

The Scottish Legal Complaints Commission (SLCC) is a new independent body set up to investigate complaints about services provided by legal practitioners (solicitors and advocates) in Scotland and to act as the point of first contact and 'gateway' for all complaints about the legal profession.

## Finding out more

The Scottish Legal Complaints Commission is based at:

### The Stamp Office

10 – 14 Waterloo Place  
Edinburgh EH1 3EG

Staff can be contacted for advice there or

- by telephone on 0131 528 5111
- by fax on 0131 528 5110
- further information is also available via the website [www.ScottishLegalComplaints.org](http://www.ScottishLegalComplaints.org)

## Types of legal complaint

Legal complaints fall into three categories

Complaints about:

- the service provided by a solicitor or advocate
- the conduct of a solicitor or advocate
- the way the Law Society of Scotland or Faculty of Advocates dealt with your complaint (referred to as handling complaints).

The SLCC will investigate:

- All 'service' complaints relating to complaints received after 1 October 2008 and where the practitioner was instructed on or after 01 October 2008
- All 'handling' complaints about the way the Law Society of Scotland or Faculty of Advocates investigated complaints about conduct. Depending on when the conduct incident occurred (before or after 01 October 2008) the complaint will follow slightly different processes as part of the SLCC's transitional arrangements. More information about this will be sent when we receive the complaint.
- 'Handling' complaints about the way the Law Society of Scotland or Faculty of Advocates investigated complaints about service issues which occurred before 1 October 2008.

The SLCC will **not** investigate complaints about the professional conduct of practitioners. SLCC will receive and register these complaints, assess whether they

can be accepted and if so send them to the relevant professional body (Law Society or Faculty of Advocates).

### **How to make a complaint**

The SLCC will act as a gateway for all three types of complaints.

Complaints forms are available on request or by downloading from the website. There are separate forms for:

- Complaints about the service provided by a solicitor or advocate and/or the conduct of a solicitor or advocate; and
- 'Handling' complaints which are complaints about the way the Law Society of Scotland or the Faculty of Advocates dealt with your complaint to them.

Complaints **must** be in writing and should be signed by you. If writing is difficult please telephone or call in for help. Your signature is important as it both confirms you wish to make a complaint and gives us permission to obtain information.

If you contact us by letter, fax, e-mail or telephone with a complaint we will ask you to complete and sign the relevant form before progressing your complaint further.

It is important that complaints forms give us details of your complaint in your own words, how this has affected you and how you would like your complaint to be resolved.

### **Completing the Complaints Forms**

Choose the required from service/conduct complaint form or handling complaint form. Please complete in **BLOCK CAPITALS** and remember to sign the form.

#### **Section 1 - About You**

This must be completed by the person making the complaint and should give relevant contact details including contact telephone number(s) and your preferred method of contact eg post, email, fax or phone.

If you are complaining on behalf of someone else then you need to highlight that in this section and also complete Section 4.

#### **Section 2 - About Your Complaint**

In this section we are looking for details about the person or, in the case of a handling complaint, the organisation you are complaining about.

Here we are looking for:

**What you are complaining about**, what has gone wrong and when it happened. Be as precise as you can. Where possible give us dates and times issues occurred and details of anyone who else witnessed them. If there are several issues, try to summarise them as separate points or paragraphs and send us copies of letters or documents you think will help us to understand your complaint properly.

**How this has affected you.** Please tell us about how the actions of the legal practitioner 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 as a result of the practitioners actions, tell us how much you had to pay and where you have receipts,

send us copies. The costs/losses should be things that you would not have had to pay for if the practitioner's actions had been different.

**What would help to resolve the problem?** 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 the practitioner, Law Society or Faculty of Advocates might take.

We will discuss this with you soon after you contact us and discuss with you what we may or may not be able to do.

Relevant reference numbers are helpful and should be provided in the appropriate boxes copies of correspondence are also helpful but do not worry if these are not readily available. Send your form anyway to avoid delay.

If your complaint concerns service/conduct issues you must tell us what date you instructed the practitioner as there is a strict time limit of 12 months from this date to make your complaint. If the complaint is outside this time limit, tell us why you think we should accept it and we will consider your reasons very carefully.

If your complaint is about handling, tell us the date of the final decision letter from the Law Society of Scotland or Faculty of Advocates. There is also a time limit to making these complaints, normally 6 months from this date.

### **Section 3 - Declaration**

We **cannot** investigate your complaint if you do not sign and date the form. We also ask in this section whether you consent to the form being copied to the individual or organisation involved in the complaint. Without your signature we cannot make enquiries into your complaint and seek copies of documents, files or papers related to your complaint. This limits severely our ability to look into the matters you raise.

### **Section 4 - Complaining on Behalf of Someone Else**

**Only** complete this section if you are complaining on behalf of someone else. Please note we will contact them to seek their agreement to pursue the complaint. It is helpful if they can sign the form but not essential. Do not let this delay sending in the form.

### **Equal Opportunities (detachable part of the form)**

As a new organisation the Scottish Legal Complaints Commission wants to ensure that it reaches the widest possible audience and is keen to use the information in this detachable part of the form, anonymously, to improve its service. Your assistance in completing this part of the form is appreciated.