

**SRA CONSULTATION ON REQUIREMENTS ON FIRST-TIER COMPLAINTS HANDLING
RESPONSE OF THE LONDON SOLICITORS LITIGATION ASSOCIATION ("LSLA")
DRAFT – 31 JULY 2025**

The LSLA was formed in 1952 and currently represents the interests of a wide range of civil litigators in London. It has almost 4,000 members throughout London among all the major litigation practices, ranging from the sole practitioner to major international firms. Members of the LSLA Committee sit on the Civil Justice Council, the Chancery Court Users Committee, the Rolls Building Users Committee, the Law Society Civil Litigation Committee and the Commercial Court Users Committee to name but a few. As a consequence, the LSLA has become the first port of call for consultation on issues affecting civil and commercial litigation in London, and it has on many occasions been at the forefront of the process of change.

This document sets out the response of the LSLA to the consultation exercise by the Solicitors' Regulation Authority on its proposals to change the requirements on first-tier complaints. In this, we draw on the wide experience of our members and the views that are expressed below reflect a range of perspectives. Rather than responding to each individual question, we provide some observations on the broad points of principle, which we hope will assist the SRA in its ongoing consultation.

The LSLA supports the spirit behind the SRA's consultation. Effective handling of client complaints is a core part of the duty of a solicitor. Beyond that, being receptive to feedback from clients, including through complaints, should be seen as an opportunity for practitioners to improve. Where a client is dissatisfied, understanding the reasons for that, and addressing the root cause, may help to improve overall service delivery, to the benefit of the firm and its wider client base. That should only increase the success of the firm in the longer term and ensure that the reputation of the legal profession is upheld.

Against that background, we comment briefly on the areas on which the SRA is consulting as follows.

1. Make changes to when complaints information must be provided to a client

- 1.1 Providing clear information to clients about the route for raising complaints is sensible. However, it is important that clients are not drowned with information. The SRA needs to consider the risk of diminishing returns – the more information clients are provided with, the less they are likely to digest it, which would defeat the purpose.
- 1.2 It should remain a given that complaints handling information is provided at the outset of a matter and upon request during the course of a matter or after its conclusion. However, we question the need to send complaints information to clients again at the conclusion of a matter. The client will already have this information, and it will remain available upon request. The proposal to routinely send this at the end of a matter risks clients who are faced with a disappointing outcome before a court or tribunal, redirecting their frustration into blame. We anticipate that this would generate unjustified complaints against solicitors at a point at which a client feels they have no other route to vent their frustration. Some clients may also wrongly understand that providing the complaints information indicates that a mistake has been made or that grounds exist for a complaint to be lodged.
- 1.3 In the litigation context, there is much more risk of that, where the ultimate outcome is determined by a third party judge or tribunal and inevitably someone will have to "lose". This will usually be due to no fault on the part of the solicitors. It is important that unwarranted, vexatious or frivolous complaints are not generated or encouraged as a result of the proposed changes. This would unnecessarily increase the administrative and cost burden for solicitors, ultimately to the detriment of clients.

2. **Require complaints information to be clear, accessible and in a prominent place on firms' websites, where they have one (and made available on request when they don't have a website)**
 - 2.1 We support this proposal. Publishing complaints handling information in a prominent place on a firm's website seems sensible.
3. **Include the LSB's definition of a complaint in our glossary of defined terms**
 - 3.1 It seems sensible to adopt the LSB's definition from the section 112 requirement, provided that this relates to complaints made by clients. However, we raise for consideration whether practitioners should be afforded a degree of discretion to categorise some complaints as vexatious or frivolous, which would not therefore require triggering of a formal complaints process. A firm should not have to treat a trivial complaint about a matter unrelated to the actual work being done in the same way as a complaint relating to the work done and service provided.
4. **Develop new guidance to help those we regulate to understand our new requirements and how to meet our Standards and Regulations and combine this with our existing guidance on publishing complaints procedures**
 - 4.1 As to this, and the last point below, consistency and certainty should be a goal, to assist firms and their clients and manage expectations. We are in favour of clear guidance on complaints handling, and consistent with this support the work being done by the Legal Ombudsman on the development of a model complaints resolution procedure.
5. **Collecting and publishing additional complaints data**
 - 5.1 We consider that a move to more transparency in relation to complaints data could lead to some firms being unfairly perceived. Fluctuations in complaint volumes across firms will vary for a variety of reasons, many of which will be unrelated to the quality of service being provided, and it would be unfair for unmeritorious and vexatious complaints to factor into the balance. Firms dealing with volume work may also be susceptible to repeated complaints. There is a large difference between simply logging a complaint being made, as opposed to then looking see whether it is rejected or upheld or somehow otherwise resolved. It is important to note that the SRA has the ability to intervene where systemic issues are identified within a particular firm.
 - 5.2 We recommend considering publication of data on an anonymised basis, supplemented with contextual data such as firm size, practice areas and region. This approach would support transparency without the risk of unfairly impacting individual firms. Releasing identifiable data may discourage firms from properly classifying complaints, which would undermine the integrity of the data.
6. **Co-development of a model complaints resolution procedure.**
 - 6.1 See section 4 above.