

THE SOCIETY OF WILL WRITERS

COMPLAINTS PROCEDURES

1. Introduction

- 1.1 In this document 'Society' and 'member' shall have the same meanings as attributed in the Society's Code of Practice
- 1.2 The primary objective of these procedures is to enable the Society to deal effectively with breaches of the Code of Practice by members.
- 1.3 Breaches include instances where members have failed to maintain the high standards of professionalism, quality of work and ethics that is required within the profession and by the Society to ensure consumer confidence in the provision of Will writing and other associated services is maintained.
- 1.4 The Society expects its members to embrace and adhere to the notion of "treating customers fairly". A member who does not treat customers fairly will be in breach of the Code of Practice.
- 1.5 In affirming compliance with the Code of Practice each member of the Society affirms that he will be bound by the Society's disciplinary procedures in the event of a breach of Code provisions.
- 1.6 Complaints take time, which costs money, to resolve. The Society has a responsibility to be fair to the member being investigated as well as dealing with the complainants concerns. The time taken can be disproportionate and involve senior personnel including the Society's Director General.
- 1.7 It is true that a large number of complaints can generally be resolved by the member without any need to involve the Society. Once the Society becomes involved many hours can be spent on resolving complaints caused by a few members and not on otherwise productive activities for the benefit all members.
- 1.8 When a complaint is first brought to the attention of the Society the member who is the subject of the complaint will be notified and given 7 (working) days to resolve the matter to the satisfaction of the complainant. Should the member fail to resolve the matter within this time the complaint will be passed to the Society's complaint's

procedure when the member will be required to pay a non-refundable Investigation Charge of £150.00 to the Society for each recorded complaint. The DG has an absolute discretion to waive the Investigation Charge if in his sole opinion the circumstances merit.

- 1.9 The Society has since its inception handled complaints to the satisfaction of the majority of its members and the public alike. It is imperative that this standard of satisfaction is maintained and the following procedures will ensure that objective is achieved.
- 1.10 The purpose of this document is to place the Society's complaints procedure on record for the benefit of members.

2. What is a complaint?

- 2.1 The Society defines a complaint against a member as: 'any expression of dissatisfaction, whether oral or written, and whether justified or not, from or on behalf of an eligible complainant about the member's provision of, or failure to provide, will writing services'.
- 2.2 The bottom line is that if a customer expresses dissatisfaction verbally or in writing then the member needs to put things right.
- 2.3 If the member can do this by the end of the next business day, the member – and his customers - has everything to gain.
- 2.4 Resolving complaints by the end of the next business day – the benefits:
a happier customer, leading to improved customer loyalty
offers the member the chance to examine and put right weaknesses in their in-house services early on, reducing future similar complaints
reduces the need to embark on any follow up correspondence requirements under the Society complaints rules
no need to report complaints resolved within one business day to the Society – reducing administration
- 2.5 'Putting things right' could be simple as:
carrying out a simple fact check into what happened and verbal acknowledgment of poor service and an apology (and, if relevant providing clear details of the actions to be taken)
verbal feedback offering clarification if it appears that the customer may have misunderstood
verbal confirmation that action has been taken to correct an error

confirmation by the member of what has been done to prevent the error from happening again

3. Receiving and monitoring the complaint

- 3.1 The Society will not investigate a complaint whether made by a member of the public or any other party unless it is in writing.
- 3.2 On receipt of the complaint the Society will require the member to produce evidence confirming that the member's own complaint procedures have been fully exhausted together with full reasons why the complaint has not been successfully resolved.
- 3.3 The complaint will be acknowledged and the complainant will be advised that a copy of his complaint will be supplied to the Member complained against as will copies of any further evidence supplied by the complainant.
- 3.4 The Society will advise the member that a complaint has been received and invite the member's response.
- 3.5 Upon receiving notice that the Society has received a complaint, which is to be investigated, the member is required to pay by return the £150 Investigation Charge and to provide a response to the complaint within a period of 14 days. The member's response may be forwarded to the complainant.
- 3.6 The Investigation Charge is non-refundable except where the Director-General in the exercise of his absolute discretion is satisfied that there is either no evidence of the member being at fault or it is proved that the complaint has been made mischievously or maliciously. In which case the Investigation Charge will be refunded in full to the member. In all other cases the Investigation Charge will be held by the Society for its general purposes.
- 3.7 The Society may require of the member or the complainant such evidence as it considers necessary to investigate the complaint and same shall be supplied to the Society within 14 days of the request.
- 3.8 In order to investigate complaints fairly time is of the essence. Unless any extension(s) to the time(s) laid down by these procedures is agreed in writing with the Society; should either the member or the complainant fail to adhere to the set timescales, or the member

fails to pay the Investigation Charge as required, the Director General may determine the complaint as he sees fit.

- 3.9 All correspondence sent to a member shall be sent to his last known address as advised to the Society

4. The handling of the complaint:

- 4.1 In the first instance the complaint shall be determined by the Society's Complaints Administrator. The Administrator is responsible for investigating the complaint thoroughly and fairly.
- 4.2 The Administrator must exonerate the member if the member is found not to be in breach of the Society's Code of Practice
- 4.3 If the Administrator finds that the member is in breach of the Society's Code of Practice the Administrator shall:
order that the member refunds to the complainant either the whole or a part of the cost for the services that have been provided; and/or
warn the member about his future conduct and/or
order the member to undergo further training or
order a full disciplinary hearing;
- 4.4 the Administrator will keep the Director General fully advised of the progress of individual complaints
- 4.5 Following a decision by the Administrator that there has been a breach of the Code of Practice by the member the member may appeal against the decision and such appeal shall be heard before a Society Disciplinary Hearing held for that purpose; see below.
- 4.6 In cases where the Administrator finds that there has been no breach of the Code of Practice by the member, the decision will be passed to the complainant who has the right to appeal the Administrator's decision also before a Society Disciplinary Hearing.
- 4.7 A member may also be directed to attend a Society Disciplinary Hearing as ordered by the Director General's at his discretion following the Administrator's decision.