

LEGAL & INSOLVENCY SERVICES LIMITED

Complaint policy

1.Introduction:

1.1. This Policy sets out our policies and procedures in respect of the client care and complaints handling policies of Legal and Insolvency Consulting Services Limited (“the firm”).

Customer Care

1.2. We devote as much time and consideration to protecting our client’s interests as our own and we dedicate sufficient resources to protect our clients. We use our best endeavours to mitigate the risks to our clients and to employ best practices in the operation of the firm.

Complaints Handling

1.3. We have established a procedure to ensure that any complaints made by our clients are resolved as quickly as possible and, where necessary, trigger an internal review into the quality of service being provided and how it can be improved.

2. Customer Care:

Core Principles of our Client Care Policy

2.1. Our client care policy is built around three main principles:

- Client care is to be provided in a professional manner by well-trained and knowledgeable staff.
- All members of our team give priority to the consideration of the needs of each individual client, their right to information, to equality of access, to privacy and dignity.
- All of our services consistently seek to attain high standards of quality and our clients will be informed of their course of redress when these standards are not met.

2.2. Every member of our team can influence the quality of service and care which a client receives and consequently their perception of us. It is, therefore vital to emphasise that the procedures which are set out in this Policy are relevant to everyone. They do not just apply to the members of our team who have contact with our clients or to our lawyers. Everyone plays a part in this regard.

Purpose

2.3. The purpose of this Client Care Policy is to:

- ensure that we protect our client’s interests;
- ensure that we dedicate sufficient resources to protect our client;
- ensure that we use our best endeavours to mitigate the risks to our clients;
- ensure that we employ best practices in the operation of our firm;
- ensure that services of our firm are delivered in a competent and professional manner;

- act as a framework of reference for our team;
- ensure that our team are fully informed about their roles and responsibilities;
- promote good practice in client service;
- ensure that performance is monitored and that action is taken to address any problems;
- provide clear guidance on how to deal with client comments and complaints.

Responsibilities

2.4. The Managing Director of the firm, James Oton, is responsible for leading on Client Care and on Complaints Handling.

2.5. All members of our team are required to:

- adhere to this Policy and to all related policies, procedures, protocols and guidelines in this regard;
- ensure that they understand clients' needs and be proactive in fulfilling these whilst keeping in mind proper standards of conduct and ethics;
- act as our ambassadors in all circumstance when in contact or in communication with a client;
- keep the Managing Director informed of any issue arising with any client.

Disclosures & Communications in General

2.6. We must disclose information to our clients which may impact and/or be of material significance to them. All communications made by us to our clients shall be:

- accurate, concise and not misleading;
- sufficient for, and presented in a way that can be understood by the clients to which it is directed; and
- made within a reasonable timeframe.

Procedures to be followed when Communicating with our Clients

2.7. Clients should always be greeted in a professional manner. It is important to remember that the client is the focus of all that we do and, therefore, we should always listen to the client and be patient.

2.8. E-mail is our most important means of communication with our client. We recognise the importance of proper content and speedy replies in conveying a professional image and in delivering good client service.

2.9. Emails are answered as quickly as possible, but definitely not later than 48 hours, excluding weekends and holidays.

Questions from our Clients

2.10. Every effort is made to deal with questions from our clients straight away at the first point of contact. If a team member is unable to deal with the question themselves, they shall pass it on to a more senior person who is able to deal with it. If the query cannot be resolved straight away, we will ensure that follow up communication with an appropriate answer is sent as soon as possible and definitely no later than 48 hours after, excluding weekends and holidays.

Record-Keeping

2.11. We shall, for at least a period of five years:

- keep and maintain records of all client information and data in a secure manner;
- record all transfers and receipts made by our client; and
- keep a record of all interactions with our clients including all agreements entered into

3. Complaints Handling

Introduction & Background

3.1. A complaint is an expression of dissatisfaction from a client, irrespective of whether it is justified or not, in respect of the services provided by us.

3.2. Complaints are inevitable at some point in a business. Our firm has put in place a procedure to make sure we treat each person that complains fairly, resolve the complaint effectively and promptly.

3.3. Our Managing Director, James Oton, has the primary responsibility to lead on complaints handling and for treating complaints fairly.

3.4. Our complaints handling process ensures that each member of our team treats the complainant in a professional manner and that any changes that need to be introduced as a result of a complaint are done so in a timely and effective manner in line with this policy.

Summary of how we must deal with Complaints

3.5. In summary, we must:

- Operate an effective and compliant internal complaint handling procedure which must be documented;
- Ensure all members of our team are aware of, understand and follow the complaint handling procedure;

- Handle complaints fairly, consistently and promptly;
- Keep appropriate records;
- Have appropriate management controls in place;
- Identify and correct any recurring problems as well as resolving individual complaints;
- Inform clients about how they can make a complaint;
- Deal with complaints free of charge and make this clear to our clients;
- Ensure complaints are investigated by a sufficiently competent person not directly involved in the matter that is the subject of the complaint.

Recognising a Complaint

3.6. A complaint may be made verbally or in writing to any person in any part of the business. It is therefore important that all employees have an understanding of the complaints process.

3.7. A verbal complaint can be made in person or during a telephone conversation with a client. A written complaint could come via several sources including but not limited to email or letters.

3.8. A complaint does not have to mention the word complaint. They may indicate they are unhappy with the costs or a service and that they are frustrated about the length of time a matter is taking to be resolved. It is important to remember that a complaint must be acted on whether we think it is justified or not.

3.9. If a complaint does not meet this threshold (an expression of dissatisfaction) then it need not be processed. 'Dissatisfaction' occurs when expectations are not met, which causes the customer to be unhappy.

3.10. If a member of the team receives a complaint, he must refer the complaint immediately to the person who handles complaints to ensure the complaint is handled promptly and efficiently.

3.11. If a complaint is resolved by close of business day following the complaint, then providing the complainant has accepted the response, no further action is necessary.

3.12. If a complaint remains unresolved by close of business the following day, this becomes a formal complaint and need to be managed according.

Timescales

3.13. As a general principle, all complaints should be resolved at the earliest possible stage. Timescales are in place as the maximum period within which action should be taken.

3.14. When a complaint is made that cannot be resolved, this needs be logged and the Managing Director must be advised about the fact that a complaint has been made.

3.15. The complaints handler must issue an acknowledgment within 5 working days of receiving the complaint. The acknowledgment should indicate who is dealing with the complaint, when the complainant can expect to hear from the firm and that the firm will continue to investigate the complaint in the background. The acknowledgment must include details of the internal complaints handling procedure.

3.16. Within 4 weeks, the complaints handler should send an email explaining the decision following the investigation into the complaint. Where possible, the email should be a final response and should detail any offer the firm intends to make to the complainant, explain how the firm intends to offer redress or advise why the complaint was rejected. If the complaint handler is unable to issue a final response, they must send an email explaining why they are not able to resolve the complaint, detailing the reasons for the delay and indicating when they will make further contact.

3.17. The complaints handler must send a final response to a complainant within 8 weeks of receiving the complaint.

3.18. A final response is a written response that:

- states whether the complaint has been upheld or rejected;
- if rejected, reasons are provided for doing so;
- where appropriate, offers redress or remedial action;
- where appropriate, states that the complaint has triggered an internal review into the quality of service being provided with a view to improving this;
- states that if they are not satisfied with the response provided or believe that they have a case for compensation, they must pursue this through the Gibraltar courts but that before doing so, they should consider seeking professional advice;
- state that this is a final response and that the firm now considers the complaint to be closed.

Review Process

3.19. Handling complaints in the correct way and learning from them is an important part of treating clients fairly.

3.20. The Managing Director may trigger an internal review into the quality of service being provided as a result of a complaint and take steps to improve this.

3.21. Continuous review of complaints provides the organisation with the opportunity to identify how to improve performance. Effective and prompt analysis of the root causes of complaints, and a commitment to remedying such causes, can help ensure fairer treatment to current and future clients.

Record-Keeping

3.22. All complaints must be properly recorded. Records of complaints must be retained for a minimum of five years from the complaint being resolved.

3.23. We will maintain a record of each complaint received and the measures taken for its resolution. Such records will include:

- Name and contact details of the complainant;
- Subject of the complaint;
- Services to which the complaint relates to;
- Investigation carried out and result/outcome;
- Time within which the complaint was acknowledged and the final response provided;
- Audit trail of correspondence and communication with the complainant.

3.24. The Managing Director is responsible for keeping a complaint log.

Confidentiality

3.25. Complaints can consist of sensitive information. The firm will only share information about complaints with people who need to know this information.

Complaints Handling Process & Information to be Communicated to our Clients

About the Complaints Process

We endeavour to offer our clients the best possible service but we do acknowledge that there may be instances where we do not fully live up to your expectations and where you need to draw our attention to this.

We have processes in place to investigate and take appropriate action regarding complaints made against us.

We have written procedures in place to deal with complaints from our clients so as to ensure:

- the proper handling of complaints received from our clients in a timely manner;
- where appropriate, that appropriate remedial action is taken by us promptly;
- the quality of the response/explanation given to our clients in language that is clear, understandable and not misleading;
- complaints are dealt with fairly, consistently and promptly;
- we identify and correct any recurring problems as well as resolving individual complaints;

- complaints are investigated by a sufficiently competent person not directly involved in the matter that is the subject of the complaint.

Complaints will be dealt with us free of charge so you are not at risk of incurring any costs if you make a complaint.

What is a complaint?

A complaint is defined as any expression of dissatisfaction from a client, irrespective of whether it is justified or not, in respect of the services provided by us.

How do I make a complaint?

This can be made verbally, for example, by telephone, by E-mail or by letter. A complaint can be made to any of our employees or representatives concerning the standard of service provided or actions undertaken by us.

The easiest way for you to make a complaint is to email us on james@legal.gi. A letter may be sent to us at: LIS Limited, Unit 1.02 1st Floor World Trade Center, 6 Bayside Road, Gibraltar. Finally, you may also make a complaint by telephone but we suggest that this is followed up by email to have an accurate log of your complaint.

What we will do if you make a complaint

If you make a complaint, we will:

- ensure that your complaint is fully investigated by a competent person not directly involved in the matter that is the subject of the complaint;
- ensure that the complaint will be looked into as soon as possible;
- ensure sure that we reach a fair solution;
- explain how and why we reached the specific solution/finding to your complaint;
- where appropriate, offers redress or remedial action; and
- where appropriate, inform you if your complaint has triggered an internal review by us and what we intend to do about it.

Handling of complaints & timescales

A complaint will be acknowledged within 5 working days receipt and you will be advised of the timescales within which you can expect further responses.

All complaints will be dealt with (where possible) within 8 weeks of receipt of the complaint and you will be provided with a final response within this timescale. If we are unable to provide a final response within this time, we will provide you with an explanation for the delay and give an estimated time for us to do this.

When we send you our final response this will:

- state whether your complaint has been upheld or rejected;
- if rejected, the reasons for this;
- where appropriate, our offers redress or the remedial action we will take;
- where appropriate, we will inform you whether your complaint has triggered an internal review into the quality of service being provided by us;
- inform you of what your options are if you are not satisfied with our final response;
- state that it is a final response and that, as from then, we will consider the complaint to be closed

What to do if we cannot resolve your complaint

The Legal Services Regulatory Authority can help if you are concerned about our behaviour. This could be for things like dishonesty, taking or losing your money or treating you unfairly because of your age, a disability or other characteristic.

If at the end of the complaint process you are not satisfied with our response as the provision of legal services is regulated, you can refer the matter to the Legal Services Regulatory Authority to consider the complaint. The contact details for the Legal Services Regulatory Authority (“LSRA”) are as follows: Suite 841, Europort, Gibraltar, telephone +350 222 50490, email report@lsra.gi . The full details about the LSRA complaints process may be found at [Legal Services Regulatory Authority \(lsra.gi\)](https://www.lsra.gi).