



SCA Ltd Code of Conduct

Guide for Making of a

Complaint &

SCA Complaints Process

This Guide and Complaints Process is applicable to all chapters and territories of SCA Ltd and informs complainants about the procedures that must be followed to make a complaint under the SCA's Code of Conduct in line with the SCA Constitution. It also provides templates of the forms that must be used and provides a checklist to assist in ensuring that any complaint is supported by the appropriate documentation.

Guide for Making of a Complaint

1. Introduction

SCA Ltd has developed a Code of Conduct that all members are required to abide by. This includes strata managers, strata suppliers, strata communities and lot owners. The objects of the Code are to;

- Ensure all members meet their legal obligations
- Ensure all members act in an ethical manner
- Ensure all members treat industry stakeholders in a businesslike fashion
- Not seek to gain unfair or inappropriate advantage over another industry stakeholder

2. What is the principle of the SCA Complaints Process?

The SCA Complaints Process is to promote best practice and encourage ethical and professional conduct by all members of SCA Ltd. Complaints received against an SCA Non-Member will not be considered and returned to the complainant immediately.

3. Who Can Make a Complaint?

Any person who is directly involved in a matter that may breach the Code of Conduct of SCA Ltd can make a complaint.

4. How Much Does It Cost to Lodge a Complaint?

An application fee of \$250 is payable on lodging of a complaint except in cases where a complaint is being made by a Strata Community Manager vs another Strata Community Manager.

5. What Constitutes a Valid Complaint?

For a complaint to be valid the applicant must be able to show specific evidence of a breach of one or more sections of the Code of Conduct.

Generalised complaints (e.g. "the strata community manager is not doing their job"), disputes between strata committees and lot owners and unsubstantiated allegations will not be accepted as breaches of the Code.

6. Who Will Hear the Complaint?

Complaints received by SCA Ltd are vetted by the SCA Head Office to determine if the complaint is valid (i.e. there is prima face evidence of a breach of the Code) and all documentation is complete. Complaints made not in chronological order and within the complaint form will not be considered. If the two conditions of validity and completion are met the complaint will then be put before SCA's Professional Standards & Membership Board Advisory Group (PSMBAG) for further review (refer to SCA's Complaints Process).

7. How long does it take for a Complaint to be finalized?

The SCA PSMBAG meets once a month; the time taken to investigate a complaint varies from case to case, and will depend on a number of factors, including the response time from the member and the complainant to enquiries. The SCA PSMBAG does not in any way provide advice to the applicant.

It is endeavoured that any conduct complaint be finalized within six (6) months and that the complainant as well as the respondent are being kept up to date of the process of the complaint, in particular in case a delay is most likely to be experienced.

If the complaint has been lodged with another court or legal jurisdiction within the state, the complaint cannot be heard by SCA Ltd until finalized.

8. What Does the Professional Standards & Membership Board Advisory Group (PSMBAG) do?

SCA's PSMBAG will examine the application and, based on the facts of the matter, determine the following points:

- Whether there is a breach of the Code of Conduct
- Whether more information is needed to ascertain the nature of the complaint which warrants a breach of conduct

Where a breach of Code of Conduct has been determined, the PSMBAG will make appropriate recommendation to the Board of SCA Ltd to either:

- Counsel the member
- Request a public or private apology in writing which may include media advertising
- Issue a reprimand to the member
- Cancel a member's Accreditation status (if they are a strata community manager or strata services supplier)
- Reduce the Accreditation level of the member (if they are a strata community manager)
- Suspend the member's membership for a period of time
- Terminate the member's membership

Upon determination of the appropriate recommendation by the Board of SCA Ltd, both parties and the appropriate chapter/territory Board will be notified about the outcome of the complaint.

Where no breach of Code of Conduct has been determined, the PSMBAG will dismiss the application.

9. How Do I Lodge a Complaint?

To lodge a complaint, the complainant will need to complete the attached form and forward it by email to admin@strata.community with a subject heading of “New Code of Conduct Complaint”.

SCA Complaints Process

If a person or organization wishes to lodge a code of conduct complaint about a member of SCA Ltd, the following process is to be adhered to:

1. Lodging a complaint

- a) A complaint must be lodged with SCA Ltd in writing in the prescribed form using the SCA Ltd Complaint Form and must be duly signed by the complainant;
- b) The Application fee must accompany the complaint form (where applicable) and be received at the same time as the complaint form with SCA Ltd.

2. Initial processing of a complaint

- a) The complaint will be initially checked of its completeness and payment of the application fee by the SCA Office of SCA Ltd; and
- b) Once satisfied by the SCA Office that the complaint form has been properly lodged, the complainant will be notified within 14 days of its receipt that the complaint is being referred to the PSMBAG for further review and initial determination at its next meeting; and
- c) the complainant will be notified of the PSMBAG’s meeting date by the SCA Office; and
- d) the SCA Office may request further information if insufficient information to enable full investigation of the complaint and be necessary to resolve the complaint; or
- e) the SCA Office may reject a complaint if being found frivolous, vexatious or otherwise without merits.

3. Notification of Respondent of a complaint

Upon determination of a complaint being considered valid by the PSMBAG, SCA Office notifies the respondent of a complaint being received together with a copy of the complaint and appropriate documents and a copy of the SCA Code of Conduct giving the respondent not less than 7 days to acknowledge receipt of the complaint and not more than 14 days to SCA Ltd to respond.

4. Investigation of a complaint

Once a response has been received by the respondent, the SCA Office will acknowledge to the respondent the receipt of the same and advises of the date of the next PSMBAG meeting where the complaint will be further investigated.

The PSMBAG must investigate the complaint in such manner as it deems appropriate within 30 days of receiving the respondent's response to the complaint.

The PSMBAG makes a full assessment of the complaint, seeks further information as may be necessary and attempts to resolve the complaint by way of a hearing, mediation or informal conference.

If the PSMBAG considers that a hearing, mediation or informal conference with both parties is warranted, not less than 14 days' notice of such a hearing, mediation or informal conference shall be scheduled and held by way of video conferencing, teleconferencing or Skype. Both parties are invited to provide further written evidence and information if deemed appropriate in resolving the complaint by such a date and must be received by the PSMBAG at the time of the hearing, mediation or informal conference.

5. Final Review and findings of a complaint

The PSMBAG reviews the complaint upon its initial investigation and where applicable upon a hearing, mediation or informal conference conducted to either provide a recommendation to the SCA Ltd Board to

- Counsel the member
- Request a public or private apology in writing which may include media advertising
- Issue a reprimand to the member
- Cancel a member's Accreditation status (if they are a strata community manager or strata services supplier)
- Reduce the Accreditation level of the member (if they are a strata community manager)
- Suspend the member's membership for a period of time
- Terminate the member's membership
- Dismiss the complaint

Where the PSMBAG considers appropriate, it may seek legal advice in relation to the handling of the complaint or defer the review of a complaint where legal proceedings have commenced pending the outcome of those proceedings.

6. PSMBAG and SCA Office Responsibilities

The PSMBAG must provide its recommendation to the SCA Ltd Board immediately upon arriving at its findings.

The SCA Office will table the PSMBAG's recommendation on the agenda for the next available SCA Ltd Board meeting.

The SCA Office advises the complainant as well as the respondent of the outcome of the SCA Ltd Board meeting within 7 days of its meeting.

The complaint with all its supporting documents, the recommendation made by the PSMBAG to the SCA Ltd Board and decision of SCA will be filed in a closed envelope with the remark "Confidential" and "Only to be re-opened upon a resolution by the SCA Ltd Board upon a court order sought or due to further police investigation". The requirements of the Privacy Act are strictly to be adhered to.

In circumstances where a member of the PSMBAG, a staff member of SCA Ltd, or any other delegated person is aware that in relation to a particular complaint about a member, has an interest, whether business, financial or personal, that may affect or will affect the discharge of the member's duty under this complaints process or may bring the PSMBAG into disrepute, the member of the PSMBAG must declare a conflict of interest and must stand aside in the determination of the complaint.