

Office Complaints procedure COMP. lawyers (version August 2022)

Article 1. Definitions

The terms used in this Complaints procedure are defined as follows:

- *Complaint*: any written expression of dissatisfaction by or on behalf of a client to an attorney or person acting under the responsibility of an attorney concerning the creation and performance of a contract for services, the quality of the service, or the amount of an invoice, other than a complaint as defined in section 4 of the Advocates Act;
- *Complainant*: the client or their representative who makes a Complaint;
- *Complaints Officer*: the attorney responsible for dealing with the Complaint;
- *Attorney*: an attorney associated with the costs partnership COMP.lawyers.

Article 2. Scope

- 2.1 This Complaints procedure applies to all contracts for services between an Attorney and the client.
- 2.2 Each Attorney shall handle the Complaint in accordance with this Complaints procedure.

Article 3. Purpose

The purpose of this Complaints procedure is:

- a. to set out the procedure for dealing with a client's Complaint within a reasonable period and in a constructive way;
- b. to set out the procedure for establishing the causes of a client's Complaint;
- c. to maintain and improve existing relationships through effective handling of Complaints;
- d. to train staff to respond sympathetically to Complaints from clients;
- e. to improve the quality of service by means of dealing with, and analysing, Complaints.

Article 4. Information supplied prior to performance of contract

- 4.1 This Complaints procedure has been published. The Attorney will notify the client prior to performance of the contract for services that the firm has adopted its own Complaints procedure and that this Complaints procedure applies to this contract.
- 4.2 A Complaint as defined in Article 1 of this Complaints procedure that remains unresolved at the end of the procedure shall be brought before the competent court for the district of Amsterdam.

Article 5. Internal Complaints procedure

- 5.1 If a client files a Complaint with the firm, the Complaint will be forwarded to Esther van Aalst who is designated as the firm's Complaints Officer. If the Complaint is against Esther van Aalst herself, then Claudia Koken acts as Complaints Officer.
- 5.2 The Complaints officer shall inform the person about whom the Complaint is made about the making of the Complaint and invite the Complainant and the person complained against to elaborate on the Complaint.
- 5.3 The person about whom the Complaint is made should work with the client to find a solution, whether or not through the mediation of the Complaints Officer.
- 5.4 The Complaints Officer will decide on the Complaint within four weeks of receipt of the Complaint or explain in writing to the Complainant why this will take longer and indicate the time period within which a decision on the Complaint can be given.
- 5.5 The Complaints Officer will inform the Complainant and the person about whom the Complaint is made in writing of the decision regarding the justification of the Complaint, which may also include recommendations.
- 5.6 If the Complaint is resolved to the parties' satisfaction, the Complainant, the Complaints Officer, and the person about whom the Complaint is made will sign the decision as to the justification of the Complaint.

Article 6. Confidentiality and no-cost handling of Complaint

- 6.1 The Complaints Officer and the person about whom the Complaint is made will deal with the Complaint in confidence.
- 6.2 The Complainant is not liable to make any payment for the handling of their Complaint.

Article 7. Responsibilities

- 7.1 The Complaints Officer is responsible for dealing with the Complaint in good time.
- 7.2 The person about whom the Complaint is made must keep the Complaints Officer informed of any contact and any possible resolution.
- 7.3 The Complaints Officer must keep the Complainant informed on progress in dealing with the Complaint.
- 7.4 The Complaints Officer must compile a Complaints file.

Article 8. Registration of Complaints

- 8.1 The Complaints Officer must register the Complaint and the nature of the Complaint.
- 8.2 A Complaint may be divided into several different elements.
- 8.3 The Complaints Officer must issue a report after every Complaint on the handling of Complaints and make recommendations to avoid new Complaints and to improve procedures.
- 8.4 These recommendations and any other proposals shall be discussed between all parties and, where necessary, measures taken.