

Brinkhof Complaints Policy

1 Definitions

- complaint: any oral or written statement of displeasure in respect of services provided by Brinkhof or by a lawyer or other employee of Brinkhof, made known by or on behalf of the client, which can reasonably be construed as a complaint.
- complainant: the client or its representative who expresses the complaint.
- complaints procedure: the procedure used by Brinkhof for dealing with complaints.
- complaints policy: this policy, being the written representation of the complaints procedure used by Brinkhof.
- complaints officer: the person, not being the person against whom the complaint is made, who is responsible for dealing with the complaint. The complaints officers are Richard Ebbink and Mark van Gardingen.
- complaint registration form: a form to be used internally in order to carry out the procedure as laid out in the complaint policy.

2 Objectives

The objectives of the complaints policy are:

1. to lay down a procedure to deal with a clients' complaints in a constructive manner within a reasonable period of time.
2. to lay down a procedure to determine the origin of clients' complaints.
3. to preserve and improve existing relationships by correct processing of complaints.
4. to train our lawyers and other staff members to react to complaints in a client-oriented way.
5. to improve the quality of our service with the help of the complaint process and complaint analysis.

3 Informing the client in the case of a complaint

The lawyer:

1. points out to the client that our firm has established a complaint procedure and informs client of the business content thereof.
2. informs the client that there is also a possibility to refer unsolvable issues to the Disputes Committee for the Legal Profession.
3. informs the client that a copy of the regulations of the Disputes Committee for the Legal Profession can be obtained from the secretary of the committee at P.O. Box 90600, 2509 LP DEN HAAG, The Netherlands.

4 Period for submitting complaint

1. The complaint must be submitted to Brinkhof within 3 months after the client became aware or reasonably could have been aware of the act or omission of the lawyer which to which the complaint relates.

5 The complaints procedure

1. When a client contacts the office in any way with a complaint then the lawyer involved must be informed.
2. The lawyer involved or the complaints officer will discuss with the client in order to determine as accurately as possible what the complaint entails and which solution the client is aiming for.
3. The lawyer involved will endeavour to reach a solution together with the client either with or without the complaints officer.
4. The lawyer involved and the complaints officer respectively will ensure an appropriate handling of the complaint taking the complaint policy in question into consideration.
5. A complaint will be dealt with within 4 weeks unless Brinkhof provides the client beforehand with a well-reasoned notice that this period will be extended.
6. Confidentiality must be guaranteed in all circumstances.
7. The decision regarding the complaint will be communicated to the client.
8. If the complaint is not dealt with sufficiently, according to the client, then it may be agreed with client to submit the complaint to the Disputes Committee of the Legal Profession.

6 Registration and classification of the complaint

1. All complaints will be registered internally in accordance with the complaint registration form.
2. The complaints officer will register and classify the complaint/ The complaint will be classified
 - according to the means of submission, as:
 - A. oral, or
 - B. written
 - according to the nature of the complaint, using the following categories:
 - I. complaints in respect of the lawyer's conduct,
 - II. complaints in respect of the legal content of the services provided,
 - III. complaints in respect of financial aspects of the services provided, or
 - IV. complaints in respect of how business is conducted in general.
3. A complaint can be classified into several categories.
4. After the complaint has been dealt with, the complaint registration form will be signed by the lawyer involved and the complaints officer.

7 Responsibilities

1. The lawyer involved and thereafter the complaints officer are responsible for dealing with and settling the complaints.
2. The complaints officer is responsible for filling out the complaint registration form completely.
3. The lawyer involved will keep the complaints officer informed of the further settlement of the complaint.
4. The complaint must be settled in writing within 4 weeks.
5. The complaints officer will take care of informing complainant.
6. The complaints officer will keep the complaint file up to date.

8 Analysis of complaints

1. The complaint registration forms will be compiled by the complaint office after the complaint has been dealt with.
2. The complaints officer will report settlement of complaints periodically.
3. The complaints officer will process the details and will make an analysis on a yearly basis.
4. The complaints officer will make recommendations in order to prevent new complaints and also to improve procedures.

9 Internal discussion

1. Once a year the complaints will be analysed and discussed internally.
2. Measures for improvement will be prepared and planned.
3. The complaints officer is responsible for the preparation of this meeting and for making an analysis.

10 Preventative action

1. Based on the yearly analysis performed by the complaints officer, the firm will decide on preventative measures to be taken in order to improve the quality of the services provided.
2. The measures to be taken will be presented together with the analysis at the partner meeting and will be communicated to the rest of the office after approval thereof.