

### **Complaint procedure: Total Building Control**

At Total Building Control we are committed to provide a very good level of service as an Approved Inspector. However, if you are dissatisfied with the service that you have received from Total Building Control we will deal with your complaint as best we can.

**Please see the appendix in relation to the definition of a complaint.**

If there is a dispute about interpretation of the building regulations, then these can be dealt with under the 'further routes' section at the end of this document.

#### **How to Complain:**

We would prefer to receive your complaint by email to:  
[inspector@totalbuildingcontrol.co.uk](mailto:inspector@totalbuildingcontrol.co.uk).

Alternatively you can write to us (Total Building Control Ltd, Unit 8, Langdon House, Langdon Road, Swansea, SA1 8QY).

#### **When you make a complaint we will require:**

1. Your name & contact details, including address, email address, and telephone number.
2. The details of the property that you are complaining about.
3. The nature of the complaint.
4. Any helpful details such as plans and photographs of the complaint, if it is a physical item.
5. Who you deem responsible for the issue being complained about.
6. A Total Building Control reference number if you have one.

#### **Stage 1: Review, Investigation & Response.**

##### **Once we have received your complaint we will:**

1. Acknowledge the complaint.
2. Review the complaint.
3. Interview relevant staff.
4. Provide you with a response to your complaint.

##### **How long will it take?**

1. From the initial complaint we aim to respond to you within 5 working days, providing you with Total Building Control's opinion on the complaint.
2. From our experience complaints should be resolved within 10 working days. During the complaint we will try to keep you up dated. However, we also invite you to email Total Building Control for any updates as you require.
3. For more complex complaints the procedure can take longer, and we will advise you of that where necessary.

#### **Stage 2:**

##### **What happens if you are not satisfied with our response?**

A member of the senior management team will review the complaint, and will aim to respond within 10 working days.



If you still remain dissatisfied with TBC's handling of the complaint we will attempt to resolve this promptly through negotiations, or otherwise agree to enter into mediation with you. This can be undertaken by:

1. The Royal Institute Of Chartered Surveyors, "in the event of a dispute between the parties, either party can apply to the President of the RICS for the appointment of an Independent Expert/ Arbitrator/ Dispute Resolver/ Surveyor..." (delete as appropriate)

Once we receive a request for the appointment from a party to the dispute, we can advise which application to complete.

If you require any further information, you can look at our website, or call the Dispute Resolution Service on 020 7334 3806.

<http://www.rics.org/uk/join/member-accreditations-list/dispute-resolution-service/application-forms-for-drs-content-page/>

Or

2. CEDR: Centre for Dispute Resolution:  
<https://www.cedr.com/solve/dispute-resolution-services/>

#### **Possible outcomes of a complaint:**

- An explanation of TBC's actions
- Remedial action
- An apology
- A review of our procedures to improve in the area of the complaint if our processes are deemed lacking.
- Recording of the complaint, and educating staff to help prevent any future failings.

#### **Stage 3, External Referral.**

If the complaint cannot be resolved after exhausting all possible routes, you may complain to the body below.

##### **Professional Conduct Matters:**

CICAIR  
26 Store St  
London  
WC1E 7BT  
TEL: 0207 399 7400  
<http://cic.org.uk/services/complaints.php>

#### **Further Routes:**

**Determinations on building control matters relating to differences on opinions in interpreting the requirements of the building regulations.**

##### **England:**

Department for Communities and Local Government  
Eland House  
Bressenden Place  
London  
SW1E 5DU  
Telephone: 030 3444 0000  
Website: [www.communities.gov.uk](http://www.communities.gov.uk)

Guide to determinations and appeals under the Building Act 1984 Sections 16(10)(a), 39 and 50(2) of the Building Act 1984



[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/5978/1877971.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5978/1877971.pdf)

**Wales:**

FAO Colin Blick  
Building Regulations  
Welsh Government  
Rhydycar  
Merthyr Tydfil  
CF48 1UZ.  
Tel: 03000 628144  
E-mail: [Colin.Blick@Gov.Wales](mailto:Colin.Blick@Gov.Wales)

**Relaxation/ dispensation of particular regulations.**

Relevant Local Authority building control department, where the project is located.

**Appendix:**

**CIC Approved Inspectors Register Definition of a Complaint** (*January 2015*)

A complaint is an expression of dissatisfaction about the performance of an Approved Inspector related to its building control services, delivery or actions (including lack of action or the complaints handling process itself) where a response or resolution is expected from an individual party, a group or an end user.

**Matters that are considered complaints:**

1. Failure to provide a service at the right time or to the standard expected of the service
2. Failure to fulfil statutory responsibilities
3. Failure to implement a decision
4. Failure to comply with the Building Control Performance Standards
5. Failure to abide by the CICAIR Code of Conduct for Approved Inspectors
6. Dissatisfaction with an answer to a query or a response to a request for a service
7. Failure to follow the Approved Inspectors agreed policy or procedures
8. Failure to take proper account of relevant matters in coming to a decision
9. Discourtesy or unacceptable behaviour by a member of staff
10. Harassment, bias or unfair discrimination

**Matters that are not considered complaints:**

1. A Building Regulation technical assessment
2. Misunderstanding or dissatisfaction with the minimum standard set by the Building Regulations
3. A decision of an Approved Inspector where regulatory powers are being exercised
4. Unsubstantiated criticisms of the scope or context of the Approved Inspector service
5. Criticisms of quality of workmanship (outside Building Regulation requirements for materials and (workmanship) or building warranty items



6. Criticisms which constitute a disagreement with, or a refusal to accept, a rule of law which the Approved Inspector is applying
7. Complaints and/or claims made against the Warranty where the building control complaints process has not been exercised
8. Criticism of decisions made by the planning authority

### **Important Information**

1. The CICAIR complaints process does not provide for financial penalties against Approved Inspectors or the awarding of costs or financial redress to complainants
2. Complaints must, in the first instance, be fully exhausted using the Approved Inspector's own complaints process
3. Complaints must be lodged with CICAIR via email or post on the prescribed complaints form which can be downloaded from: [www.cic.org.uk/services/complaints.php](http://www.cic.org.uk/services/complaints.php)
4. Complaints cannot be progressed if there is legal action in process involving the Approved Inspector or complainant in relation to the dispute
5. The time limit for lodging a complaint with CICAIR is a maximum of 6 years for clients under contract and 10 years for users of buildings