



ISSE COMPLAINTS PROTOCOL AND PROCEDURE

Matters of complaint that ISSE can assist with -

1. Complaint against an ISSE member - ISSE has a Code of Professional Conduct and Treat Clients Honestly & Fairly policy which recognises respect for the views of others whilst allowing the member to put forward their views in a reasoned and substantiated way. ISSE education recognises competence in Professional Surveyor or Engineer members and should a report fail to meet the reasonable expectations of the client the member is responsible for providing further information or revision of the report to reflect at least the minimum standards that such a report should contain.
2. Complaint about professional advice provided by a non-ISSE member specialist surveyor.
3. Complaint about installation work undertaken by a non-ISSE member company.

NB: The ISSE will advise of any variations that may be included in exceptional cases.

Matters that ISSE cannot assist with -

- Quotations and values of work.
- Time keeping for appointments.
- Consequential losses such as lost earnings, time off work or decorations.

NB: Should ISSE see evidence of ethics and standards of behaviour not being upheld including reasonable value for works within the industry ISSE will review these issues as deemed appropriate.

Procedure for the ISSE to investigate a complaint –

The complainant must have previously issued the full details of the complaint to the accused in writing including copies of all related documentation and allowed expiry of a period of time in order to give the accused sufficient time to respond (usually up to 8 weeks from initial complaint).

If thereafter the accused fails to respond in a satisfactory manner, or at all, the complainant can apply for an investigation by the ISSE.

The complainant must provide the ISSE with copies of all documentation relating to the complaint (wherever possible in electronic form) including all ancillary and background information such as all communications issued to and received from the accused, any expert witness survey reports, photographs and thermal images, any point of sale/purchase condition documentation along with any repair works and/or or installations undertaken by any third parties.

The ISSE will require advance receipt of investigative fees of £360 (£300 + vat) where the investigation does not require a visit to the property or £780 (£650 + vat) where the investigation requires a visit to the property. These fees exclude costs of any on-site exposure/reinstatement work, off-site testing of samples, extraneous travel/hotel costs or return visits prompted by receipt of additional information. Such costs will be notified in advance.

The ISSE will then commission a holistic investigative expert witness level survey and report to be conducted in an independent and impartial manner, by one of its panel of senior surveyors or consultants, taking all relevant technical, contractual and historical background factors into account based upon the available evidence.

Where the facts of the complaint are deemed to be self-evident a determination will usually be made without consulting either party.

Should the facts not be self-evident or very complex in nature the matter may be reviewed under tribunal conditions by three directors or consultants who have no conflict of interest with either party. This may involve additional fees especially if it is deemed necessary for either or both parties to be consulted or to attend.



The determination may, amongst other things, be one of the following:-

- (i) Finding the complaint unproven.
- (ii) Requesting the accused to carry out repair work on a free of charge or partially paid basis.
- (iii) Suspension, demotion or termination of membership of an ISSE member.
- (iv) Suggest arbitration, mediation (both available from ISSE at additional cost) or litigation.

NB: Whilst the ISSE is not empowered to oblige either party to compensate the other the ISSE decision may be taken into account as part of any legal proceedings between the parties.

This investigative process, including advice of the decision to both parties in written form, is expected to be completed within a maximum 6 month period. Should this not be the case the reason will be notified to both parties.

Should the complaint be upheld the investigative fees paid by the complainant to the ISSE will be recoverable from the accused although this may require legal proceedings.

Should the complaint not be upheld the fees will be retained by the ISSE.

In the event that the ISSE determination is deemed unacceptable, either party may appeal the determination by referral of the matter for further consideration. This subject to receipt by the ISSE within 30 days of the determination date of (i) notification in written form of the reasons for the appeal (ii) additional evidence to substantiate the appeal for example in the form of an additional report issued by a mutually acceptable suitably qualified independent expert witness and (iii) an appeal process fee of £360 (£300+vat). The ISSE board of directors will thereafter review the position taking the additional information into account. Wherever possible the ISSE will aim to complete the appeal process within a maximum 3 month period.

Notes -

The ISSE will, insofar as it is possible, take into account consumer regulations and law when evaluating the matter.

Given that the ISSE provides this investigative service, designed to help resolve matters, it is likely that the alternative legal channels will advise waiting until this procedure has been completed prior to implementing any legal proceedings.

Whilst ISSE decisions are usually effective in persuading the offending party to accept their responsibilities and/or liabilities they are not legally binding and accordingly following this procedure will not preclude or adversely affect a complainant's legal rights.

Should an accused cease trading, die or cease membership prior to conclusion of the investigation the ISSE would consult further with the complainant in those circumstances.

The ISSE will advise of any variations arising in exceptional cases that may be applicable.

The ISSE reserves the right to change any or all of the above at any time at the sole discretion of the ISSE board of directors.

Payment Method Options -

1. Direct bank transfer (BACS) into the ISSE bank:
HSBC account no: 30001759 sort code: 402367
2. Credit or debit card – by phone via the ISSE office:
Contact Number 0114 245 5552
3. Cheque made payable to the ISSE submitted by post to:
ISSE, Amity House, 156 Ecclesfield Road, Chapeltown, SHEFFIELD S35 1TE
(This method of payment will result in a delay in commencement of the service until clearance of cheque - usually 10 working days)

Please Note: All payments need to be identified with either your initials and postcode or unique ISSE reference if one has been allocated.