

How to Complain

KK Thompson is committed to providing the best possible service and client care. We pride ourselves on our service to our clients and are keen to make sure that you are happy and well looked after at all times. However, if at any point you become unhappy or concerned about the service we have provided then you should inform us immediately, so that we can do our best to resolve the problem.

In the first instance please contact the person dealing with your matter or if you prefer, their supervisor. A copy of our complaints procedure is available upon request.

To download our guide on how to make a complaint

KK Thompson Solicitors Limited Complaints Handling Procedure

Our complaints policy

We are committed to providing a high-quality legal service and to deal with all our clients fairly. When something goes wrong, we need you to tell us about it. This will help us to improve our standards.

- 1) This procedure is intended for clients of this firm. If you are not a client but wish to make a complaint we will investigate and provide you with a response, however use of this procedure in these circumstances is at our discretion.

How do I make a complaint?

- 2) You can contact us in writing (by letter or email)
- 3) To help us to understand your complaint, and in order that we do not miss anything, please tell us:-
 - a) Your full name and contact details.
 - b) What you think we have got wrong.
 - c) Any evidence you have to support your complaint.
 - d) What you hope to achieve as a result of your complaint.
 - e) Your file reference number (if you have it).

What will happen next?

- 4) We will send you a letter or email acknowledging receipt of your complaint within three working days of us receiving the complaint, enclosing a copy of this procedure.
- 5) We will then investigate your complaint. This will normally involve passing your complaint to the relevant partner who is supervising your matter. He/she will review your complaint and your file and speak to the person who dealt with your matter. We may need to ask you for further information or for further documents. If so, we will ask you to provide the information within a specific period of time. If the complaint involves the supervising partner, he/she will refer it to another partner and will confirm who will deal with it.

- 6) We will write to you by letter or email at the end of our investigation to tell you what we have done and what we propose to do to resolve your complaint. Where possible, we will aim to do this within 28 days of the date of our letter or email of acknowledgement.
- 7) If we have to change any of the timescales above, we will let you know and explain why.
- 8) The Legal Ombudsman allows us 8 weeks to try to reach a resolution to your complaint.

What if I am not satisfied with the outcome?

9) If you are not satisfied with our response to your complaint you can contact the Legal Ombudsman to look at your complaint. You can contact the Legal Ombudsman by post, telephone or email:

Legal Ombudsman

PO Box 6806

Wolverhampton

WV1 9WJ

Telephone: 0300 555 0333

E-mail: enquiries@legalombudsman.org.uk

Visit: www.legalombudsman.org.uk

For minicom call 0300 555 1777

Any complaint to the Legal Ombudsman must usually be made within six months of the date of our final written response to your complaint and within six years of the act or omission about which you are complaining occurring (or within three years of you becoming aware of it). Further details are available on the Legal Ombudsman's website www.legalombudsman.co.uk.

What will it cost?

10) We will not charge you for handling your complaint.

11) Please note that if we have issued a bill for work done on the matter, and all or some of the bill is not paid, we may be entitled to charge interest on the amount outstanding.

12) The Legal Ombudsman service is free of charge.

What to do if you are unhappy with our behaviour

If you are concerned or unhappy with our behaviour, The Solicitors Regulation Authority can help. This could be for things like dishonesty, taking or losing your money or treating you unfairly because of your age, a disability or other characteristic.

Visit their website to see how you can raise your concerns with the [Solicitors Regulation Authority](http://www.sra.org.uk) at www.sra.org.uk

KK Thompson Solicitors

Business Debt Recovery Claims up to £100,000

The cost illustrations below apply where the claim is in relation to an unpaid invoice which is not disputed and enforcement action is not needed. If the other party disputes your claim at any point, we will discuss any further work required and provide you with a revised advice about costs if necessary, which could be on a fixed fee (e.g. if a one off letter is required), or an hourly rate if more extensive work is needed. The cost illustrations will also generally not apply where a claim is complex, and where damages are potentially recoverable.

What is included

As a general rule our services in this respect include:

- Taking your instructions and reviewing the relevant documentation.
- Investigating the debtor's legal liability to pay the debt.
- Investigating the debtor's ability to pay the debt.
- Sending a letter before action.
- Receiving payment and sending the same to you, or if the debt is not paid, drafting and issuing a claim.
- Where no acknowledgment of service or defence is received, applying to the court to enter judgment in default.
- When judgment in default is received, writing to the debtor to require payment.
- If payment is not received promptly, then providing advice on next steps and likely costs.

What is excluded

The fees set out below would not include any further work, such as dealing with any defended claim (whether through litigation, negotiation or any alternative means of dispute resolution), any enforcement of a judgment, insolvency proceedings, any ancillary applications (such as an application to strike out or amend), any counter-claim or any appeal.

Pre-Litigation Costs

The fees below relate to work prior to the issue of proceedings. All fees mentioned are net of VAT.

	Small Claims Track (up to £10,000)	Fast track claim (£10,000 to £25,000)	Multi track claims (£25,000+)
Letter before action	£150	£350	Hourly Rate
Pre-issue negotiations	Hourly Rate	Hourly Rate	Hourly Rate

Issuing Proceedings

Whilst we always endeavour to achieve a successful outcome without the need to issue proceedings, this will not always be possible. The fees below will be incurred, in addition to those mentioned above, in the event that proceedings cannot be avoided.

Debt Value	Court Fee	Our Fee (incl. VAT)	Total
Up to £5,000	Up to £205	Hourly Rate	To be advised on instruction
£5,001 to £10,000	Up to £455	Hourly Rate	To be advised on instruction
£10,001 to £50,000	5% value of the claim	Hourly rate	To be advised on instruction

The fee mentioned above includes entering judgment where the Defendant does not file an Acknowledgment of Service to the proceedings. If the claim is contested, then our fees will be as set out below.

Contested Proceedings

	Small Claims Track (up to £10,000)	Fast track claim (£10,000 to £25,000)	Multi track claims (£25,000+)
Up to a final hearing	Hourly Rate	Hourly Rate	Hourly Rate

Where a case proceeds to a contested hearing, there will also be further disbursements incurred. They will include a Court hearing fee and a fee for an advocate to appear on your behalf at the hearing. We will discuss that aspect with you, and provide an estimate from a suitable advocate prior to the hearing.

Please note that whilst the fees mentioned in this document are our standard charges, we are always happy to consider other arrangements where the volume of claims is substantial.

Please also note that whether or not your costs can be recovered from the other party will depend upon various aspects, such as the value of the claim, whether or not you have the

benefit of any terms and conditions which impose a contractual obligation in relation to costs, and your level of success in the action.

The following factors are likely to increase the complexity of the matter:

- The debtor having a defence, counterclaim or a right of set off.
- There being multiple parties to the recovery action.
- The debt having been assigned or factored.
- The debtor appointing solicitors.
- A higher-value debt.
- The debtor being based overseas.
- The debtor being hard to locate.
- The debtor being hard to serve.
- The legal or factual basis for the debt being complicated, disputed or unclear.
- You being unfamiliar with litigation in the English courts.

In addition to our fees, you will need to budget for some or all of the following:

- VAT
- Instructing a barrister to represent you in court.
- Instructing a process server to serve your claim on the debtor.
- Instructing overseas legal advisers to advise on any elements governed by matters of foreign law.
- Instructing finding agents to locate hard-to-find debtors.

If you wish to proceed with a claim, please note that:

- The VAT element of our fee cannot always be reclaimed from your debtor (and will usually depend on whether you are VAT registered).
- Interest and compensation may take the debt into a higher banding, with a higher cost.
- The costs quoted above are not for matters where enforcement action, such as the instruction of a bailiff, is needed to collect your debt.

It is difficult to predict timescales, since there are many factors which might influence how long a claim might take, but matters might typically take 4 to 12 weeks from receipt of instructions from you to receipt of payment from the other side, depending on whether or not it is necessary to issue a claim. This is on the basis that the other side pays promptly on receipt of Judgment in default. If a defence is filed, then it is likely to take between 3 and 12 months up to and including a final hearing. The time taken will depend upon the level of complexity, availability of Court time and the approach of your opponent. If enforcement action is needed, the matter will take longer to resolve.

***PLEASE NOTE THAT THE FEES SET OUT ABOVE ARE AS AT 1 JANUARY 2019
PLEASE CONTACT US WITH DETAILS OF YOUR PROPOSED INSTRUCTION FOR
AN ESTIMATE OR A QUOTE.***

Debt recovery claims are handled by members of our dispute resolution team. The two directors of the team are **Karl Thompson** and **Kate Thompson**, each of whom is a solicitor experienced in litigation work and have 10 years post qualification experience.