

APPROVED COMPLAINTS PROCEDURE

The Notaries Society

Approved Complaints Procedure

1. Purpose

- 1.1 The Notaries Society intends that this procedure will enable the resolution of all complaints made against General Notaries (*other than complaints of 'notarial misconduct' which are dealt with by the Faculty Office and complaints against non members*).

2. Making a complaint

- 2.1 The complaint should be sent in writing to the Secretary of The Notaries Society at the following address:-

**Christopher Vaughan,
The Secretary,
The Notaries Society,
Old Church Chambers, 23 Sandhill Road,
St James Northampton NN5 5LH.
Email : secretary@thenotariessociety.org.uk**

- 2.2 The Complainant shall provide the Secretary with full details of the complaint together with copies of any documents or correspondence.

3. Action by the Secretary

- 3.1 The Secretary will write to both the Complainant and the Notary asking whether they are willing for the complaint to be considered by the President and Vice-President within the Approved Complaint Procedure.
- 3.2 The Secretary will prepare copies of all the papers and deliver them with his own report (if necessary) and a summary to the President and the Vice-President of The Notaries Society

4. Conclusion

- 4.1 The President and Vice President will consult together and will propose a conclusion which in their judgement is fair to both parties. A written record of the conclusion will be sent to the Secretary who will then inform both parties and the Faculty Office. At the same time the Complainant will be informed of his/her right to complain to the Legal Ombudsman the timeframe for doing so and full details of how to contact the Legal Ombudsman
- 4.2 The conclusion is to be notified to both the Complainant and the Notary no later than 8 weeks after the date of which the Complainant provided full information on the Complainant required in clauses 2.2 and 6.1 below. After this period the Complainant may complain to the Legal Ombudsman whether or not a conclusion has been notified to him/her

5. Effect of conclusion

- 5.1 It is expected that the parties will abide by the conclusion. However, it cannot remove the right of either party to pursue their case either to the Faculty Office, the Legal Ombudsman or the civil courts or as may be appropriate.

6. Additional notes

- 6.1 The Secretary when preparing the documentation provided for in clause 3.2 may ask for further information from either or both parties
- 6.2 The President and the Vice President may ask for further information from either or both of the parties before they can reach a conclusion.

- 6.3 If the nature of the complaint indicates that there may have been 'notarial misconduct' the Secretary shall be directed to send the papers to the Faculty Office and no conclusion on the complaint will be made by The Notaries' Society until after the Faculty Office has considered the papers and decided that 'notarial misconduct' is not in issue.
- 6.4 The President and Vice President are not bound to give reasons for their conclusion.
- 6.5 The Society will not be responsible for any loss or damage that may arise as a result of any action or conclusion under this procedure.
- 6.6 The Notaries' Society cannot consider any complaint if it is or becomes the subject of any Court proceedings.
- 6.7 Original documents and correspondence should **not** be sent to the Secretary unless specifically requested.
- 6.8 The expression 'President and Vice President' shall include such other members of the Council of The Notaries' Society as shall be nominated by either the President or the Vice President to act in their place.

Christopher Vaughan
Secretary