

## Dealing With Complaints

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*Look not to eliminating risk but making informed choices about it.*

**Frank Maher**

This article looks at how to handle complaints, and ways to try and prevent them turning into negligence claims.

The first step for any practice is to allocate a main point of contact who will act as the complaints co-ordinator. This individual could also manage the claims notification procedure within the firm. However, within some practices it may be beneficial to separate this function. If the practice is relatively small, one co-ordinator should be sufficient. However, larger practices may need to appoint a representative within each department to oversee all complaints from disaffected clients in the first instance. Once the grievance is deemed valid, these representatives should then report it to the main complaints co-ordinator.

Secondly, ensure staff know what to do when a complaint comes in and to whom all complaints should be referred. There should be a clear reporting procedure which all members of the practice understand and know how to implement.

Your firm should also maintain a central register of complaints outlining when the allegation arose and how it occurred. This central register is a source of information which will help you see exactly where the high risk areas of the practice are.

The main complaints co-ordinator should also ensure all grievance files are re-evaluated at least every six months. This way it is easy to see where your risks lie, whether it be by department or by type of work undertaken. Once these risks are identified you can take steps to revise your risk management procedures as necessary.

All complaints need to be dealt with promptly and thoroughly. Do not procrastinate in the hope that the problem will go away, it will not. At this stage it may be necessary to notify your professional indemnity insurers and let them know that you might be hit with a negligence claim rather than having them find out after it has been made.

When attempting to resolve a complaint, write to the client with comprehensive details of the complaint and inform the client what you will be doing to resolve the matter. Let them know when they can expect to hear from you, within a realistic period of time.

Once the complaint is resolved, write to the client again, informing them that the matter is closed. In your letter, state a period of time, say, two weeks, for them to get back to you if they are not satisfied with the outcome.

The above shows how good complaints management forms an integral part of a practice's risk management procedures. Not only does it show your insurer that you have a good grasp of the problems facing your firm, the information gathered or recorded can go some way to preventing future mistakes.