

<b>Policy</b>
<b>M9 Complaints</b>

Main Author	Reviewer	Reviewer	Approver
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REV	Date	Status / Description of Changes
Michel Mauricio	05/08/2019	Updating all laws/regulations dates to the current standard. Adjusting template, for a more clear layout.
Michel Mauricio	14/08/2020	Updated Template Minor changes
Michel Mauricio	07/12/2020	Minor adjustment to template

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## 1. Requirement

To review and act upon any complaint made against the fleet operation.

## 2. Policy

The Company ensures that complaints are investigated and used to improve operational performance through the resolution of any issues identified. Company procedures are in place to manage complaints, grievances and objections made against the organisation or their drivers.

These include, but are not limited to:

- Complaints from customers
- Complaints from passengers
- Reports from members of the public

Reports from the FORS compliance team:

- Grievances from members of staff

A procedure is in place which includes action to be taken in the event of a complaint and how consequences are dealt with.

All complaints are recorded and investigated within 10 working days to identify whether control measures have failed and if operational improvements can be made. Any improvement action taken is also recorded.

The complaints procedure that covers the fleet operation may be included within an organisation-wide complaints procedure.

The policy, procedure and records relevant to complaints are:

- Documented and reviewed in accordance with requirement M1
- Retained in accordance with requirement M2
- Communicated in accordance with requirement M5

### 3. Recording complaints and investigative processes

#### **Receiving a complaint from customers/the public/FORS/Traffic Commissioner's office**

Most complaints, if dealt with early, openly and honestly, can be sorted out at a local level between the complainant. If this fails due to either the Company representative or the complainant being dissatisfied with the result, the complaint will be referred to the next level of procedures.

#### **Objective**

The objective is to ensure that the complaints procedure is properly and effectively implemented, and that you feel confident that complaints are listened to and acted upon promptly and fairly.

The objectives are to ensure that:

- Customers and the public are aware of how to complain, and that they are provided (when requested) with the correct and easy to understand procedures
- A named person will be responsible for the administration of the procedure
- Every written complaint is acknowledged within three working days
- Investigations into written complaints will be completed within 28 days
- All complaints are responded to
- Complaints are dealt with promptly, fairly and sensitively with due regard to the upset and worry that they can cause to both staff and delegates.

#### **Verbal Complaints**

All verbal complaints, no matter how seemingly unimportant, should be taken seriously and in the first instance, should be sought to be solved immediately.

1. All contact with the complainant should be polite, courteous and sympathetic.
2. Employees should remain calm and respectful at all times, should not accept blame, make excuses or blame other employees.
3. A course of action should be suggested to the complainant to resolve the issue. If this course of action is acceptable then offer the complainant the resolution in writing
4. If the suggested plan of action is not acceptable to the complainant, then ask the complainant to put their complaint in writing and refer them to the Company complaints procedure

In all cases, details of any complaint be recorded on the Complaints Folder and any physical documents filed accordingly.

#### **FORS compliance team complaints**

FORS can receive complaints through the following channels:

- Traffic Commissioner Applications and Decisions (As&Ds)
- Transport for London (TfL)
- General public
- Police and other enforcement agencies
- TfL Work Related Road Risk compliance team
- TfL Road Traffic Enforcement Officers
- Social media

# **GRADEWELL**

## **CONSTRUCTION AND PLANT HIRE**

When a complaint is received the compliance team will begin to investigate the circumstances surrounding the complaint and will notify the accredited company. The compliance team will issue a letter (via email) in order to request an explanation regarding the complaint from the accredited company.

This letter requires a response to FORS within 5 working days. Should FORS not receive a response to the complaint within 5 working days, a second reminder letter will be sent. Should a company fail to respond within the second 5 working day period the company must be suspended until a satisfactory response has been received by FORS.

Any complaint from the FORS compliance team must always be referred to the responsible person and follow the procedures for **Complaint from a member of the general public/other road-users by mail/email/website/social media/phone**

### **Complaint from a member of the general public/other road-users by mail/email/website/social media/phone**

1. Collate all relevant detail including:
  - a. Location
  - b. Time
  - c. Vehicle registration number
  - d. Nature/details of the complaint
  - e. Contact details of the complainant
2. Start a new entry on the complaint on the Company system recording the above information
3. Start a physical file if necessary
4. Send an acknowledgment letter within three working days
5. Launch an investigation immediately - If necessary, get further details from complainant
6. If the issues are too complex to complete the investigation within 28 days, the complainant should be informed of any delays
7. Verify the accuracy of all details so as to establish what; if any involvement company vehicle(s) contributes to the incident
8. Upon verification of involvement, approach the persons involved and offer them the opportunity to respond to the complaint
9. Identify whether any control measures have failed and if operational improvements can be made
10. Follow company procedures and guidelines when taking any appropriate disciplinary action.
11. The outcome of the investigation must be recorded in the complaints folder and any learning in company operating procedures must be amended where necessary

## Receiving any correspondents from the Traffic Area Office or residents

1. Emailed to Tom Barrett immediately, and recorded in the complaints folder.
2. Start a physical file if necessary
3. Send an acknowledgment letter within three working days
4. If necessary, get further details from the complainant
5. Launch an investigation immediately
6. If the issues are too complex to complete the investigation within 28 days, the complainant should be informed of any delays
7. Where appropriate; arrange a meeting with the parties involved in the complaint, as a chance to highlight how and why your company needs to operate in a given way
8. Also where possible, a tour of the operational site, as well as an explanation of workload, the routes vehicles need to use in their line of work may mitigate a large number of problems
9. In most cases, a copy of any complaints by local residents will have been forwarded to the Traffic Commissioner. Any and all correspondence should also be sent to the Traffic Commissioner's Office – ensure to include the Operator License Number
10. If and when you manage to deal with local residents' concerns, ask that they write to the Traffic Commissioners' Office formally withdrawing their complaint. Support this letter with one of your own indicating that the issue has been resolved amicably
11. Identify whether any control measures have failed and if operational improvements can be made
12. Follow company procedures and guidelines when taking any appropriate disciplinary action.
13. The outcome of the investigation must be recorded in the complaints folder and any learning in company operating procedures must be amended where necessary

Failure to keep the Traffic Commissioner advised of the situation, they are capable of placing restrictions upon the License and may call a Public Inquiry if the complaint has some bearing on the Company Undertakings.

## 4. Grievance policy

Statutory requirements within the Employment Act 2002 require the Company to have a grievance procedure in place. Therefore the following applies to all employees who must have access to these grievance rules and procedures.

### Rules

Employees should aim to resolve most grievances informally with their supervisor/manager. This will allow problems to be resolved quickly. If a grievance cannot be settled informally then the Employee should raise it formally with management.

Issues that may cause grievances include but not be limited to

- Terms and conditions of Employment
- Harassment, bullying or victimization
- Work relations.
- New working practices
- Working environment
- Organisation change
- Health and safety
- Equal opportunities.

# **GRADEWELL**

## **CONSTRUCTION AND PLANT HIRE**

### **Step 1 – Understanding**

1. The Employee must inform the Company of their grievance in writing.

### **Step 2 - Meeting**

1. The Employee will be invited by the Company to a meeting to discuss the grievance. The meeting will take place once the Company has had a reasonable opportunity to consider it's response
2. The Employee must take all reasonable steps to attend the meeting
3. After the meeting the Company will inform the Employee of their decision and notify them of the right to appeal against the decision if they are not satisfied with it
4. The Employee has the right to be accompanied at the meeting.

### **Step 3 - Appeal**

1. If the Employee wishes to appeal they must inform the Company within five working days. The Company will then arrange a further meeting where the Employee will be invited to attend
2. The Employee must take all reasonable steps to attend the meeting
3. The appeal meeting will be dealt by either the General Manager and/or the Accountant
4. After the appeal meeting, the Employee will be notified by the Company of their final decision
5. The Employee has the right to be accompanied at the appeal meeting
6. The Company will review these rules and procedures on an annual basis.

*Thomas Barrett – Director*

