REGULATION & COMPLIANCE OFFICE

COMPLAINT MANAGEMENT SERVICE

SCOTTISH LAW FIRMS

INDEX

In this brochure, you will find out more about what is included within our Complaint Management Service for Scottish Law Firms:

PAGE

1 COVER

2 INDEX

3 INTRODUCTION

3 OUR SERVICE - AN OVERVIEW

4 OUR SERVICE - THE DETAIL

5 OUR PRICING

5 ABOUT US

5 GET IN TOUCH

AN INTRODUCTION

The Regulation and Compliance Office (RACO) Complaint Management Service has been designed to deliver law firms in Scotland with an outsourced, independent and efficient way of managing complaints. Unfortunately, complaints are often unavoidable and the consequence of providing legal services. Whilst most firms receive very few complaints, the handling of them is a cost which cannot be recovered, and they are an unfortunate diversion for senior staff and fee earners.

Firms must take complaints seriously and the quicker they are dealt with, the easier they are to resolve. When a complaint is received an immediate investigation should be undertaken to resolve the complaint as quickly as possible.

- Where the complaint is justified, addressing the issues quickly will hopefully result in the complaint being managed and not escalated.
- Where the complaint is unjustified, an assertive and understanding explanation should again resolve matters and avoid further escalation.

The assistance of an external expert who specialises in the handling, management and resolution of complaints is both a cost effective and focussed way of ensuring any complaints received by your firm are resolved effectively.

OUR SERVICE - AN OVERVIEW

The Complaint Management Service is designed to provide Scottish law firms with an expert solution that operates impartially and independently, but always in the best interests of the firm and their clients. Our Service covers the initial intimation of a complaint, the investigation and liaison with the client through to the final resolution. Core elements of the Complaint Management Service are:

1. **Cost Effective** - It is a cost-effective way to manage complaints and fee earners can focus on delivering service rather than non-fee earning tasks that do not generate fees.
2. **Responsive** - We are responsive to the needs of our client and recognise that complaints must be dealt with quickly and efficiently to avoid escalation.
3. **Impartial expertise** - Our advice and service is impartial and will help deliver quick and effective resolution of complaints. Clients will respect that an independent expert is reviewing their complaint which will often result in a conciliatory approach with less emotion.
4. **Effective Resolution** - Through effective management we will seek to resolve the complaint with minimum negative impact on the firm and in the best interests of the firm and the client.
5. **Avoidance of Escalation** - The focus of our service is to avoid escalation of a complaint to the Scottish Legal Complaints Commission (SLCC) or The Law Society of Scotland where costs, fines and damages can increase substantially.
6. **Technical Advice** - Our complaint handlers understand legal services and their provision. Where the complaint is of a purely technical nature, we will work with your technicians to draft the appropriate response.

7. **Partnership** - We will not commit the firm to a direction that they are not comfortable with. Our service is advisory and whilst we will guide the firm on the appropriate action to take to resolve the matter, we will always be sensitive to the firm's own requirements.
8. **Compliance** - The management of complaints by The Regulation and Compliance Office will ensure the firm is meeting its regulatory obligations.
9. **SLCC** - We will represent you if a complaint is escalated to SLCC and where necessary, ensure that any penalty action is minimised and where appropriate disputed.

Our service has been designed to ensure that firms do not suffer negative consequences of complaints through cost effective management.

OUR SERVICE - THE DETAIL

To access RACO's Complaint Management Service is simple. There is no contract, and we charge firms based on a case-by-case basis. Our fees are calculated based on the time spent and the complexity of the issues. Please refer to pricing below for more information on the fees we charge.

We handle complaints of all types including those direct from a client or their representatives, through to a complaint presented by The Scottish Legal Complaints Commission. We will work within your own complaint management policy and the requirements of The Law Society of Scotland, and we will work to strict service agreements, ensuring that all complaints are handled responsively and effectively.

The service delivery works on the following basis:

1. **Engagement** - The firm confirms it requires The Regulation and Compliance Office (RACO) to manage its complaints there is no commitment to send complaints, but we must enter an agreement to protect the firm and its clients. The service will only be used when a complaint arises that the firm wishes The Regulation and Compliance Office to manage.
2. **Agreement** - The firm and RACO will enter an agreement and confidentiality agreement that is compliant with the Law Society's Codes of Conduct and GDPR.
3. **Instruction** - If a complaint is received, the firm will provide details to RACO via phone, email or post and advise the client that RACO has been instructed to review their complaint on an independent and impartial basis.
4. **Review & Investigation** - RACO will review the file and as necessary speak with the fee earner and the client or their representative, to establish the cause of the complaint and identify any issues.
5. **Report** - We will report back to the firm with a draft response to the complaint, making clear recommendations on action to be taken with an agreed action plan.
6. **Implementation** - Following formal approval of the response, we will issue this to the client or their representative and seek to resolve the complaint in accordance with the agreed action plan. As necessary we will return to the firm to discuss any further issues that arise and adapt or amend the action plan to resolve the complaint.
7. **Resolution** - We will work with the firm and the client or their representative to bring the complaint to a close on the best terms possible.

Our Complaint Management Service is responsive and interactive and will ensure cost effective and efficient complaint management resolution.

OUR PRICING

Our charging is simple:

1. Our Practice Managers charge £80 per hour for Complaint Management, and we would expect a Practice Manager to handle most complaints.
2. Our Practice Directors charge £150 per hour and a complaint of complexity or when the firm specifically request a Practice Director to handle the matter.

We work to a fixed hourly rate that will be considerably lower than the fees charged by the firm which makes our service cost effective.

We will also time record for all work performed and agree to costs estimates and caps which we will not exceed unless the firm approves an increase in fees in advance.

The firm will decide which level of complaint handler they require to manage each complaint, although we will offer guidance.

ABOUT US

The Regulation and Compliance Office (RACO) is a specialist Law Firm risk management, compliance and consultancy businesses.

Our Focus is to ensure all Law firms we work with meet the expectation of The Law Society of Scotland and The Scottish Legal Complaints Commission.

Our Focus is to provide Scottish Law Firms, their managers, and their Owners with the comfort of knowing their Firm is compliant, so they do not have to worry about the demanding and ever changing world of compliance.

Our main goal is to be seamlessly integrated into the Law Firms we work for, providing proportionate and high quality solutions that are pragmatic and effective.

We can work on a completely outsource basis or alongside an internal risk and compliance team providing additional resource, support and expertise. We believe that the correct approach to regulation and compliance is to ensure each Law Firm we work for is compliant and as a result, gives no cause for the Regulator to be concerned. We recognise that mistakes happen but being able to demonstrate a compliant approach and a business that has taken appropriate measures to prevent or quickly respond to any breach is the most effective form of defence.

GET IN TOUCH

For more information about our Complaint Management Service, you can email us at info@regulationandcomplianceoffice.co.uk or call us at 0203 985 8550.