



Complaint Handling

Prepared by the Law Society of Western Australia

Policy/
Procedure

ADMIN
54.21

02

Complaints Handling Policy

January 2022

The Law Society values complaints as they assist us to improve our services to the stakeholders.

The Law Society is committed to:

- Being responsive to the needs and concerns of the stakeholders;
- Being consistent, fair and impartial when handling a complaint;
- Resolving complaints as quickly as possible.

The Law Society is committed to ensuring this happens by:

- Providing training to staff on appropriate procedures concerning complaints;
- Maintaining appropriate records of complaints; and
- Appropriately counselling and disciplining staff who act contrary to this Policy and any associated procedures.

This commitment is encompassed in the:

- The Law Society Complaints Handling Procedure.

In giving this commitment, the Law Society seeks to maintain and enhance its reputation of providing stakeholders with high quality services.



The voice of the legal profession in Western Australia

The Law Society of Western Australia

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Complaints Handling Procedure

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Objective

This Procedure ensures that:

- Stakeholders are aware of our complaint lodgement and handling processes;
- Both stakeholders and the Law Society staff understand the complaints handling process;
- All complaints are investigated impartially with a balanced view of all information or evidence;
- A complaint is considered on its merits taking into account individual circumstances and needs.

The Procedure

1. Definition of a Complaint

A complaint means an expression of dissatisfaction by a stakeholder (hereinafter referred to as “you” or “your”) relating to the services provided by the Law Society.

Stakeholders are as follows:

- Members of the Law Society;
- Law Mutual Insureds;
- Any user of CPD services;
- Members of the public who use or participate in:
 - Find a Lawyer service
 - Mock Trials
 - Francis Burt Law Education Programme
 - Law Museum
 - Joint Form General Conditions for the Sale of Land
 - Senior Advisors List
- Suppliers;
- Government.

For the sake of clarity, this procedure does not apply to the complaints concerning the following:

- legal practitioners;
- law practices;
- members of the judiciary;

- members of the Law Society;
- Law Access.

2. How to Make a Complaint

If you are dissatisfied with the services provided by the Law Society (hereinafter referred to as “we” or “us”), you should, in the first instance, consider speaking directly with any staff member that you have been dealing with. If you are uncomfortable with this or consider the relevant staff member is unable to address your concerns or have not dealt with any staff member as yet, you can lodge a complaint with us in one of the following ways:

- By telephoning us on 9324 8600;
- By writing to us at Level 4, 160 St Georges Tce, Perth, W.A. 6000;
- By emailing us at complaints@lawsocietywa.asn.au;
- In person by speaking to any of our staff.

If we receive your complaint verbally and we consider it appropriate, we may ask you to put your complaint in writing.

3. Information We Need

When we are investigating your complaint we will be relying on information provided by you and information we may already be holding. We may need to contact you to clarify details or request additional information where necessary. To help us investigate your complaint quickly and efficiently we will require the following information:

- Your name and contact details;
- The name of the person you have been dealing with;
- The nature of the complaint;
- Details of any steps you have already taken to resolve the complaint;
- Details of conversations you may have had with us that may be relevant to your complaint;
- Copies of any documentation which supports your complaint.

We will record the above details and the outcome and any actions taken following the investigation of your complaint. We will also record all dates and times relating to actions taken to resolve the complaint and communications between us.



If you lodge a complaint, we will securely record your personal information solely for the purposes of addressing your complaint.

Your personal details will actively be protected from disclosure, unless you expressly consent to its disclosure.

Where a third party provider or supplier was involved in the provision of services which are the subject of the complaint, we may need to communicate with them to fully investigate your complaint.

4. How We Handle a Complaint

We are committed to resolving your issues at the first point of contact. However, this will not be possible in all circumstances, in which case a more formal complaints process will be followed.

We will acknowledge receipt of your complaint within three (3) business days.

Once your complaint has been received, we will undertake an initial review of your complaint.

There may be circumstances during the initial review or investigation of your complaint where we may need to clarify certain aspects of your complaint or request additional documentation from you. In such circumstances we will explain the purpose of seeking clarification or additional documentation and provide you with feedback on the status of your complaint at that time.

We are committed to investigating and resolving your complaint within 10 business days of you lodging your complaint. However, this may not be possible on every occasion. Where we have been unable to resolve your complaint within 10 business days, we will inform you of the reason for the delay and specify a date when we expect to be able to finalise your complaint.

If we have sought clarification or additional documentation from you and we are waiting on you to provide this information, we may not be able to meet our 10 business day finalisation commitment. In such circumstances, upon receipt of your clarification or additional documentation, we will indicate to you when we expect to be able to finalise your complaint.

We will investigate your complaint objectively and impartially, by considering the information which you have provided us, our actions in relation to your dealings with us and any other relevant information which may be available, that could assist us in investigating your complaint.

Once we have finalised your complaint, we will advise you of our findings and any action we have taken. We will do this in writing, unless it has been mutually agreed that we can provide it to you verbally.

You have the right to make enquiries about the current status of your complaint at any time by contacting us.

We will record your complaint for our continuous improvement process and monitoring through regular review. Your personal information will be recorded and securely stored in accordance with the relevant privacy legislation.

Where appropriate, as a result of reviews of complaints, we may amend our business practices or policies.

5. Complaints About Staff Members

If you complain about a staff member, we will treat your complaint confidentially, impartially and equally (giving equal treatment to all individuals).

The complaint will be dealt with by the staff member's immediate Manager and escalated if deemed appropriate or necessary.

We will investigate your complaint thoroughly by finding out the relevant facts, speaking with the relevant people and verifying explanations where possible.

We will also treat our staff member objectively by:

- Informing them of any complaint about their performance or actions,
- Providing them with an opportunity to respond to the details of the complaint,
- Providing them with appropriate support,
- Updating them on the complaint investigation and the result.

6. Investigation by Other Bodies

If your complaint is currently being investigated by a relevant federal or state body or law enforcement agency, we may cease to take further action in relation to your complaint pending finalisation of their investigation.

We will assist any such body with their investigations, as required by law.

7. Escalation of Complaints

Where possible, we will attempt to resolve your complaint at the first point of contact. If we are unable to resolve your complaint at the first point of contact, we will undertake an investigation of your complaint and provide you with our findings.

