



IAM RoadSmart

Complaints Process

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Group Complaints

IAM RoadSmart groups have a responsibility to ensure complaints are responded to in an effective and timely manner.

The definition of a complaint is where a customer or group member expresses dissatisfaction with an IAM RoadSmart group, member, product or service or failure in processes.

Aim of an IAM RoadSmart Group Complaints Policy

The aim of this policy is to ensure that a group has a complaints process that is flexible and responsive to the needs of individual complainants. In addition, it emphasises the need to communicate effectively and in a timely way.

The policy should seek to ensure:

- People are listened to and treated with courtesy, empathy, fairness, and respect.
- People are kept informed of the progress and outcome of investigations into their complaint.
- Apologies are given.
- The cause of the complaint is identified and rectified.
- People learn from complaints to continually improve.
- Complaint management complies with confidentiality and General Data Protection Regulations (GDPR).

All IAM RoadSmart group committee members must be familiar with complaints management.

It is recommended that one group committee member is designated to manage complaints. It is suggested this is the Group Secretary, they may delegate individual tasks to another committee member. The Chair retains overall responsibility for complaints management.

Recording of Complaints

A key part of any complaints process is the recording of individual complaints on the Group Complaints Log.

The Group Complaints Log should be maintained throughout the process to ensure all complaints are managed effectively and appropriately.

The Group Complaints Log will assist Groups to identify any trends which can help to prevent re-occurrence and support continuous learning and is used to identify potential improvements.

Receiving a Complaint

It is important to note, failure to pass any test or assessment related to an IAM RoadSmart product such as Advanced Driving, Riding or Masters etc. cannot form the basis of a complaint against an IAM RoadSmart examiner.

It is considered good practice to follow this process:

- Complaints are dealt with in a timely manner.
- Acknowledge receipt of the complaint as soon as reasonably practicable.
- Contact the subject of the complaint as soon as reasonably practicable to notify them of the complaint.
- The complaint should be recorded and actioned even if the complainant requests anonymity.
- The subject of the complaint should be given sufficient time to respond.
- All complaints should be dealt with confidentially (where appropriate) and in accordance with the requirements of the General Data Protection Regulations (GDPR).
- No confidential information relating to complaints should be disclosed to any third party without the prior consent of that party.
- Some complaints could be criminal acts and should be referred to the most appropriate authority but seek guidance from your Area Service Delivery Manager in the first instance.

Managing a Complaint

Informal Resolution

Issues should be resolved as swiftly and informally as possible, to the mutual satisfaction of all parties, and without recourse to more formal action wherever possible. The Informal Resolution procedure enables issues to be settled quickly and decisively, avoiding escalation.

An Informal Resolution, used effectively, will foster a supportive and positive environment in which people feel valued, trusted, empowered and proud to volunteer. Its effectiveness relies on good communication and engagement, in a proactive, confident, and positive manner.

This guidance supports the IAM RoadSmart Code of Conduct and Zero Tolerance Policy.

The majority of complaints should be resolved informally at group level. Only in exceptional circumstances should the complaint be escalated to IAM RoadSmart. The existence of the Informal Resolution procedure does not change the responsibilities of group officials and trustees or their right to make appropriate decisions on behalf of the group.

All complaints received should enter the Informal Resolution process. However, there may be occasions when the behaviour and or actions alleged are not suitable for Informal Resolution. These may include, criminal acts, such as allegations of sexual offences, theft, or false accounting. This list is not exhaustive please contact your Area Service Delivery Manager for advice.

Informal Stage

When making a complaint, the designated group person who manages the complaint process within the Group, should be informed unless that person is the subject of the complaint. In which case a member of the committee may receive the complaint.

The complaint should be recorded by the Group in writing on the Group Complaints Log.

The subject of the complaint should be made aware the content and their response will be recorded. The rights of a person to remain anonymous should however be treated sensitively.

The complaint should be described in a factual way, avoiding personal judgements or unprofessional language.

The complaint should include the desired outcome.

The designated person should listen to the issues raised, assess them, and inform the person raising it what action they will take on behalf of the group.

Suggested actions could include:

- Exploring the views of other parties involved.
- Seeking specialist advice i.e., Area Service Delivery Manager, group treasurer or chief observer.
- Bringing individuals together for a discussion.
- Exploring the issues between the individuals and delivering a reasoned outcome.
- Referring the matter to a more appropriate process i.e., escalation to the formal complaints process.

At the conclusion of the complaint all parties involved should be informed of the outcome.

Escalation Stage

- The content and tone of a complaint may mean it is not suitable for Informal Resolution and it should therefore be dealt with in line with the Zero Tolerance Policy.
- If all efforts to resolve the complaint informally have been exhausted at group level, and the complaint remains unresolved, the matter should be raised with the Area Service Delivery Manager.
- If the Area Service Delivery Manager determines that more could be done informally to achieve a resolution, they may refer the matter back to the group with recommendations for further action and the complaint will remain at the informal stage.
- If the Area Service Delivery Manager determines that the issue can only be resolved by use of the group complaints procedure, the complaint should move to the formal complaints stage and referred back to the Group to deal with.
- The Area Service Delivery Manager may advise that the complaint is considered as 'final' at group level.
- Records must be kept, and all parties should be informed of progress in a timely manner with details and outcome recorded on the Group Complaints Log.

Formal Complaint Process

If the issue cannot be resolved by, or is unsuitable for the Informal Resolution procedure, the next stage is for the Group to form a sub-group to investigate the matter.

This sub-group should consist of three people who are members of the committee. Their role will be to review the evidence available, form an interview panel, and arrange a formal meeting. This will ensure an independent decision to be made to either uphold or dismiss the complaint.

The person in the Group responsible for managing complaints should:

- Ensure the details of the complaint are recorded on the Group Complaints Log.
- Chair the sub-group.
- Be a single point of contact for all correspondence.
- Keep all parties informed of progress.
- Manage the administration of the meetings.
- Document and communicate the decision of the sub-group to all parties.
- Liaise with the IAM RoadSmart Area Service Delivery Manager.
- Share good practice and communicate any lessons learnt to the Chair and Committee.

Any person involved in the complaint must not be appointed to the sub-group.

The complaint process should be transparent, independent, and devoid of bias to ensure confidence in the process. Meetings should wherever possible be in person, however circumstances may dictate that this is more appropriate to be held using a virtual meeting.

The sub-group should hear from all parties. These should be separate meetings if considered appropriate. When invited to the meeting, both parties should be informed that they can be accompanied by a 'friend' for moral support, but the 'friend' will not be allowed to play an active part in the proceedings by speaking, asking, or answering questions on behalf of the person they are supporting. If the person they are supporting is unable to communicate or read from documents for any reason, the attending 'friend' can assist.

It is strongly recommended that meetings are recorded, either by formal minutes, video, or audio. Attendees must be given the opportunity to verify the accuracy of the content.

The decision of the panel should be communicated by e-mail or letter to all parties as soon as is reasonably practical.

If the complaint is upheld by the sub-group, they may suggest the following actions be taken, this is not an exhaustive list, but is provided for guidance.

- Offer informal words of advice.
- Provide written words of advice.
- Offer an apology to the person aggrieved.
- Undergo period of re-training.
- Suspension from a role within the Group.
- Removal from a role within the Group.
- Suspension of Group membership.
- Expulsion from the Group.

Non-participation by any person in any part of the process does not prevent formal meetings taking place.

At the conclusion of the investigation, there should be a 'right of appeal' via the Area Service Delivery Manager.

The Group Complaints Log should be completed and retained for review by the Chair, Committee and Area Service Delivery Manager. We recommend a review at least annually and for this to become an agenda item at committee meetings.

Zero Tolerance Policy

IAM RoadSmart Zero Tolerance Statement – Abusive or Aggressive Behaviour

We are committed to providing a professional and fair service to everyone we work with and in return we ask that members respect our staff.

IAM RoadSmart will not tolerate threatening, abusive, or violent behaviour. Under these circumstances our staff and volunteers should not be required to or feel obliged to deal with any person either face to face, over the phone or in email or written correspondence.

About this position statement

This position statement enables us to deal with unacceptable behaviour, professionally, consistently, and fairly. It lets staff, volunteers and members know what we consider to be unacceptable and outlines the steps we will take to deal with such behaviour.

What behaviour is unacceptable?

For the purposes of this position statement, unacceptable behaviour is defined as:

Behaviour or language (written, verbal or online) that we consider may cause staff or volunteers to feel intimidated, afraid, offended, threatened, or abused.

Examples of this include (but are not exhaustive):

- **Communication** that we consider to be unreasonably demanding, or unreasonably persistent in its frequency, type, and nature. By this we mean face to face, telephone, email, online or through social media.
- **Inflammatory/derogatory statements**, remarks of a racial, xenophobia or discriminatory nature and unsubstantiated allegations.
- **Violent behaviour** - Physical contact made in an aggressive or threatening manner. This includes pushing; jostling; kicking; punching; physical restraint; sexual assault; spitting and use of weapons
- **Threatening behaviour** - Words or actions that cause a person to be concerned for their safety, the safety of colleagues, or the safety of their property. This includes visual threats or gestures; aggressive stance; sexually explicit or threatening language or body language; abusive phone calls; on-line bullying, use of aggressive dogs and obstruction or aggressive use of vehicles.
- **Abusive behaviour** - Words or actions that cause a person to feel harassed, intimidated, or distressed. This includes offensive gestures; aggressive stance; abusive, provocative, or obscene language and inappropriate use of social media.
- **Wilful damage to property** - This can belong to IAM RoadSmart, its employees, contractors, or volunteers. And includes buildings; fixtures; fittings; equipment and vehicles.

What action will we take?

Anyone verbally abusing our members of staff or volunteers, either in person, over the telephone or by email, will be sent a letter or email advising that this behaviour will not be tolerated. Any future violation of this policy will result in termination of their membership. There is no appeal process.

Anti-Harassment and Bullying Policy

IAM RoadSmart has a zero tolerance policy with respect to harassment and bullying.

The purpose of this policy is to ensure that all IAM RoadSmart volunteers, staff and representatives are treated and treat others with dignity and respect, free from harassment and bullying.

Harassment and bullying not only contravene our ethical standards, but are also unlawful and, therefore, will not be tolerated. It is the responsibility of everyone to treat others with dignity and respect and to consider whether their words or conduct could be offensive to others.

Even unintentional harassment or bullying is unacceptable. For this policy to succeed, every member of staff, volunteer and representatives should ensure that they take the time to read and understand it.

IAM RoadSmart will take all allegations of harassment or bullying which in any form, is seriously and address them promptly and confidentially where possible. Victimisation of those who have made an allegation under this policy in good faith, or those supporting someone in such a complaint and or someone accompanying them to a meeting, is also contrary to this policy.

IAM RoadSmart also takes seriously the misuse of this policy against someone to gain an unfair advantage or cause them to be investigated unnecessarily.

Anti-Harassment

Harassment is any unwanted physical, verbal, or non-verbal conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment.

Harassment often (but not exclusively) targets the gender, sexual orientation, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, disability, or age of the victim. It may involve conduct of a sexual nature (sexual harassment).

Harassment also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past. Harassment is unacceptable even if it does not fall within any of these categories.

Harassment may include (but is not limited to):

- Unwanted physical conduct or “horseplay”: physical conduct ranges from touching, pinching, pushing, or brushing past someone or invading their personal space, to grabbing, shoving, punching and more serious forms of physical or sexual assault
- Unwelcome sexual advances or suggestive behaviour: may involve unwanted suggestions, advances, propositions or pressure for sexual activity, and suggestions that sexual favours may further a career or that a refusal may hinder it. The harasser may perceive such behaviour as harmless flirting.
- Other unwanted verbal conduct includes (but is not limited to) continued suggestions for social activity within or outside the workplace after it has been made clear that such suggestions are unwelcome, or offensive, insensitive, or intimidating comments or jokes. Other examples of other unwanted verbal conduct are racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender.
- Unwanted non-verbal conduct includes (but is not limited to), the sending or displaying of material that is pornographic or obscene or that some individuals or groups may find offensive (for example emails, text messages, video clips and photographs taken or sent using mobile phones or via the internet), ignoring or shunning someone, (for example, by deliberately excluding them from a conversation or a workplace social activity), and inappropriate behaviour whether in the form of offensive, insensitive or intimidating gestures or pranks.
- Other conduct: which disparages, denigrates, ridicules, intimidates or is physically abusive of an individual or a group. This could include mocking, mimicking, or belittling a person’s disability, or outing or threatening to out someone as gay or lesbian.

Harassment is unacceptable even if it does not fall within any of the above categories. A person may be harassed even if they were not the intended “target”. For example, a person may be harassed by racist jokes about a different ethnic group if they create an offensive environment for him or her.

Bullying

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power intended to undermine, humiliate, denigrate, threaten, or injure another person. Power does not always mean being in a position of authority but can include both personal strength and the power to coerce others through fear or intimidation.

Bullying can be a form of harassment and can undermine an individual’s self-confidence, competence, and self-esteem. As with harassment, bullying can take the form of physical, verbal, and non-verbal conduct.

Bullying may include (but is not limited to):

- Physical conduct: such as physical threats, for example raising a fist at someone, or using physical presence for intimidation for example standing over someone in a manner that is likely to intimidate them.
- Verbal conduct: such as shouting, sarcasm, ridiculing or demeaning others, psychological threats, or inappropriate remarks about someone’s performance.

- Non-verbal conduct: overbearing and intimidating levels of supervision, abuse of authority or power by those in positions of seniority or deliberately excluding someone from meetings or communications without good reason.

Bullying is unacceptable even if it does not fall within any of the above categories. Legitimate, reasonable, and constructive criticism of performance or behaviour, or reasonable requests will not amount to bullying in itself. The examples given in this policy of harassment and bullying are by no means an exhaustive list.

Informal Steps to Resolve Bullying or Harassment

If someone feels they are being bullied or harassed, they should attempt to resolve the problem informally with the person responsible. They should explain to them that their behaviour is unwelcome or makes them uncomfortable and that it should stop immediately. The perpetrator may not realise the effect their behaviour is having on someone.

Investigating Bullying and Harassment Allegations

If a complaint remains unresolved it should be immediately documented and investigated using the Group Complaints Procedure. The Area Service Delivery Manager should also be advised of any complaints so that IAM RoadSmart can assess any reputational risk that may need addressing.

Equal Opportunities

IAM RoadSmart is committed to a policy of promoting equality of opportunity for all staff, volunteers, members, representatives, and membership applicants.

We aim to create a harmonious and positive environment in which all individuals:

- Are treated fairly, with dignity and respect at all stages of involvement.
- Are able to make best use of their skills, free from discrimination or harassment.
- All decisions are based on merit

IAM RoadSmart does not discriminate against any person based on age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation (protected characteristics).

Each person should have an equal chance to contribute and achieve their potential, irrespective of the above.

Examples of Discrimination

Discrimination by or against an individual within an organisation is prohibited unless there is a specific legal exemption.

Discrimination may be direct or indirect and it may occur intentionally or unintentionally or by association or perception in certain circumstances.

Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics set out above. For example, rejecting an applicant on the grounds of their race because they would not “fit in” would be direct discrimination.

Indirect discrimination occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage. For example, a requirement to work full time puts women at a particular disadvantage because they generally have greater childcare commitments than men. Such a requirement will need to be objectively justified.

Harassment related to any of the protected characteristics is prohibited. Harassment is unwanted conduct that has the purpose or effect of violating someone’s dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Harassment is detailed further in the Anti-Harassment and Bullying Policy.

Victimisation is also prohibited. Victimisation is the unfavourable treatment of someone who has complained or given information about discrimination or harassment or supported someone else’s complaint.

Resolving Complaints Regarding Equal Opportunities

If a complaint is made regarding discrimination, it should be immediately documented and investigated using the Group Complaints Procedure.

The Area Service Delivery Manager should also be advised of any complaints to enable IAM RoadSmart to assess any reputational risk that may need addressing.