



Complaints Handling Procedure (CHP) – guidance for RICS firms

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This help sheet is designed to assist firms in meeting the requirements of handling complaints.

Rule 7

'A Firm shall operate a complaints handling procedure and maintain a complaints log. The complaints handling procedure must include a redress mechanism that is approved by the Regulatory Board.'

Complaints Handling Procedure (CHP)

A firm is likely to meet the requirements of this rule if it adopts an effective procedure for handling complaints from its clients and anyone else to whom it owes a duty of care.

Independent redress

The final stage of the procedure will provide the client with access to independent redress if the firm cannot resolve the complaint. RICS has approved a list of redress providers for firms to use. The list is published and updated from time to time at www.rics.org/regulation

What is a complaint?

Any expression of dissatisfaction.

What is the RICS approved CHP?

An effective complaints handling procedure needs two stages:

- consideration of the complaint by a senior member of the firm or the firm's designated complaints handler
- if the complaint cannot be resolved, referral to an independent third party with the authority to award redress.

When should my firm issue a CHP to a client?

- Whenever the firm issues Terms of Business it should be made clear to the client that the firm operates a CHP. However, there is no need at this point to provide the client with a copy of the CHP.
- Whenever the firm receives an expression of dissatisfaction from a valid complainant (that is, one to whom the firm owes a duty of care).

There are certain circumstances where it is not appropriate to issue a CHP, for example if you have been appointed by a court as an expert witness. In such circumstances, inform your client in writing why you are unable to issue a CHP.

Can my firm charge for my time in dealing with a complaint?

No, the CHP is free of charge to a complainant. The second, independent stage may be in part paid for by the client.

What happens if the complainant refuses to use the CHP?

Make sure that your firm can demonstrate that it has tried to encourage the complainant to use the CHP.

How quickly should a complaint be answered?

We advise firms to acknowledge a complaint in a timely manner and recommend that a full response, or if this is not possible, an update, is given within 28 days. Not answering correspondence and not keeping the client informed can often exacerbate a complaint.

Can I review a complaint about myself?

Complaints are reviewed by a senior member of a firm or the firm's designated complaints handler. If you are a sole practitioner, you may have to review the complaint yourself, in the knowledge that, if it cannot be resolved, it must be referred to an independent redress scheme.

What happens if the complainant isn't happy with the review?

If the complainant isn't happy with the review, move onto the second stage of the CHP and involve the redress scheme your firm has chosen to use.

What and when should I tell my insurers?

Your firm is obliged under the terms of its professional indemnity insurance (PII) policy to tell its insurers about any situation that may give rise to a claim. Issuing your firm's CHP because a client has expressed dissatisfaction or has a query means your firm should inform its insurers as soon as possible to ensure compliance with the terms of your PII policy.

What happens if I contact my insurers and they want to control the complaint?

This does not necessarily mean there is a problem as the insurer shares the firm's interest in settling the complaint swiftly and fairly. If you have difficulties with your insurer, consult your broker in the first instance.

Where should I record complaints?

Keep a complaints log to track your complaints. This will help you to manage complaints and to make improvements to your firm's processes and procedures based on the pattern of complaints you receive. An example of a complaints log is available at [www.rics.org/rulesofconduct/Supporting Information – Helpsheets](http://www.rics.org/rulesofconduct/Supporting%20Information%20-%20Helpsheets).

Will RICS become involved?

We will only become involved if you fail to respond to the complainant or prevent the client from gaining access to an independent redress mechanism.

What should I do now?

- Make sure you have and operate an up to date CHP
- Make sure your old and new clients are aware of your CHP
- Make sure your colleagues and staff are aware that you operate a CHP
- Make sure you have, and keep up to date, a complaints log

Further information

Contact us on **020 7695 1670** if have further questions or **email regulation@rics.org**. Additional help sheets and other guidance material can be found at **www.rics.org/regulation**.



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