

Draft SRA Complaints Handling Requirements Statement

Issued on: [Date TBC]

Status

This statement explains your obligations and how to meet them. We will have regard to it when exercising our regulatory functions. It applies to all SRA-regulated firms and individuals and must be complied with.

Who is this statement for?

This statement applies to firms and individuals we regulate. References to 'solicitor' and 'individuals' include:

- registered European lawyers (REs)
- registered foreign lawyers (RFLs)
- registered Swiss lawyers (RSLs).

Purpose of this statement

Effective complaints handling is a key indicator of service quality and is critical to maintaining consumer trust and confidence. We know that [some consumers remain unsure about how to complain or are reluctant to do so](#). Complaints also provide valuable insight into how services can be improved.

This statement summarises your obligations.

It is structured by theme and refers to the relevant sections of the [SRA Standards and Regulations](#) and the [Legal Services Board \(LSB\) Section 112 Requirements for Approved Regulators' Regulatory Arrangements for Authorised Persons' Complaints Procedures on First-tier Complaints](#).

You must comply with the SRA Standards and Regulations, which align with the LSB Section 112 Requirements.

We have additional guidance available to support you to meet your obligations.

You may also find help in the [LSB Guidance on Section 112 Requirements for Provisions Made by Approved Regulators for First-tier Complaints](#).

Enforcement

Failure to meet these requirements may lead to enforcement action against you in line with our [Enforcement Strategy](#). This sets out our approach to taking regulatory action in the public interest.

Any solicitor or firm in doubt about how to approach these complaints handling requirements should contact our Professional Ethics helpline for advice.

Complaints handling requirements

Definition of a complaint

Our [thematic review of first-tier complaints handling](#) found variation in how solicitors and firms identify complaints. To help you to do this, we have added the below definition to our [Standards and Regulations Glossary](#). This definition aligns with the LSB's definition.

A complaint is: an oral or written expression of dissatisfaction, which alleges that the complainant has suffered (or may suffer) financial loss, distress, inconvenience, or other detriment.

Consumer confidence

The following provisions aim to ensure legal services users and the public have confidence in solicitors' and firms' handling of complaints.

You must:

- assess complaints competently, diligently and impartially;
- respond to them fairly, consistently and promptly; and
- resolve them at the earliest opportunity
- communicate promptly the outcome of the complaint, and
- comply promptly with any remedies accepted by the complainant.

The relevant SRA Standards and Regulations are:

[SRA Code of Conduct for Solicitors, RELs, RFLs and RSLs](#)

Service and competence (paragraphs 3.2 and 3.3)

Cooperation and accountability (paragraph 7.11)

Complaints handling (paragraphs 8.4 and 8.5)

[SRA Code of Conduct for Firms](#)

Cooperation and accountability (paragraph 3.5)

Service and competence (paragraphs 4.2 and 4.3)

Applicable standards in the SRA Code of Conduct for Solicitors, RELs, RFLs and RSLs (paragraph 7.1 (c))

Applicable [LSB Section 112 Requirements](#): Consumer Confidence (Requirements 7a-c, 8a and b)

Accessibility

The following provisions aim to ensure that complaints procedures are accessible and that information on the complaints procedure is provided to clients.

Your complaints procedure must:

- enable clients to make a complaint free of charge
- be prominent and accessible
- set out the steps that will be taken in resolving a complaint
- explain how a complaint will be handled
- provide information on the possible outcomes to a complaint, including any options if a complaint is not resolved to the complainant's satisfaction

- be effectively communicated to each client in a format or formats reasonably tailored for the client's circumstances, having due regard to their information needs
- make provision for a client to be able to make a complaint in a way that is reasonable and accessible to the client
- be documented in writing and available to staff, where relevant
- be endorsed by your senior management, where relevant, or a person who is responsible for implementation
- be implemented consistently and periodically reviewed.

The relevant SRA Standards and Regulations are:

[SRA Code of Conduct for Solicitors, RELs, RFLs and RSLs](#)

Complaints handling (paragraphs 8.2-8.5)

Client information and publicity (paragraph 8.6)

[SRA Code of Conduct for Firms](#)

Compliance and business systems (paragraph 2.1)

Service and competence (paragraph 4.2)

Applicable standards in the SRA Code of Conduct for Solicitors, RELs, RFLs and RSLs (paragraph 7.1 (c))

[SRA Transparency Rules](#)

Rule 2: Complaints information

Applicable [LSB Section 112 Requirements](#): Accessibility (Requirements 9 a-g and 10a-c)

Provision of information

The following provisions set out the information that must be provided about making complaints, and how and when this must be done.

You must:

- inform each client of their right to make a first-tier complaint and their right to make a second-tier complaint (including the information below) in writing:
 - at the time of engagement on a new matter or the next earliest appropriate opportunity
 - at the conclusion of the legal matter
 - upon request
 - if a complaint is made during the matter.

Right to make a first-tier complaint

You must inform your clients:

- about your complaints procedure
- of their right to make a complaint to you about your service (right to make a first-tier complaint)
- of how they may make a first-tier complaint, and
- that after eight weeks, following the making of a first-tier complaint, if it has not been resolved by you to the complainant's satisfaction, they may have the right to complain to the Legal Ombudsman

Right to make a second tier complaint

You must inform your clients:

- about the options available if they are dissatisfied with the outcome of the first-tier complaint, including:
 - that you cannot settle the complaint
 - any rights they may have to make a complaint to the Legal Ombudsman (right to make a second-tier complaint)
 - how to make a second-tier complaint, including information that is available from the Legal Ombudsman
 - the time limit for making a second-tier complaint
 - full details of how to contact the Legal Ombudsman
 - of the name and website address of an alternative dispute resolution approved body which would be competent to deal with the complaint and whether you agree to use the scheme.

The relevant SRA Standards and Regulations are:

[SRA Code of Conduct for Solicitors, RELs, RFLs and RSLs](#)

Complaints handling (paragraphs 8.3 and 8.4)

[SRA Code of Conduct for Firms](#)

Applicable standards in the SRA Code of Conduct for Solicitors, RELs, RFLs and RSLs (paragraph 7.1 (c))

Applicable [LSB Section 112 Requirements](#): Provision of information (Requirements 11-13)

Communication

The following provisions set out the information that must be provided to the complainant and how this is communicated.

You must provide, in writing, when a complaint is first notified:

- a prompt acknowledgement of receipt of the complaint
- clear and comprehensive information about your complaints procedure that will apply to the complaint and how it will be handled (including information above on the right to make a first-tier complaint and the right to make a second-tier complaint)
- information on who the complainant may contact about their complaint; and
- a timeline for the resolution of the complaint.

You must:

- give the complainant regular updates on the progress of their complaint and
- communicate clearly using plain and appropriate language

The relevant SRA Standards and Regulations:

[SRA Code of Conduct for Solicitors, RELs, RFLs and RSLs](#)

Complaints handling (paragraphs: 8.3, 8.3.1 and 8.5)

[SRA Code of Conduct for Firms](#)

Applicable standards in the SRA Code of Conduct for Solicitors, RELs, RFLs and RSLs (paragraph 7.1 (c))

Applicable [LSB Section 112 Requirements](#): Communication (Requirements 14-16)

Learning and improvement

The following provisions set out the measures that solicitors and firms should take to identify and resolve risks arising from complaints, and the training and support to be provided to address these risks and issues.

You must:

- implement measures to enable you to:
 - identify any risks or issues including systematic issues in how you have assessed and sought to resolve complaints and or in your services
 - address those risks and issues.

The relevant SRA Standards and Regulations are:

[SRA Code of Conduct for Solicitors, RELs, RFLs and RSLs](#)
Service and competence (paragraph 3.6)

[SRA Code of Conduct for Firms](#)

Compliance and business systems (paragraphs: 2.1 and 2.5)

Applicable [LSB Section 112 Requirements](#): Learning and improvement (Requirements 17 and 18)

Further help

If you require further assistance, please contact the [Professional Ethics helpline](#).