

# COMPLAINTS PROCEDURE

FeRFA expects high standards of professionalism from our members as set out in our Codes of Practice. We recognise that occasionally a member may breach this Code. If you feel that one of our members has breached the relevant Code of Practice and wish to make a formal complaint, all complaints received by FeRFA against FeRFA members which cannot be immediately addressed by the FeRFA team will be dealt with according to the following procedures.

Complaints and associated correspondence are kept confidential between the complainer, member and the Association.

Because of the nature of some complaints, it can take several months to complete the procedure.

***FeRFA cannot deal with complaints that are the subject of current or pending litigation or deal with contractual matters. Under no circumstances can the Association assume the role of a Court or Arbitrator in any dispute. Such disputes should be resolved between the parties involved using the normal legal process if necessary. Complaints relating to residential properties and/or domestic applications are not covered by this procedure. FeRFA is not responsible for paying compensation or making a financial reward. FeRFA is unable to become involved if the company has ceased to be a member.***

***FeRFA is a voluntary membership body, not a government regulator. As such we only have authority over our members in relation to their membership with us. We have no authority to issue fines, compel a member to complete a task or project or prevent a member from trading.***

## 1. Internal Complaints

### Definition

Any notification received by FeRFA from a FeRFA member concerning the products or services of another FeRFA member that breaches the relevant Code of Practice, Membership Criteria, Bye Laws or Association Rules.

### Making a Complaint

- a) Any member wishing to make a complaint against another member of the Association must do so in writing stating the specific item of the relevant Code of Practice, Membership Criteria, Bye Laws or Association Rules to which it applies.
- b) Complaints will be acknowledged and logged in the FeRFA Complaints Register.
- c) The complaint will be investigated by the FeRFA CEO. This may include a meeting with the member to which the complaint is directed.
- d) The recommendations of the CEO will be referred to the FeRFA Council for endorsement.

## 2. External Complaints

### Definition

Any notification received by FeRFA concerning the products or services of a FeRFA member that breaches the relevant Code of Practice.

## **Making a Complaint**

- a) All FeRFA members are required to have their own customer complaints procedure. We therefore encourage complainers who have concerns over the quality of products or services supplied by FeRFA members to initially contact the member to express their concerns and agree a resolution. The FeRFA complaints procedure cannot begin until the matter has first been raised directly with the member company.
- b) FeRFA can help customers who have a dispute with a FeRFA member by providing a free service whereby we will endeavour to reconcile a dissatisfied customer with the member company. Most complaints escalate because of poor communication between parties. This initial mediation will often help the parties to agree a way forward and no further involvement from FeRFA will be required. No site visit to inspect works is available as part of this process.
- c) Any complaint must be made to FeRFA in writing. The complainer must provide written evidence that they have already made a complaint directly to the FeRFA member and that the member has completed their own complaints procedure. FeRFA will only liaise with one main complainer contact regarding the dispute.
- d) Complaints will be acknowledged and logged in the FeRFA Complaints Register.
- e) Upon receipt of the complaint, FeRFA will pass the details to our member for a response and aim for a resolution between the two parties.
- f) If no resolution can be achieved, we can refer the parties to consider third party adjudication independent of FeRFA.
- g) FeRFA members are expected to adhere to the relevant Code of Practice. We can, if appropriate, refer the member's conduct to the FeRFA Council for consideration of breach of the relevant Code of Practice. This is an internal matter between FeRFA and its member.
- h) If, after proper investigation of a complaint, it is found that a member has failed to comply with FeRFA's Code of Practice, the member shall receive a warning together with the appropriate advice on compliance with the Code of Practice. In the event of gross misconduct or negligence or proven repeated failure to comply with the Code of Practice, the member shall be suspended or expelled from FeRFA by a decision of the FeRFA Council.
- i) The views and opinions expressed by the CEO/Council and the action agreed will be strictly on a 'without prejudice' basis and made with the best interests of the Association in mind. No action taken by the Association or its Officers or Members will be in contempt where legal proceedings are in progress.
- j) The objective of the Association and the CEO/Council will be to support the member wherever reasonably possible provided that the member is able to demonstrate by performance their intent to remedy any complaint found to be of substance by the CEO/Council.
- k) A member has the right of appeal against Council's decision to expel. If written notice of appeal from the member is not received by the Secretariat within 28 days, the case will be considered closed.

## **3. Persistent and Vexatious Correspondence**

Should FeRFA receive unduly persistent or vexatious correspondence regarding a complaint, the FeRFA CEO will discuss the matter with the individual concerned in an attempt to agree future action. If there is subsequently no improvement in the nature of the individual's correspondence, FeRFA reserve the right to cease correspondence.