

## **Office Complaints Policy - Law Firm Elbertse**

### **Article 1 definitions**

In this office complaints policy, the following definitions apply:

- *complaint*: any written expression of dissatisfaction by or on behalf of the client towards the lawyer or the persons working under their responsibility regarding the conclusion and execution of an engagement agreement, the quality of the services, the amount of the fee, the performance or provision of extrajudicial debt collection, not being a complaint as referred to in paragraph 4 of the Lawyers Act (Advocatenwet);
- *complainant*: the client, their representative, or a third party with a direct interest who makes a complaint;
- *complaints officer*: the lawyer charged with handling the complaint.

### **Article 2 scope of application**

1. This office complaints policy applies to every engagement agreement between Law Firm Elbertse and the client.
2. Complaints of a debtor about Law Firm Elbertse as a provider or supplier of extrajudicial debt collection also fall under the scope of the office complaints policy, as referred to in article 4, second paragraph, subsection b, and article 14, third paragraph, of the Act on Quality of Collection Services (wet Kwaliteit Incassodienstverlening).
3. The lawyer shall ensure that complaints are handled in accordance with this office complaints policy.

### **Article 3 objectives**

This office complaints policy aims to:

- a. establish a procedure to deal constructively with complaints from complainants within a reasonable period of time;
- b. establish a procedure to determine the causes of complainants' complaints;
- c. provide a legal duty, maintain and improve existing relationships through proper complaint handling;
- d. train employees in client-oriented responses to complaints;
- e. improve service quality through complaint handling and complaint analysis.

### **Article 4 information at the start of service**

1. This office complaints policy has been made public. Before entering into a contract with the client, or in the case of performing or offering extrajudicial debt collection, in the first contact between the lawyer and the debtor, the lawyer informs the client, or the debtor, that the firm has an office complaints policy and that it applies to the services provided.
2. In the general terms and conditions, the lawyer has included to which independent party or authority a complaint that has not been resolved after treatment can be submitted for a binding decision and the lawyer has made this known in the engagement letter towards the client and/or the first letter to the debtor.
3. The general terms and conditions state that complaints that are not resolved after treatment will be submitted to the court. If the complaint concerns a mediation, the complaint can also be submitted to the vFAS (Association for Family and Inheritance Law Lawyers and Divorce Mediators) or the MfN (Mediators Federation Netherlands).

### **Article 5 internal complaints procedure**

1. If a complainant approaches the office with a complaint, the complaint will be forwarded to L.E.M. Elbertse, who acts as complaints officer.
2. The complaints officer will notify the person complained about of the filing of the complaint and gives the complainant and the person complained about opportunity to provide an explanation of the complaint.
3. The person complained about will try to reach a solution together with the client, with or without the intervention of the complaints officer.
4. The complaints officer will handle the complaint within four weeks of receiving the complaint or will inform the complainant of any deviation from this time limit, stating the reasons, and stating the period within which a decision on the complaint will be given.
5. The complaints officer will inform the complainant and the person complained about in writing of the assessment of the merits of the complaint, with or without recommendations.
6. If the complaint has been handled satisfactorily, the complainant, the complaints officer and the person complained about will sign the assessment on the merits of the complaint.

### **Article 6 confidentiality and free complaint handling**

1. The complaints officer and the person complained about shall observe confidentiality when handling the complaint.
2. The complainant shall not be charged for the costs of handling the complaint.

### **Article 7 responsibilities**

1. The complaints officer is responsible for the timely handling of the complaint.
2. The person complained about shall keep the complaints officer informed of any contact and possible solution.
3. The complaints officer shall keep the complainant informed about the handling of the complaint.
4. The complaints officer shall keep the complaint file.

### **Article 8 complaint registration**

1. The complaints officer will register the complaint, including the subject of the complaint.
2. A complaint may be divided into several subjects.
3. After each settled complaint, there will be a reflection within the office on the handling of the complaint, the prevention of new complaints and the improvement of the procedures.

**Office Complaints Policy effective as of November 5<sup>th</sup>, 2024**