

# SCA (Qld)'s Complaints Handling Process

## 1. Introduction

Strata Community Association (Qld) has a [Code of Ethics](#) in place which outlines the ethical standards that SCA (Qld) members are expected to uphold. SCA (Qld) members are comprised of body corporate managers and strata services suppliers. The following document outlines the complaints handling procedure which has transparency and due process as key objectives.

## 2. Initiating a complaint

A complaint may be lodged by any party having a material interest in the actions, or parties that are affected by the actions of a SCA (Qld) member. The complaint must be in writing, signed and dated and anonymous or verbal complaints will not be accepted. A prescribed form is to be found on SCA (Qld's) website. A complaint must:

- clearly identify the person or organisation making the complaint;
- the SCA (Qld) member (individual or organisation) that is the subject of the complaint;
- be based upon a breach of a specific clause of the SCA (Qld) Code of Conduct;
- include any relevant documentation that substantiates the allegation; and
- contain a statement that SCA (Qld) may provide a copy of the complaint and any supporting documentation to the SCA (Qld) member.

The SCA (Qld) Board ("the Board") may initiate a complaint unilaterally if a member is found by the Courts to have breached laws that relate to the work of a body corporate manager or if a member has accepted an adverse settlement arising from civil litigation.

## 3. Complaints handling

Complaints are to be lodged with the SCA (Qld) office and upon receipt are treated confidentially and its receipt will be acknowledged in writing within fourteen days.

Circulation will be limited to SCA (Qld) staff, members of the Professional Standards Committee and the parties to the complaint.

The Board itself will not handle correspondence or consider the matter until such time as the complaint is referred to by the Professional Standards Committee, at which time the Board will consider advice given. Although the documents will be available upon request to Board members on a confidential basis, they will not be tabled until the complaint is explicitly referred to the Board.

## 4. Consideration of the complaint

The Executive Officer will peruse the complaint to determine if there is a case to answer. If the complaint refers to a non-member, there are insufficient grounds to progress the issue, or the complaint is outside of SCA (Qld)'s responsibility (i.e. criminal actions described), the matter will be considered outside of SCA (Qld)'s power and the complainant referred to alternative dispute resolution process if appropriate.

If the Executive Officer believes there are grounds to proceed, a copy of the complaint will be forwarded to the member asking for a response within fourteen days. Naturally, SCA (Qld) will recommend that the member resolve the matter in an amicable fashion.

Upon receipt of the advice from the member, the Professional Standards Committee will be given a reasonable timeframe to consider the complaint and response to decide if a breach of the Code of Conduct exists. If possible, it will advise the member of a possible course of action that would conclude the matter in a manner that ensured that the principles of the Code were upheld and ask that this be carried out within fourteen days.

If the member decides not to accept the advice of the Professional Standards Committee or the initial evidence is such that the Professional Standards Committee believes that a serious breach exists, the matter will be referred to the Board for a determination.

#### **5. Determination of a course of action**

The Committee will write to the complainant and the member to advise of its determination of the case.

There are no direct penalties attached to complaints that have merit.

However, if a member repeatedly breaches the Code or if the breach is severe, the Committee will refer the matter to the Board to determine an appropriate penalty that may include a suspension of the membership or expulsion.

If there are sufficient grounds, with the complainant's support SCA (Qld) may refer the matter to an appropriate regulator such as the Australian Competition and Consumer Commission (ACCC).

Should the Committee refer the matter to the Board, the Board cannot review the complaint but it can return it to the Professional Standards Committee should the Board believe the process for handling it was flawed or new information has come to hand in the period between the Professional Standards Committee's decision and the Board meeting. Once the Board has determined a course of action, SCA (Qld) will provide a written response to the complainant. The advice to the member will outline the sections of the Code of Conduct that has been breached and the nature of the penalty set by the Board. There will be a fourteen day period allowed for the member to appeal the decision and the expiry of which the penalty comes into force.

#### **6. Making a complaint and further information**

Communication relating to new or existing complaints should be directed in writing to SCA (Qld) in the [prescribed form](#). When making a complaint please attach copies of any relevant documentation or correspondence.

Address complaints to:

**THE PROFESSIONAL STANDARDS COMMITTEE**  
**Strata Community Association (Qld) Ltd**  
**Post: PO Box 1280, Spring Hill QLD, 4004**  
**Email: [admin.qld@strata.community](mailto:admin.qld@strata.community)**  
**Phone: (07) 3839-3011**