

Improving service complaints in legal services

Findings from a collaborative workshop with the LSB Public Panel and stakeholders

March 2023



Bringing the voices of communities into the heart of organisations



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1. Executive summary

1.1 Background and objectives

The Legal Services Board (LSB) wished to explore consumers' expectations when making service complaints about legal services providers, so that they could better understand what a good complaint handling journey would look like for them. This was in response to evidence that complaints handling in the sector was not meeting consumers' needs, and that some consumers are silent sufferers (i.e., they feel they have cause to make a service complaint but do not).

Community Research was commissioned to conduct research with consumers (using the LSB Public Panel¹) and other stakeholders to explore challenges that consumers may face when making service complaints and identify opportunities to improve the current processes for service complaints handling in the sector. The research focused primarily on first tier complaints processes, but it is also relevant to second tier complaints.²

The research was conducted in two parts: first, an online forum with 45 Public Panellists who used legal services within the last 2 years (some of whom had made service complaints or felt they had cause to complain but did not), and second, a collaborative workshop, bringing together the knowledge and perspectives of 12 of the Public Panellists and 10 professional stakeholders (a mix of regulators, practitioners, a representative from the Legal Ombudsman (LeO), regulators/ombudsmen from other sectors, consumer-interest organisations and a representative of the Legal Services Consumer Panel).

The online forum, held in December 2022, was designed to understand Public Panellists' recent experiences of making service complaints in detail, including what they saw to be the strengths and weaknesses of the current processes for service complaints handling in the sector. The collaborative workshop, held in February 2023, was designed to take the findings from the online research, and bring together 12 of the Public Panel participants and 10 professional stakeholders to explore opportunities to minimise complaints arising at the outset, and to improve the complaints handling journey for consumers, in ways that can be implemented practically in the legal services sector.

¹ The Legal Services Board (LSB) and Legal Services Consumer Panel (LSCP) commissioned Community Research to set up an ongoing public panel to be available for qualitative, quantitative and deliberative research. The aim of the public panel is to provide a direct, responsive and cost-effective channel for the voice of the public (as citizens, consumers or potential consumers) to inform legal services regulation, at operational and strategic levels.

² When clients are dissatisfied with the service of a firm, they can complain directly to the firm. These are known as 'first tier complaints'. If a complaint cannot be resolved at the first tier, it is referred to LeO. These are known as 'second tier complaints'.



This report summarises the key findings from the workshop and sets out some suggestions for the LSB, regulators, legal services providers and LeO to consider.

1.2 Key findings

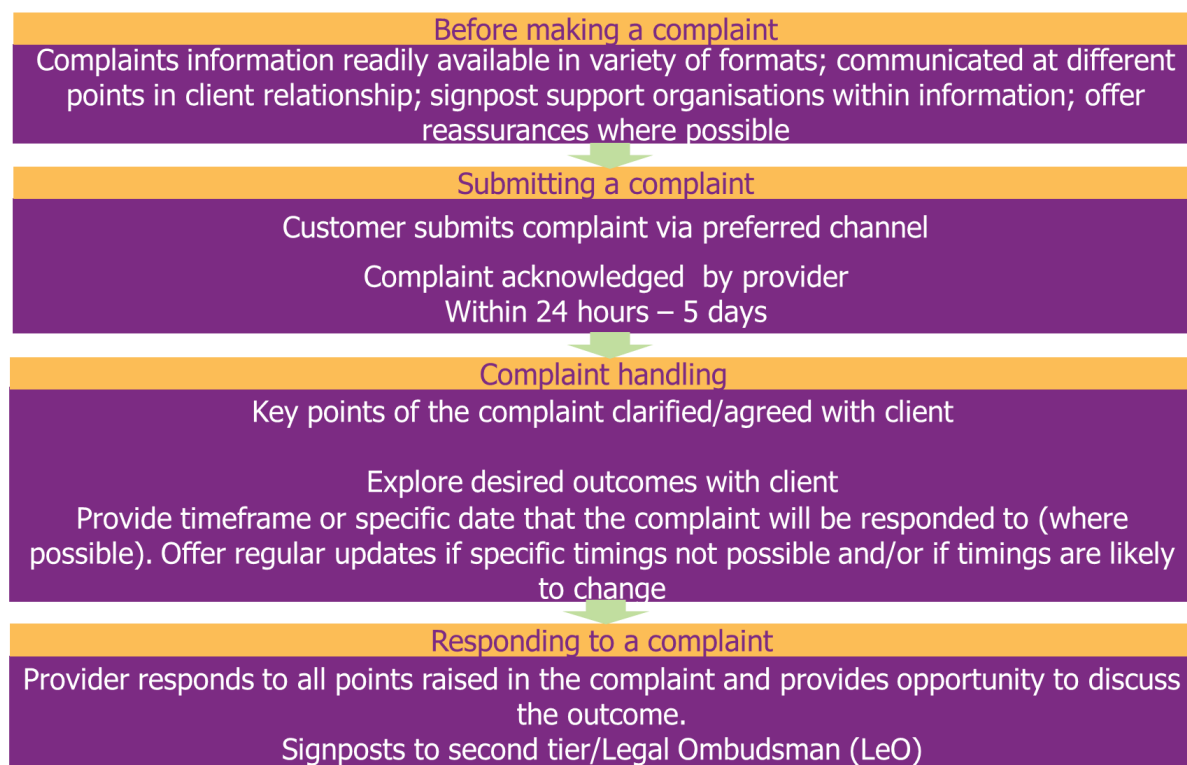
It was clear from discussions that participants at the workshop were keen to explore improving the consumer experience of first tier complaints processes, alongside reducing the number of complaints in the first instance by understanding (and addressing) the root causes that lead to complaints being made. Discussions relating to the latter revolved around:

- Providers **setting and managing clients' expectations** through clear/improved communication and information sharing at the outset of the client-provider relationship.
- Providers **inviting feedback from clients and establishing a culture of continuous improvement**: spotting early signs of dissatisfaction before it escalates to a complaint; identifying patterns within the feedback and addressing any emerging issues.

That said, participants recognised that not all complaints could be prevented and that a thorough process for establishing and investigating complaints remained important. Discussions on an ideal complaints process highlighted that a number of principles needed to be taken into account throughout the process: **Empathy, Transparency, Accessibility, Fairness, Ease** (provider takes the burden/makes it easier for the client to navigate the process). In addition to these overarching principles, participants highlighted a number of specific points within the broad steps of a first tier complaints process that were key to good complaints handling. See Figure 1 overleaf:



Figure 1 – Key points within the ideal process



Both stakeholder and Public Panel participants agreed on the broad principles and key steps involved in an ideal complaints process. Indeed, the legal services providers attending the session talked about how their handling of complaints was closely aligned to the steps outlined above. That said, Public Panel participants and stakeholders believed that there was scope to ensure:

- **Greater consistency in the delivery of complaints processes**, recognising that some providers handled complaints better than others.
- **That any 'hot spots' within the delivery of current complaint processes are addressed.** These are most likely around:
 - Acknowledging the complaint.
 - Defining, agreeing and responding to all points within a complaint.
 - The provider displaying sufficient empathy at each step of the process.
 - Signposting clients to support organisations who can help them make a complaint.
 - Providing reassurance before starting the complaints process (primarily that a complaint will not have a detrimental impact on a case) and throughout the complaints process (through greater transparency/regular updates).



Participants put forward a number of suggestions that they believed would help address the points raised: minimising complaints arising at the outset and improving the complaints handling journey for consumers. These have been allocated to those considered best placed to deliver them and can be summarised as:

For legal services providers

- Develop a 'Welcome Pack' that could be shared at the beginning of the client-provider relationship; more user friendly than a client care letter.
- Present complaints information in a more innovative way e.g. video, animation, illustration or using diagrams.
- Build the collecting and monitoring of feedback into business as usual.
- Customer service training; some suggested this could include training for all client facing staff.

For LSB/LeO/legal services regulators

- Review CPD requirements; to include the necessary softer skills for complaints handling.
- Emphasise that complaints information should be made readily available throughout the client-provider relationship (not just at the outset) e.g. on request; potentially sent out as part of ongoing feedback mechanisms; clearly visible on websites.
- Ensure support is signposted within complaints information e.g. information about support/advocacy organisations that clients can look to for help.
- Work with intermediaries to communicate key messages about complaints to potential 'silent sufferers'.
- Consider more publication of complaints information.
- Some suggested producing sector wide guides as a way of helping to manage clients' expectations. i.e. for common legal situations such as conveyancing.



2. Introduction

2.1 Background to the research programme

A desk review carried out by the LSB in 2022 reviewed existing research into first tier complaints handling. The review, amongst other things, highlighted:

- In **1 in 4** cases accepted for investigation by LeO there is evidence to suggest that first tier complaint handling is inadequate³.
- Around **1 in 4** complaints are regarded by LeO as premature in that the complainant has not exhausted the first tier process before escalating their complaint⁴.
- **1 in 4** consumers reporting being dissatisfied with the legal service they received but didn't do anything about it⁵.

Knowing that experiences of complaints processes were likely to be mixed, prior to running the collaborative workshop, 45 members of LSB's Public Panel took part in a 10-day online forum. The forum was designed to understand Public Panellists' recent experiences of first tier complaints in detail (in part to ensure that those invited to the collaborative workshop had a range of experiences to draw upon). All 45 Public Panellists were recruited to have used legal services within the last 2 years: some had made a complaint about the service received; some felt they had cause to complain but didn't; some were happy with the service received but had experience of making a complaint about a different professional service (healthcare, financial services etc). The online research highlighted:

- There were some missed opportunities to resolve early client dissatisfaction.
- A 'formal complaint' for a client may be different to a 'formal complaint' for a provider – the client does not necessarily adhere to a complaints policy.
- Clients experienced a wide variation of complaints processes within legal services, many of which fell below their expectations of how a complaint should be handled.
- Some clients were put off complaining directly to a legal services provider because they had received poor customer service generally and did not trust the provider to handle their complaint well. Some cited this as a reason to go direct to LeO with their complaint.
- 'Silent sufferers' assume there will be too much effort required in making a complaint and too little reward. They may also be less knowledgeable about how to make a complaint to a legal services provider.

³ [Annual complaints summary 2019-20 \(legalombudsman.org.uk\)](https://www.legalombudsman.org.uk/annual-complaints-summary-2019-20)

⁴ [LeO News 26 - Premature complaints | Legal Ombudsman](https://www.legalombudsman.org.uk/news/le-news-26-premature-complaints)

⁵ [22.07.19-How-consumers-are-using-legal-services-report-FINAL.pdf \(legalservicesconsumerpanel.org.uk\)](https://www.legalservicesconsumerpanel.org.uk/22.07.19-how-consumers-are-using-legal-services-report-final.pdf)



Public Panellists went on to suggest that first tier complaint handling needed to:

- **Be transparent** - in terms of the timescales involved; how a complaint will be investigated; how clients will be kept updated about how the complaint investigation is progressing.
- **Include more milestones** within the process (i.e. clear commitments around acknowledging the complaint; providing an initial response etc). These could be adapted depending on the nature and complexity of the complaint.
- **Meet universal expectations of redress** in terms of maintaining a respectful tone in all communications; offering an explanation as to why the service provided may have fallen below expectations (and necessitated a complaint); offer a genuine apology. Beyond this, Public Panel participants believed that redress needs tailoring to the individual complaint e.g. whether compensation or something else is needed.

A number of these themes are reflected in the subsequent discussions between professional stakeholders and Public Panel members.

2.2 About the collaborative workshop

2.2.1 Attendees

12 Public Panellists who participated in the initial online research were invited to take part in the face-to-face collaborative workshop in London on 20th February, joining 10 professional stakeholders (a mix of regulators, practitioners, regulators/ombudsmen from other sectors, consumer-interest organisations and a representative of the Legal Services Consumer Panel.) The workshop was facilitated by Community Research and members of the LSB team observed the session.

2.2.2 Objectives and discussions

The objective was to combine the knowledge and perspectives of Public Panellists and stakeholders to consider how service complaint handling could deliver an improved experience for consumers: increasing consumer confidence in the handling of complaints and redress and reducing the proportion of 'silent sufferers'.

Based on these objectives and shaped by the findings from the online forum, a workshop agenda was designed that focussed on exploring an ideal complaints process, before moving on to discuss some of the key issues such as opportunities to resolve earlier dissatisfaction by understanding the difference between feedback and complaints and how the two are dealt with; the importance of communication about and throughout the complaints process; and the reassurances that clients need before making a complaint.



3. Main findings

This section focusses on the key findings that emerged from the workshop.

3.1 Being proactive in reducing the number of complaints

It was clear from discussions that participants were keen that the complaints process should not be viewed in isolation, and they emphasised the importance of efforts to reduce the number of complaints in the first instance by:

- **Setting and managing clients' expectations through clear communication from the outset.**

Participants talked about a mismatch in expectations of standards of service (especially regarding timeframes and the provider's role) and costs (some discussions of the problem of 'bill shock') leading to complaints. As a result, there was a focus on setting expectations at the beginning of the client-provider relationship and communicating general service standards (including approaches to handling feedback and the role of the provider). Participants recognised that this information is particularly important to clients and that the current ways of conveying this information (e.g. terms of engagement) are not working as well as they might.

- **Inviting client feedback and establishing a culture of continuous improvement.**

Participants felt that providers need to embrace and implement a culture of – and systems for – continuous improvement:

- **Letting clients know they welcome feedback** - communicating this at the start of the client-provider relationship, and repeating this message throughout the client-provider relationship.
- **Providing opportunities for hearing feedback** - including proactive and routine surveys; calls from the provider early on in the relationship and at the end to find out how the client-provider relationship is (or isn't) working. It was felt that this communication should be from someone other than the individual providing the legal services.
- **Training staff to identify dissatisfaction** – ensuring all staff are aware of the provider's process for dealing with dissatisfaction; equipping staff with the soft skills required to ensure clients are met with empathy when they raise issues.
- **Monitoring feedback to identify (and rectify) common sources of dissatisfaction** – participants recognised that it was not just a case of inviting feedback, providers needed to monitor it to spot the patterns and identify opportunities for improvement.



There was strong agreement that early intervention at the point when clients are expressing dissatisfaction, or spotting patterns within feedback, would prevent many issues escalating to actual complaints.

There was also some discussion about why some providers do not routinely collect and manage feedback. In short, these related to:

- Providers not always recognising the value of gathering feedback to their business:
 - How it can help avoid the cost of issues escalating to complaints/ demands for compensation and discounts.
 - How it provides opportunities to improve and remain competitive.
- General workloads and long hours affecting:
 - Customer service in general (responsiveness, proactivity, project management).
 - Ability to respond to dissatisfaction and to make changes.

Spot feedback much earlier on - avoiding complaints is much better than being good at handling complaints. If you haven't got any you don't need to be good at handling them. (Provider)

3.2 Principles that guide an 'ideal' complaint handling process

Public Panel participants and stakeholders worked together to design the ideal complaint process. From this activity, a number of key principles emerged that participants believed to be integral to delivering more positive outcomes for consumers:

- **Empathy**
- **Transparency**
- **Accessibility**
- **Fairness**
- **Ease** (Provider takes the burden/makes it easier for the client to navigate the process)

These principles are explored below. They are not an exhaustive list, but rather a reflection of the discussions at the workshop.

Empathy

There was much talk about the importance of providers demonstrating empathy throughout the complaints process. At the very least, recognising the power imbalance between providers and clients and the frustration and stress experienced by clients when they make a complaint.



Public Panel participants felt that providers could appear dismissive of a complaint; the language and tone of providers could be formal to the point of being cold; that raising a complaint was stressful and that the process itself should not add to the stress. Indeed, a lack of empathy was picked out as a particular weakness of current processes.

Transparency

Participants agreed that transparency was key to the client-provider relationship more broadly and to complaints handling specifically, this often related to:

- Providing clear information (including specific timings wherever possible) about the complaints process and what to expect.
- The importance of ongoing communication and the need for providers to be open about any issues/delays in handling the case/complaint.

Accessibility

Participants stressed that the complaints process needs to be accessible to all, highlighting:

- The importance of taking an inclusive design approach.⁶
- That some clients have specific vulnerabilities and/or have a lack of agency that needs to be taken into account.⁷
- That clients appoint a legal services provider at a point time when circumstances would make anyone more vulnerable (for example agreeing child custody, dealing with the estate of a loved one, making a major purchase, making an injury claim).
- That clients do not speak 'legal language'.
- That not all clients have access to the internet and/or the digital skills necessary to access information online.

Fairness

Whilst some participants appeared to take this as a given, others pointed to the need to ensure fairness with the process.

- The complaint needs to be investigated by someone independent of the service provided/legal professional(s) at the centre of the complaint (even if they work at the same organisation):
 - In a smaller organisation, it was suggested this could be someone with an administrative role or a senior person not involved in the case. The idea of providers working together to investigate each other's complaints was also very briefly touched upon.

⁶ <https://www.inclusivedesign toolkit.com/whatis/whatis.html>

⁷ For more information about vulnerability in legal services go to Vulnerability-in-legal-services-research-FINAL-REPORT-v2-1.pdf (legalservicesboard.org.uk)



- In a larger organisation, it was recognised that complaints would likely be dealt with by a dedicated complaints handler.

Another key point made in relation to the fairness of the process was the need to ensure that clients were not disadvantaged by making a complaint. Indeed, participants recognised that this was an overriding concern for clients and an area where they required most reassurance.

Ease (Provider takes the burden/makes it easier for the client to navigate the process)

Discussions also highlighted that it was not the client's role to:

- Seek out information on how to make a complaint.
- Distinguish between whether they were providing feedback or making a complaint.
 - It was suggested that providers needed to be aware that the threshold for treating negative feedback as a complaint might need to be different for different clients, particularly those who are more vulnerable and who have less agency.
- To chase the provider for updates on the progress of the complaint.
- To determine the specific points that needed to be addressed within a complaint.

Rather there was a general agreement that providers need to be proactive in dealing with a complaint, making it easier for the client to make the complaint and navigate the complaint process.

3.3 Key steps within the complaints handling process

As well as these guiding principles, Public Panel participants and stakeholders discussed the broad steps within the complaints process. At each step participants shared what they believed should happen and also highlighted where they felt current complaint handling processes fell short of the ideal. Discussions broadly covered what was required:

- Before making a complaint
- When submitting a complaint
- When handling a complaint
- When responding to a complaint



Before making a complaint

A number of reassurances are required before making a complaint

Participants believed that clients wanted to be reassured on a number of points before making a complaint and some believed that providing these reassurances could help reduce the number of 'silent sufferers':

- **That the complaint would not impact on progress or outcome of the case** - The overriding concern amongst Public Panel participants was that raising a complaint could have a negative impact on the progress/outcome of a case, for example, further delaying a house purchase or jeopardising child contact arrangements. With this in mind, Public Panel participants talked about the most appropriate time to make a complaint to avoid this happening, often believing it best to wait until the legal matter itself has been resolved. Stakeholders recognised the concerns raised by Public Panel participants but several stakeholders did not believe that it was possible to offer blanket reassurances, explaining that if the nature of the complaint signified a breakdown in the relationship there would be scope for a provider to withdraw representation.
- **That clients have a right to complain** – Participants stressed that clients need to be made aware that they have a right to complain (and be reassured that their complaint will be taken seriously) if they feel the service received is below an acceptable standard.
- **That the complaints process is not overly onerous or stressful** - Participants highlighted that it was important to know that the complaints process would not be overly onerous or stressful, particularly given that life was likely to be stressful enough if legal services were required in the first place.
- **That there are no financial costs involved** – Stakeholders briefly touched upon whether would-be complainants needed to know they would not be charged for making a complaint, given legal services providers bill for their time.
- **Knowing the possible outcomes and alternatives to making a complaint** - One Public Panel participant explained they were not sure what they would have achieved by making a complaint, given that they did not require compensation. A stakeholder suggested that would-be complainants should be told about the possible outcomes of a complaint but also that there were alternatives to making a complaint i.e. that there may be someone else within the legal services provider who could take on the case, if they were having difficulties with a particular professional.

Participants welcomed complaints information at the outset of the client-provider relationship

Public Panel participants and stakeholders largely agreed that complaints information (with some suggestion that this could potentially be couched in the language of 'feedback') should be available from the provider at the outset of the client-provider



relationship i.e. in the client contract/client care letter. Indeed, stakeholders highlighted that providers are duty bound to provide this information. That said, some participants went on to debate the benefits of 'up front' information and whether a provider sharing information on their complaints policy highlights potential issues or is a positive for clients as it demonstrates that they are open and not afraid of feedback. Whilst it is not possible to please everyone, most concluded that providing complaints information at the beginning of the relationship should generally be regarded as a positive – including signposting the second tier complaints process.

Participants called for the initial complaints information to accompany clear service standards that the provider adheres to. The need for clear service standards was referred to throughout the workshop as they were thought to empower the client and help them assess if their complaint was valid.

There was some discussion about current client care letters and whether there was an opportunity to frame them differently i.e. give more thought to the language used (e.g. 'we know things do go wrong sometimes' rather than cold legal jargon or using wording which implies the provider gets a lot of complaints).

There was also discussion in relation to probate cases about who should receive information on complaints i.e. whether beneficiaries of a will should receive information about complaints as well as the executors.

Participants further suggested that complaints information should also be available at other points in the client-provider relationship

Participants did not just want information about the complaints process to be shared at the beginning of the client-provider relationship; recognising that there was a lot of information to take on board at the initial stages of the relationship that could be a barrier to retaining information about the complaints process. A number of participants further suggested that information about how to make a complaint should also be:

- Sent directly to the client when a complaint is looking inevitable/the client has expressed dissatisfaction and the situation has not been resolved by the professional handling their case.
- Sent to clients at key points in the client-provider relationship.
 - However, some stakeholders pointed out that each legal case is different and therefore it would be difficult to be systematic about when to communicate complaints information and have specific intervals documented in a company policy when information should be given. Although some did suggest that complaints information could be provided at review points (i.e. assuming the company routinely asked for feedback).



Finally, participants believed that complaints information should be clearly available on the providers' websites, so that clients wishing to make a complaint had access to complaint information at the time of needing to make a complaint.

When they want to raise a complaint and they're being told, 'Well, you got the complaint handling procedure with your client care letter, you need to refer back to it.' They say, 'Well, I haven't got it,' and people have misplaced letters, they don't keep them, they don't know what's happened to them. (Stakeholder)

Complaints information to include signposting of support organisations

Participants acknowledged that, particularly when emotions are high, it is not always easy to document and evidence a complaint without support. One Public Panel participant who had made a complaint about a legal services provider had 'googled' how to write a complaint and had taken advice from the Martin Lewis website. Another Public Panel participant (making a complaint to a health service) had sought the support of a local advocacy organisation. They felt that legal services providers could do more to signpost support for clients wishing to make a complaint. Stakeholders were largely in agreement with this.

Opportunity to be more innovative with the communication of complaints information

Regardless of when in the process complaints information was communicated or what it included, participants believed that there was scope to provide complaints information in different formats: using video, animation, images/diagrams; providing any written information in clear font and easy read language.

So, I always used to say to firms, 'Be innovative about how you provide that information'. The rules don't actually say, 'You have to provide a client care letter'. The rules only say, 'You've got to provide certain key information'. You can do that through a leaflet, through a guide sheet. (Stakeholder)

Submitting a complaint

The need for a multi-channel approach

There was some discussion, perhaps driven by Public Panel participants rather than stakeholders, that legal services providers often 'hide behind emails' when it comes to dealing with complaints. Whilst the earlier online forum conducted with Public Panellists indicated that the public often preferred submitting a complaint by email partially because of the perceived need for an audit trail, there was some concern that clients with lower literacy or simply those not accustomed to more formal writing styles could be disadvantaged by a complaints process that was overly reliant on written



communication. Participants, therefore, believed that it was important that a client could submit a complaint either verbally or in writing.

The need for the provider to acknowledge the complaint within a reasonable timeframe – and provide initial information

Stakeholders and Public Panel participants agreed that rapid acknowledgement of a complaint was crucial. However, whereas Public Panel participants called for acknowledgement within 24-48 hours, there was some push back from stakeholders, with some suggesting within 5 working days. Several providers explained how their organisation would acknowledge a complaint by phone and that the personal touch was considered to be very important.

It was suggested that an acknowledgement of the complaint needs to include information on who is handling the complaint (and what to do if the client wants an alternative person to handle it) and a clear timeline.

Some participants suggested that acknowledging a complaint was a stage which was sometimes lacking in current complaints processes.

Complaint handling

The importance of agreeing/clarifying key points within the complaint

Several stakeholders highlighted that it was necessary to establish the specifics of a complaint so that all aspects of the complaint could be addressed by the complaints process.

One or two providers highlighted that their organisation explores the specifics of the complaint over the phone, taking the time to go through the complaint with the client and ensuring that there was no disconnect between what the provider interpreted as being the issue and what the client saw as the issue. Some participants queried whether the provider was sufficiently independent of the complaint to be able to do this, highlighting the need to ensure that transparency (clear explanation of who is involved) and fairness (the complaint needs to be investigated by someone independent of the service provided/legal professional(s) at the centre of the complaint) is built into the process.

Stakeholders further highlighted the need for providers to look beyond any inflammatory language, explaining that complainants were not necessarily aware of the implications of accusations made in anger; the onus was on the provider to uncover the true nature of the complaint.

Several Public Panel participants who had previously explained how they found it difficult to set out the precise nature of their complaint, welcomed the opportunity to go through the complaint with a provider. Furthermore, some participants also saw this conversation as opportunity for the provider to clarify what the client saw as a



successful resolution to the complaint. Whilst some providers said they were doing this already, based on the experience of Public Panel participants, the practice was by no means universal.

The need to outline timeframes for complaint handling

With the complaint established, all participants believed that it was incumbent upon the provider to set out a timeframe for dealing with the complaint. That said, participants recognised that some complaints would be more complex than others and that the process and timescales for handing a complaint could not always be set in stone. They believed that, in these instances, regular updates should still be offered to clients.

The importance of providing regular updates

In short, there was an expectation that clients would receive updates about how their complaint was progressing against a stated timeline or, if a set timeframe was not feasible, at regular, agreed intervals. If an update was likely to be missed for any reason, then participants believed the client should receive information in advance about why this was the case, alongside a revised timeline.

That said, some participants noted that some clients might only want updates when there is something substantial to say but others might want communications to reassure them that they have not been forgotten and to give confidence that things are happening in the background. It was mentioned that asking clients about preferences in terms of frequency of updates could help personalise the process and actually save providers money as they would not have to provide updates to some clients.

The use of technology was also mentioned by participants in the context of keeping clients updated:

- Some thought that the process could be partly automated (i.e. sending text messages with updates if there is little to report on) as long as the process as a whole remains personalised and the personal touch isn't lost.
- One Public Panel participant suggested that providers could think about setting up a portal which clients could log onto and see what is happening in relation to their complaint. This stimulated some discussion about whether smaller providers could afford to do this and whether this (wrongly) places the burden on the client to check where they are in the complaints process rather than the provider proactively updating them.

The need to tailor communication to client preferences/needs

As seen in relation to the frequency of updates, participants highlighted that communications should be tailored to individual preferences/needs. This was further stressed in relation to the communication formats i.e. face to face, Teams, email etc



(with the caveat that a summary of a verbal meeting should be emailed/sent to the client when information is provided in this way to provide an audit trail).

Responding to a complaint

Participants agreed that clients should receive a detailed response to the complaint, with the provider addressing all key points previously established and offering the client:

- The opportunity to discuss the response further with the provider or confirming that this was a final response.
- Information about the second-tier complaints process and LeO.

Participants believed the response needed to be personalised and clearly communicate that the complaint had been heard, avoiding language deemed as patronising, defensive, 'legal speak'.

One group highlighted that the current processes did not always deliver well at this stage:

- Not addressing all aspects of the complaints.
- Not expressing sufficient empathy/using the most appropriate language.

The session was deliberately designed to avoid discussions about redress as the earlier online forum had highlighted that redress needed to be approached on a case-by-case basis and that Public Panel participants found it difficult to input into general discussions on the topic. That said, discussions did briefly touch upon the importance of the language used in apologies and the need for providers to be able to apologise in a meaningful way. We note that LeO has undertaken research into the language of complaints.⁸

⁸ <https://www.legalombudsman.org.uk/media/blifooaha/language-of-complaints-report.pdf>



4. Going ahead: Suggestions from participants

At the end of the collaborative session, participants spent time discussing what they would like to see happen to address some of the points raised in the workshop discussions. Several of these suggestions have been touched upon in the sections above, but are still summarised in the table below, along with more specific suggestions.

Where possible, we have labelled the suggestions as being for legal services providers, or LSB/LeO/regulators. **Please note that participants themselves did not necessarily specify which organisation a suggestion was for.**

Providers

A 'Welcome Pack'.

A Welcome Pack at beginning of the client-provider relationship, with suggestions that it could include:

- Clear information (accessible fact sheet) about the service offered, including information on the timelines involved, minimum standards, role of the provider (what is in- and out-of-scope).
- Glossary of terms.
- Key contacts within the organisation, including one for complaints.
- How to change representation if it is not working.

Collecting and monitoring feedback

Provider to build the collecting and monitoring of feedback into business as usual and check in with clients:

- Part way through the case handling process; and,
- If a complaint has been submitted – at intervals during the complaint handling process.

Suggested that it was important to gather feedback during the complaint process as clients may be more negative at the end, if the complaint isn't resolved in their favour.

Presenting complaints information in a more innovative way

Using formats such as videos, animations, diagrams, easy read text with pictures rather than full text explanations.

General training for legal services providers

There was talk of training legal services providers in customer service more broadly (highlighting soft skills such as empathy, understanding context, how to deal with dissatisfaction). Some suggested this could include training for all client facing staff.



LSB/LeO/regulators

Review CPD requirements

Discussions touched upon the possibility of including soft skills/empathy as a component of continuing professional development for legal professionals and whether or not such training should be mandated for providers who receive a high number of complaints.

Emphasise that complaints information should be made readily available throughout the client-provider relationship (not just at the outset)

On request; potentially sent out as part of ongoing feedback mechanisms; clearly visible on websites. Ensuring that providers are not over reliant on the client care letter as a source of information on the complaints process.

Ensure signposting of support

Ensuring providers signpost support/advocacy organisations within complaints information communicated to clients.

Potential to work with intermediaries to communicate key messages about complaints

Establishing further links with intermediaries to offer reassurance about making a complaint to some (potentially more vulnerable) audiences. For example, there is work already going on with organisations such as with Refugee Action, Shelter whereby they will stock/distribute leaflets (explaining what to do if clients are unhappy with a legal service) that they can pass on to their beneficiaries.

Consider publication of complaints information

There was some suggestion that providers should share more information on complaints per se i.e. not just their complaints process but information on the number of complaints received and whether or not they had been successfully resolved so that clients could make informed choices when selecting a provider. However, some stakeholders pushed back against this and explained that some types of law generate more complaints than others and smaller companies naturally dealt with a lower numbers of complaints (which would skew any percentage based information). Whilst participants recognised that contextualisation of the information was crucial, there appeared to be no agreed way of achieving this and it is an area that would potentially benefit from further exploration.

Potential to produce 'Quick guides'

Some suggested producing sector wide guides as a way of helping to manage clients' expectations. i.e. for common legal situations such as conveyancing

