



## COMPLAINTS PROCEDURE

### Who we are

The Professional Paralegal Register (**PPR**) operates a voluntary regulatory scheme for its Members. It has been established to regulate and promote the provision of legal services by Paralegals, who by circumstance, would not otherwise be regulated. We provide a regulatory framework and a set of professional standards, to which all our Members must adhere. It is important to stress that the PPR does not exist to promote individual Paralegals in the same way as a membership body might. Our role is to provide regulation and oversight of those on our Register, and to further and promote the paralegal profession as a whole.

For a Paralegal to be accepted onto our Register, they must first be a member of a PPR Recognised Body. The current PPR Recognised Bodies are:

- The Institute of Paralegals;
- The National Association of Licensed Paralegal;s
- The Chartered Institute of Arbitrators; and
- The Association of Probate Researchers.

Members of the PPR can be (i) Registered or (ii) Regulated.

The PPR is only able to deal with complaints about members of the PPR brought under this Complaints Procedure.

### Complaining about a PPR Member

The PPR requires a high level of professional care in respect of work undertaken by its Members. One of the PPR's functions is to handle complaints made by clients about its Members.

This document explains the procedure to be followed when a complaint is received.

### How can a client make a complaint about a PPR Member?

The internal complaints procedure of the relevant PPR Recognised Body (i.e., the Paralegal's Membership Body) must be exhausted before a complaint may be made to the PPR.

## What type of complaints can the PPR consider?

### i) Registered Paralegal

The PPR's concern is the quality of the conduct of the Registered Paralegal. If a client feels unfairly treated by a Registered Paralegal, or that the standard of care or professionalism shown by the Registered Paralegal was below expectation and in breach of the **PPR Code of Conduct** or related standards, then the PPR will investigate that client's concerns.

Clients of Registered Paralegals do not have access to the PPR Compensation Fund.

### ii) Regulated Paralegals (i.e. those who hold a valid Paralegal Practising Certificate (**PPC**)).

The PPR's remit here is to regulate professional conduct as in (i) above but in addition to that, the PPR regulates the services that are covered by the Regulated Paralegal. The PPR can therefore investigate complaints about poor service provided by the Regulated Paralegal concerned.

Clients of Regulated Paralegals have access to the PPR Compensation Fund in certain circumstances.

## Eligibility to bring a complaint

Only a '**Client**', as defined in Appendix 1, may bring a complaint, and the Paralegal must be a member of the PPR both at the time the issue arose and at the date on which the complaint is made. This can be confirmed directly with the PPR by emailing [info@ppr.org.uk](mailto:info@ppr.org.uk) or by telephone on 020 3039 3710.

Third parties cannot bring a complaint about an individual member of the PPR under this Complaints Procedure. However, third parties who wish to bring to the PPR's attention any general complaint about the complaints process or procedures adopted by the PPR can be sent to [info@ppr.org.uk](mailto:info@ppr.org.uk). No report on the outcome of any such complaint will be provided to the third party.

In this Complaints Procedure, the Client will be referred to as the '**Complainant**' and the Paralegal against whom the complaint is being made will be referred to as the '**Respondent**'.

## The Process

All complaints made under this Complaints Procedure must be received by the PPR within twelve months of the date of the legal matter that the Complainant wishes to complain about was completed.

If the Complainant remains dissatisfied once the complaints procedure of the

Paralegal's Membership Body has been exhausted, the next step is to escalate the complaint to the PPR. This step must be taken within six months of the date of the last correspondence sent from the Paralegal's Membership Body to the Complainant about the complaint. Delay in bringing a complaint may prejudice the outcome.

To start the PPR Complaints Procedure, the Complainant must download and complete the appropriate Complaints Form from the PPR's [website](#). There are two Complaints Forms as follows:

- To complain about a Paralegal who is a 'Registered' Paralegal use **Form CL1**
- To complain about a Paralegal who is a 'Regulated' Paralegal use **Form CL2**

The PPR is only able to consider complaints received in this format.

The completed Complaints Form must be sent to the PPR, preferably in digital format to [info@ppr.org.uk](mailto:info@ppr.org.uk), together with all of the supporting documentation. Originals of the supporting documentation are not required. A Complaints Form must be accompanied by everything on which the Complainant will rely to prove their case against the Respondent. Everything must be submitted at the same time with the completed Complaints Form. The supporting documentation should include copies of relevant correspondence between the Complainant and the Respondent, including correspondence relating to the matter of which complaints is made, and the Complainant and the Respondent's membership body, if any.

The burden of proof lies with the Complainant. The Complaints Committee (appointed by the Chair of the PPR Register Regulatory Committee ('RRC')) and any external legal or subject matter professionals that are instructed by the Complaints Committee will determine the Complaint on a balance of probability.

Once the PPR receives the completed Complaint Form and supporting documentation (together, the 'Complaint'), the procedure for investigating the Complaint, as highlighted in the timetable below, will commence. The PPR will inform the Complainant if any significant changes are made to the procedure or the timetable.

Throughout the Complaints Process, any correspondence the PPR may have with the Complainant will be copied to the Respondent, and correspondence with the Respondent will be copied to the Complainant in the interest of fairness and to ensure full transparency.

The Complaints Committee will accept photocopied documents, but on occasion, may require sight of an original. If either party is unable to provide an original on request, then the photocopy may be disallowed at the discretion of the Complaints Committee.

If a Registered or Regulated Paralegal fails to respond promptly and politely to any correspondence from the PPR, they may be in breach of the **PPR Rules**, the **PPR Code of Conduct**, the **Paralegal Practitioner Rules** or the **Paralegal Practising Certificate Rules**.

A Registered or Regulated Paralegal may be required to deliver a file or files to the PPR upon request.

All Complaints are referred to the RRC, even those that are resolved by correspondence. The RRC determines the outcome of complaints in accordance with the RRC Rules, after receiving final responses and observations from both the Complainant and the Respondent.

### **What is the RRC?**

The RRC is a committee that manages the PPR. One of the functions of the RRC is to determine complaints about PPR Members. Its powers are summarised in this Complaints Procedure.

### **What are the powers of the RRC in the context of complaints?**

The Chair of the RRC appoints a Complaints Committee, save where a Complaint may be dismissed summarily in accordance with the RRC Rules. The Complaints Committee examines complaints about Registered and Regulated Paralegals.

If a Complainant complains about a Registered Paralegal, the Complaints Committee may make one or more of the following decisions:

- > dismiss the complaint;
- > order the Registered Paralegal to repay some or all of the costs paid;
- > order the Registered Paralegal to pay compensation of up to £500 for loss suffered, which may include compensation for distress and inconvenience (guidance at the end of this procedure explains how this is determined);
- > impose a penalty of up to £500 on the Registered Paralegal ;
- > order the Registered Paralegal to rectify any error at their own expense;
- > issue a written caution or reprimand to the Registered Paralegal;
- > suspend the Registered Paralegal, pending further enquiries;
- > instigate further investigation;
- > refer the matter to the Adjudication and Appeals Panel;
- > publicise any sanction or fine on the Register.

If a Complainant complains about a Regulated Paralegal, the Committee may make

one or more of the following decisions:

- > dismiss the complaint;
- > order the Regulated Paralegal to repay some or all of the costs paid;
- > order the Regulated Paralegal to pay compensation of up to £500 for loss suffered, which may include compensation for distress and inconvenience (guidance at the end of this procedure explains how this is determined);
- > impose a penalty of up to £500 on the Regulated Paralegal;
- > order the Regulated Paralegal to rectify any error at their own expense;
- > issue a written caution or reprimand to the Regulated Paralegal;
- > suspend the Regulated Paralegal, pending further investigation;
- > instigate further investigation (including appointing appropriately qualified investigator(s));
- > refer the matter to the Adjudication and Appeals Panel;
- > access the compensation fund;
- > publicise any sanction or fine on the Register.

The Adjudication and Appeals Panel may:

- > order any of the sanctions above that the Complaints Committee can order in respect of Registered or Regulated Paralegals;
- > order that a member be suspended for a defined period, during which time such member shall not be entitled to hold themselves out as a member or to benefit from membership, or order that membership be terminated permanently;
- > order a Regulated Paralegal to pay compensation of up to £5,000 for loss suffered, which may include compensation for distress and inconvenience (guidance at the end of this procedure explains how this is determined);
- > impose a penalty on a Regulated Paralegal up to £5,000;
- > order that a Regulated Paralegal pays the costs involved in the hearing of the Adjudication and Appeals Panel.

### **What about claims against Regulated Paralegals for negligence?**

Although complaints of poor service may include allegations of negligence, any

potential negligence claim(s) should first be referred to the Regulated Paralegal's insurers. At the Complainant's request, the Complaints Committee will consider any outstanding complaints after the negligence claims have been either resolved or abandoned.

## **Appeals**

Adjudication is an Alternative Dispute Resolution (**ADR**) process that sits alongside the common law. Parties that use Adjudication to resolve their dispute do **not** lose the right to pursue the same issue through the courts.

If either party does not accept a decision of the Complaints Committee, they may within 28 calendar days of the date of the decision request an Appeal against such decision by sending a written request for an Appeal identifying the name of the Registered or Regulated Paralegal by email to [info@ppr.ork.uk](mailto:info@ppr.ork.uk). Appeals may only be brought in the limited circumstances prescribed by Rule \* of the RRC Rules.

Appeals shall be conducted by an Adjudication and Appeals Panel (with different panel members sitting to those who sat on the Complaints Committee).

The final decision of the Adjudication and Appeals Panel will be binding upon the Registered or Regulated Paralegal Respondent and the Complainant.

## **Data Protection Act 2018**

The Data Protection Act 2018 (as amended) and General Data Protection Regulation (GDPR) 2016 both set out the reasons why organisations are able to collect and process personal information. Please see our [Privacy Policy](#).

The PPR is registered as a data controller under the Data Protection Act 2018 and therefore must comply with the rules of good information handling. The Data Protection Act 2018 allows individuals to find out what information is held about themselves on computer and some paper records.

## **Equal and Diversity Policy**

In our work and in processing complaints against Members, we are committed to ensuring that all users of the complaints service are treated fairly, impartially and without discrimination based on race, colour, ethnic or national origin, nationality, citizenship, sex, sexual orientation, gender identity, pregnancy or parental leave, marital status, disability, age, religion, philosophical beliefs or political persuasion.

## **TIMETABLE FOR COMPLAINTS**

<b>Procedures</b>		<b>Timescale for response</b>
1.	The PPR will acknowledge receipt of the Complaint.	Within 2 working days of receipt.
2.	The PPR will send a copy of the Complaint to the Respondent and request a response (Complaint Letter).	Within 5 working days of receiving the Complaint.
3.	The Respondent must respond to the PPR's letter informing them of the Complaint.	Within 10 working days of receipt of the Complaint Letter.

### **Investigation of Complaint:**

4.	The PPR will acknowledge the Respondent Member's response .	Within 2 working days of receiving the response
5.	The PPR will send a copy of the Respondent Member's response to the Complainant for comment, providing for comment by the Complainant within 10 working days of receipt	Within 4 working days of receipt
6.	If the Complainant is not content with the Respondent's response, the PPR will write to the Respondent and request that they send a copy of the Complainant's file to the PPR within 10 days of the date of the PPR's request.	Within 5 working days of receiving the Complainant's response
7.	An external report writer, who has appropriate experience, will prepare a report on the file at the PPR's request.	A report is normally available within 8 weeks of receiving the file
8.	If timescales are not going to be met, the PPR will let both parties know and provide a new timetable.	As soon as is practicable
9.	Once a report is available, the PPR will send a copy to both parties, giving them the opportunity to comment. The PPR will circulate any comments received to both parties.	Within 21 calendar days of receiving and reviewing the report
10.	The PPR will notify the Chair of the RRC of the Complaint and completion of step 9 of the Complaints Procedure, together with copies of all relevant documents relating to the Complaint	Within 7 calendar days of receipt of completion of step 9 above

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### **Decision**

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11.	The Chair of the RRC will either:  (i) Dismiss the Complaint summarily in accordance with Rule * of the RRC Rules; or Appoint a Complaints Committee in accordance with Rule * of the RRC Rules.	Within 7 calendar days of the PPR notifying the Chair of a Complaint
12.	The complaint is placed before the next available meeting of the Complaints Committee and a decision is made.	Within 45 calendar days of appointment of the Complaints Committee. Time period subject to extension in exceptional circumstances.
13.	The parties will be advised of the Complaints Committee's decision by letter.	Within 7 calendar days of the meeting.

### Appeals

14	If a party wishes to appeal against a decision, an Appeal may be brought.	Within 28 calendar days of the date of the decision.
15	The PPR will acknowledge receipt of the Appeal to both parties. If the Appeal falls within the criteria set out in Rule 9 of RRC Rules, the PPR will advise the Chair of the RRC of the need to appoint an Adjudication and Appeals Panel.	Within 7 calendar days of receipt of the Appeal by the PPR.
16	The Chair of the RRC will appoint an Adjudication and Appeals Panel and direct whether a hearing will take place.	Within 7 calendar days of notification.
17	The appeal will be placed before the next available meeting of the Adjudication and Appeals Panel. If a hearing is to take place, a hearing will be convened.	Within 45 calendar days of appointment of the Adjudication and Appeals Panel. Time period subject to extension in exceptional circumstances.
18	The parties will be advised of the Adjudication and Appeals Panel's decision. The decision of the Adjudication and Appeals Panel will be final.	Within 7 days of Appeal meeting of hearing.

The Complaints Committee has the discretion to determine the complaint on its merits in the absence of a response from the Respondent.

### Awards for Distress and Inconvenience

Awards for distress and inconvenience are made entirely at the discretion of the appointed Complaints Committee, taking into account the individual circumstances and merits of the case. Distress and inconvenience include: concern,



disappointment, loss of some reasonable expectation and the time and effort the Complainant has spent on a complaint that would not have been necessary if the Respondent's service had been adequate.

### **How is compensation calculated?**

The maximum total award that can be made for poor service by Regulated Paralegals is £5,000 (but only in respect of serious matters that are referred to the Adjudication and Appeals Panel), including any extra expenses and significant financial losses suffered by the Complainant (claims for expenses and financial losses must be evidenced). This may also include compensation for distress and inconvenience that may have been suffered. The Complaints Committee or the Adjudication and Appeals Panel may direct a Registered or Regulated Paralegal against whom a Complaint has been brought to refund fees that have been paid in certain circumstances.

The PPR does not have a binding compensation tariff or scale. The Complaints Committee will assess the case on its merits when deciding how much compensation the Respondent Paralegal should pay the Complainant Client. The decision of the Adjudication and Appeals Panel on any Appeal is final.

## **APPENDIX 1**

### **Definitions:**

Unless the contrary intention appears, words in the singular include the plural and words in the plural include the singular.

“Adjudication” refers to the process of resolving a dispute;

“Adjudication and Appeals Panel” is a panel appointed by the Chair of the RRC to hear appeals;

“ADR” refers to alternative dispute resolution;

“Appeal” is a request falling within Rule \* of the RRC Rules that a decision of a Complaints Committee be reconsidered;

“Applicant” is any person who is applying or has applied for registration as a Paralegal;

“Brokers” are the insurance brokers responsible for organising an Indemnity Insurance Policy for a Paralegal;

“Claim” is a claim or circumstance whereby something has occurred or been omitted which may lead to a claim in respect of an Indemnity Insurance Policy;

“Client” is a person, group or company that uses or seeks the professional advice or services of a Paralegal or Professional Paralegal;

“Compensation Fund” is a fund that may, at the discretion of the Register Regulatory Committee, be used, in certain circumstances, to compensate clients of Regulated Paralegals where complaints are upheld;

“Complainant” is a Client that makes a complaint;

“Complaint” means a grievance brought by a Client against a Paralegal and notified to the PPR in accordance with this Complaints Procedure;

“Complaints Committee” is a committee appointed by the Chair of the Register Regulatory Committee to hear complaints;

“Disciplinary Rules & Procedures” are the rules and procedures that apply to a Paralegal or Professional Paralegal Practitioner specifically where it applies to a disciplinary action by the RRC;

“Evidence of Insurance” is evidence that the Insured is acting under suitable professional indemnity insurance cover in accordance with these Rules;

“Indemnity Insurance Policy” is a professional indemnity insurance policy authorised by these Rules;

“Member” is an Applicant who has been accepted as a member of the PPR;

“Membership Year” is such 12-month period as the PPR may determine in relation to each Member;

“Membership Body” is the professional membership body to which the Paralegal belongs, see also Recognised Body;

“Membership Tier Certificate” is a certificate issued by the PPR to provide evidence of tier status on the PPR which may be tier 1 to tier 4;

“Paralegal” is any person holding a Membership Tier Certificate in force granted by the PPR;

“Paralegal Services” are services limited to the scope of the Paralegal Practising Certificate held by the Paralegal;

“PPR” is the Professional Paralegal Register and includes any of its committees;

“Practice” is a Professional Paralegal Practitioner who is a sole practitioner; two or more Professional Paralegals and/or Paralegal Practitioners in partnership; a Recognised Body, each providing Paralegal Services;

“Practising Certificate Rules” are the Rules governing Paralegal Practising Certificates;

A “Paralegal Practising Certificate” may be “specified” or “general” and is issued by the PPR to a paralegal to provide certain Paralegal Services to the general public;

“Professional Paralegal Practitioner” is any person holding a Paralegal Practising Certificate in force granted by the PPR;

“Qualifying Experience” is legal experience as described in this document;

“Recognised Body” is a body corporate recognised by the PPR to provide Paralegal services to the public;

“Register” is the official list of registered members;

“Register Regulatory Committee (RRC)” is a panel of persons appointed for the purpose of hearing and deciding issues of complaint and misconduct made against Paralegals;

“Register Regulatory Committee Rules” and “RRC Rules” are the Rules adopted from time to time by the RRC;

“Registered Paralegal” is a member of the PPR who holds a valid tier certificate;

“Regulated Paralegal” is a member of the PPR who holds a valid Paralegal

Practising Certificate;

“Respondent” is a Registered or Regulated Paralegal party against whom a complaint has been made;

“Tier Structure” – See Appendix 2

## APPENDIX 2

### Tier Structure

<b>Tier 1</b>	Undertaking study; not yet gained Level 3 qualification; no or very little experience (ideal for legal secretaries)
<b>Tier 2</b>	Minimum Level 3 Certificate or equivalent or 2 years ‘qualifying’ experience or Associate Member of NALP or Equivalent Member of IoP (this might include members of other Recognised Bodies)
<b>Tier 3</b>	Minimum Level 6 + 2 years qualifying experience* or Graduate Member of NALP or Equivalent Member IoP
<b>Tier 4</b>	Level 6 or above to include Paralegal Practice Skills OR LPC/BPTC + 4 years qualifying experience**

\*To become a Tier 3 Professional Paralegal, you must have completed at least 2 years qualifying experience either through employment or through work-based learning evidenced by a portfolio. Your qualifying experience can have commenced before, during or after your training but must be complete before the appropriate tier status is applied for.

\*\*To become a Tier 4 Professional Paralegal, you must have completed at least 4 years qualifying experience either through employment or through work-based learning evidenced by a portfolio. Your qualifying experience can have commenced before, during or after your training but must be complete before the appropriate tier status is applied for.

Qualifying experience must be of a wholly legal nature and must be equivalent to a minimum of 18 hours of work a week.