staff learn from their experience and address any underlying problems. In this way the firm can use its complaints data to help to prevent future difficulties.

6. COMPLAINTS PROCEDURE

The firm's complaints procedure must be brought to the client's attention at the outset of the matter and made available to any client that requests it and will be reviewed/amended by the Managing Partner as necessary to reflect experience.

We **must**, at the conclusion of the complaints procedure, inform clients of their right to complain to the Legal Ombudsman and record in the Complaints Register if the complaint is referred to him.

7. CLAIMS

If staff become aware of any act or omission which they consider could give rise to a claim by a client against the firm, then:

- this must be notified to the Managing Partner and the Compliance Officer under our Regulatory Compliance policy
- if the Partner considers that such a claim could be made, then the client must be informed as should the firm's insurers.

8. RESPONSIBILITY FOR THE SUCCESS OF THIS POLICY

8.1. The Partners have overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.

8.2. The Managing Partner has day-to-day operational responsibility for this policy, and must ensure that all Partners and other staff who may deal with complaints receive regular and appropriate training.

8.3. The Managing Partner, in conjunction with the Partners should review this policy from a legal and operational perspective at least once a year.

8.4. All staff are responsible for the success of this policy. Appropriate training in respect of this policy will be given to staff on induction and as part of our ongoing training process. Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the London Managing Partner.

Attachment:

A. Complaints Procedure - document number 121150

B. Complaints Report Form - document number 135601

C. Complaints Register - document number 135594