

Guidance

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Client care letters

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Status

This guidance is to help you understand your obligations and how to comply with them. We will have regard to it when exercising our regulatory functions.

Who is this guidance for?

This guidance is for solicitors and firms we regulate. For the purposes of this guidance, the term 'solicitor' includes Registered European Lawyers (RELs) and Registered Foreign Lawyers (RFLs).

Purpose of this guidance

This guidance and checklist will help you to review your client care letter to make sure that your clients understand and remember information in it.

Client engagement with client care letters

All firms have an obligation¹ [n1] to provide information about their services at the point of engagement with a client and as a matter progresses. Information that must be provided includes the likely cost and how to complain if things go wrong. When they begin working with a client, firms often provide this information in a client care letter.

Some client care letters are designed to comply with our obligations, rather than to provide information to clients in a user-friendly way. This means that many can be:

- Complicated, with legalistic language, terms and phrasing
- Too lengthy, with dense paragraphs and small font sizes, which makes finding key information difficult for clients
- Focused on generic information, such as terms and conditions, rather than specifics relevant to that client
- Unclear as to the purpose of the client care letter and any action that the client needs to take.

As a result, some clients may not understand or retain all the information in their letter. This can be heightened for individuals with low literacy levels, visual impairments, in a state of emotional distress or for whom English is a second language.

It is therefore important that your client care letter is easy to understand. This will help all clients access and retain important details.

One of the most common complaints made to the Legal Ombudsman is about a lack of clarity around costs. Being clear on costs at the outset in your client care letter, and as the matter progresses, can help prevent this – This is a current regulatory obligation and will be once our Standards and Regulations come into force. (paragraph 8.7 of the Code of Conduct for Solicitors, RELs and RFLs [<https://www.sra.org.uk/solicitors/standards-regulations/code-conduct-solicitors/>] , and 7.1(c) of the SRA Code of Conduct for Firms [<https://www.sra.org.uk/solicitors/standards-regulations/code-conduct-firms/>])

As well as these regulatory obligations, there are requirements about providing information under consumer protection law. The Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 require legal services providers to provide their clients with certain specified pre-contract information. For example, the main characteristics of the service and the best possible information about the overall cost of the matter and if there are likely to be any disbursements. These do not necessarily need to be met through the client care letter, but you need to be aware of them and meet them in some way.

How can a good client care letter help your business?

A client care letter that is clear, easy to understand and contains the right information can help improve your business by:

- demonstrating the values and high service standards of your business
- reducing potential complaints, by clearly setting out what a client can expect, particularly in relation to cost
- retaining clients
- explaining to your clients the regulatory protections that they benefit from
- explaining clearly what you need the client to in order that you can progress their matter or to protect their legal position.

Do you need to improve your client care letter?

You can use our checklist to help you decide whether you need to improve your client care letter.



Check list

Do you explain what is going to happen?

If you answered no, include a clear explanation of the agreed work, next steps and confirmation of what is and isn't included in this work.

Do you include how much the work is going to cost?

If you answered no, include a concise and easy to understand cost breakdown and explanation of any potential additional costs.

Do you explain when things are going to happen?

If you answered no, include clear information on the likely timescales for the agreed work.

Do you explain what the client needs to do?

If you answered no, include a clear explanation of the actions required from the client and where they can get further information if they need it.

Do you include contact details?

If you answered no, include details of a named contact and how to get in touch if they have further queries.

Does your letter show a clear purpose?

If you answered no, state the purpose of the letter and think about how you can use headings to explain sections or key information.

Is your letter concise?

If you answered no, improve your letter by:

- Breaking information down into bite-size chunks by avoiding lengthy paragraphs and headings
- Using a short, to the point sentence structure
- Clearly focusing on the information most relevant to that specific client and matter. Generic information, for example, terms of business and cancellation rights don't always need to be included in your letter and it may be easier to enclose these separately. You may also consider using links if emailing or providing information on your website that can be easily accessed.

Do you use plain English?

If you answered no, avoid legal terms and complex language.

Do you prioritise information?

If you answered no, structure the letter to focus on the information which is most relevant to your client.

Do you personalise information?

If you answered no, improve your letter by:

- adding detail regarding the client's case
- tailoring your information to the client's case
- using personal pronouns
- removing irrelevant information.

Is your client care letter easy to read?

If you answered no, you can improve your letter by:

- using a large and clear font size
- avoiding dense paragraphs
- separating out key information, for example, into tables or numbered steps.

Do you highlight key information?

If you answered no, improve your letter by using:

- bold type for key points and summary boxes
- headers, or other visual tools, such as process diagrams or tables, to emphasise key sections or important points.

Have you considered the needs of vulnerable clients?

If you answered no, consider whether you need to tailor the content for vulnerable clients. For example, you could:

- use a bigger font
- adapt the information into braille, audio or easy read format
- offer the opportunity to discuss the content by telephone.

Further help

If you require further assistance, please contact the Professional Ethics helpline [<https://www.sra.org.uk/contactus>] .

Notes

1. Chapter 1 You and your client