

Nova Escalations and Formal Complaints Resolution Procedure

1. Introduction

Moving house can be a very stressful activity and we do understand that, especially when things do not go as planned. At Nova, we always strive to provide the very best possible experience for our clients to ensure that we always meet your expectations. We also know that, sometimes, we may not meet those expectations.

We value all feedback and if we haven't been able to meet your expectations, we would appreciate you providing your feedback so that we may make every effort to help resolve your concerns through our robust complaints handling process to make your house move as painless as possible.

We are always committed to providing high-quality legal services to all our clients while ensuring that we are in line with the framework of the Council for Licensed Conveyancers (CLC) with whom we are registered and regulated.

We comply with the following six overriding principles of the CLC:

1. Act with independence and integrity.
2. Maintain high standards of work.
3. Act in the best interests of Clients.
4. Comply with duty to the court.
5. Deal with regulators and ombudsmen in an open and co-operative way.
6. Promote equality of access and service.

2. How do we categorise complaints?

- 2.1. We distinguish between two types of complaints, an "Escalation" or "Formal Complaint"
- 2.2. In general, examples of "Escalations" include concerns with poor communication, unclear explanations and simple service failures that leave you feeling dissatisfied

Importantly, these are not complaints relating to incorrect legal advice, or a breach of the CLC's Code of Conduct

Examples of Escalations are:

- › When you have difficulty getting through to us.
- › When you are not receiving a regular update on the progress of your case.
- › If you are not getting a proper response on questions asked.
- › If your requests are ignored and not responded to.
- › Any issues with your draft completion statement.

2.3. A “Formal Complaint” refers to repetitive service failures, incorrect legal advice or a breach of CLC’s Code of Conduct.

Examples of “Formal Complaints” are:

- › Multiple or repetitive service failures.
- › Providing incorrect legal advice.
- › Errors in registration in the Land Registry.
- › Any issues with your completion statement.
- › Where we are in breach of the CLC’s Code of Conduct.
- › Advice that led you to suffer adverse financial or legal consequences.

2.4. Both types are taken very seriously and are handled by members of our Resolution team, who will investigate and attempt to resolve your concerns as quickly and efficiently as possible. We will aim to resolve Escalations within two working days and Formal Complaints within five working days of receipt of your dissatisfaction and then agree next actions with you should there be instances that require a longer resolution time based on the complexity of the work required.

2.5. During the process of Escalation or Formal Complaint resolution, our Resolution team will contact you for more information if required and will keep you updated throughout the process.

3. How do I make an Escalation or Formal Complaint?

3.1. In order to make either type, you will need to do so in writing. This can be done through the email address feedback@novalegal.co.uk or by filling our Webform by clicking this link [here](#)

- 3.2. To help us to understand your concern, and in order that we do not miss anything, please tell us:
 - › The type of concern – i.e. you wish to make an Escalation or a Formal Complaint.
 - › Your full name.
 - › Relevant property address with post code.
 - › Your case reference number.
 - › What you think we have got wrong.
 - › What you hope to achieve as a result of your complaint.
- 3.3. If you are unsure about whether your concern is an Escalation or a Formal Complaint don't worry, still fill in the form and we will advise you to help enable you to decide the appropriate route.

4. How will we deal with your concern?

- 4.1. First, we will assess whether your concern is a Formal Complaint or not.
- 4.2. We will respond to you within 24 hours by e-mail or telephone on all types of concerns to acknowledge that we have received your submission. There may be instances where we may request for more information if required.
- 4.3. If your concern is an Escalation, we will attempt to resolve it within two working days and will contact you to provide you with a proposed solution in order to resolve your concern. We will enclose a copy of this policy when we respond to you.
- 4.4. Should your concern be in the form of a Formal Complaint, we will also enclose a copy of this policy when we respond to you.
- 4.5. We will then investigate your Formal Complaint. Our investigation will usually involve:
 - › Reviewing your Formal Complaint.
 - › Reviewing your files, calls, emails and other relevant documents.
 - › Speaking with the person or persons who dealt with your matter.
- 4.6. We will write to you at the end of our investigation to inform you of what we have done and what we propose to do to resolve your Formal Complaint. Where possible, we will aim to do this five working days of the date of our acknowledgement, but if we cannot respond fully in that timescale, we will update you on the investigation and when we anticipate it being completed.

- 4.7. While we will always aim to address your complaint within the timelines set out above, please note that in any event, we will provide you with a full response no later than twenty-eight working days from the date we receive your complaint.

5. What if you are not satisfied with the outcome?

- 5.1. Rest assured that we will make every effort to address your Escalations or Formal Complaints to resolve your concerns. Our Resolution agents are very committed to ensuring that we provide you with a positive outcome where possible.
- 5.2. If you are still dissatisfied and/or we have not been able to agree next actions, and we have provided you with our final response in relation to your complaint, you may then escalate the matter to the Legal Ombudsman.
- 5.3. Please note that the Legal Ombudsman will only consider complaints that have been escalated to them, within the following time limits:
- › one year from the date of the act or omission complained about, or
 - › one year from the date the complainant should have realised there was cause for complaint.
 - › The Legal Ombudsman have discretion to extend the one-year time limit in exceptional circumstances.

You can contact the Legal Ombudsman:

- › By post: **Legal Ombudsman PO BOX 6167, Slough, SL1 0E**
 - › By telephone: **0300 555 0333**
 - › By email: [**enquiries@legalombudsman.org.uk**](mailto:enquiries@legalombudsman.org.uk)
 - › Minicom: **0300 555 1777**
 - › Relay UK: **18001 0300 555 0333**
- 5.4. You must usually refer your complaint to the Legal Ombudsman within 6 months of our final written response to your complaint and within 1 year of the occurrence of the act or omission about which you are complaining (or within 1 year of you becoming aware of it). Further details are available on the website: [**www.legalombudsman.org.uk**](http://www.legalombudsman.org.uk)

6. What will it cost?

- 6.1. We will not charge you for handling your complaint.
- 6.2. The Legal Ombudsman service is free of charge.

7. Council for Licensed Conveyancers (CLC)

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All conveyancing professionals who are regulated by the Council for Licensed Conveyancers (CLC) can be investigated by the body if allegations of misconduct are made. All regulated conveyancers are expected to comply with the CLC's Regulatory Arrangements which set out not only a Code of Conduct, but an Anti-Money-Laundering & Combating Terrorist Financing Code, Accounts Code, Complaints Code, Conflict of Interest Code, and Equality Code, to name but a few.

The CLC divides complaints into three categories:

- › Service complaints
- › Negligence complaints
- › Conduct complaints

Service complaints and negligence complaints are not investigated by the CLC. However, in the case of a negligence complaint, once the matter has been settled by the insurers and at the request of the complainant, the CLC will look into whether there is a conduct matter to be investigated.

The CLC will investigate conduct complaints, defined as where the practitioner has breached the Regulator's Code of Conduct or other Regulatory Arrangements.

According to the CLC, "A Conduct Complaint will generally include breach of one or more of the following overriding principles (set out in the CLC's Code of Conduct):

- › Act with independence and integrity;
- › Maintain high standards of work;
- › Act in the best interests of your clients;
- › Deal with regulators and ombudsmen in an open and co-operative way;
- › Promote equality of access and service

A Conduct Complaint will often include mismanagement of client money."

Wherever possible, the CLC will aim to resolve complaints informally, which is both quicker and more cost-effective. However, in some cases, the CLC will consider formal investigation and regulatory enforcement unavoidable. If this occurs, it is essential that you obtain legal advice and representation from a solicitor experienced in regulatory investigations and prosecutions.

7.2. Compensation Fund

- › Our Regulatory body the Council for Licensed Conveyancers (CLC) offer a compensation fund if you have suffered loss having instructed a CLC regulated practice and suffering loss of money or monetary value through dishonesty, fraud, negligence, or failure to account by a CLC regulated Practice for money received and the legal Practice is unable to meet its liability in
- › Each claim for compensation will be considered on its own merits and the CLC has an absolute discretion to decide whether to make any payment out of the fund.
- › The CLC have said of the compensation funds 'It is a fund of last resort – before we accept your claim, we may require you to recover your losses by all other means available, such as by making an insurance claim or by taking court action. The CLC will not consider making a payment unless it is satisfied that a person has taken all necessary and appropriate steps'.

How to apply for compensation?

You should contact the CLC as soon as possible if you:

- › are considering making an application for a grant (applications need to be made within 6 months after you have discovered you may have a claim) or
- › are considering taking legal advice (since only in exceptional circumstances will the CLC make an allowance for legal costs claimed by an applicant)
- › Application Forms can be obtained from the CLC by email, or you can call

020 3859 0904. Further information can be found at:
<https://www.clc-uk.org/consumers/compensation/>