

1.0 PURPOSE

The purpose of this policy and procedure is to provide a complaint handling process for complaints about services provided by The Agency Group personnel. The complaint handling process aims to:

- Enhance the relationship The Agency has with its customers by expediting resolutions and recognising and protecting customers right to complain;
- Provide an efficient, fair and accessible mechanism for resolving complaints;
- Provide information to customers on the complaints handling process;
- Provide property partners and support partners with the confidence to deal with complaints;
- Ensure consistency in handling complaints; and
- Comply with Licensee requirements.

2.0 SCOPE

For the purpose of this policy and procedure, ‘The Agency’ will refer to and apply to all subsidiaries and its employees and contractors under The Agency Group Australia.

This policy and procedure applies to all employees, conjunctional agents, property partners and their staff. For the purposes of this policy and procedure, “employee/s” will refer to employees, conjunctional agents, property partners and their staff.

3.0 DEFINITIONS

‘Complaint’ includes all expressions of dissatisfaction or, concerns whether they are formal written complaints, expressed during service delivery, or views expressed as part of feedback, regarding the conduct, actions or service of The Agency Group by any Seller, Buyer, Landlord, Tenant, stakeholder, or other member of the real estate industry, or the public.

4.0 LEGISLATION

This policy and procedure is in accordance with the following legislation:

- Real Estate and Business Agents Act 1978 (WA)
- Australian Consumer Law
- Real Estate Code of Conduct (accordance with each State and Territory)

5.0 RESPONSIBILITIES

5.1 Managers

- Ensuring employees are aware of this policy and procedure.

5.2 Licensees

- Maintain the complaints database.
- Distribute compliant forms to relevant employee.
- Handling complaints at the first instance and correspondence relating to any complaints.
- Keeping Human Resources abreast of complaints and escalating if disciplinary action might be warranted.

5.3 Employees

- Ensure they understand and comply with this policy and procedure.

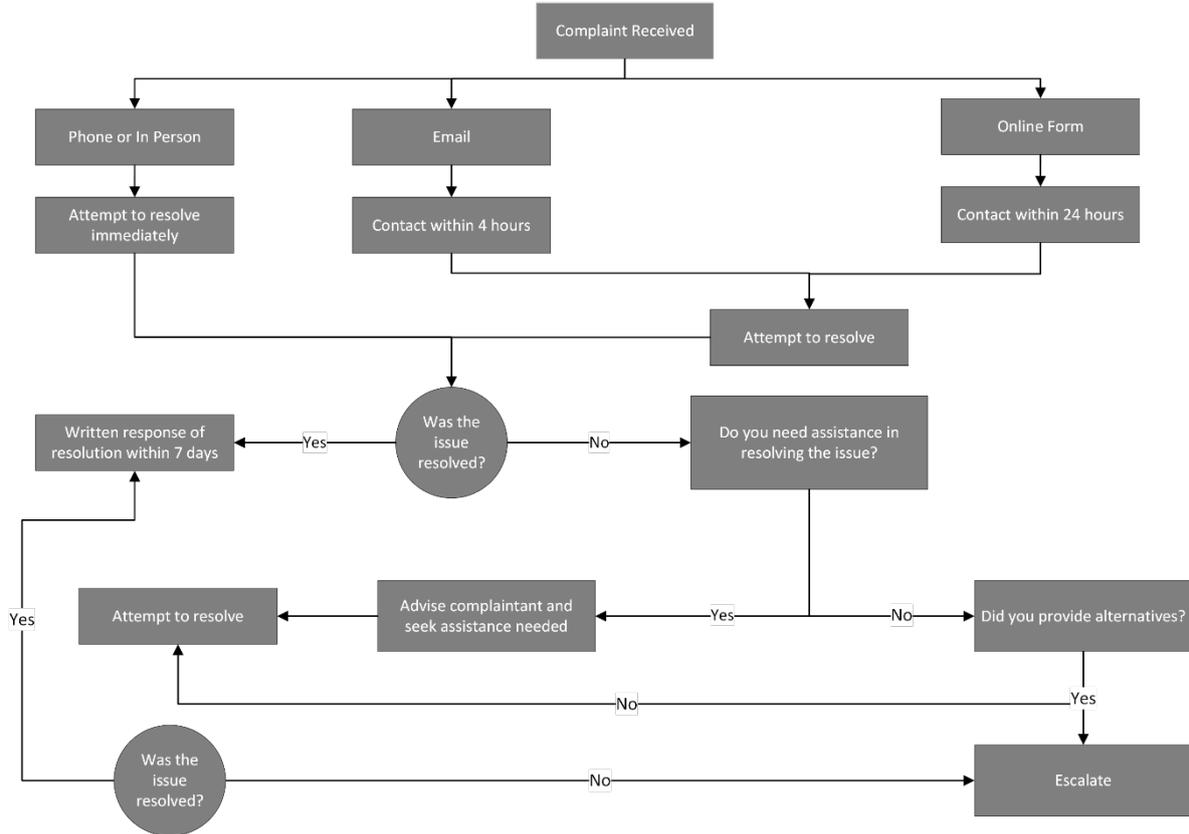
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5.4 Reception

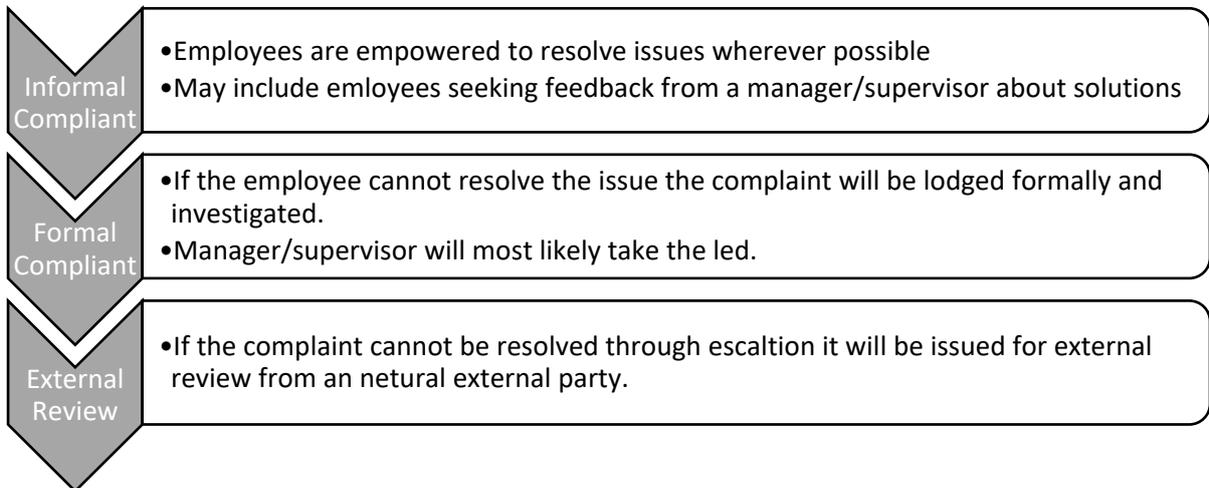
- Forward complaint forms to Licensee of appropriate department.

6.0 POLICY AND PROCEDURE DETAILS

6.1 Compliant management process



6.2 Escalation process



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6.3 Dealing with a complaint

6.3.1 Listen

Employees should always listen without interruption as it is likely to assist with defusing the situation if the complainant is becoming emotional. Employees should write down all relevant information, if required the employee might ask another employee to write down while they converse with the complainant. Employees should not get defensive, argue, or deny.

Employees have the authority to:

- Obtain necessary information to assess the validity of a complaint;
- Resolve issues or concerns, wherever possible; and
- Reject issues or concerns (while informing the complainant of the entitlement to lodge a formal complaint).

Employees must capture:

- Date and time of complaint;
- Details of the complaint; and
- Whom the compliant is from using the following categories; Seller, Buyer, Landlord, Tenant, Creditor, Other Stakeholder, or Public.

6.3.2 Defusing situations

If a complainant is abusive, loud, or threatening, in the first instance, employees should explain to the complainant that is difficult to focus on the complaint due to their abusive language, loudness or threatening words.

Examples:

- *“I am having trouble understanding your complaint due to your language, could we please start again.”*
- *“Your loudness over the phone is making it difficult for me to understand what your complaint is.”*
- *“I am having trouble focusing on what you are saying due to the language you are using. Can you please rephrase it for me.”*

At no point does The Agency condone persistent abuse or threatening behaviour, employees who are uncomfortable in a situation have the right to withdraw from the situation.

Examples:

- *“As I said earlier, I am having difficulty understanding your complaint due to [your language or loudness]. I would like to get this resolved for you; therefore, I suggest you submit your complaint online using our online complaint form.”*
- *“I think I have understood what your complaint/problem is, can I summarise what I have understood and then we can try and resolve it?”*

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6.3.3 Demonstrate empathy

Employees should demonstrate empathy and reassure the complainant. However, at no point should the employee accept liability for the problem or apologise for the problem unless an apology is warranted. Employees are not expected to agree with any verbal attack.

Examples:

- *“I am sorry there is a problem, I would like to understand what has happened.”*
- *“Thank you for raising this with me so I can help you.”*
- *“I am sure we can work this out to your satisfaction.”*
- *“I can appreciate that [problem] must be frustrating for you and I want to resolve it for you.”*

6.3.4 Ask questions

Employees should summarise the information they have received from the complainant and confirm accuracy throughout the call. Employees are encouraged to ask questions to ensure they have all relevant information and understand the complaint/problem. At the end of the call, the employee should provide a final summary of the information received and obtain agreement from the complainant.

6.3.5 Determine what resolution is being sought

Employees should ask the complainant what resolution that are seeking, and confirm this with the complainant.

Examples:

- *“Thank you for outlining the issue with me, can I ask what resolution you are seeking?”*
- *“Thank you for bringing this problem to have attention, what do you see as a satisfactory solution?”*

If the complainant is venting or providing feedback (ie. Does not have a specific issue to resolve), employees should express their appreciation.

Examples:

- *“Thank you for bringing this to my attention, I am sorry that were dissatisfied with X. I will ensure that you are feedback is communicated and taken on board so we can meet your expectations next time.”*
- *“Thank you for bringing this to my attention, we take all feedback very seriously and I will be passing your feedback to the appropriate party.”*

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6.3.6 Explain next steps

Where possible, the employee should do what has been requested immediately. Where the employee cannot, they will need to consider alternatives. If the employee needs to seek further information, advice, or clarification before offering alternatives they will need to advise the complainant, including when the employee will revert to the complainant.

Example:

- *“Unfortunately, I cannot do X at this time. However, I do want to ensure that your problem is solved, and I will need to seek out some alternatives. I will seek out alternatives for you and will call you back X time on X day.”*
- *“Unfortunately, I cannot solve this problem for you over the phone and will need to seek alternative options to solve this problem. If you can provide me until X time on X day, I will get to you with an alternative.”*

6.3.7 Presenting alternatives

Employees should present all alternatives, including the advantages and disadvantages of each. If the complainant agrees on an alternative presented, employees should agree on a course of action with the complainant. The employee should outline to the complainant:

- Who will be resolving the complaint;
- What will be done to resolve the complaint; and
- When the complaint will be resolved.

If the complainant does not agree to any of the alternatives, and you have reached your delegation limit you will need to advise the complainant that the problem/issue/complaint will need to be escalated.

Examples:

- *“I am sorry that we couldn’t reach a resolution today. Unfortunately, I cannot offer you any other alternatives, however I want your problem/issue to be resolved so I will need to escalate this to my manager/supervisor.”*
- *“I am sorry that you are not satisfied with the alternatives that I have presented. I would like this problem/issues solved for you, and I believe the best way to that will be for me to escalate this to my manager/supervisor.”*

6.3.8 Reporting

Complaints that do not require remedial action must be entered into the register as a note.

Complaints that are resolved need to be delivered to the Licensee by close of business the day the complaint is resolved; including any documentation, correspondence, or evidence.

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6.3.9 Response guidelines

If the complaint is received in person or by phone, employees must respond immediately.

If the complaint is received by email, employees must respond within 4 hours.

If the complaint is received by The Agency’s online complaint form, employees must respond within 24 hours, following distribution from Licensee.

If the complainant wishes to speak with a particular person and they are unavailable, ask for information on the complaint, or direct the complainant to the Licensee or online complaints form. Remind the complainant that all complaints will be acknowledged within a 24 hour period.

6.3.10 Following up

Following resolution of the complaint, the employee should follow up with the complainant to ensure that they are satisfied with the solution.

Employees should express their appreciation for bringing forward the complaint and providing The Agency, the opportunity to correct the problem/issue.

Employees should record on the register any follow-up completed.

6.3.11 Dealing with a complaint made against yourself

Employees who have a complaint made against themselves have the right to provide all relevant information as part of the investigation, including recollections and any evidence.

Employees also have the right to be informed of the outcome of the investigation and the reasons for the outcome.

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6.4 Categorising complaints

Where risk is identified in multiple areas, the complaint should be categorized based on the highest consequence.

Consequence	Quality and Continuation of Service	Reputation	Legal/ Contractual/ Compliance	Cost
Severe	Severe impact on the quality of service provided, or significant risk of non-continuation of service. Will result in increase of complaints or loss of business.	External reputation irreversibly destroyed or damaged.	Major litigation. Termination or loss of major contract. Major compliance issue, will result in investigation.	More than \$2,500,000
Major	Considerable impact on the quality of service provided, or risk of non-continuation of service. Most likely to result in increase of complaints or loss of business.	External reputation severely damaged. Significant effort needed to recover.	Moderate litigation. Written notice of termination of contract. Major compliance issue, may result in investigation.	\$1,000,000 to \$2,500,000
Moderate	Some impact on the quality of service provided, or risk of non-continuation of service. May result in increase of complaints or loss of business.	External reputation damaged, likely to be able to recover.	Minor litigation. Default notice or request to rectify. Moderate compliance issue.	\$500,000 to \$1,000,000
Minor	Minor impact on the quality of service provided, or low risk of non-continuation of service.	External reputation minimally affected, little effort to recover.	Minor litigation or minimal risk of litigation. Strain of contractual relationship. Minor compliance issue.	\$100,000 to \$500,000
Insignificant	Negligible impact on quality or continuation of service	No impact to external reputation.	Minimal risk of litigation. No impact on contract. Negligible compliance issue.	Up to \$100,000

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7.0 RELATED POLICIES, FORMS AND TEMPLATES

- Property Partner Handbook & Operating Criteria
- The Agency Group Code of Conduct
- Complaint Form
- Real Estate Complaints Summary Report
- External Complaints Register – Right Move & SLP
- External Complaints Register – The Agency
- External Complaints Register – The Agency Property Management

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