

## Complaints about our service, standards and decisions July 2018

**Please note: This document refers to the process for regulation-based service complaints only.**

RICS Regulation was established as an “arm’s length” Regulator for the Royal Institution of Chartered Surveyors, following the Carsberg Review in 2007.

RICS has established an internal complaints process for complaints about our service standards. This additional procedure provides details of how this will operate in Regulation and provides details of how a complainant can appeal against the outcome of a service complaint about a regulation matter.

This procedure also explains how complainants can challenge our decisions in those cases where we have decided that we will not take disciplinary action.

This procedure does not apply to decisions made by independent Disciplinary Panels. The rules for making an appeal against a Panel decision are set out in the Disciplinary, Registration and Appeal Panel Rules 2009.

### **Reconsideration of our decisions**

If you are dissatisfied with a decision not to take disciplinary action on a complaint you have made, you can ask for a review of the decision by a senior manager within our regulation team. In order to request a review, you must make your request in writing to the caseworker within 28 days of being informed of the decision to close the case. Requests for reviews outside this timescale will only be actioned where there are exceptional circumstances which prevented the request being made within the timescale allowed.

The senior manager will review the case notes and any investigation that has taken place to determine if the correct outcome has been reached and respond to you within 15 working days of us receiving your request. If they believe that the decision was not properly reached they may decide to reopen the case.

The decision by the senior manager is final; we will not reconsider the matter further. You may of course seek independent legal advice about any other options open to you.

### **Complaining about our service – internal review**

If you want to complain about the service we have provided to you, you can either write to the caseworker who handled your case, or send your complaint to [complaints@rics.org](mailto:complaints@rics.org) or RICS Regulation, 55 Colmore Row, Birmingham B3 2AA.

We will assign your complaint to an appropriate member of the team who will acknowledge your complaint within five working days and provide a full response to you within fifteen working days.

If you are not satisfied with our response to your complaint you can ask for the case to be escalated to a manager. Our manager will review the case and consider any service issues that have been raised. You will be contacted within 48 hours of your complaint being escalated and the manager will provide a full response to you within 15 working days of us receiving your request.

Complaints submitted to the President, Honorary Officers of RICS, or the Chief Executive’s office about Regulation decisions or service will be passed to the Regulation team for action. This is to protect both the arm’s length independence of our regulatory process and to ensure that the complaint is recorded and tracked.

### **Standards of Behaviour**

We require all our staff to be polite and courteous in their interactions. We also expect the same standards of behaviour from users of RICS regulatory process. We will not tolerate any abusive behaviour towards any member of RICS staff.

Should any evidence of abusive behaviour be recorded, we reserve the right to restrict contact with RICS staff and, in the most severe cases, decline to proceed with any investigations until such behaviour ceases.

Likewise, persistent complaints that have already been through the complaint handling process will be disregarded if we feel that we have taken the matter as far as we are reasonably able.

### **Complaining about our service – Independent Case Reviewer**

For complaints about our service, we have appointed an independent case reviewer.

If you remain dissatisfied with the outcome of our internal review after completion and your complaint is about the service you have received, your complaint can be referred to our Independent Case Reviewer, Walter Merricks CBE.

The Independent Reviewer judge's standards of service against ordinary standards of customer service that can reasonably be expected of professional bodies: these include promptness, consistency, clarity of communication, courtesy and respect; and adherence to proper complaint procedures.

Your complaint and copies of all the papers, emails and other notes on file will be sent to Mr Merricks for review. Mr Merricks is not an RICS employee; he is an independent consultant and he works from his own office.

He may ask you or RICS Regulation for more information, but normally this is not necessary. When he has concluded his review, you will be sent a copy of his report.

### **The Independent Reviewer's Remit and Terms of Reference**

1. Anyone who is not satisfied with the response received following an internal review of the complaints process may ask for a review by the Independent Reviewer ("the Reviewer") within three months of the manager's final determination.

2. If the Reviewer receives a service complaint that also relates to other matters, the Reviewer **will only investigate the service complaint**.

Service reviews will only consider complaints about service and will not include a review of the merits of the actual decision, including jurisdictional issues, or the dismissal, rejection or upholding of a complaint or any policy underpinning the complaint or the content of the Rules themselves.

3. Generally, the Reviewer will **not** consider service complaints while a complaint against a Member or Regulated Firm is in progress.

4. The Reviewer will have access to all files held by RICS Regulation relating to the service complaint and may seek any further information that he or she considers necessary, either from the complainant or from RICS Regulation.

5. When the Reviewer concludes his or her investigations, he or she may recommend to the Head of Regulation that RICS Regulation:

- take no further action;
- apologise;
- provide measures or guidance as to how to improve the service standards and experience of all parties;
- investigate the initial issue in accordance with guidance issued by the Reviewer;
- provide any other remediation that the Reviewer believes is appropriate."

If the Reviewer finds that a referral for review by an RICS Member is vexatious or intentionally vindictive or damaging, the Reviewer can advise RICS Regulation of that finding. In such circumstances it will be for the Head of Regulation to decide how to pursue the matter and he will inform the Reviewer of his proposed action.

The Reviewer will usually look at matters on a 'documents only' remit, however he is at liberty to extend this if he feels it appropriate.

### **Accountability and reporting**

The Reviewer will publish an annual summary report outlining the types of cases reviewed (anonymised), his or her recommendations, and whether the Head of Regulation agreed the recommendations. This report will be published by RICS.

### **Contact Details**

The Reviewer can be contacted via [independentreviewer@rics.org](mailto:independentreviewer@rics.org). The matter must exhaust the internal review process before being passed on.





