Client Complaints Policy

Introduction

This policy outlines the approach to complaints received from clients of Barry Nilsson (BN).

Scope

This policy applies to any valid complaint received either by the principal/solicitor who is the subject of the complaint, or another BN principal/solicitor or staff member.

Definitions

Definitions related to all policies are outlined in BN's Policy & Procedure Framework. For clarity, Table 1 provides a definition and purpose for terms used in this policy.

Table 1 – Definitions

TERM	DEFINITION AND PURPOSE
Complaint	A complain is defined as any written or verbal expression of dissatisfaction by or on behalf of a client regarding the principal/solicitor or the persons working under their supervision. The complaint may relate to the execution of a legal matter with regard to the quality of professional services, the way in which BN staff conducted themselves, or the amounts invoiced. The complaint may be made to BN or made about BN, and includes comments made on social media where the author is both identifiable and contactable.

Valid Complaints

From time-to-time clients may express dissatisfaction with the progress of a matter, a matter outcome, or the quantum of fees involved. The principal/solicitor must use their professional judgement in determining whether such client comments represent a complaint. Further, having established that a client is making a complaint, judgement should be used to determine whether that complaint is valid, and whether a response or resolution is explicitly or implicitly expected or legally required, which in turn will determine the nature and extent of the response.

Verbal Complaints

Should a verbal complaint be received directly by the principal/solicitor who is the subject of the complaint, and initial discussions can resolve the complaint to the satisfaction of the complainant, no further documentation is required and the complaint will not be considered further under the scope of this policy unless notification is required under a client service standard (refer 7. below) A verbal complaint is a valid complaint. Should a client be unable to put a complaint in writing, for whatever reason but with reference to the client being a vulnerable person, the complaint should be recorded on file, with assistance provided by BN staff to elicit and record sufficient detail to enable our internal dispute (complaints) resolution process to be followed.

Complaints Resolution Process

- Primary responsibility for dealing with complaints lies in the first instance with the principal/solicitor involved.
- The complaint should be acknowledged with the customer verbally or in writing as soon as practicable, ideally within 24 hours.
- All valid complaints will be notified to the CEO.
- If the complaint has been received by the principal/solicitor who is the subject of the complaint, an explanation of the situation is to be provided with the notification.
- If the complaint is received by someone other than the principal/solicitor who is the subject of the complaint, the CEO shall notify the subject of the complaint immediately and request an explanation of the situation.
- The principal/solicitor who is subject of the complaint shall attempt to resolve the complaint with the client or the party acting on behalf of the client within five calendar days.
- Should the principal/solicitor not be able to reach a solution with the client the CEO will decide on any further action required. This may include appointing another principal/solicitor of the firm to manage the complaint.
- All complaints should be dealt with within 30 calendar days of receipt.
- Clients should be kept up to date with the progress of their complaint with updates at least every 10 calendar days.
- If a complaint will not be resolved within 30 calendar days then the complainant will be notified in writing as to the reasons and a timeframe for resolution.
- The complainant should be informed of the final outcome of their complaint with reference to actions taken by the firm to resolve the complaint or reasons for rejection of the complaint in whole or part.
- Complainants should be informed of their regulatory / professional body recourse in the relevant state jurisdiction.
- Should it be deemed likely that a claim be made under BNs professional indemnity insurance then notification should be made in accordance with the professional indemnity notifications policy.
- The Risk Committee shall actively examine complaints and their resolution and make recommendations to changes in policy / procedures / matter management / principal/solicitor conduct to avoid future complaints.
- Complaints Register
- A complaints register shall be maintained of all complaints referred to the CEO. This register will be made available to the Board of Management upon request. As a minimum the Complaints register will be submitted to the Board of Management annually at 30 June.

Third or Associated Party Complaints

A complaint may be made by a party associated with a matter e.g. an insured of one of our Insurance & Health clients. This may relate to our service or potentially be a complaint about our client.

If a notification is required under a client service standard of such a complaint, then the client's notification process must be followed. Our large insurance clients in particular have specific requirements regarding complaints notification and handling so always check with the client relationship or supervising principal if you are the subject of / are made aware of a complaint. Compulsory in-house training is conducted annually regarding our regulatory obligations and our clients' requirements for both internal and external dispute resolution.

External Disputes Resolution

Specific to Insurance & Health clients, should a complaint be unresolved by our internal dispute resolution process as outlined in this policy, the complainant should be informed that they have a right to pursue their complaint via an external dispute resolution process with the Australian Financial Complaints Authority (AFCA) and provided with details about how to access AFCA.

https://www.afca.org.au/make-a-complaint 1800 931 678

Complaints Notified by a Regulator / Law Society

Complaints as to professional conduct or costs received via a regulator or professional body should be notified to the CEO as soon as received.

Policy Management

Related Documents

This document is read in conjunction with all other applicable documents, including, but not limited to, Policies, Standards, Guidelines, Procedures, Toolkits and Work Instructions. You may need to refer to the following specifically related documents:

- Professional Indemnity Notifications Policy
- Vulnerable Clients Policy

Monitoring & Review

This document will be reviewed by the Owner in line with the scheduled 1, 2 or 3-year review cycle, depending on the level of risk. Changes to legislation and regulation that may impact this document are monitored by the Owner and any changes are managed in line with the Policy & Procedures Framework.

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Date of next review	November 2026
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Owner	Business Services | Business Development & Marketing