How to complain

Before you complain to us, check that you have:

# Complained to the legal practitioner first

Before you complain to us, you need to tell the legal practitioner why you're unhappy. If you haven’t we may not be able to look at your complaint. We will check if you have already complained.

# Made your complaint in time

Check when your complaint needs to be made by. You have 3 years to make your complaint. Information on our time limits can be found on our website, or if you have any questions about this, please contact us.

# Included the following with your completed complaint form

* The firm’s Terms of Business (if you have one)
* A copy of your complaint to the legal practitioner/ firm and any response you may have received

This is all we require at this stage. We will ask for more information once your complaint has been received and processed.

If you need help filling in the form or require this information in an alternative format, please contact us on 0131 201 2130. You can also fill in this form online at [www.scottishlegalcomplaints.org.uk](http://www.scottishlegalcomplaints.org.uk)

# Section 1: About you

This section must be completed by each person making the complaint.

## First complainer

|  |  |
| --- | --- |
| Title |       |
| First name(s)  |       |
| Surname(s)  |       |
| Address |       |
| Postcode  |       |
| Phone number(s) |       |
| Email |       |

Please indicate your preferred method(s) of communication.

Phone [ ]  Email [ ]  Post [ ]

Please let us know of any additional needs we should be aware of when contacting you.

|  |
| --- |
|       |

## Second complainer

|  |  |
| --- | --- |
| Title |       |
| First name(s)  |       |
| Surname(s)  |       |
| Address |       |
| Postcode  |       |
| Phone number(s) |       |
| Email |       |

Please indicate your preferred method(s) of communication.

Phone [ ]  Email [ ]  Post [ ]

Please let us know of any additional needs we should be aware of when contacting you.

|  |
| --- |
|       |

# Section 2: Complaining on behalf of someone else

If you are complaining on behalf of someone else you must also fill in this section.

I am making this complaint on behalf of:

|  |  |
| --- | --- |
| Title |       |
| First name(s)  |       |
| Surname(s)  |       |
| Address |       |
| Postcode  |       |
| Phone number(s) |       |
| Email |       |

## Consent

Have they agreed to you making this complaint on their behalf? Yes [ ]  No [ ]

Please note that if you have agreed to make this complaint on behalf of someone else, we may contact them for further information.

If you are complaining on behalf of someone else without their consent, please attach a signed letter of authority, copy of Power of Attorney or other similar document.

# Section 3: Have you complained to the firm/ legal practitioner?

Normally we can only look at a complaint if you have complained to the legal practitioner/ firm first and given them 28 days to respond. It is best to do this in writing and to keep a copy.

When did you first complain? Day       Month       Year

Did you receive a response? Yes [ ]  No [ ]

**Please send us**:

* A copy of your complaint to the firm / lawyer
* A copy of any response(s) received from them.

Please don’t send us any original documents. We scan incoming post and destroy the hard copies. Photocopies or clear photographsof documents are fine.

Please give any reasons why you feel you cannot complain directly to the firm/ legal practitioner.

|  |
| --- |
|       |

# Section 4: Time limits

Time limits may apply to your complaint. We may not be able to deal with your complaint unless you answer these questions.

When did you ask the legal practitioner/firm to **START** working for you (for the problem you are complaining about)?

Day       Month       Year

When did you ask the legal practitioner/firm to **STOP** working for you (for the problem you are complaining about)?

Day       Month       Year

If you were not the client, when did the problem(s) you are complaining about occur?

Day       Month       Year

# Section 5: About your complaint

**Who are you complaining about?**

[ ]  A solicitor

[ ]  A firm of solicitors

[ ]  An advocate

[ ]  An independent qualified conveyancing practitioner

[ ]  An executry practitioner

[ ]  A commercial attorney

|  |  |
| --- | --- |
| Name of person (if appropriate) |       |
| Name of firm (if appropriate) |       |
| Address |       |
| Postcode |       |

**How have you been affected?**

Please tell us about how the actions of the practitioner/firm affected you. Tell us how you felt about what went wrong and about any costs or losses you incurred. If you had to pay for things because of the issue you are complaining about, tell us how much you had to pay – this should be things that you would not have had to pay for had the practitioner’s/ firm’s actions been different.

|  |
| --- |
|       |

**Briefly list the main points of your complaint and the date you first became aware of each problem**

## Complaint issue 1

|  |
| --- |
| Short description of issue:       |

When did you first become aware of this issue?

Day       Month       Year

More details:

|  |
| --- |
|       |

## Complaint issue 2

|  |
| --- |
| Short description of issue:       |

When did you first become aware of this issue?

Day       Month       Year

More details:

|  |
| --- |
|       |

## Complaint issue 3

|  |
| --- |
| Short description of issue:       |

When did you first become aware of this issue?

Day       Month       Year

More details:

|  |
| --- |
|       |

Continue on a separate sheet if necessary.

**What would help to resolve the problem(s)?**

Tell us how you would like your complaint to be resolved and why. This may include an apology, a reduction in fees, compensation or other actions which the practitioner/firm might take.

|  |
| --- |
|       |

Please attach any **key** documents which relate to your complaint.

We do not need to see everything at this stage – you can provide more to us later and we’ll ask if we need something specific.

# Section 6: How we will use your information

Please read this information carefully. By submitting this form you are agreeing to us using your information in this way. If you have concerns about how we will use your information, please let us know as soon as possible.

How information about you will be used

* To be able to make a complaint, the SLCC requires personal information from you. Personal information includes names, addresses and information about your complaint so we can deal with it.
* The SLCC will use the information you provide us for the purposes of investigating and determining your complaint. This will include passing personal information to the lawyer/firm.
* We may also use information we collect to compile statistics and undertake research and analysis. Information is completely anonymised.
* We do need to share information about your complaint, including personal data, with relevant professional organisations in order to comply with our statutory obligations. These include the Law Society of Scotland, the Faculty of Advocates, Scottish Legal Aid Board and the Association of Commercial Attorneys. We may also need to provide information to our legal advisors in the case of any appeal against our decisions.
* We want to be clear on how we are using your information. More details can be found in the SLCC’s full Privacy Notice on our website at [www.scottishlegalcomplaints.org.uk/about-us/privacy/privacy-notice/](http://www.scottishlegalcomplaints.org.uk/about-us/privacy/privacy-notice/)

# How to send us your complaint

Please send this form and documents to us

 By Post

The Scottish Legal Complaints Commission

Capital Building

12-13 St Andrew Square

Edinburgh

EH2 2AF

##  By Email

enquiries@scottishlegalcomplaints.org.uk

If you want to find out more about us and what we do, please visit

[www.scottishlegalcomplaints.com](http://www.scottishlegalcomplaints.com)

# Section 7: Diversity monitoring

The information given on this form will help us monitor who uses our services and to ensure we reach the widest possible audience. The information is confidential and will be kept separate from your complaint form. It will not affect the way your complaint is handled. For each complainer please choose one option from each of the sections below by ticking the appropriate boxes.

1. **Age**

[ ]  Under 16 [ ]  16-18 [ ]  19-24 [ ]  25-34

[ ]  35-49 [ ]  50-64 [ ]  65 and over [ ]  Prefer not to say

**2. Do you have a disability?**

[ ]  Yes [ ]  No [ ]  Prefer not to say

1. **Ethnic background**

**White**

[ ]  Scottish

[ ]  Other British

[ ]  Irish

[ ]  Any other White background

**Asian, Scottish Asian or British Asian**

[ ]  Indian

[ ]  Pakistani

[ ]  Chinese

[ ]  Any other Asian background

**African, Scottish African or British African**

[ ]  Caribbean

[ ]  African

[ ]  Any other Black background

**Mixed**

[ ]  Any mixed background – specify if you wish

1. **Gender**

[ ]  Male

[ ]  Female

[ ]  Prefer not to say

[ ]  Other – specify if you wish

1. **Are you ordinarily resident in Scotland?**

[ ]  Yes

[ ]  No

1. **How did you find out about the SLCC?**

[ ]  From the legal practitioner/ firm

[ ]  Citizens Advice Bureau

[ ]  Internet search/ social media

[ ]  Friend or relative

[ ]  SLCC website

[ ]  Member of Parliament/ Scottish Parliament

[ ]  Law Society of Scotland

[ ]  Faculty of Advocates

[ ]  Other, specify if you wish: