
**RESIDENTIAL ESTATE AGENTS/LETTING AGENTS
COMPLAINTS HANDLING PROCEDURE**

1. Definitions and Interpretation

1.1 In this Complaints Handling Procedure, the following expressions have the following meanings:

“Appeal”	means a request from a Customer to escalate a Complaint to Level Two following an unsatisfactory outcome at Level One;
“Appeal Handler”	means an employee of Kings Estate Agents who will handle Level Two Complaints;
“Business Day”	means, any day (other than Saturday or Sunday) on which ordinary banks are open for their full range of normal business in Hatfield;
“Complaint”	means a complaint about the services provided by Kings Estate Agents, about our customer service, or about our staff;
“Complaints Form”	means our standard complaints form for use by Customers, available from Hatfield Branch;
“Complaint Handler”	means an employee of Kings Estate Agents will handle Level One Complaints;
“Complaints Policy”	means our customer complaints policy, available from Hatfield Branch;
“Complaint Reference”	means a unique code assigned to a Complaint that will be used to track that Complaint;
“Customer”	means a service user of Kings Estate Agents;
“Data Protection Policy”	means our data protection policy, available from Hatfield Branch;
“Decision Letter”	means a letter sent by a Complaint Handler or Appeal Handler to a Customer informing that Customer of the outcome of their Complaint;
“External Resolution”	means the referral by a Customer of a Complaint to an external redress scheme for resolution if that Customer is not satisfied with the outcome at Level Two;
“Investigation Report”	means the report prepared by a Complaint Handler or Appeal Handler detailing his/her investigation;
“Level One”	means the first stage in this Complaints Handling Procedure under which Complaints will be handled by a Complaint Handler;

“Level Two”	means the second stage in this Complaints Handling Procedure under which a Customer may appeal the outcome of a Level One Complaint and under which Complaints will be handled by an Appeal Handler;
“Professional Body”	means The Property Ombudsman;
“Recommendation”	means the recommended resolution to a Complaint made by a Complaint Handler or Appeal Handler; and
“Resolution Action”	means the available actions to be taken in response to a Complaint as detailed in Section 8.

2. **What this Complaints Handling Procedure Covers**

- 2.1 This Complaints Handling Procedure applies to Complaints pertaining to the provision of services by Kings Estate Agents, to our customer service and to our staff.
- 2.2 For the purposes of this Complaints Handling Procedure, any reference to Kings Estate Agents also includes our employees, agents and subcontractors.
- 2.3 Complaints may relate to any of our activities and may include (but are not limited to):
 - 2.3.1 The quality of our customer service;
 - 2.3.2 The behaviour and/or professional competence of our staff;
- 2.4 The following do not constitute Complaints. Customers raising such questions or matters should be directed to the appropriate person or department:
 - 2.4.1 General questions about our services;
 - 2.4.2 Matters concerning contractual or other legal disputes;
 - 2.4.3 Formal requests for the disclosure of information including, but not limited to, those made under the Data Protection Act;
- 2.5 We will send you written acknowledgement of the receipt of your complaint within three working days of receiving it, enclosing a copy of this procedure.
- 2.6 If you are still not satisfied with our final viewpoint (or more than 8 weeks has elapsed since the complaint was first made) you can request an independent review from The Property Ombudsman without charge.
- 2.7 You will need to submit your complaint to The Property Ombudsman within 12 months from the date of our final viewpoint, including evidence to support your case.

3. **Receipt and Recording of Complaints**

- 3.1 Customers may make Complaints to Kings Estate Agents using any of the following methods:
 - 3.1.1 In writing, addressed to Mr Thomas King, Sales & Lettings Director, 64 White Lion Square, Town Centre, Hatfield, Hertfordshire, AL10 0JJ;

- 3.1.2 By email, addressed to Thomas King, Sales & Lettings Director at thomasking@kingsestateagent.co.uk;
 - 3.1.3 Using our Complaints Form, following the instructions included with the form;
 - 3.1.4 By contacting us by telephone on 01707 268 100
- 3.2 Upon receipt of Complaints, the following steps should be taken within 3 Business Days:
 - 3.2.1 If a written Complaint is received by post, Thomas King must log and record the complaint;
 - 3.2.2 If a written Complaint is received by email, Thomas King must log and record the complaint;
 - 3.2.3 If a Complaints Form is received, Thomas King must log and record the complaint;
 - 3.2.4 If a Complaint is made by telephone, Thomas King must log and record the complaint.
- 3.3 All Complaints must be given a Complaint Reference and forwarded to an appropriate Complaint Handler, selected in accordance with Section 6.1, within 3 Business Days.
- 3.4 All Complaints must be acknowledged in writing within 3 days of receipt by a Director. The acknowledgement should inform the Customer of their Complaint Reference, their assigned Complaint Handler and should include copies of Kings Estate Agent's Customer Complaint Policy and this Complaints Handling Procedure.

4. Complaint Information

- 4.1 Customers are advised in our Complaints Policy that the following information should be provided in as much detail as is reasonably possible when making a Complaint:
 - 4.1.1 The Customer's name, address, telephone number and email address, indicating any preferred method of communication;
 - 4.1.2 If the Customer is being represented by a third party, the information set out in Section 4.1.1 should be provided in reference to both parties;
 - 4.1.3 If the Complaint relates to a particular property, the property details;
 - 4.1.4 If the Complaint relates to a particular member of staff, the name and, where appropriate, position of that person;
 - 4.1.5 Further details of the Complaint including, as appropriate, all times, dates, events, and people involved;
 - 4.1.6 Details of any documents or other evidence on which the Customer wishes to rely in support of the Complaint;
 - 4.1.7 Details of how the Customer would like Kings Estate Agents to resolve the Complaint. Whilst we undertake to make all reasonable efforts to accommodate such requests, however, we are not bound to take any action beyond that which we may be contractually or otherwise legally obliged to take.

- 4.2 If the information detailed in Section 4.1 is missing, insufficiently detailed, or incomplete, a Director should contact the Customer within 3 Business Days of receipt of the Complaint to request further information **OR** the Complaint Handler should contact the Customer within 3 Business Days of being assigned to the Complaint to request further information.

5. Complaint Levels

- 5.1 Kings Estate Agents operates a two-stage complaints handling procedure. Upon receipt, all new Complaints should be handled in accordance with the Level One procedure set out in Section 6 below. It is our policy to use all reasonable endeavours to resolve all Complaints to Customers' satisfaction at Level One.
- 5.2 If a Customer is not satisfied with the resolution of their Complaint at Level One, he/she may request that the Complaint is escalated to Level Two in the form of an Appeal at which point the Complaint should be handled in accordance with the Level Two procedure set out in Section 7 below.
- 5.3 If a Customer is not satisfied with the resolution of their Complaint at Level Two, he/she has the option of referring the matter for External Resolution as detailed in Section 9 below.

6. Level One Complaints

- 6.1 The following staff members are qualified and eligible Complaint Handlers for Level One Complaints:
- Branch Manager 01707 268 100
- 6.2 Upon receipt of a Complaint, the Complaint Handler shall consider the Complaint and make a decision within 3 Business Days whether to:
- 6.2.1 Investigate the Complaint fully if it is considered to be valid, in which case the procedure should resume from Section 6.3; or
- 6.2.2 Dismiss the Complaint if it is considered to be invalid, in which case the Complaint Handler should inform the Customer of his/her decision in writing within 3 Business Days.
- 6.3 Subject to delays arising from circumstances beyond his/her reasonable control (including, but not limited to, delays in other persons responding to communications), the Complaint Handler shall have a period of 3 Business Days in which to fully investigate the Complaint and to decide upon appropriate Resolution Action(s).
- 6.4 If the Complaint relates to a particular staff member (a "Complainee"), the Complaint Handler shall inform the Complainee in question of the Complaint and arrange telephone calls as required to discuss the Complaint. In such cases, the Complainee should not, under any circumstances, contact the Customer directly regarding the Complaint. If the Customer contacts the Complainee directly regarding the Complaint (which they are requested not to do in our Complaints Policy), the Complainee should respectfully refuse to discuss the matter, referring the Customer to Section 5.2.3 of our Complaints Policy. Any such contact should be reported to the Complaint Handler.
- 6.5 If the Complaint Handler requires additional information or evidence in support of the Complaint, the Complaint Handler shall contact the Customer using the

Customer's preferred method of communication, stating clearly what information or evidence is required. Customers should be respectfully reminded that any delay in their response to such a request may delay the resolution of their Complaint, as per Section 5.2.4 of our Complaints Policy.

- 6.6 If a Customer is unable or unwilling to provide information or evidence requested under Section 6.5, the Complaint Handler must nevertheless use all reasonable endeavours to resolve the Complaint. If, however, the Complaint Handler considers that it is not possible to uphold the Complaint in the absence of the requested information or evidence, he or she may close the Complaint and inform the Customer of the outcome in accordance with Sections 6.9 to 6.12.
- 6.7 The Complaint Handler shall examine and evaluate the Complaint, taking full account of all relevant statements, information, evidence and circumstances and shall maintain full objectivity and fairness at all times.
- 6.8 Subject to the exceptions in Section 6.8.1, During the investigation of the Complaint, the Complaint Handler shall have access to all records, information and staff that may be necessary to enable him/her to carry out an impartial and thorough investigation.
 - 6.8.1 Access to information that is restricted and shall require the authorisation of Thomas King, Sales & Lettings Director:
- 6.9 Following his/her examination of the Complaint, the Complaint Handler shall reach a decision within the time period set out in Section 6.3 (subject to the exceptions noted therein). Resolution Actions that may be chosen are set out in Section 8.
- 6.10 Upon reaching a decision, the Complaint Handler shall send an Investigation Report and Recommendation for review and authorisation by Amanda King who shall be required to respond within 3 Business Days.
- 6.11 In the event that Amanda King does not agree with the Complaint Handler's decision and/or Recommendation under Section 6.10 he/she must give reasons for such disagreement and the Complaint Handler shall have a further 14 Business Days to revise his/her decision and/or Recommendation and resubmit it to Amanda King for review and authorisation. If, following resubmission, Amanda King still does not agree with the decision and/or Recommendation, Amanda King's preferred decision and/or Recommendation shall be final.
- 6.12 Upon receiving approval or a final decision under Section 6.10 or 6.11, as applicable, the Complaint Handler shall send an Investigation Report and Decision Letter to the Customer by first class post or by email, as appropriate. Decision Letters shall set out the decision, the Resolution Action(s), and shall remind the Customer of their right to escalate the Complaint to Level Two. A copy/copies of the Investigation Report and Decision Letter should be logged, recorded and saved in the file store.
- 6.13 If a delay either occurs or is considered likely to occur at any stage of the Level One procedure, the Complaint Handler shall inform the Customer using the Customers preferred communication method. The Customer should be informed of the length or likely length of the delay and the reasons therefor.
- 6.14 The Customer shall have a time limit of 14 Business Days within which to make an Appeal if he/she wishes to escalate the Complaint to Level Two.
- 6.15 Upon receipt of an Appeal, the following steps should be taken within 14 Business Days by the Complaint Handler:

- 6.15.1 If a written Appeal is received by post, the Complaint Handler must be logged and recorded;
- 6.15.2 If a written Appeal is received by email, the Complaint Handler must be logged and recorded;
- 6.15.3 If an Appeal is made by telephone, the Complaint Handler must be logged and recorded.
- 6.16 All Appeals must be forwarded to an appropriate Appeal Handler, selected in accordance with Section 7.1 within 14 Business Days.
- 6.17 All Appeals must be acknowledged in writing within 14 of receipt by a Director. The acknowledgement should inform the Customer of their assigned Appeal Handler.

7. Level Two Complaints

- 7.1 The following staff members are qualified and eligible Appeal Handlers for Level Two Complaints:
 - Any Director of Kings Estate Agents
- 7.2 Upon receipt of an Appeal, the Appeal Handler shall consider the Appeal and make a decision within 3 Business Days whether to:
 - 7.2.1 Investigate the Complaint fully if it is considered to be valid, in which case the procedure should resume from Section 7.3; or
 - 7.2.2 Dismiss the Complaint if it is considered to be invalid, in which case the Appeal Handler should inform the Customer of his/her decision in writing within 3 Business Days. If the Complaint is so dismissed, the Complaint may be dismissed in its entirety, or the Resolution Action from Level One may stand.
- 7.3 Subject to delays arising from circumstances beyond his/her reasonable control (including, but not limited to, delays in other persons responding to communications), the Appeal Handler shall have a period of 3 Business Days in which to fully investigate the Complaint and to decide upon appropriate Resolution Action(s).
- 7.4 If the Complaint relates to a particular Complainee, the Appeal Handler shall inform the Complainee in question of the Appeal and telephone calls as required to discuss the Complaint. In such cases, the Complainee should not, under any circumstances, contact the Customer directly regarding the Complaint. If the Customer contacts the Complainee directly regarding the Complaint (which they are requested not to do in our Complaints Policy), the Complainee should respectfully refuse to discuss the matter, referring the Customer to Section 5.3.3 of our Complaints Policy. Any such contact should be reported to the Appeal Handler.
- 7.5 If the Appeal Handler requires additional information or evidence in support of the Complaint, the Appeal Handler shall contact the Customer using the Customer's preferred method of communication, stating clearly what information or evidence is required. Customers should be respectfully reminded that any delay in their response to such a request may delay the resolution of their Complaint, as per Section 5.3.4 of our Complaints Policy.
- 7.6 If a Customer is unable or unwilling to provide information or evidence requested under Section 7.5, the Appeal Handler must nevertheless use all

reasonable endeavours to resolve the Complaint. If, however, the Appeal Handler considers that it is not possible to uphold the Complaint in the absence of the requested information or evidence, he or she may close the Complaint and inform the Customer of the outcome in accordance with Sections 7.9 to 7.12.

- 7.7 The Appeal Handler shall examine and evaluate the Complaint, taking full account of all relevant statements, information, evidence and circumstances and shall maintain full objectivity and fairness at all times.
- 7.8 Subject to the exceptions in 7.8.1, During the investigation of the Complaint, the Appeal Handler shall have access to all records, information and staff that may be necessary to enable him/her to carry out an impartial and thorough investigation.
 - 7.8.1 Access to records and/or information that is restricted and shall require the authorisation of Thomas King:
- 7.9 Following his/her examination of the Complaint, the Appeal Handler shall reach a decision within the time period set out in Section 7.3 (subject to the exceptions noted therein). Resolution Actions that may be chosen that may be chosen are set out in Section 8.
- 7.10 Upon reaching a decision, the Appeal Handler shall send an Investigation Report and Recommendation for review and authorisation by Amanda King who shall be required to respond within 3 Business Days.
- 7.11 In the event that Amanda King does not agree with the Appeal Handler's decision and/or Recommendation under Section 7.10 he/she must give reasons for such disagreement and the Appeal Handler shall have a further 14 Business Days to revise his/her decision and/or Recommendation and resubmit it to Amanda King for review and authorisation. If, following resubmission, Amanda King still does not agree with the decision and/or Recommendation, Amanda King's preferred decision and/or Recommendation shall be final.
- 7.12 Upon receiving approval or a final decision under Section 7.10 or 7.11, as applicable, the Appeal Handler shall send an Investigation Report and Decision Letter to the Customer by first class post or by email, as appropriate. Decision Letters shall set out the decision and the Resolution Action(s). The Customer shall also be reminded of their right to seek External Resolution of their Complaint. A copy/copies of the Investigation Report and Decision Letter should be logged, recorded and saved in the filestore.
- 7.13 If a delay either occurs or is considered likely to occur at any stage of the Level Two procedure, the Appeal Handler shall inform the Customer using the Customer's preferred communication method. The Customer should be informed of the length or likely length of the delay and the reasons therefor.

8. External Resolution

- 8.1 As Kings Estate Agents is a member of The Property Ombudsman Customers have the right to seek External Resolution of Complaints from that organisation if they are not satisfied with the outcome resulting from this Complaints Handling Procedure.
- 8.2 The Property Ombudsman handles any and all such referrals in accordance with its own policies and procedures. In the event that a Customer refers their Complaint for External Resolution the appropriate representative(s) of The

Property Ombudsman may require contact with members of staff of Kings Estate Agents and may require access to documents and information pertaining to a Complaint. Any and all such interactions between The Property Ombudsman and Kings Estate Agents shall (unless otherwise authorised by Amanda King) take place via:

A Director, 64 White Lion Square, Town Centre, Hatfield, Hertfordshire, AL10 0JJ.

- 8.3 Any and all requests made by The Property Ombudsman for evidence or information, whether written or oral, shall be answered without undue delay, subject to the approval and authorisation of Amanda King, who shall ensure that said request is reasonable and pertinent given the nature of the Complaint.

9. Professional Regulator

- 9.1 As Kings Estate Agents is a member of the Professional Body it is open to Customers to complain to the Professional Body about alleged breaches of the Professional Body's rules of conduct.

- 9.2 The Professional Body handles any and all such referrals in accordance with its own policies and procedures. In the event that a Customer makes a Complaint to the Professional Body the appropriate representative(s) of the Professional Body may require contact with members of staff of Kings Estate Agents and may require access to documents and information pertaining to a Complaint. Any and all such interactions between the Professional Body and Kings Estate Agents shall (unless otherwise authorised by Amanda King) take place via:

Thomas King,

Any and all requests made by the Professional Body for evidence or information, whether written or oral, shall be answered without undue delay, subject to the approval and authorisation of Amanda King, who shall ensure that said request is reasonable and pertinent given the nature of the Complaint.

10. Implementation of Resolution Actions

Upon the conclusion of a Complaint, whether at Level One or Level Two or by External Resolution, the Resolution Action(s) settled upon shall require implementation in a timely manner. Responsibility for the implementation of Resolution Actions ultimately lies with the following and may be delegated thereby, as appropriate:

- 10.1 Resolution Actions pertaining to customer service shall be the responsibility of:

A Director of Kings Estate Agents

- 10.2 Resolution Actions pertaining to the behaviour and/or professional competence of our staff shall be the responsibility of:

A Director of Kings Estate Agents

11. Recording of Resolution Actions

- 11.1 Upon the conclusion of a Complaint and the implementation of the applicable Resolution Action(s), A Director shall log and record the complaint.

12. Confidentiality and Data Protection

- 12.1 All Complaints, Appeals, evidence and other information gathered, held and processed under this Complaints Handling Procedure shall be treated with the utmost confidence at all times. Such information may be shared with staff of Kings Estate Agents only to the extent required to resolve the Complaint in question in accordance with this Complaints Handling Procedure.
- 12.2 In the event that the details of a Complaint are to be used for training or quality improvement purposes, in which case they will be shared with other staff of Kings Estate Agents beyond the scope of this Complaints Handling Procedure, the relevant Customer's express permission must first be sought using that Customer's preferred contact method. Personal details (that is, anything that may be used to identify the Customer) shall be removed from all information so used. Such permission may be revoked at any time in accordance with the Customer's right to do so under Section 6.2 of our Customer Complaints Policy.
- 12.3 All personal information collected by Kings Estate Agents (including, but not limited to, Customers' names and contact details) shall only be collected, used and held in accordance with the provisions of the Data Protection Act 1998 and our Customers' rights under that Act, as detailed and embodied in our Data Protection Policy.

13. Procedure Review and Responsibility

- 13.1 Overall responsibility for this Complaints Handling Procedure and the implementation thereof lies with A Director.
- 13.2 This Complaints Handling Procedure shall be reviewed regularly at intervals of not more than 12 months and shall be updated as required.
- 13.3 This Complaints Handling Procedure was adopted on 1st April 2019.
- 13.4 This Complaints Handling Procedure was last reviewed on 3rd March 2023.