

COMPLAINTS PROCEDURE MANUAL





table of contents

- 1. INTRODUCTION 3**
- 2. TYPES OF COMPLAINTS 3**
- 3. HOW TO LODGE A COMPLAINT 4**
- 4. PROCEDURE FOR RESOLVING COMPLAINTS 5**
- ANNEXURE A: PHYSICAL COMPLAINTS FORM 8**

1. INTRODUCTION

- 1.1. The Council for the Built Environment (CBE) is a Schedule 3A Public Entity established in terms of section 2 of the Council for the Built Environment Act, 43 of 2000 (CBE Act).
- 1.2. In terms of section 3(a) of the CBE Act, the objects of the CBE is, among others, to promote and protect the interests of the public in the built environment. Under section 4 of the CBE Act, the CBE is empowered to investigate or initiate investigations into matters pertaining to its functions and policies with regard to the built environment and, if necessary, to recommend legislation in that regard, and generally to do all such things as it deems necessary or expedient to achieve the objectives of the CBE Act.
- 1.3. Where a member of the public or any other person is aggrieved by the conduct of any person or body within the built environment, the CBE has been mandated with the responsibility of ensuring that such grievance is addressed appropriately and to the satisfaction of the aggrieved person in order to ensure overall public trust in the built environment.
- 1.4. Accordingly, any person whose interest is affected by any matters pertaining to CBE’s functions may in writing lodge a complaint to the CBE. This manual outlines the processes to be followed in lodging a complaint with the CBE.
- 1.5. The complaints processes herein focus on protecting the public or any other person in their dealings with professional councils under the regulation of the CBE, as well as public and private role players within the built environment.

2. TYPES OF COMPLAINTS

- 2.1 Any person may lodge a complaint to the CBE against any conduct (an act or omission) by any person or stakeholder in the built environment. A person may lodge a complaint against:
 - 2.1.1. A built environment professional council under the regulation of the CBE
 - 2.1.2. An employee or staff member of a built environment professional council under the regulation of the CBE
 - 2.1.3. Any other conduct of any other person, relating to the built environment

2.2 Generally, there is no limit as to the types of complaints that can be lodged with the CBE. However, where a complaint is against a decision of a professional council, such a complaint may constitute a grievance that must be lodged in the form of an appeal to the CBE in terms of section 21 of the CBE Act. It is therefore important that a person seeking to lodge an appeal familiarisesthemselves with the applicable appeal processes of the CBE, which are not covered in this manual but may be accessed via <https://cbe.org.za/appeal-form/> or be directed to meltonia@cbe.org.za

3. HOW TO LODGE A COMPLAINT

3.1. As depicted in the Figure A, the CBE's complaints process is as follows:

3.2. A complaint may be lodged to the CBE either physically by using the form in Annexure A or online.

3.3. In order to lodge a complaint online, a person must go the CBE website www.cbe.org.za, access the online complaints form, complete it fully and submit it.

3.4. In order to lodge a complaint physically, a person must use the complaint form annexed to this manual as Annexure A, complete it fully and submit it either by email meltonia@cbe.org.za or physically at the CBE's offices at Corobay Corner, (2nd Floor, Block A), 169 Corobay Avenue, Menlyn, Pretoria.

3.5. A complaint must provide all the important information specified in the online or physical complaint form, including the following:

3.5.1 The full names of the complainant

3.5.2 The full names of the person or body against whom the complaint is made

3.5.3 The nature of the relationship between the complainant and the person against whom the complaint is made

3.5.4 The organisation or employer of the person against whom the complaint is made (if known)

3.5.5 The nature of the complaint

3.5.6 A full description of the events which led to the complaint

3.5.7 The relevant dates on which the events occurred

3.5.8. The place where the events occurred

3.5.9. Any steps taken by the complainant in relation to the complaint prior to lodging the complaint to the CBE, as well as the outcome of such steps

4. PROCEDURE FOR RESOLVING OF COMPLAINTS

4.1. Once a physical or online complaint is lodged, the CBE will acknowledge receipt of the complaint within three (3) working days. Receipt of a complaint will be acknowledged by either email or SMS or an appropriate mode of communication, whichever is applicable or preferred by the person lodging the complaint.

4.2. Upon receipt of a complaint that is lodged physically or online, the CBE may request further information from the person who so lodges it. A complaint will only be acknowledged once all required information for complaint validation and registration has been received by the CBE and the complaint has been registered as such.

4.3. An acknowledgement of receipt of the complaint will be sent to the complainant via email which will contain all the important information of the complaint as well as applicable timelines for the resolution process of the complaint. A complaint will be deemed to have been formally lodged on the date on which the acknowledgement of receipt is sent to the complainant.

4.4. The CBE's Legal Department will record a lodged complaint in the complaint register.

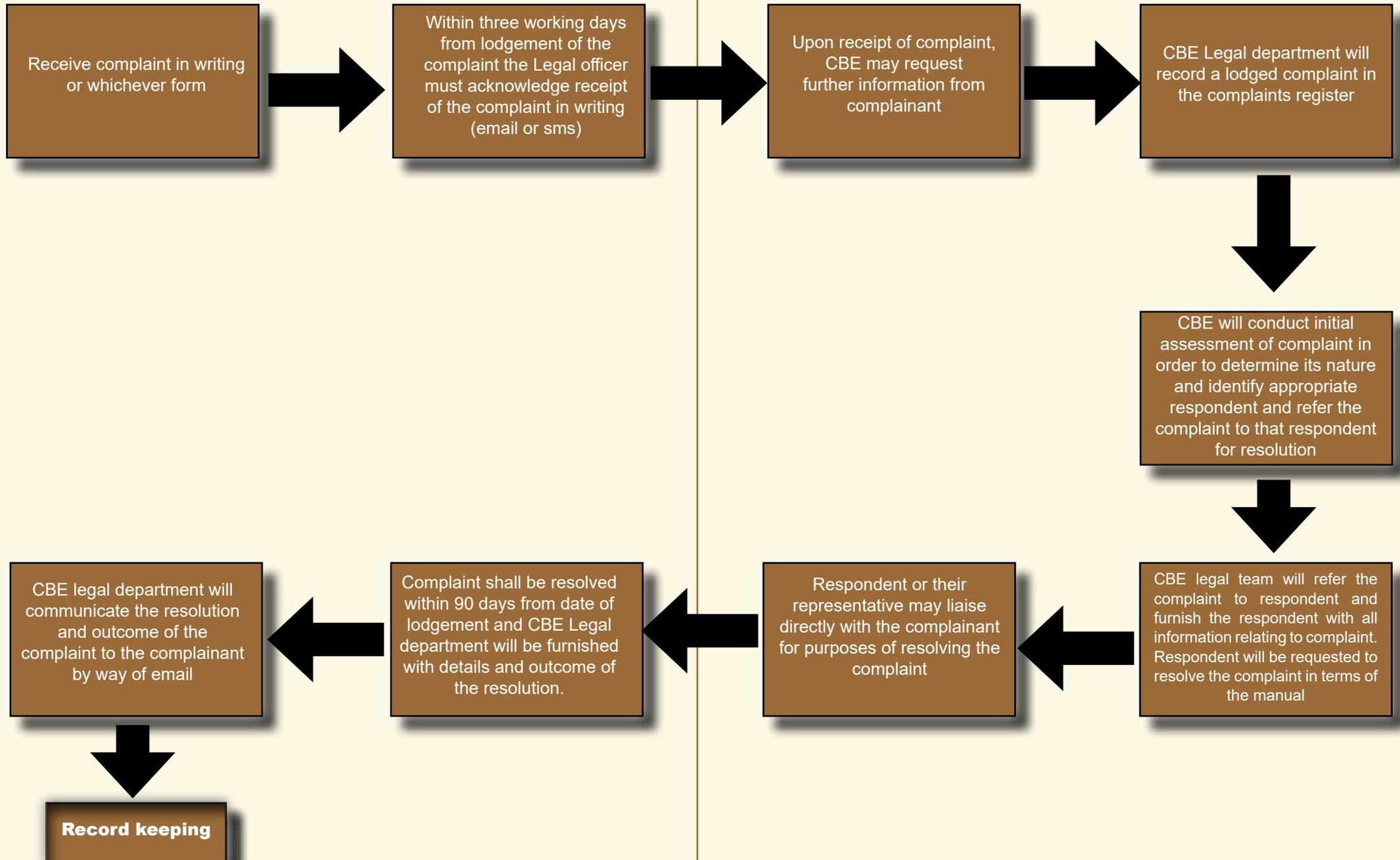
4.5. Internally, the CBE's Legal Department will conduct an initial assessment of the complaint in order to determine its nature, identify the appropriate respondent and refer the complaint to that respondent for resolution.

4.6. Once the nature of the complaint and identity of the respondent are determined, the Legal Department will refer the complaint to the respondent and furnish the respondent with all the information relating to the complaint. The respondent will be requested to resolve the complaint in terms of this manual.

4.7. The respondent or their representative may liaise directly with the complainant for purposes of resolving the complaint.

4.8. A complaint shall be resolved within (90) days from the date of lodgement. Once resolved, the Legal Department will be furnished with the details and outcome of the resolution and will communicate this information to the complainant via email.

FIGURE A



ANNEXURE A: PHYSICAL COMPLAINTS FORM

Please complete this form to lodge your complaint to the CBE. Should you need assistance to complete the form, kindly contact the Legal Department on **(012) 346 3985** or email meltonia@cbe.org.za

*All fields marked with * are compulsory*

COMPLAINANT'S DETAILS

COMPLAINANT'S DETAILS	
*Surname:	
*Full Names:	
*Identity / Passport number:	
Postal Address:	
*Residential address: (If not same as postal):	
*Contact Details:	

*Occupation:	
Are you complaining in your personal capacity or acting on behalf of another person or organisation?	
If acting on behalf of another person or organisation, please provide details:	
Name of person or body against whom the complaint is lodged (Respondent):	
*Respondent's email address (if applicable known):	
*Nature of the relationship between the complainant and the respondent:	
*Nature of Complaint:	
*Have you previously lodged a complaint against the respondent for the same matter:	
If a reference number was provided, please specify:	
*The relevant date(s) on which the events occurred:	
The place where the events occurred:	

DESCRIPTION OF COMPLAINT

a. *Background Information (if space is not enough, please complete on a separate document and attach it to this form)

b. *What are you not happy with?

c. Please list and attach any documents that you think will assist in resolving your complaint

d. What outcome do you desire?

***Declaration**

- . I would like the Council for the Built Environment (CBE) to look into my complaint and hereby give CBE permission to investigate my complaint and to obtain all information necessary for purposes of the complaint.
- . I declare that the information given in this form is true and correct to the best of my knowledge.
- . I understand that, to help resolve my complaint the CBE will need to use, retain and process my personal information.
- . I give consent to the CBE to refer and disclose any information submitted by me to any other office or stakeholder with jurisdiction in the event that the complaint doesn't not fall with the CBE mandate.

Disclaimer

Please note that any personal information that you have or may disclose to or share with the CBE in this form or pursuant to anything advertised or otherwise published by the CBE may be processed in terms of the Protection of Personal Information Act, No.4 of 2013 and Regulations promulgated thereunder ("POPI Act"). By disclosing or sharing your personal information, you are unconditionally consenting to the processing by the CBE, its stakeholders or partners of your personal information. Further, you declare that you have obtained all consents required by the POPI Act or any other law applicable in respect of all personal information you disclose. Thus, you hereby indemnify the CBE against any civil or criminal action, administrative fine or other penalty or loss that may arise as a result of the processing of any personal information that you disclose to the CBE. Should you wish to object to the processing of any of your personal information as aforesaid, please do so in writing to the email addresses provided above at any time. The CBE undertakes to process your personal information only as required by law and within the bounds of the POPI Act.

I have read and hereby agree to the declaration and disclaimer above.

SIGNATURE OF THE COMPLAINANT

DATE

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CONTACT

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www.cbe.org.za

