

Ansham White Solicitors Policy on Abusive Communication and Clients

The vast majority of clients communicate with us in a polite and courteous manner and are a pleasure to work with. This policy outlines how we manage the small minority of clients whose conduct is unreasonable and unacceptable, as a result of which we are unable to address or act on their matter.

Whilst we appreciate that solicitors are commonly instructed during periods of stress and unease, as a firm, we do not believe that this makes it acceptable for a client to behave in an aggressive or abusive manner, to make unreasonable demands and/or expect unreasonable levels of contact, or to behave in a way which may amount to harassment of our staff. We have a zero-tolerance policy on all of the below.

Aggressive or abusive behaviour

Aggression or abuse towards any member of our staff will not be tolerated. This includes behaviour or language, whether verbal or written that causes a member of our staff to feel intimidated, threatened or abused. Such language includes, but is not limited to, inflammatory comments, racial or discriminatory remarks and unsubstantiated allegations.

Our staff cannot and indeed should not be blamed for anything outside of their control. Even if a client is unhappy about the way their matter has been acted on or addressed by a staff member, we, as a firm, will not be receptive to any form of communication whereby the expression of such dissatisfaction has gone above and beyond to the extent that it thereby amounts to abuse.

Unreasonable demands and/or unreasonable levels of contact

Ansham White Solicitors consider a demand to be unreasonable if complying with such a demand would result in excessive time and work being deployed which may also potentially impact on our standards of service.

Some examples of the above are:

- Demanding to see or speak to a particular member of staff when it is either not necessary or this member of staff is unavailable;
- Demanding that a matter be addressed in a way that is either unprofessional or not in keeping with the Solicitor Regulation Authority's code of conduct;
- Contacting several staff members on the same subject matter;
- Requesting (including repeatedly) a response to a query within an unreasonable timeframe or a response to something which has already been addressed;
- Demanding that your legal matter be priorities over that of other clients

Harassment

Harassment is defined in the Equality Act 2010 as unwanted conduct related to a relevant protected characteristic and which violates a person's dignity or has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment. Such

harassment can during in person meetings, via telephone and even via written communication. Some examples of behaviour considered to be harassment are:

- Physical contact including uninvited and/or unreciprocated conduct of a sexual nature, which is offensive to the staff member involved and causes them to feel threatened, humiliated or embarrassed.
- Verbal conduct or abuse, including lewd comments and offensive remarks about a staff member.
- Unwelcome communication, including on a continual basis and out of our office hours.
- Intrusive personal comments and questions.

Addressing unacceptable behaviour

There are several ways in which Ansham White Solicitors address unacceptable behaviour towards our staff. For instance, if a member of staff experiences unacceptable behaviour or conduct during a telephone call, they may place the caller on hold and arrange for another member of staff to take over, or they may terminate the call entirely. The caller, at an appropriate time, will be informed how and why their behaviour was deemed to be unacceptable. In circumstances where the level of behaviour is deemed to be excessive and/or threatening, we may report such incidents to the police.

In all instances of unacceptable communication and/or behaviour, we will contact the offender to explain why their behaviour is considered unacceptable and that the behaviour must change for the retainer or any further discussions to resume. In the event that this behaviour continues from a client, we will consider terminating the retainer forthwith.

If we have decided to impose restrictions or cease acting for a client, we will inform the client of the decision in writing and the reasons for the decision, including their right to appeal. Any appeals should be made to the Complaints Partner for the Practice, Mr Omair Butt, within 14 days of the date of the client being notified. A written letter of appeal must set out why the client feels the decision to be unreasonable and their proposals to remedy the matter going forward. The client will be notified in writing of the outcome of the appeal within 14 working days of receipt of the letter of appeal.

Recording unreasonable conduct

All incidents of unreasonable conduct are recorded. When we decide to restrict contact or terminate instructions, a note is made on the relevant file on our centralised computer system.

Future instructions

If we have restricted or terminated contact and the same person makes contact with our firm in future, we reserve the right to consider our original decision and the circumstances surrounding this decision, before making a decision as to whether we will act on any future matter or accept any future calls.

Equality & diversity

In some cases, an individual may have mental health issues and/or a disability whereby it is difficult for them to communicate clearly or appropriately. If we are provided with evidence of this, we will consider the individual needs of that person and our staff before deciding how to manage further instructions, including any reasonable adjustments or concessions we may be required to make to continue to act.