

RICS complaints FAQs

What can't we consider?

There are times where our complaints process needs to wait until the outcome of other legal proceedings — court proceedings for example. We may need information from you about other proceedings that you are involved in to help us decide whether we can consider the complaint before these finish.

We can't decide whether a professional's opinion is correct or offer a second opinion. We also can't resolve issues that are the subject of court proceedings or where there is another appropriate mechanism to resolve them (for example challenging an award under the Party Wall Act in the UK). We can consider complaints about service or professionalism connected to these matters.

We may decide not to start an investigation where we do not think that the mistake or failure complained about will result in disciplinary action. We understand that all complaints are serious to the person affected, but we have to consider whether we should take action in the public interest. For example, it would be unusual for a single act or omission, or a single act of negligent work, unless it is extremely serious, to require disciplinary action.

Do you accept anonymous complaints?

We operate a complaints process that is open and transparent. We cannot normally accept complaints where the complainant wants to remain anonymous. In order to ensure that we treat the professional fairly, they will usually need to know the source of the allegations against them.

If you want to provide information on a confidential basis, we would keep this on file and use it as intelligence to inform our regulatory decisions. If information given anonymously relates to serious and credible concerns about a professional's conduct or competence, we may consider taking further action. However we will not usually be able to give you any information about any action we have taken.

We may treat information from the press or social media channels as intelligence but we will not discuss the details of specific RICS Regulation cases via social media channels. If you want to raise a matter with us please contact us via telephone: +44 (0)20 7695 1670 or email: complaints@rics.org.

How long will it take to consider a complaint?

On average, cases we investigate take around six months to conclude.

Some complaints are relatively straightforward and we are able to get the information we need quickly. Others are complex and we can face difficulties obtaining all the information we need. It is therefore difficult to estimate how long an investigation will take.

Will you take disciplinary action whenever a professional has done something wrong?

We consider all complaints carefully; however, we will not always take disciplinary action, even where we believe that a professional has made a mistake or not met our standards. This is because we must be satisfied that disciplinary action is necessary both because of the seriousness of the misconduct or incompetence and to protect the public in the future.

If we decide not to take disciplinary action in relation to a complaint, we will keep details on file and use them as intelligence if other complaints are made against that professional.

How do you assess seriousness?

When we assess seriousness, we are considering the wider public as well as the individual affected. If we say that misconduct or incompetence is not serious enough to warrant disciplinary action, this is not intended to minimise the distress or loss the individual may have suffered.

We cannot take disciplinary action in order to punish a professional or firm but we must be satisfied that it is the only way to protect the public. It would be unusual for a single act or omission, or a single act of negligent work, unless it is particularly serious, to require disciplinary action. Sometimes the evidence we have suggests that a professional will follow advice that will protect the public in future. We also cannot take action if we do not think that we will be able to prove to a disciplinary panel, to the legal standard required, that misconduct occurred or that a failure amounts to serious professional incompetence.

Will you take disciplinary action where a court or tribunal has made a decision about a professional?

We would consider any information from a court or tribunal that has criticised a professional carefully in order to decide whether there was evidence of a breach of our standards.

Not every case where a court has made a finding against a professional will require disciplinary action. We have to be satisfied that action is necessary to protect the public in the future and this is a different test from courts or tribunals, which usually provide a remedy where things have gone wrong.

If we refer a matter to a disciplinary panel based on the finding of another court or tribunal the panel will not be bound by the finding, unless it is a criminal conviction, and will have to make its own decision on the evidence before it.

What types of disciplinary action can you take?

In some cases, we decide that we can agree with the professional or firm that they take some action, or stop doing something, that will protect the public interest. These agreements are called consent orders. Consent orders can include requirements to undergo training, stop doing certain sorts of work or change the way that types of work are done. If we agree a consent order following a complaint, we will tell the complainant that we have done so.

The most serious cases can be referred to a disciplinary panel, which will consider whether the allegations against the professional are proved. If the panel finds allegations proved, it can caution, reprimand and fine a professional, impose conditions or undertakings, or expel a professional from RICS.

If we need to refer a case to a disciplinary panel, we can usually bring the case based on the evidence we have gathered, however, sometimes we may need to ask witnesses to attend the hearing.

What happens if I don't agree with the decision?

We appreciate that either the professional or the complainant may not agree with the decision we reach.

There is no right of appeal against decisions we make to close a case or agree a consent order. If we decide to close a case you can ask for a review by a Head of Regulation, but their decision will be final. We will do our best to respond to questions about the decision but we may reach a point where we will not be able to continue to provide explanations or responses to you because we have previously considered and explained matters.

We have discretion to explain that we are unable to respond further when we consider no new issues are being raised. This allows us to deal with all queries that come to us efficiently and proportionately.

If you have a complaint about the service that we have provided, we have an internal complaints policy, which is available [on our website](#).