



SINCE 1987

COMPLAINTS HANDLING PROCEDURE

1. Introduction

Fry & Co aims to provide its clients, leaseholders and all residents with an exemplary service befitting a niche, personable firm of managing agents. From time to time, we may not achieve our objective and in the vast majority of cases, we will ensure the matter is rectified swiftly to the satisfaction of the complainant without a need to refer to this complaints handling process.

Having a robust complaints handling procedure is a requirement of [ARMA](#) membership. Fry & Co has been an ARMA member since the early 1990s since its inception and although ARMA do not investigate complaints themselves, they ensure that their member firms must offer access to one of two government approved independent ombudsman schemes, which is also a legal requirement. The ombudsman service will only investigate claims that have gone through our in-house process (up to eight weeks) and remain unresolved.

2. Definition

A complaint is defined as a service or work which has not been carried out to the satisfaction of the complainant. The complainant must be an owner of a flat in a building managed by Fry & Co, or an owner of a flat or house that Fry & Co manages directly.

Complaints may be made by email, letter, phone, or on-line using our portal. If you wish to make a complaint in a different language, then this should be in writing and reasonable additional time allowed for translation.

A central log of all complaints is made in our office whether formal or informal, written or not. A member of staff is tasked with chasing replies so that timescales are met.

3. Informal Complaint

Before initiating a formal complaint under the procedure set out below, you may wish to raise a complaint on an informal basis. If this is the case, then the complaint should be sent to your assigned Property Manager, with a copy to Richard Fry as Managing Director (richard@fry.co.uk).

If your complaint is in respect of an accounting issue, you may wish to address our Head of Accounts, Ewa Szczepaniak (ewa@fry.co.uk), with a copy to Richard Fry. An informal complaint submitted via email is the most efficient method, but please feel free to raise your informal complaint via letter, phone or via the portal.

Should your complaint be, in essence, a grievance with the landlord, or with the directors of your RMC or RTM, please direct your complaint to the appropriate person or persons, and if appropriate, you may send a copy to your assigned Property Manager.

4. Formal Complaint

Should you wish to pursue a formal complaint directly with Fry & Co, please follow the stages below.

STAGE 1

Any complaint should in the first instance be made to the person responsible for the service about which the complaint is made. This would typically be a Property Manager. It could also be someone in the accounting team. In the latter case any complaint should be directed to our Head of Accounts, Ewa Szczepaniak (ewa@fry.co.uk).

The complaint will be acknowledged within 3 days of receipt. The time period for responding to a Stage 1 complaint is 15 working days.

The complaint should be addressed to the Property Manager of the property or the Head of Accounts and a copy sent to Richard Fry, Managing Director (richard@fry.co.uk).

At the conclusion of our investigation of the complaint, we will send the complainant a written response including our decision, reasons for the decision, and what the next stage is if you remain dissatisfied.

STAGE 2

If the complaint is not dealt with satisfactorily or within the Stage 1 time-frame above, the complaint should be referred directly to Richard Fry, Managing Director, email above.

The complaint will be acknowledged within 3 days of receipt. The time period for responding to the Stage 2 process is 15 working days.

At the conclusion of our investigation of your complaint, we will send you a written response including our decision and reasons for the decision. If appropriate, you may be offered a face-to-face meeting, if such a meeting has not already taken place.

We will also provide details of our ombudsman membership, the ombudsman's contact details, and the fact that you have a 12 month time-frame in which to refer the matter to the ombudsman, if you remain dissatisfied. For details of our ombudsman membership, please see section 6 below.

5. Notes to Complaint Handling Procedure

- (i) If the complaint is complicated, requires additional information which is not readily available, or involves a third party such as a surveyor or solicitor, then more time may be required to deal with the complaint than the timescales provided above. If this is the case, we will contact you setting out a different time-frame, giving you the appropriate reasons.
- (ii) There are various sources of independent advice for leaseholders such as [LEASE](#) or [Citizens Advice](#). There is also advice for leaseholders on the [ARMA](#) website. An independent source of information, for example, may assist where a complaint may have simply arisen from a misunderstanding.

6. The Property Ombudsman

If you remain dissatisfied after our in-house complaints handling procedure has been exhausted, or eight weeks has elapsed since the complaint was first made, you may request an independent review from The Property Ombudsman without charge.

Fry & Co is a member of The Property Ombudsman which resolves disputes between consumers and property agents. All ARMA members agree to abide by the Ombudsman's rules.

The Property Ombudsman's contact details are below:

The Property Ombudsman Ltd, Milford House, 43-55 Milford Street, Salisbury, Wiltshire. SP1 2BP. Tel: 01722 333 306 Email: admin@tpos.co.uk Website: www.tpos.co.uk

A complaint to the Ombudsman can be made by any of the following:

- Leaseholder
- Freeholder
- Headleaseholder
- RMC (Residents' Management Company)
- RTM (Right to Manage Company)
- Residents' Association.

The Ombudsman may not accept a complaint which is more appropriate for the First-tier Tribunal (FTT) or requires a legal interpretation by a court.

If a complaint is accepted by the Ombudsman, we will be contacted and asked for our 'case file'. The file will contain, where relevant, the following:

- Our company's opinion on the complaint
- A specimen lease
- Our management agreement
- A copy of this complaint handling procedure
- Relevant correspondence/notes of phone calls

- Details of the RMC or RTM including articles and directors
- Site inspection reports
- Copies of budgets and annual accounts, and
- Copies of service contracts.

If we believe the complaint can still be resolved, we will tell the Ombudsman what our proposals are. Where the Ombudsman can see a reasonable way forward, we may be asked about the complaint being settled without the need for a more formal report. If we and the complainant are willing, this will form a mutually acceptable settlement. Please remember the Ombudsman will make the decision based solely on the consideration of the evidence submitted by both parties.

7. ARMA Adjudication Scheme

ARMA is not in a position to resolve complaints about its members directly as mentioned in the introduction. Complaints about its members are dealt with by the Association of Residential Managing Agents (ARMA) Independent Adjudication Service (“the Scheme”).

The Scheme is administered by the Centre for Effective Dispute Resolution (CEDR) and provides an informal and independent way of adjudicating complaints made against ARMA members by a complainant by way of a non-binding adjudication process. The adjudication is undertaken by an independent adjudicator appointed by CEDR from its Adjudication Panel.

To bring a complaint to the Scheme, there are several requirements, including:

- You must have complained formally to the Member and attempted to resolve your complaint
- Any and all appropriate independent cases and investigations in respect of your complaint, whether or not such cases or investigations have been initiated, must have been exhausted, including any ongoing cases and investigations by the Ombudsman, the First-tier Tribunal, a court, the police and other authorities.

For further details on the Scheme, please contact [ARMA](#).

8. Concluding comments

Fry & Co is committed to the highest standards of service to its clients and all stakeholders. Every attempt will be made by us to satisfactorily conclude a complaint at the earliest possible opportunity.

Fry & Company

August 2022