



Managing Complaints - the new Supervision Guidelines

College Chronicle
Newsletter

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Australian College
of Professionals

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Managing Complaints - the new Supervision Guidelines

The Property and Stock Agents Act 2002 reforms which came into effect on 23rd March 2020, brought with them the revised Supervision Guidelines which extend upon the previous obligations on a licensee that arise from section 32 of the Act.

We have discussed in previous newsletters the new requirement for identifying our clients and will continue to explore the new requirements placed on the licensee in charge. In total there are ten “rules” under the proper supervision guidelines:

1. Role of the Licensee-In-Charge
2. Preparation of operational procedures
3. Procedures for operating and managing trust accounts
4. Obtaining identification from clients for the purpose of fraud prevention
5. Procedures for communication channels with clients
6. Accurate representation in relation to selling price of property
7. Procedures for the management of customer complaints
8. Appropriate supervision of employees
9. Maintaining a gifts and benefits register



10. Appropriate maintenance of agency records

Whilst rule 7 above is not new, this is a great time to refresh many of you regarding all of the proper supervision guidelines.

A principal licensee must prepare and maintain written complaint handling procedures. These written procedures must provide that:

- » all complaints and the actions taken by the business in response to the complaint are recorded in a register and retained for at least 3 years from the date of receipt or resolution of the complaint, whichever is later, and

- » complaints relating to financial transactions are reported to a licensee in charge as soon as practicable and are to be supervised directly by that licensee in charge.

To meet the requirements for this section, an agency needs to ensure that it has a Complaint and Grievance Handling policy that can be given to any client or general consumer who is making a complaint.

This is every agency's opportunity to ensure that the complaint is placed in writing by the complainant and that the agency can address this in line with the requirements of NSW Fair Trading. Such a policy should

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be included in the agency's general Policy and Procedures Manual, as per Requirement 2 detailed above.

In relation to a consumer complaint that has been referred to NSW Fair Trading – what they would be wanting to see is that there is a documented complaints handling process for your agency, that the process is aimed at consumer protection, and where the agency has done the wrong thing or caused a loss to a consumer, the agency makes good on that mistake. Naturally, some complaints have no basis in reality – so be sure to maintain good records within your agency, so these types of complaints can be easily identified through your complaints management procedures and passed

on to NSW Fair Trading, if and when required.

Be mindful that whilst your complaints handling process may have been used and successfully resolved a complaint with a consumer, it does not stop a consumer from going forth and further making a complaint to NSW Fair Trading. This is where your complaints handling procedures will support your agency's response to NSW Fair Trading and you should have nothing to be concerned about.

'Til next time, wishing you every success in your business ventures,

Rosy Sullivan
Director | College Principal

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Strata Management	THU 23 RD JUN

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3 HOUR COMPULSORY CPD

Sales & Leasing	WED 17 TH JUN
Strata Management	FRI 26 TH JUN

3 HOUR ELECTIVE CPD

Residential Property Management	THU 18 TH JUN
Property Sales	WED 24 TH JUN
Strata Management	THU 25 TH JUN

Face to Face learning is back

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From the office

And it's been another fortnight in isolation.

The ACOP team have all been working from home with a few visits into the office for Rosy, John, Rosemary and Michael – as they've been running webinars for the Assistant Agent – Certificate of Registration course and also the Compulsory and the Elective CPD sessions.

Everybody is getting very used to the zoom meetings twice daily and facilitating the training sessions for our students.

Our most exciting news this fortnight is our decision to commence face-to-face training again in our Town Hall Head Office as of Tuesday 9th June (yes – straight after the long weekend). Naturally, the classes will be limited to 10 students and how we provide morning and afternoon tea will be very different, with our new individually wrapped items and new one-use cups for tea, coffee and water. We are all looking forward to testing all of the new “individually wrapped” items that have been sourced. All of the ACOP team have also completed the Infection Control Training course through the Commonwealth Department of Health

and are very aware of how we will be monitoring and offering a training environment that meets the hygiene requirements and socially distancing requirements during this COVID-19 period.

We hope that all our clients are coping well with the changing environment and we love speaking with you all when you call – it's ok with us that lots of you need (and want) to have a chat.

Let's all be really sensible about our new limited freedoms that we are getting for social gatherings and ensure that we maintain social distancing and hygiene practices, to ensure that you, your family and your local community remain safe and healthy.

BTW – no cakes this fortnight.....but just wait till next 'From the Office' for news of our cake-eating endeavours.

We are all looking forward to seeing some of you in class in the next few weeks.

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