

## COMPLAINTS PROCEDURE BEER ADVOCATEN

### 1. DEFINITIONS

**Complaint**

Any oral or written statement of dissatisfaction about the services of Beer advocaten, which can reasonably be regarded as a complaint.

**Applicant**

The clients or their representatives filing complaints.

**Complaints Procedure**

The procedure followed by Beer advocaten for handling complaints.

**Complaints Scheme**

This document, which sets out in writing Beer advocaten's complaint procedure.

**Complaints Officer**

The individual not being the lawyer who is the subject of the complaint, who has been entrusted with handling complaints.

**Complaints Registration Form**

The form used in-house in the execution of the procedure laid down in the complaints scheme.

**Disputes Committee for the Legal Profession**

The committee instituted by the Foundation for Consumer Complaints Boards ('SGC') and the Foundation for Professional and Commercial Complaints Boards ('SGB'). By arrangement between the client and Beer advocaten, disputed and outstanding invoices can be submitted to this committee for a (binding) opinion. The Committee also hears disputes about rates and quality, if the client is not happy with the solution suggested by Beer advocaten. For more information see:  
<https://www.degeschillencommissie.nl/english/>

**Complaints and Disputes Settlement Scheme for the Legal Profession**

The procedure followed by the Disputes Committee for the Legal Profession in resolving disputes between lawyers and clients.

## **Legal Profession Disputes Committee Rules**

The rules regulating the procedure of the Disputes Committee for the Legal Profession.

### **2. OBJECTIVES OF COMPLAINTS PROCEDURE**

1. To handle clients' complaints constructively within a reasonable term;
2. To identify the cause for clients' complaints;
3. To preserve and improve existing relations by handling complaints in the best possible manner;
4. To train staff in responding to complaints in a client-oriented way;
5. To enhance the quality of Beer advocaten's services by resolving and analysing issues.

### **3. INFORMING CLIENTS**

#### **The lawyer**

1. Informs clients of Beer advocaten's complaints procedure;
2. Informs clients where to read about the details of the procedure.

### **4. IN-HOUSE COMPLAINTS PROCEDURE**

1. Complaints filed by clients in any way whatsoever will be forwarded to the subject of the complaint and the complaints officer;
2. The subject of the complaint and the complaints officer will ensure that complaints are handled with care in accordance with this complaints procedure;
3. After consulting with the complaints officer the subject of the complaint will try to reach a solution together with the client;
4. The complaints officer will inform the client of the decision on the complaint;
5. If the complaint cannot be resolved to the satisfaction of the client, the complaints officer will inform the client of the option to submit the issue to the Disputes Committee for the Legal Profession. The client must submit the issue within twelve months after Beer advocaten has handled the complaint in writing. The client will be informed of other forms of conflict resolution, such as the LSA's Ombudsman.

### **5. REGISTRATION AND CLASSIFICATION OF COMPLAINTS**

1. All complaints will be registered using the complaints registration form;
2. The complaints officer will register and classify complaints;

3. Complaints will be classified
  - By how they were filed:
    - A. Orally
    - B. In writing
  - By the nature of the complaint, into one of the categories listed below
    - I. Complaints about the working method of/treatment by the subject of the complaint
    - II. Complaints about legal aspects of the services provided
    - III. Complaints about financial aspects of the services provided
    - IV. Complaints about the practice in general;
4. Complaints may be sub-divided into several categories;
5. Once complaints have been resolved, the subject of the complaint and the complaints officer will sign the complaints registration form.

## **6. RESPONSIBILITIES**

1. The subject of the complaint and the complaints officer are responsible for handling and resolving complaints;
2. The complaints officer will ensure that the complaints registration form is completed, and after the complaint has been resolved, will be signed by him/her and the subject of the complaint;
3. The subject of the complaint will keep the complaints officer informed of how the complaint is handled;
4. Beer advocaten must handle complaints in writing within four weeks;
5. The complaints officer is responsible for communicating with the applicant;
6. The complaints officer will keep records of the complaints.

## **7. ANALYSIS OF THE COMPLAINTS**

1. The complaints officer collects the complaints registration forms after the complaints have been handled;
2. Every year the complaints officer reports on the handling of all complaints;
3. Every year the complaints officer summarises the data in an analysis;
4. The complaints officer makes recommendations to prevent new complaints and to improve procedures.

#### **8. IN-HOUSE MEETING to DISCUSS COMPLAINTS DATA**

1. Once every year the complaints data will be discussed in-house, based on the analysis;
2. The complaints officer draws up the analysis and prepares the meeting;
3. Measures for improvement will be prepared and planned.

#### **9. PREVENTIVE ACTION**

1. Based on the complaints officer's annual analysis Beer advocaten will decide on the action to be taken to prevent complaints and improve the quality of the services.
2. The action to be taken will be presented to the firm's annual meeting together with the analysis.

The partnership of Beer advocaten declared this complaints procedure applicable on 30 March 2004.

June 2017