

## Complaints Policy

The Property Care Association (PCA) is the leading representative organisation for the UK's building protection industry. Our skilled and audited membership operate across domestic, commercial and civil sectors in the structural repair, structural waterproofing, wood preservation, damp protection, flood remediation and invasive weed control industries.

### Objective

The objective of our complaints policy is to ensure that each complaint is fully and fairly investigated and resolved, where possible, on behalf of all affected parties. This will uphold our objectives and maintain a high standard of conduct, combat unfair practices, and encourage safety and high standards across the Property Care Association (PCA) and our members.

We can only deal with complaints that are related to:

- sectors covered within our membership
- organisations or individual members of the association. You can check to see whether a company is a PCA member using the search facility on our [website](#), or
- the running of any aspect of our organisation (including training).

### Scope

We will look at any complaint in conjunction with our Code of Conduct, Code of Ethics, Codes of Practice and Technical Guidance. We aim to mediate in any dispute to achieve a satisfactory outcome. Where this cannot be achieved, the process below sets out how complaints can be escalated or appealed.

We have no legal sanction, are not a court of arbitration and have no powers to enforce a settlement. Whilst we will do our best to mediate and resolve a dispute, we cannot enforce one.

Our complaints process may not be used as a precursor to litigation: you cannot use our process to take someone to court.

Complaints can be dealt with if they are regarding:

- guarantee issues
- technical issues



- poor customer service standards
- unprofessional conduct.

### **Complaining about a non-member**

We cannot deal with complaints against non-members (including past members of the Association and franchisees of member companies). We suggest you contact your local Trading Standards Department for support.

If you need help submitting a complaint please contact:

England and Wales: [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk) or 03444 111 444 (England) / 03444 77 20 20 (Wales)

Scotland: [www.cas.org.uk](http://www.cas.org.uk) or 03454 04 05 06

Northern Ireland: [citizensadvice.co.uk](http://citizensadvice.co.uk) or 0300 1 233 233

Ireland: [citizensinformation.ie](http://citizensinformation.ie) or 0761 07 4000

## Complaints Procedure

### Conditions required to submit a complaint

To open a complaint with us, it must:

- be submitted within six months from the date of the last correspondence with the member (or us if the complaint is related to the running of the organisation)
- must be against a current member of the association and registered in the sector in which the complaint relates to
- include the evidence to enable us to investigate. Your submission should include, where relevant:
  - ✓ all correspondence between yourself and the organisation or individual
  - ✓ the original report and quotations for works
  - ✓ the original guarantee and associated Terms and Conditions
  - ✓ the original invoice
  - ✓ photos of the affected areas
  - ✓ any third party surveys/reports that may have been undertaken.
- have been raised directly with the member company previously, and an opportunity provided to resolve any issues.

In most cases, we will only be able to liaise with the guarantee holder/named person on the contract with the member. It's important to note we can't look at complaints:

- about employment, personnel or most contractual matters
- of a financial nature (including those seeking refunds or compensation)
- where legal proceedings are underway
- where corrective works have been carried out by a third party
- based on hearsay, opinion, informal second-opinion or without evidence
- relating to a matter that could reasonably be considered to be frivolous, repetitious or vexatious.

### 1. Raise your complaint informally

Problems between a client and a company can arise because of misunderstandings or a breakdown in communication. You must have attempted to resolve the complaint by direct discussion with the person concerned before formally raising a complaint with us.

- When contacting the company, record the dates and the name of the person you speak to if in person or by phone, and maintain email correspondence which should be used as evidence if proceeding to submit a formal complaint
- Where your complaint is related to a member, if you have reached the end of our members' complaint process, inform the member company that you intend to submit a complaint to us if the issue is not resolved.

Please note that the PCA's ability to investigate is limited to our membership and does not constitute any legal investigation whatsoever. In all instances UK law supersedes all investigations by the PCA.

## 2. Submitting a complaint to us

If your efforts to resolve a grievance directly have failed, we may be able to investigate the matter.

You must submit your formal complaint to us by completing the [online complaints form](#).

### Our process: investigating complaints

We aim to complete our investigation and present a resolution within four weeks, depending on whether we have received all information required to review the complaint, and its complexity.

1. Once we have received the complaint, we will acknowledge receipt within five working days and confirm whether we can proceed based on the complaint meets the criteria set out above
2. The complaint handler will review the complaint and if necessary, request further information
3. We will contact the member company or individual referred to in the complaint to request their evidence (calls, emails and technical information). **For us to investigate and mediate your complaint, we require your consent to contact the member company or individual referred to in the complaint.**
4. The complaint handler will make an assessment of the complaint and what resolution could be achieved
5. In the event that we cannot resolve your complaint we will, where possible, advise further steps that may be available to you
6. If appropriate and necessary, we may recommend a formal second opinion from a suitably qualified individual. This can be obtained from an independent third party which can be found on our website [www.property-care.org](http://www.property-care.org). The PCA does not have the capacity to attend a property to provide independent opinion, and any costs incurred by engaging the services of an Independent surveyor are the responsibility of the complainant (or member company if this has been agreed)
7. We will consider the facts and investigate the allegations received. Both the complainant and respondent will be informed, in writing, of our decision and recommendations
8. If a decision is reached that the complaint has no merit we will inform both parties in writing. If either party does not accept the decision, they have the right to appeal

9. Any appeal must be made in writing to the Deputy Chief Executive within 30 working days of being informed of the decision. If the appeal is considered to have merit, this will then be referred to an Independent Appeals Panel appointed by the Board.

Where your complaint is regarding the Deputy Chief Executive or a member of the Board, your email should be sent to the Chief Executive via [pca@property-care.org](mailto:pca@property-care.org), setting the subject title as 'FAO: Chief Executive – Complaint'. Where your complaint is concerning the Chief Executive, your email should be sent to the Board Chair via [pca@property-care.org](mailto:pca@property-care.org), setting the subject title as 'FAO: Chair of the Board – Complaint.'

### **Where we uphold your complaint**

A genuine effort will be made to deal with your problem and achieve a satisfactory solution. Should your complaint be upheld, this may result in:

- Issue of an *Improvement Notice* to the member
- consideration of the complaint by our Board
- recommend additional or corrective works
- disciplinary action including termination of the company's membership of the Association
- in the case of a complaint against a member of our staff, our disciplinary procedure may be followed.

We cannot enforce refunds or compensations, even where there is a clear breach of standards. Where this is an outcome sought by the complainant, legal advice would need to be sought.

### ***Improvement Notice***

For complaints where we find that there is a need for improvement, an Improvement Notice may be issued by us, to the member company to improve standards and maintain membership compliance. The outcome of the Improvement Notice will not be shared with the complainant. Improvement notices may be issued if:

- an industry Code of Best Practice has been breached
- legislation has been breached
- professional technical standards have been clearly breached
- very poor customer service has been evidenced.

Where appropriate and at the discretion of the complaint handler the disciplinary procedure may be enforced in line with our Bye-Laws.

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