



**BIRMINGHAM LAW SOCIETY**  
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**Response to SRA's Consultation on Changing  
our requirements on first-tier complaints**

**July 2025**

**Response of the Professional Regulation Committee of the Birmingham Law Society to the Changing our requirements on first-tier complaints.**

This response has been prepared by the Professional Regulation Committee of the Birmingham Law Society. The Society is the largest local law society with some 9,000 members. The response represents the collective view of the Professional Regulation Committee whose members are specialist lawyers practising in all aspects of the professional regulation law and are from all branches of the legal profession.

## About the consultation

We are consulting on proposals to change our requirements on first-tier complaints, and asking for input on our guidance to help the firms and individuals we regulate to meet these updated requirements. We are also seeking views on other areas we are considering around how both we and those that we regulate monitor and learn from complaints.

We want consumers to be satisfied with the service they receive from those we regulate, and we know the majority of those consumers are. The Legal Services Consumer Panel's (LSCP) [Tracker Survey](#) found that satisfaction with the service provided by legal service providers was at its highest in 2024, at 87 per cent.

When things do go wrong, the way solicitor firms deal with complaints is a key indicator of service quality for consumers and of whether they can have trust and confidence in their provider. For firms, complaints are an opportunity to identify areas for improvement and ways to deliver more effectively for clients.

While we have existing requirements in our regulatory framework around service provision and complaints, we think these could be enhanced and made clearer with supporting guidance. This will help those we regulate to meet our requirements. We also have clear direction from the Legal Services Board's (LSB) new [Statutory Requirements](#), [Statutory Guidance](#) and a [statement of policy](#).

We are seeking views on our proposals to:

- make changes to when complaints information must be provided to a client
- require complaints information to be clear, accessible and in a prominent place on firms' websites, where they have one (and made available on request when they don't have a website)
- include the LSB's definition of a complaint in our glossary of defined terms
- develop new guidance to help those we regulate to understand our new requirements and how to meet our Standards and Regulations and combine this with our existing guidance on publishing complaints procedures.

We are also seeking input on two further areas that we are exploring as part of our work on first-tier complaints. These are:

- collecting and publishing additional complaints data; and
- co-development of a model complaints resolution procedure.

We would like to hear views from consumers, solicitors, firms we regulate, and other regulators. We would also like to hear from consumer organisations that support people in accessing legal services or raising complaints. The consultation is open from 30 May 2025 until 25 July 2025.

After this consultation closes, we will collate and analyse the responses and decide what proposals we need to take forward.

## Background

We are the SRA, the regulator of solicitors and their firms in England and Wales. We work to protect members of the public and support the rule of law and the administration of justice. Our mission is to drive trust and confidence in legal services.

We want consumers to be happy with the service they receive from those we regulate, and we know the majority are. The Legal Services Consumer Panel's (LSCP) [Tracker Survey](#) found that satisfaction with the service provided by legal service providers was at its highest in 2024, at 87 per cent.

When a consumer is dissatisfied with the way their work has been handled, they have the right to an accessible, transparent route to complain - and that where appropriate, things will be put right. They can also expect that, if they remain unhappy after trying to resolve things with the firm, they have somewhere to escalate the complaint to for an independent review.

There are robust mechanisms for assuring standards in first-tier complaints for SRA regulated firms and individuals within our Standards and Regulations framework.

When clients are dissatisfied with the service of a firm, they can raise complaints directly with the firm. These are known as 'first-tier complaints'. Law firms have eight weeks after receiving a first-tier complaint to provide their final written response. If the firm is unable to resolve the complaint to the satisfaction of the client, clients can then contact the Legal Ombudsman (LeO). This is known as a 'second-tier complaint'.

There is a different process for when consumers are concerned about a solicitor or firm's behaviour or conduct, where they need to report them to us to investigate whether they have breached our rules.

For consumers, the way solicitors and firms deal with complaints is a key indicator of service quality and of whether they can have trust and confidence in their provider. For solicitors and firms, complaints are an opportunity to identify areas for improvement and ways to deliver more effectively for clients.

Solicitors have a duty to provide a good standard of service, as we set out in our [Principles](#). We have a number of requirements across our Standards and Regulations that set out our expectations about service standards and specifically in relation to complaints handling. These are that the firms and individuals we regulate must:

- have a complaints procedure, which should be published on their website if they have one, or made available on request if they do not have a website
- deal with complaints promptly, fairly and free of charge
- signpost to the Legal Ombudsman for complaints about poor service and to us for any concerns about conduct.

We also provide guidance for those we regulate to help them meet our requirements on publishing complaints procedures and the information this should include.

Through the [data](#) that they report to us each year, firms have indicated that the number of complaints received and resolved has generally increased over the past 10 years. In 2024, firms

told us that 82 per cent of complaints were resolved at first-tier to the satisfaction of the client – which is the highest reported since 2012 when we started collecting this data.

However, we have evidence from our compliance monitoring and from our stakeholders that improvements in complaints handling are needed.

Our compliance monitoring and [evaluation of our Transparency Rules](#) has identified that firms are not always publishing their complaints procedures as required, or are omitting or including incorrect information when signposting to LeO.

LeO [found](#) that 46 per cent of its complainants in 2023/24 experienced poor complaints handling, highlighting issues such as inconsistent or complex complaints processes or defensive attitudes when handling complaints.

In January-March 2025, to further explore these issues and help us to understand how firms identify, manage and learn from complaints, we carried out a thematic review, visiting 25 firms, and a survey of 750 firms. That review has yet to be published, but we thought it would be helpful to share some of the findings with you ahead to help set the scene, especially where they have informed our proposals.

We found variation in how firms identified, defined and handled complaints. There were a number of good practice areas, including how some firms supported vulnerable clients. We also found areas where improvements were needed and where firms asked for more guidance and support.

We have reviewed the evidence and found areas where we believe we can enhance the regulatory framework we have in place and the guidance we provide for those we regulate. We are therefore consulting on changing our requirements and producing new guidance on complaints.

The LSCP highlighted the importance of complaints procedures in its [consumer-focused regulation report](#) as a key component of consumer protection. It recommended that legal regulators should work to encourage accessible, clear and simple procedures. We have considered this when developing our proposals.

Our proposals are in line with and support the LSB's new [Statutory Requirements](#), [Statutory Guidance](#) and a [statement of policy](#) issued under section 112 of the Legal Services Act 2007 in May 2024, that will come into effect in November 2025.

## Proposed changes

We are seeking views on our proposals to:

- Make changes to when complaints information must be provided to a client.
- Require complaints information to be clear, accessible and in a prominent place on firms' websites, where they have one (and made available on request when they don't have a website).
- Include the LSB's definition of a complaint in our glossary of defined terms.
- Develop new guidance to help those we regulate to understand our enhanced requirements and how to meet our Standards and Regulations and combine this with our existing guidance on publishing complaints procedures.

We are also seeking input on two further areas that we are exploring as part of our work on first-tier complaints. These are:

- Collecting and publishing additional complaints data; and
- Co-development of a model complaints resolution procedure.

We have included a [marked-up version of the proposed amendments to our rules at Annex one](#).

## When complaints information must be provided to a client

### Our current requirements

We currently expect solicitors to inform their clients in writing, at the time of engagement, about:

- their right to complain about services and charges,
- how a complaint can be made and to whom, and
- any right to make a complaint to the Legal Ombudsman and when they can make any such complaint.

We also expect firms and individuals to publish on their website details of their complaints handling procedures, including how and when a complaint can be made to the LeO and ourselves. They should make the information available on request if they do not have a website.

### Our proposals

Our recent survey of solicitors and firms found that 96 per cent are meeting our requirement and providing information about how to complain in writing at the time of engagement. Sixty-eight per cent are publishing the information on their website as required. It also found that some firms are providing the information at additional points of the client journey when the information could be useful.

These are:

- when a client expresses dissatisfaction (50 per cent)
- when a client says they want to make a complaint (69 per cent)
- in writing at the end of the legal matter (12 per cent).

Our thematic review visits to firms supported these findings.

The LSB considers it would be more useful to consumers if the information on how to complain is repeated at later intervals in the course of the engagement.

We agree, and a body of research, including our own, has found that this would be beneficial to consumers. For example, our [joint research with LeO](#) found that consumers did not always recall being told about the complaints procedure at the start of their legal matter and recommended that it would be helpful to explain this again if they express dissatisfaction. And our [research](#) into better information in the legal services market also found that it is important to provide the right information at the right time for consumers on how to access redress.

[Research](#) into client care letters commissioned by the legal services regulators and the LSCP recommended that the complaints procedure should be sent later on in the legal process, in

addition to being included in the client care letter, to make sure that the information had cut-through. Similarly, [research](#) by Community Research recommended that legal service providers continue to make it clear to consumers, at key stages of the relationship, that there was a formal complaints process in place should they need one.

We believe there are more opportunities in the client journey when consumers should be provided with information on how to complain.

We are therefore consulting on a proposal to expand section 8.3 of our Code of Conduct for Solicitors, RELs, RFLs and RSLs to include additional points when this information must be provided. These are:

- a. On conclusion of their legal matter
- b. Upon request and
- c. If a complaint is made during a matter

## Questions

Q1a. Do you agree with our proposal to expand 8.3 of our Code of Conduct for Solicitors, RELs, RFLs and RSLs, which will also apply to firms under section 7.1 (c) of our Code of Conduct for Firms, to include that complaints information must be provided to clients on conclusion of the legal matter?

**Answer 1a –**

**No**

**We note that the SRA "carried out a thematic review, visiting 25 firms, and a survey of 750 firms". This consultation notes "That review has yet to be published". Nevertheless, it seems that this unpublished data has "informed our [the SRA] proposals".**

**The Thematic Review should be published so that it can be seen how the review has informed the proposals. Without sight of the Thematic Review, it makes it difficult to understand the rationale for the SRA proposals. The Thematic Review should be published before these proposals are imposed upon the profession.**

**The proposal is considered unnecessary as clients are informed of the complaints procedure at the outset of the matter.**

**The proposal that complaints information is provided on conclusion of a matter also presents a practical problem in determining when a matter is concluded. No definition has been provided by the regulator. Some matters such as conveyancing transactions usually have a definite end date. Other matters do not. It is not easy to define the conclusion of a matter.**

**We are aware that current delays at the Land Registry are such that registration is not completed until 24 months after completion. This may mean that a client are contacted two years after they understood their matter had completed.**

**A pragmatic solution may be to require complaints information (or more likely where the information can be found) to be published on invoices. Clients will receive a final invoice**

usually towards the conclusion of a matter even if that is before the file is closed and/or archived.

Requirements (Section 112 Requirements) issued by the Legal Services Board, dated 16 May 2024, in relation to the complaints procedures of authorised persons for first tier complaints, provides (at D11) that "an authorised person must inform each client [of the option to complain and the procedure] at the conclusion of the matter". It is understood that these requirements are not in force until November 2025. On that basis it appears that the SRA is being required by the LSB to make the proposed change.

We are aware that ISO 10002, the International Standard for Complaints Handling, provides that it must be easy for the client to complain and clients must be kept informed about progress of their complaint. Adopting this standard would remove the obligation to specify when such information must be made available.

Q1b. Do you agree with our proposal to expand 8.3 of our Code of Conduct for Solicitors, RELs, RFLs and RSLs, which will also apply to firms under section 7.1 (c) of our Code of Conduct for Firms, to include that complaints information must be provided to clients upon request?

**Answer 1b – Yes. Where a client requests information on how to make a complaint this must be provided. SRA Guidance should make it clear that this obligation can be fulfilled by directing the client to the appropriate section of the firm's website (if it has one) where the process is published. Where a firm does not have a website then this information should be provided in writing.**

It is not understood why this provision is made as a matter of professional conduct rather than in guidance. The SRA should provide an explanation as to why the matter is considered so serious as to require a professional conduct rule. The Legal Services Consumer Panel's research shows that satisfaction with legal service providers is 87%. This shows that the need to complain is at a relatively low level.

Q1c. Do you agree with our proposal to expand 8.3 of our Code of Conduct for Solicitors, RELs, RFLs and RSLs, which will also apply to firms under section 7.1 (c) of our Code of Conduct for Firms, to include that complaints information must be provided to clients if a complaint is made during a matter?

**Answer 1c – The answer to this is the same as the answer to 1b.**

Q1d. Please add any comments that you have on when complaints information must be provided to clients.

**Answer 1d – The answer to this is the same as the answer to 1b.**

## **Making complaints information clear and accessible and in a prominent place on websites**

### **Our current requirements**

We currently expect solicitors to publish on their websites details of their complaints handling procedure including details about how and when a complaint can be made to LeO and to the SRA. They should make the information available on request if they do not have a website.



We also expect that clients are given information in a way they can understand, and that individuals and firms make sure clients can make informed decisions about the services they need, how their matter will be handled and the options available to them.

In 1.6 of our Transparency Rules, we set out that cost information published under this rule must be clear and accessible and in a prominent place on a solicitor's website. We are consulting on a proposal to mirror this text and expectation into Rule 2 of our Transparency Rules about complaints information.

## Our proposal

Our survey of firms found that only 68 per cent stated they are publishing their complaints procedure on their website. This is despite it being a regulatory requirement for them to do so. This has also been found when we have monitored compliance with our Transparency Rules – where firms are either not always publishing their complaints procedures or not including all the required information in there. When they do publish them, they are also not always easy to find on their website.

Ease of finding the relevant information can also vary depending on a firm's website structures and layout. Our thematic review found that the complaints procedure of the firms we visited were not always easy to find on their website and could appear in small font at the end of a webpage (unless it's the homepage) or be embedded within a PDF document, for example.

[Research](#) for LeO by Community Research tested the transparency of complaints information on legal service providers' websites with users of legal services. It found that complaints procedures were often hard to find on websites and recommended that they display a more obvious link to the complaints process on their website.

Even those respondents who had found the complaints process relatively easily felt that having it in a more prominent position on the website would help indicate to consumers that the provider had a culture that was open to receiving complaints.

We therefore believe we need to be clearer with firms about our expectations on complaints procedures – that they must be published on their website, when they have one, in line with current requirements, and go further in that they must be clear, accessible and in a prominent place.

Our [Year 3 Transparency Rules Evaluation](#) found that interviewees did not consider that the prominence of complaints procedures on a provider's website would lead to a negative perception of the service provided, so we do not think this proposal would have a negative impact on firms.

## Prominence

In 1.6 of our Transparency Rules we set out that cost information published under this rule must be clear and accessible and in a prominent place on a solicitor's website. In our [guidance on transparency in price and service](#) we explain more about what this means – that information should be - in as clear and understandable format as possible and if firms have a website, then their price information must be published on it in a 'place that is easy for members of the public to locate, clearly signposted and in a way which is easy to understand'.

We propose to mirror the requirement in Rule 2 of our Transparency Rules about complaints information – making it clear, accessible and in a prominent place.

The guidance we develop in this area would then mirror the guidance on transparency in price and service: that the firms and individuals we regulate must provide complaints information prominently, in as clear and understandable format as possible – if they have a website then their complaints information must be published on it in a place that is easy for members of the public to locate, clearly signposted and in a way which is easy to understand.

The LSB's expectation is that complaints procedures should be prominent and accessible to all clients. In its [statutory Guidance](#), it expands to say that where information about how to make a complaint is displayed on a website, this should be in a prominent location and not require multiple clicks to access. We understand that other legal regulators are more prescriptive on what is meant by prominence, such as that information must be on the homepage of a firm's website or signposted via a link from the homepage.

We therefore propose that in the development of guidance we would include examples of how to ensure information is prominent. For example, not requiring multiple clicks to access or that it should be linked from a homepage.

### When firms do not have a website

Rule 3 of our Transparency Rules (Publication) states that an [authorised body](#), or an individual practising in the circumstances set out in regulation 10.2(b)(i) to (vii) of the SRA Authorisation of Individuals Regulations, that does not have a website, must make the information set out in rules 1 to 2 available on request.

In our guidance on transparency in price and service, we say that for firms or freelance solicitors that do not have a website, this information must instead be readily available upon request in another format. People should not be required to provide detailed information before they can obtain it.

We do not propose making any changes to Rule 3. We will provide additional advice on what to consider around this requirement in our accompanying guidance and are interested in views on this.

### Questions

Q2a. Do you agree with our proposal to expand Rule 2 of our Transparency Rules to state that complaints information published under this rule must be clear and accessible and in a prominent place on a firms' website?

**Answer 2a –**

**Yes**

**Whilst it is agreed that the information must be published on a firm's website so that it is easy for clients to complain, it is not agreed that this must be clear, accessible and in a prominent place on a firm's website. The reason for this is that there is no guidance on what is a "prominent place" nor what is meant by "clear and accessible".**

**Most websites follow an established pattern that users have become familiar with. The SRA should specify that this should appear at the foot of the home webpage so that there is consistency across the profession. This will mirror the SRA's own website where "Complaints about our service" appear at the foot of the SRA home webpage.**

Q2b. Please explain the reasons for your answer

## **Answer 2b – See response to 2a.**

Q2c. What are your views on us mirroring the wording we have in our guidance on transparency in price and service about prominence?

## **Answer 2c – The proposed wording is rejected for the reasons given in response to Q2a.**

Q2d. What are your views on us including more information in our guidance on prominence – such as including reference to it not requiring multiple clicks to access or that it should be linked from a homepage?

**Answer 2d – Any Guidance from the regulator on the interpretation of its rules is welcome. The regulator is encouraged to follow established methods of complaints handling, such as that set out in ISO 10002, so that the SRA's requirements reflect those of other business sectors. In terms of positioning and prominence it is suggested that the SRA specify that the information is displayed (or there is a link to the information) at the foot of the webpage (mirroring the SRA's own webpage).**

Q2e. What are your views on us including more information in our guidance on how firms or freelance solicitors that do not have a website should provide complaints information? Please give reasons for your answer and tell us what would be helpful to include.

**Answer 2e - Any Guidance from the regulator on the interpretation of its rules is welcome. The simplest solution for any freelancer is for the information to be provided in the documentation setting out the retainer with the client (whether in hard copy of electronic format).**

## **Including a definition of a complaint in our glossary**

### **Our current requirements**

We publish a [Standards and Regulations Glossary](#) alongside our Standards and Regulations. This comprises of a set of defined terms which are used in the Standards and Regulations. Terms being used in their defined sense appear as italicised text within the individual sets of provisions of the Standards and Regulations.

We do not currently include in the glossary or elsewhere a definition of a complaint to help the solicitors or firms we regulate to identify them. We also do not signpost to the LSB's definition, which the majority of other frontline regulators do.

### **Our proposals**

Our thematic review and survey of firms identified significant variation in how they are defining complaints, and this is an area where they asked for more clarity from us.

It is important that consumers across providers are being treated fairly and that when they raise complaints they are handled consistently, and that they receive the same information at the same points in their journey. When we are looking at the data we collect on complaints from solicitors and firms, it is important that that it represents a fair picture and that they are reporting with consistency.

The [LSB's s112 Requirements](#) include a definition of a complaint, which is also used by LeO. We have noted that other legal regulators also reference this definition in their rules or guidance. We believe a single definition is beneficial to bring about consistency across the sector, for both

consumers in how their complaints are identified and handled and for firms in how they identify complaints and then what data they collect and report:

Complaint – an oral or written expression of dissatisfaction, which alleges that the complainant has suffered (or might suffer) financial loss, distress, inconvenience, or other detriment.

We are proposing to include the definition in our Standards and Regulations Glossary as a defined term and are interested in views on this.

## Question

Q3. What are your views on us including the LSB's definition of a complaint as a defined term in our Standards and Regulations Glossary?

**Answer 3 – Any definition of complaint must be consistent with definitions used by the LSB and the Legal Ombudsman.**

**The International Standards Organisation (ISO) has published a standard – ISO 10002 Guidelines for Complaints Handling – that sets an internationally recognised definition of a complaint. Adopting this standard definition of the term will ensure that SRA regulated law firms are treated in the same way as other businesses. Further, by having a consistent standard that applies to many types of business will improve client understanding of what is meant by the term 'complaint'.**

## Guidance

### Our current approach

We produce guidance to help solicitors and firms understand our requirements and how to meet our current Standards and Regulations.

We currently publish [guidance on publishing complaints procedures](#) to help the firms and individuals we regulate that are required under Rule 2.1 of the Transparency Rules to provide information about:

- Their complaints handling procedure
- Details about how and when a complaint can be made to LeO and
- Details about how and when a complaint can be made to the SRA.

This guidance is designed to help firms and individuals meet Rule 2.1 by suggesting text they can use to provide this information and is in the form of a template that they can adapt. We also signpost to [guidance provided by LeO](#), which provides further help on handling complaints.

### Our proposal

Many firms (70 per cent) in our survey told us they used our guidance on publishing complaints procedures. The firms we surveyed and visited also told us they made use of resources produced by other organisations, such as:

- LeO resources: guidance and training webinars
- The Law Society resources

- Materials published by third parties such as commercial compliance companies.

To help the firms and individuals we regulate to meet our requirements under 8.2-8.5 of the [SRA Code of Conduct for Solicitors, RELs, RFLs and RSLs](#), and 7.1 (c) of the [Code of Conduct for Firms](#), we are proposing to produce new guidance on complaints handling.

We propose to combine this with our existing [guidance on publishing complaints procedures](#) and expand it to cover more to help firms identify and handle complaints.

Our guidance will also signpost to helpful resources and guidance published by others.

We asked both those taking part in our survey and thematic visits to tell us where they would like more clarity on the expectations on firms, or additional resources they would like to support complaints handling.

We have also looked at other regulators' approaches to complaints handling - from legal services and more widely - and found that many provide guidance for their regulated communities.

The LSB has also set out key areas in its requirements that we propose to cover in our guidance.

Some examples of what our guidance could cover are:

- Identifying complaints
- What information to give to clients and when
- Communications – including sending acknowledgements, communicating the outcome of a complaint, keeping complainants updated
- Accessibility – including more information on and examples of prominence, and the use of clear, plain, appropriate language
- Supporting vulnerable clients – including signposting to SRA resources, such as our guidance on [meeting the needs of vulnerable people](#).
- Resolving complaints – including complying with remedies

We welcome views from those we regulate on what information they would like to see in our guidance to help them meet our requirements around complaints. We also welcome views from others on what our guidance should cover.

## Questions

Q4a. What are your views on us producing new guidance to help those we regulate meet our requirements on complaints handling? Please give reasons for your answer.

**Answer 4a – Given that complaints about legal services are made to the Legal Ombudsman then that organisation is best placed to provide the guidance. The SRA may wish to include links to the Legal Ombudsman guidance, but producing SRA guidance is unnecessary and a waste of money for the profession. Any guidance the SRA may wish to produce should be done in consultation with the Legal Ombudsman.**

Q4b. What are your views on us combining our new guidance with our existing guidance on publishing complaints procedures? Please give reasons for your answer.

**Answer 4b – There is no necessity for the SRA to issue guidance when this is the remit of the Legal Ombudsman.**

Q4c. Do you have any suggestions for areas we should include in guidance we develop to help solicitors and firms understand our requirements and how to meet our Standards and Regulations in relation to complaints? If so, please give details.

**Answer 4c – See response at 4b.**

## Other proposals

### Publishing first-tier complaints data - timeliness

It is important that complaints are dealt with in a timely way. In our survey, the majority of firms (97 per cent) - excluding those that received no or few complaints - told us they provided a final response to complaints, on average, within eight weeks, with 65 per cent stating that they did so within four weeks.

In its [Statement of Policy](#), the LSB sets out that regulators should understand the timeliness with which authorised persons resolve first-tier complaints to the complainant's satisfaction. It says 'Eight weeks is the gateway point at which a complaint that has not been resolved to a complainant's satisfaction may be accepted by the Legal Ombudsman as a second-tier complaint. Regulators are therefore encouraged to use eight weeks as a metric for assessing the promptness with which a complaint has been resolved. If they decide to use another metric, it should be published, with reasons.'

This data should be appropriately contextualised and published to increase transparency about performance levels.

The LSB considers that this expectation is an important aspect of its policy, as it anticipates it will act as an incentive to authorised persons, including firms, to resolve complaints in a timely way, and to be accountable if this does not happen.

We agree that there are benefits to making information about complaints available, but it is important that information is presented in a way that is clear and meaningful for consumers and fair for solicitors and firms. We are interested in views on how we could do this and particularly in exploring the LSB's expectation for timeliness data to be made available.

### Background to publishing complaints data

When we were developing our Transparency Rules in 2017, we [consulted](#) on publishing data on first-tier complaints at firm level. Respondents such as the LSCP and LeO supported our proposal and offered views as to what contextual information would be necessary to make the data useful for consumers.

However we did not take these proposals forward in full. In our [response](#), we set out why:

- Our decision was finely balanced as there are clear potential benefits to consumers of publishing this information, if properly contextualised. A number of respondents at that time told us that the data could be misleading and that providing appropriate context would be difficult.

- Some respondents were also concerned that publishing complaints data would distort the behaviour of some firms and their employees when it came to reporting complaints. This could lead to complaints being hidden, hampering a firm's efforts to learn from complaints and improve customer service.
- We also do not undertake any verification of the complaints data we collect, and it would require a great amount of resource for us to do so. However, without that verification, we did not feel able to publish the data knowing that consumers would rely on it. We considered whether we could publish the data with appropriate caveats but were concerned that many consumers would not read the caveats and would assume the data had been verified by us.

Instead of publishing the data at firm level, we said we would use our digital register to signpost consumers to the LeO complaints and Ombudsman's decisions ('second-tier') data. We also started to publish aggregate data in our annual first-tier complaints report for firms to use to benchmark themselves against.

## Contextualising the data

One of the reasons we did not proceed with publishing the data in 2017 is because of the importance of contextualising it in a way that was meaningful to consumers, and fair to solicitors and firms.

The LSB has said that there is a need for timeliness data to be properly contextualised in order for it to be a meaningful and fair representation of firms' performance and included this as an expectation in its statement of policy.

In its [advice](#) to the LSB on contextualising information for consumers, the LSCP set out the benefits of contextualisation, as well as some principles to guide regulators when attempting to contextualise data or make contextual information work in practice. Its key findings included that contextualisation will not be perfect from the start, but that there are lessons that can be learnt from sectors outside of legal services. It also recommended that consumer research, testing or trialling is pivotal to effective contextualisation.

## Collecting the data

We are exploring proportionate potential routes for collecting this data as we do not routinely currently collect data from the individuals and firms we regulate on the timeliness with which they resolve first-tier complaints to the complainant's satisfaction.

One way would be to collect timeliness data when we collect information about first-tier complaints from solicitors each year when they renew their practicing certificates. Through this route, they currently report to us a range of data points that we use for regulatory purposes including the number of complaints they receive from their clients, the number of complaints they resolve, the number escalated to LeO, and the complaint category. We also welcome views on any other ways we could collect this data.

## Publishing the data

We are considering whether and how we could publish complaints data at firm level. We are seeking views on collecting and publishing timeliness data, including what contextual



information would be required to make this information useful for both raising standards in our regulated community and to help consumers choose and use service providers.

## Questions

Q5a. What are your views on us collecting and publishing timeliness data at firm level?

**Answer 5a – The collection and publication of timeliness data by the SRA will be a considerable expense. If it is considered that it is necessary to publish this information then the favoured options are: a) the information is published by LeO; or b) firms are required to publish this information in a specified format.**

Q5b. What contextual information would be required to make the information useful to consumers and be fair to solicitors and firms?

**Answer 5b – The range of attributes required to provide context are many and varied. For example, one might expect a law firm dealing with volume conveyancing for individuals to attract more complaints than a firm that deals solely with commercial contract matters. It is unlikely to be possible to publish this data in a meaningful way that can be readily understood by those outside of the legal services market.**

Q5c. What information about complaints would be most helpful to consumers and why?

**Answer 5c – The information that consumers require about complaints depends upon the nature of the legal service that the consumer is interested in. An individual seeking a solicitor to assist with a property purchase is unlikely to base a decision to use a particular firm based on its complaints data regarding family matters.**

## Developing a model complaints resolution procedure for the sector

We have been working closely with the Legal Ombudsman (LeO) on the development of a model complaints resolution procedure (MCRP). LeO's intention is to offer a template first-tier complaints procedure that can be used by any legal service provider in England and Wales. It also plans to provide a detailed suite of guidance materials to support the MCRP, as well as letter templates and toolkits for service providers.

The findings of our [Year 3 Transparency Rules Evaluation](#) echo LeO's concern that there is inconsistency in complaints handling and the provision of information across the sector. The LSCP has also called for regulators to drive improvement in the sector by telling providers in [its latest tracker survey](#) how to communicate complaint procedures with standardised language and formats.

The benefits of an MCRP could include:

- For consumers, standardisation would bring simplicity, clarity and confidence over what to expect if they want to raise complaints about the service they've received.
- It would assist clarity for legal service providers and confidence on what's expected of them.

We know from our survey and thematic review that there is evidence of good practice with firms that take complaints handling very seriously. We want to share examples of this more widely, so that it starts to become standard practice. LeO wants to build on established good practice with the MCRP.



We believe that a MCRP could have value and that it should be developed and tested with both legal service providers and consumers.

LeO will run a pilot across the summer and autumn 2025, testing the MCRP with a small number of legal service providers. We will discuss this with consumers as part of our wider engagement with them over the summer while the consultation is live. Subject to the results of LeO's pilot, it is anticipated that the MCRP and accompanying guidance will be published next year.

We are interested in your views on the MCRP to help support its development.

## Questions

Q6. Do you agree that introducing a MCRP for the sector would be helpful? Please give reasons for your answer, including anything you think should be taken account of in the development of an MCRP?

**Answer 6 – This is unnecessary given that there is an international standard that deals with managing complaints - ISO 10002 Guidelines for Complaints Handling. Adopting this standard definition of the term will ensure that SRA regulated law firms are treated in the same way as other businesses. Further, by having a consistent standard that applies to many types of business will improve client understanding of what is meant by the term 'complaint'.**

Q7. Do you have any comments on the regulatory impact of our proposals on first-tier complaints?

**Answer 7 – The creation and adoption of a model complaints resolution procedure specific to the legal sector will be costly and unnecessary given that there is an international standard that can be applied at no cost.**

Q8. Do you have any further comments you would like to share with us when reviewing our requirements and producing guidance on first-tier complaints?

**Answer 8 – Requirements relating to complaints management are best left to the Legal Ombudsman. The handling of complaints is not a matter of professional conduct. It is accepted that a pattern of behaviour where a firm or a solicitor fails to deal with complaints may be a matter of professional conduct. Having separate SRA and LeO requirements will lead to duplication of effort and increased costs for the profession.**

## Equality impact assessment

We have considered the impacts of our proposals and whether there are any specific risks or impacts from an Equality Diversity and Inclusion (EDI) perspective.

### Equalities Impact Assessment

Existing research has identified additional barriers for people who may be vulnerable by their characteristics or circumstances when raising complaints. These can be due to the area of practice or protected characteristics, for example immigration/asylum or people with a disability.

[Research by Refugee Action](#) for the Bar Standards Board identified barriers including a lack of knowledge about rights to complain and complaint processes and a fear of the impact on their application, ie a belief that their solicitor or even the Home Office might seem to punish them for

making a complaint. Our [2017 joint research with LeO](#) found that people whose day-to-day activities were limited by disabilities were more likely to say they did not understand the complaints procedure or knew how to complain.

We think our proposed changes to our regulatory framework and development of guidance will help build on transparency of complaints procedures and consistency of information for consumers from all communities. We plan to work with consumer groups to make sure any resources we develop alongside our guidance are tested with and informed by our engagement. This will include engaging with seldom heard groups and groups where we have identified additional barriers when raising complaints, via consumer representative organisations.

Our thematic review found that receiving complaints can have an impact on solicitors. We think that our proposed changes and development of guidance will help inform and support solicitors and their businesses when handling complaints for firms of all different sizes including sole practitioners.

We also plan to produce guidance for solicitors and firms to support them in recognising and handling complaints and how to meet our requirements in this area.

We have not identified any adverse EDI impacts. However, we will work with consumer groups and those we regulate as our proposals develop and listen to the responses we receive to this consultation.

We will also consider EDI perspectives through our monitoring and evaluation activity to make sure we are continuing to consider, and respond to, any possible changes or emerging EDI impacts.

## Question

Q9. Do you have any comments on our draft equalities impact assessment?

**Answer 9 – The proposals for consumer engagement seem unnecessary and expensive. Any such engagement is a matter for LeO and not the SRA. Whilst guidance and support from the regulator is always welcome in this instance it is considered that this is better provided by LeO and The Law Society.**

## Propose rule changes

### Code of Conduct for Solicitors, RELs and RFLs proposed wording changes

#### 8.2-8.5: Complaints handling

8.2 You ensure that, as appropriate in the circumstances, you either establish and maintain, or participate in, a procedure for handling complaints in relation to the legal services you provide.

8.3 You ensure that clients are informed in writing: at the time of engagement; on conclusion of their legal matter; upon request and if a complaint is made during a matter about:

- a) their right to complain to you about your services and your charges;
- b) how a complaint can be made and to whom; and

c) any right they have to make a complaint to the Legal Ombudsman and when they can make any such complaint.

8.4 You ensure that when clients have made a complaint to you, if this has not been resolved to the client's satisfaction within 8 weeks following the making of a complaint they are informed, in writing:

- a) of any right they have to complain to the Legal Ombudsman, the time frame for doing so and full details of how to contact the Legal Ombudsman; and
- b) if a complaint has been brought and your complaints procedure has been exhausted:
  - i. that you cannot settle the complaint;
  - ii. of the name and website address of an alternative dispute resolution (ADR) approved body which would be competent to deal with the complaint; and
  - iii. whether you agree to use the scheme operated by that body.

8.5 You ensure that complaints are dealt with promptly, fairly, and free of charge.

Transparency Rules proposed wording changes

(This amendment is proposed as a replacement for the existing rule 2 of the Transparency Rules)

#### Rule 2: Complaints information

2.1 An authorised body, or an individual practising in the circumstances set out in regulation 10.2(b)(i) to (vii) of the SRA Authorisation of Individuals Regulations, must publish on its website details of its complaints handling procedure including, details about how and when a complaint can be made to the Legal Ombudsman and to the SRA.

2.2 Complaints information published under this rule must be clear and accessible and in a prominent place on your website