

FORS Compliance and Enforcement Guidance for Operators

Version 4.0

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Table of main changes

Page	Paragraph	Description
3	2.7	Progression to Silver and Gold Amended to include mixed accreditation
8	Annex 2	Changes to wording at Table 1 Transport Manager Loss of Repute extended to allow for a period of grace or special conditions that may have been granted by the Traffic Commissioner Change of wording from WFA to Internal Audit Fleet Accreditation (IAFA) O Licence curtailment wording amended to allow for clarification when an Enhanced Audit is required
11	N/A	WRRR sanctions for Silver and Gold accreditation Amended to incorporate mixed accreditation
12 & 13	Appendix 2	Outcome inserted at Table 2 Insertion of outcome in relation to misuse or misrepresentation of FORS
17 & 18	Appendix 4	Complaints and Appeals Process Reference to FORS Community Partnership (FCP) removed

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1. Introduction

1.1. About this document

This document provides guidance on the compliance and enforcement activity undertaken by the Fleet Operator Recognition Scheme (FORS). It seeks to explain how FORS accreditation may be affected if an organisation breaches the FORS Standard or Terms and Conditions.

1.2. References

The following documents, which can be downloaded from www.fors-online.org.uk/cms/new-standard, are referenced in this document:

- FORS Standard
- FORS Terms and Conditions
- FORS Rules and Procedures

1.3. Compliance procedures process chart

The process chart in Figure 1 provides a step by step guide to the FORS compliance and enforcement process. It shows the channels through which complaints are reported to FORS, how they are actioned and the possible outcomes.

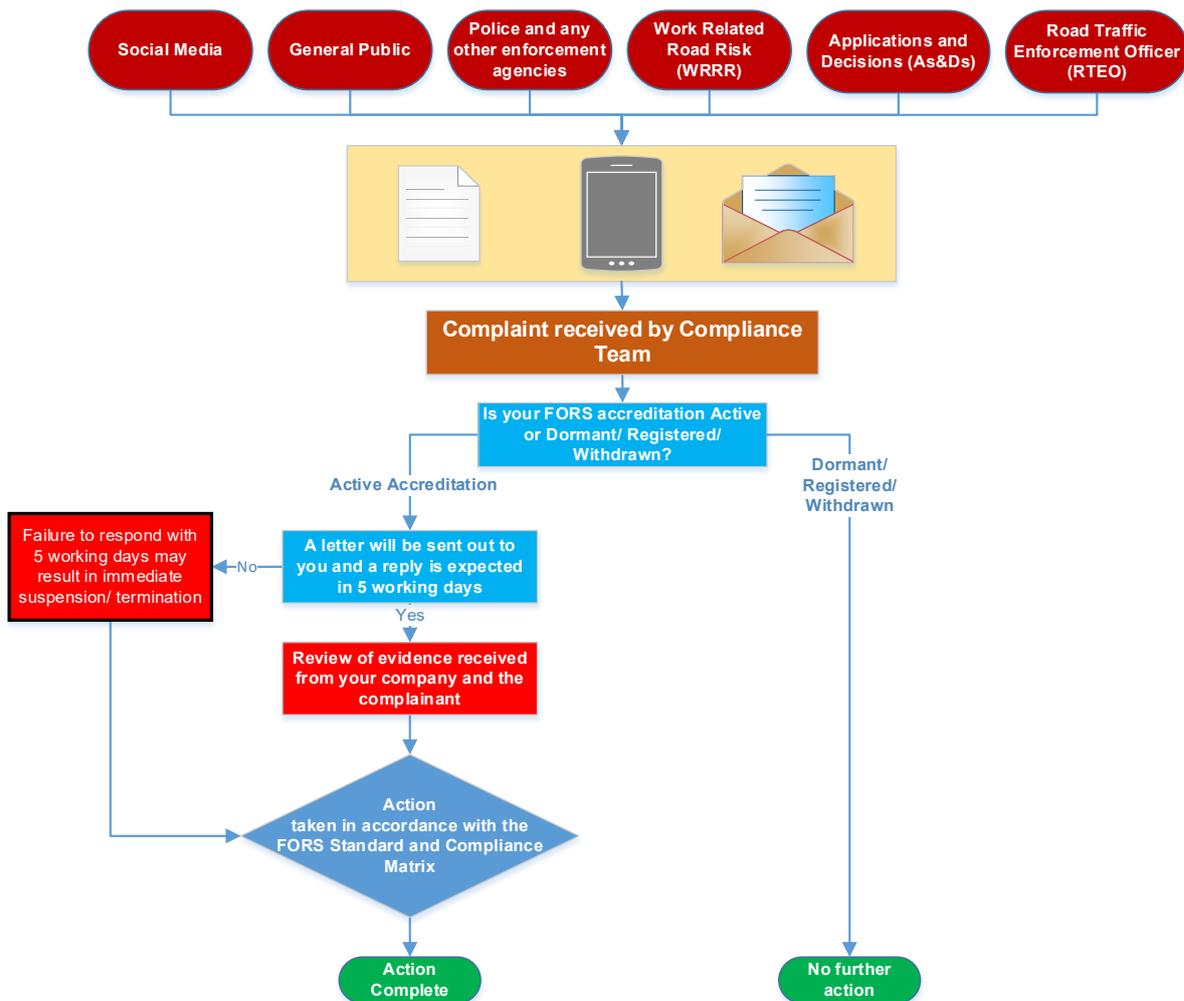


Figure 1: FORS Compliance procedures process chart

2. Compliance and enforcement – complaints, decisions, and

solutions

2.1. Complaints

FORS is regularly updated on the activity of operators. This allows FORS to not only identify operators that are operating in accordance with the FORS Standard but also those that have received complaints against their operations.

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

2.2. Decisions and solutions

When a complaint is made against the operations of a FORS accredited organisation, the FORS compliance team is notified. All relevant complaints received are investigated and available evidence is reviewed. The most appropriate compliance option will be chosen in accordance with the FORS Compliance Matrix (Appendix 2), the FORS Standard and the FORS Terms and Conditions.

2.3. Notifying accredited organisations of a complaint

When a complaint is received, the FORS compliance team will begin to investigate the circumstances surrounding the complaint and will notify the accredited organisation. The FORS compliance team will issue the accredited organisation with a letter (via email) to request an explanation regarding the complaint. This letter requires a response to FORS within five working days. Should FORS not receive a response in writing to the complaint within five working days, a second reminder letter will be sent.

Should an organisation fail to respond within the second five working day period, the organisation shall be suspended until a satisfactory response has been received by FORS.

Notwithstanding the above, in accordance with clauses 14.1 and 14.2 of the FORS Terms and Conditions, upon written notice FORS may, at its sole discretion, elect to either suspend, terminate or downgrade the organisation's FORS accreditation.

2.4. Instances where FORS accredited organisations have not reported complaints or organisation changes

The FORS compliance team will respond to instances where it is found that FORS accredited organisations have failed to meet their obligations to report complaints or changes to organisation details.

The FORS compliance matrices (Section 3) and FORS Rules and Procedures provide further details on the requirements for reporting complaints and possible sanctions that may apply for failure to report a complaint and changes to the status/structure of the organisation. Appendix 1 sets out definitions of the sanctions outlined in this guidance document.

2.5. Other legislation

Organisations shall maintain compliance with UK (and country of origin) transport, safety, and environmental legislation.

2.6. Scope of accreditation – application and re-application for FORS accreditation

Inquiries undertaken by the FORS compliance team include a review of the current operator licence status of the applicant. The status is compared via the FORS company page, previous FORS audits (if applicable) and the information provided by the organisation to the licensing authority. Where discrepancies are identified the FORS compliance team will contact the organisations to enquire as to the actual scope of their FORS accreditation compared to their declared operating centres and fleet size etc.

Whilst any inconsistency is being investigated, the organisation's application for initial or re-accreditation is put on hold until the situation is resolved to the satisfaction of the FORS compliance team.

2.7. Progression to Silver and Gold accreditation

In order for organisations to progress to Silver and Gold accreditation, or Silver and Gold mixed accreditation, a review of their complaints status is completed by the audit provider. This is to ensure that the accredited organisation meets the requirements set out within the FORS Rules and Procedures before progressing. Checks include, but are not limited to:

2.7.1. Operator licence status and details assessment

Cross checks are completed against the operator licence, the organisation's FORS complaints history and previous audits to ensure there are no discrepancies in details (eg. operating centres and fleet size). The FORS compliance team uses the Vehicle Operator Licensing Service to make these checks. If a discrepancy is found, the accredited organisation will be contacted to seek clarification on the matter.

2.7.2. Silver and Gold requirements

Checks are also carried out to ensure sufficient audits have been conducted within the previous 12 months to determine current Bronze or Silver status. If no audit is present, then the application will be delayed until the audit can be reviewed.

This review will also determine if the correct number of Bronze or Silver audits have been undertaken in accordance with multi-operating centre accreditation (MOCA) rules. If an insufficient number of audits has been achieved to comply with the published MOCA ratios, then the application will be delayed until the appropriate number of audits have been undertaken (the accredited organisation will be informed of this requirement).

2.7.3. Public inquiry assessment and outcome

If the accredited organisation has not appeared at public inquiry in the last two years and has no forthcoming public inquiry, then the application is permitted to proceed.

If the accredited organisation is scheduled to appear at a public inquiry, the application can proceed but will be reviewed again once the public inquiry has been held and subsequent findings released. The public inquiry findings may require FORS to act in accordance with information detailed in this document and this may ultimately impact on the organisation's membership status.

If the accredited organisation has appeared at public inquiry in the previous two years and has had a finding against them for a disciplinary matter, the FORS compliance team will write to the organisation seeking further information of the Traffic Commissioner findings and whether the matter has been resolved. If the response indicates the matter has been resolved to the satisfaction of the Traffic Commissioner, then the application can proceed. If, however the matter has not been resolved, the application will not be allowed to proceed until the FORS compliance team is satisfied that it has been resolved to the satisfaction of the Traffic Commissioner.

If an accredited organisation cannot resolve a decision to the satisfaction of the Traffic Commissioner, FORS will review the evidence offered and determine whether a suspension or termination from the scheme is necessary.

3. Compliance matrices

The sanctions that may be imposed following a breach of the FORS Terms and Conditions are set out in Appendix 2 – Compliance Matrices.

The enforcement action resulting from the public inquiry and observed complaints process is provided as guidance for both the FORS compliance team and FORS members. It is not exhaustive and, based on individual circumstances, the enforcement action taken can vary from the indicated sanctions.

3.1. Enforcement scenario

Appendix 3 provides examples of the actions and outcomes that could happen should an organisation be subject to compliance and subsequent enforcement activity.

4. Complaints and audit appeals escalation process

FORS accredited organisations who feel they have not been treated fairly by FORS can raise a formal complaint or audit appeal and, if necessary, follow the escalation process set out at Appendix 4.

If an organisation raises a formal appeal against an audit decision, the 30-day time limit for conducting a follow-up audit will be stopped until the outcome of the appeal is complete and communicated to the organisation. Once communicated, the remaining timeframe of the 30-day follow-up period recommences.

If an organisation raises a formal complaint or appeal and the accreditation period has reached the annual expiry date the organisation will be downgraded and remain downgraded until the outcome of the appeal has been communicated. If the appeal is upheld, the accreditation will revert to its original active status.

If an appeal is not upheld, the organisation will revert to the appropriate level of accreditation - this may include being downgraded to Bronze where an on-site audit may be required to be undertaken and successfully completed. Otherwise the organisation will be downgraded to dormant.

If an organisation raises a formal complaint or appeals against a compliance sanction such as an enhanced audit, suspension or termination, the sanction imposed on the organisation will remain in place until the outcome of the complaint or appeal is complete and communicated to the organisation.

Appendix 1 – Compliance sanction definitions

Sanction	FORS Compliance Definition:
Termination	<p>In accordance with the FORS Terms and Conditions, and upon written notification, FORS membership may be terminated, in which case the organisation will not be able to log in to FORS Online, nor be entitled to use the FORS benefits or the FORS logo. Termination is for a minimum of six months and re-entry into the scheme can only be following the successful completion of a FORS enhanced audit.</p> <p>During the termination period, organisations shall:</p> <ul style="list-style-type: none"> • Immediately remove the FORS logo from any vehicle or marketing material • Provide written confirmation that logos have been removed <p>On completion of the termination period, the organisation shall:</p> <ul style="list-style-type: none"> • Re-register to become a FORS accredited organisation (a new membership number may be issued) • Successfully pass an enhanced audit prior to entering the probation period • Complete a 12-month probation period • Successfully pass three enhanced audits within the 12-month probation period. The enhanced audits are to be conducted equally throughout the probation period (one every four months)
Suspension	<p>In accordance with the FORS Terms and Conditions, and upon written notification, membership may be suspended in which case there is no entitlement to use the FORS benefits or the FORS logo. Re-entry into the scheme can only be following the satisfactory completion of an enhanced audit and a probation period. Where a suspension is imposed because an operator has failed to respond to a letter from the FORS compliance team that requests information (paragraph 2.3), an enhanced audit and probation period may not be required for re-entry.</p> <p>The duration of the suspension is dependent on the type and severity of the breach in legislation or FORS Terms and Conditions.</p> <p>During the suspension period, companies shall:</p> <ul style="list-style-type: none"> • Immediately remove the FORS logo from any vehicle • Provide written confirmation that it has been removed • Successfully pass an enhanced audit prior to completing the suspension period. (The suspension will remain in place until the enhanced audit has been successfully passed)

	<p>On completion of the suspension period, the organisation is required to:</p> <ul style="list-style-type: none"> • Complete a six-month probation period • Successfully pass an enhanced audit during the second half of the probation period • Should the probation period enhanced audit not be successfully passed within the required timeline, the organisation shall revert to suspended status
Enhanced audit	<p>A FORS Bronze audit plus a detailed review of the actions in place to mitigate the specific circumstances that caused the complaint, suspension, or termination to occur.</p> <p>If an organisation fails to pass an enhanced audit and its follow-up enhanced audit (within 30 calendar days of notification of failure), the organisation's FORS accreditation will be suspended until a full enhanced audit is passed.</p>
Probation period	<p>A defined period during which an organisation is placed under regular observation by the FORS compliance team. Probation periods are as follows:</p> <ul style="list-style-type: none"> • Twelve months following termination • Six months following suspension • Six months following an enhanced audit (where specified by the FORS Head of Compliance)
Formal warning	<p>Notification to a FORS member of the reasons why its behaviour, activities or reported incidents are unacceptable and if not addressed in accordance with the instructions of the FORS compliance team, may lead to an enhanced audit, suspension or termination being imposed.</p>

Notes:

1. FORS reserves the right to sanction an organisation at any time to safeguard the scheme.
2. If an organisation has a single operating centre accreditation (SOCA), the whole accreditation will be affected by any sanction imposed.
3. If an organisation has multi-operating centre accreditation (MOCA), the accreditation of the operating centre where the complaint occurred will be affected by any sanction imposed, unless there is a failure within the organisation's policies and procedures where the whole MOCA accreditation may be affected.

Appendix 2 – Compliance matrices

Table 1 – Traffic Commissioner public inquiry outcome FORS compliance matrix

Traffic Commissioner public inquiry outcome	FORS response
O Licence revoked	Terminate organisation
Transport Manager Loss of Repute	<p>Suspend until new Transport Manager (TM) is appointed, (unless a period of grace or special conditions have been granted by the Traffic Commissioner). The new TM appointment must be accepted by the Traffic Commissioner, FORS shall then be notified in writing by a Director of the organisation who is associated with the transport services.</p> <p>FORS will require written confirmation from the organisation that the previous TM no longer works for the organisation or is not actively involved in an operational role with the vehicle fleet.</p> <p>If the organisation fails to appoint a new TM within the timescale dictated by the Traffic Commissioner, the suspension from FORS will continue.</p>
O Licence suspended	<p>FORS will suspend the organisation for a minimum period of three calendar months*.</p> <p>If the organisation holds MOCA or internal audit fleet accreditation (IAFA), the suspension will be specific to the operating centre affected by the Traffic Commissioner's decision.</p> <p><i>* Under exceptional circumstances a FORS suspension period may be reduced at the discretion of the FORS Head of Compliance</i></p>
O Licence curtailed - A sanction may be imposed to fall in line with the Traffic Commissioner's defined timeline and fleet number indicated in the curtailment.	<p>O Licence curtailed - Fewer than seven days, seek information from the organisation and issue a formal warning letter.</p> <p>O Licence curtailed - seven days and above. FORS will require the organisation to pass an enhanced audit.</p>

	<p>Further curtailments within a 24-month period will result in a suspension being issued to the operating centre receiving the curtailment in line with the length of the curtailment imposed by the Traffic Commissioner.</p>
<p>O Licence curtailed – undertakings imposed by the Traffic Commissioner</p>	<p>The organisation shall provide evidence of the undertakings imposed by the Traffic Commissioner.</p> <p>The organisation shall provide evidence of the acknowledgement from the Traffic Commissioner that the undertakings have been completed.</p> <p>An enhanced audit shall be passed within 30 calendar days of notification of the requirement.</p>
<p>Formal warning issued by the Traffic Commissioner</p>	<p>FORS will write to the organisation requesting the Traffic Commissioner outcome letter and will consider the most appropriate action based on the organisation’s response.</p> <p>This will lead to a <u>minimum</u> of a formal warning letter from FORS*</p> <p><i>* Dependent on the organisation’s history over the previous 24-month period, FORS may impose a higher sanction in accordance with the level of historical compliance activities that have been reported</i></p>
<p>Other legislation: Road Traffic Act 1988 Health and Safety at Work Act 1974 Control of Pollution (Amendment) Act 1989 Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991 The Waste (England and Wales) Regulations 2011 The Hazardous Waste (England and Wales) Regulations 2005 Environmental Protection Act 1990 s34 (Note: This list is not exhaustive)</p>	<p>Letter sent from FORS requesting information</p> <p>FORS may impose one of the following sanction dependent on the organisation’s response:</p> <ul style="list-style-type: none"> • Formal warning letter • Enhanced audit • Suspension • Termination
<p>Fail to notify FORS of any of the above</p>	<p>A 30-calendar day suspension may apply</p>

Table 2 – Observed complaints FORS compliance matrix

Type of complaint	Frequency of complaint	Compliance outcome
Abnormal load		
<ul style="list-style-type: none"> • No movement Order • Overweight • Exceeded width • No STGO markings <p><i>Note: offence could be one or more of the above</i></p>	<ol style="list-style-type: none"> 1. Once in 12 months 2. Twice in 12 months 3. Three times in 12 months 4. Four times in 12 months 	<ol style="list-style-type: none"> 1. Formal warning letter 2. Enhanced audit 3. Suspension 4. Termination
Driver behaviour		
<ul style="list-style-type: none"> • Speeding • Driving dangerously driving without due care and attention • Contravening ATS (red light) • Use of mobile phone • No driver CPC card <p><i>Note: This list is not exhaustive</i></p>	<ol style="list-style-type: none"> 1. Once in 12 months 2. Twice in 12 months 3. Three times in 12 months 	<ol style="list-style-type: none"> 1. Formal warning letter 2. Enhanced audit 3. Suspension
<ul style="list-style-type: none"> • Smoking in the cab 	<ol style="list-style-type: none"> 1. At any point 	<ol style="list-style-type: none"> 1. Letter will be sent from FORS highlighting the breach in legislation 2. A reasonable response is required by the organisation <i>(dependant on the organisation's response may require evidence of policy documents being provided)</i>
Driving / Vehicle document offences		
<ul style="list-style-type: none"> • No driving Licence • No Insurance • No MOT <p><i>Note: list of offences is not exhaustive and not limited to any time period</i></p>	<ol style="list-style-type: none"> 1. Once 2. Twice within a two-year period 	<ol style="list-style-type: none"> 1. Suspension dependent on circumstances 2. Termination <p><i>(If the organisation holds MOCA or IAFA status, the suspension or termination will be specific to the FORS operating centre)</i></p>

FORS Bronze, Silver and Gold		
<ul style="list-style-type: none"> • None/insufficient on-cycle training as stipulated in the FORS Standard • No FORS eLearning <p><i>Note 1: All breaches identified by the TFL WRRR compliance team will prompt a letter from the FORS compliance team.</i></p> <p><i>Note 2: Repeat breaches will be dealt with, but this is dependent on the breach being outside the 10% tolerance permitted in the FORS Standard</i></p> <p><i>Note 3: (90 calendar days for new employee to complete SUD/Van Smart)</i></p>	<ol style="list-style-type: none"> 1. Once 2. Two times in three months 3. Three times in four months 4. Continued incidents 90 calendar days after enhanced audit has been completed <small>note 3</small> 5. Repeated incidents within a 12-month period 	<ol style="list-style-type: none"> 1. Letter from FORS. FORS action taken dependent on organisation's response 2. Formal warning letter sent 3. Enhanced audit 4. Suspension dependent on circumstances 5. Termination dependent on circumstances
Mixed accreditation FORS Bronze/Silver and Silver/Gold		
<ul style="list-style-type: none"> • None/Insufficient Approved on Cycle training • None/insufficient FORS eLearning • VRU Safety Equipment partially fitted/not fitted • Vehicle not listed on MA certificate <p>List not exhaustive</p> <p><i>Note 1: When breaches are identified to the FORS compliance team, a letter will be sent to the FORS member requesting clarification of the breach of mixed accreditation.</i></p> <p><i>Note 2: Breaches will be dealt with as illustrated. Safety critical breaches may be subject to escalation at any point and may result in immediate revocation of mixed accreditation</i></p>	<ol style="list-style-type: none"> 1. Once 2. Twice (no set timeframe) 3. Three times 	<ol style="list-style-type: none"> 1. Letter from FORS. FORS action taken dependent on organisation's response 2. Formal warning letter sent 3. Mixed accreditation is revoked
<p>Bronze:</p> <ul style="list-style-type: none"> • No sideguards • No Class V or VI mirrors <p>Silver:</p> <ul style="list-style-type: none"> • No or unserviceable audible left-hand turn and reverse warning fitted to vehicles above 3.5t GVW 	<ol style="list-style-type: none"> 1. Once 	<ol style="list-style-type: none"> 1. Letter from FORS <p>1a. Adequate organisation's response closes enquiry</p> <p>1b. Inadequate response: organisation must complete an enhanced audit</p>

<ul style="list-style-type: none"> • Lack of appropriate or unserviceable blind spot minimisation fitted to vehicles above 3.5t GVW • Lack of appropriate or unserviceable indirect visual aids fitted to the rear of vehicles above 7.5t GVW 	<ol style="list-style-type: none"> 2. Two times within a 24-month period 3. Three times within a 24-month period 	<ol style="list-style-type: none"> 2. Suspension 3. Termination
<ul style="list-style-type: none"> • No signage • Incorrect warning signage on vehicles over 3.5 tonnes • Linked to the Bronze requirement (as detailed in V section of the Bronze audit) 	<ol style="list-style-type: none"> 1. Any incident 2. Refusal to correct, or two incidents in twelve months 3. Ongoing non-compliance 	<ol style="list-style-type: none"> 1. Formal letter from FORS informing organisation to remove or change signage 2. Enhanced audit without suspension or full suspension dependent on organisation's response 3. Termination* <p><i>* Termination if the organisation continues to fail to meet the FORS demonstration</i></p>
<ul style="list-style-type: none"> • Offensive or distasteful warning signage on any vehicle 	<ol style="list-style-type: none"> 1. Any incident 2. Refusal to remove warning signage 3. Continued refusal to remove warning signage 	<ol style="list-style-type: none"> 1. Formal Warning asking for signage to be removed 2. Suspension 3. Termination
Logos		
<ul style="list-style-type: none"> • Incorrect FORS logo fitted 	<ol style="list-style-type: none"> 1. Any incident 	<ol style="list-style-type: none"> 1. Letter will be sent from FORS, but no response is required
<ul style="list-style-type: none"> • Displaying the FORS logo when not FORS accredited members 	<ol style="list-style-type: none"> 1. First reported incident 2. Second incident 3. Three reported incidents 	<ol style="list-style-type: none"> 1. Formal letter from FORS asking for misuse or misrepresentation to be remedied within a defined period 2. Notify the organisation of potential legal action including trademark infringement 3. Removal of FORS membership and may take legal action

Reported complaints		
<ul style="list-style-type: none"> Complaints reported to FORS <p><i>Note: offences are not limited to any time period</i></p>	<ol style="list-style-type: none"> Number of complaints received: 1-7 Number of complaints received: 8 Number of complaints received: 9 	<ol style="list-style-type: none"> Complaints noted on the FORS organisation's complaints page Formal warning letter from FORS notifying of number of complaints received and warning of possible pending enhanced audit Enhanced audit conducted <p><i>Note: Dependent on the type of complaint, the complaint will be closed after the organisation successfully completes an enhanced audit. The process will then start again.</i></p> <p><i>The enhanced audit will be conducted at a specific operating centre where the complaints are being received or at the Head Office of the organisation to ensure that a system has been put in place and is fully operational to address the complaints.</i></p>
Terms and conditions		
<ul style="list-style-type: none"> Knowingly declaring false information at time of application Knowingly providing false information at audit 	<ol style="list-style-type: none"> Any incident 	<ol style="list-style-type: none"> Termination

Note: Many of the compliance outcomes identified in this matrix are dependent on reporting by third parties. However, at Bronze audit, the auditor should be examining what compliance issues the organisations have recorded in the previous 12 months and comparing this with data retrieved from the FORS organisation's complaints page. The auditor will then compare organisation collated information and activity with the FORS organisation's complaints history and make an informed decision with regards to whether the appropriate FORS Standard section has been achieved.

Appendix 3 – Compliance and enforcement scenarios

	Scenario 1	Scenario 2	Scenario 3
Complaint source	Police	Police (via Transport for London) and Traffic Commissioners	Member of the public
Complaint summary	A large goods vehicle was involved in a serious injury collision with a cyclist. The vehicle was impounded by the police, and it was identified that it displayed FORS stickers that did not belong to the organisation involved. Enquiries revealed that the organisation was subcontracting for a larger haulier and had wrongly been given the accreditation sticker by the larger haulier. As a result, the vehicle, and the policies and procedures had not been audited by FORS to the Bronze Standard. Therefore, this organisation was displaying a FORS ID without being accredited.	A FORS organisation was reported for having no Abnormal Load Movement Order, carrying insecure load, being overloaded by 61%, and no STGO boards were fitted. The organisation was subsequently convicted in court for an abnormal load movement within the three-mile exclusion, excess lateral projection, excess train weight (x2) on the plating certificate and convicted of no Goods Vehicle operator licence. This was followed by an appearance at the Traffic Commissioner where the licence was curtailed from 16 vehicles to 10 vehicles for a period of six weeks.	An allegation was made by a member of the public that a heavy goods vehicle was driven dangerously near to a cyclist and that when the driver of the vehicle was challenged, he was aggressive and unhelpful to the cyclist. The cyclist felt that the driver had not been aware of the risks posed to the vulnerable road user by such driving behaviour.
Action taken by FORS regarding complaint	A formal FORS letter was sent to the larger haulier enquiring why their accreditation had appeared on a different organisation's vehicle. As a result of the organisation's response and lack of justification of the organisation's actions, this led to the suspension of the larger haulier from FORS. In addition, all the sub-contractors employed by the organisation and in possession of their own operator licences needed to achieve their own independent FORS accreditation. The large haulier had to pass an enhanced audit before being allowed to progress into the mandatory six-month probation period where a second enhanced audit was required to be passed prior to completion of the probation period.	FORS communicated with the organisation at each stage once this incident/information became known to FORS. Once all the information was received by FORS the organisation was suspended for a period of four weeks and had to pass an enhanced audit before being allowed to progress into the mandatory six month probation period where a second enhanced audit was required to be passed prior to completion of the probation period.	FORS records all complaints submitted where a FORS organisation/driver can be identified. The organisation was contacted and asked to explain what had happened and what steps they will take to ensure that such incidents would not occur in the future. FORS will always investigate a complaint to see if an organisation has breached the FORS Standard. FORS will review any responses.

<p>Response from FORS organisation regarding complaint</p>	<p>The organisation worked with FORS throughout the suspension period and embarked on an agreed plan to get all relevant sub-contractors accredited to Bronze under their own individual operator licences.</p>	<p>The organisation had been in correspondence with FORS throughout the process and acknowledged the period of suspension. An action plan was provided to satisfy the FORS suspension requirement and the organisation successfully undertook the enhanced audits and probation period.</p>	<p>There was a thorough response from the organisation involved. They interviewed the driver regarding the incident and took the opportunity to check on board recorded camera footage. They updated policies to ensure that all fitted cameras were fully operational, forming part of the ongoing driver daily check list. The driver was verbally warned and was required to re-sit the Cycle Safety eLearning module. Checks were made to ensure that the driver had recently completed on cycle hazard awareness training - Safe Urban Driving (SUD) course. The organisation also contacted the complainant to explain their actions.</p>
<p>Action taken by FORS regarding response</p>	<p>FORS reinstated the larger organisation following the successful completion of their suspension and probation period, and the production of a clearly documented plan moving forward to address any scope of accreditation issues.</p>	<p>The organisation complied with terms of suspension, passed the enhanced audits, provided a suitable action plan and was able to re-join FORS.</p>	<p>FORS corresponded with the organisation and was made aware of the outcome which it considered satisfactory and the matter was duly closed.</p>

Appendix 4 – Complaints and appeals escalation process

Introduction

FORS organisations who feel they have not been treated fairly by the scheme administrator or their audit provider may decide to raise a formal complaint where the issue cannot be amicably resolved. This document sets out the protocol to be followed by organisations wishing to raise a complaint against the scheme or to appeal against a decision made by the scheme.

Step by step process for members (also see Figure 1)

Complaints	Audit appeals
<ol style="list-style-type: none"> 1. You must write to the scheme administrator or your audit provider using the words 'OFFICIAL FORS COMPLAINT' in the letter or email title 2. The scheme administrator or audit provider will send you an acknowledgement and a copy of this process document which shall be followed to investigate your complaint 3. Within five working days of receipt of the complaint, the scheme administrator or audit provider will formally respond offering a resolution 	<ol style="list-style-type: none"> 1. You must write to the scheme administrator or audit provider using the words 'AUDIT APPEAL' within five working days of receiving the audit result in the letter or email title 2. The scheme administrator or audit provider will send you an acknowledgement and a copy of this process document which shall be followed to investigate your audit appeal 3. The scheme administrator will forward the complaint to the senior auditor at the audit provider. Within ten working days of receipt of the complaint the scheme administrator or audit provider will formally respond offering a resolution
<ol style="list-style-type: none"> 4. If you are not satisfied with the response from the audit provider and wish to pursue the matter further, within five working days of receipt of the response, you may appeal with 'Official FORS complaint' in the letter or email title to the scheme administrator and request that the issue be referred to senior personnel 5. Within five working days of receipt of the request to refer the matter to senior personnel, the scheme administrator will formally respond 6. If you are still not satisfied with the response from the scheme administrator and wish to pursue the matter further, you may appeal with 'Official FORS complaint' in the letter or email title and request that the issue be escalated by the scheme administrator to the FORS Governance and Standards Advisory Group (GSAG) 7. The scheme administrator will then request the FORS Governance provider to convene a panel of three nominated GSAG members. Each member of the panel will be sent all documentation relating to the complaint and will be asked to independently review the evidence and respond in writing with their recommendation 8. Within ten working days the GSAG panel must reach a majority decision and the scheme administrator will notify you of the outcome of the appeal. The decision made by the GSAG panel is final 	

Step by step complaints and audit appeals escalation process

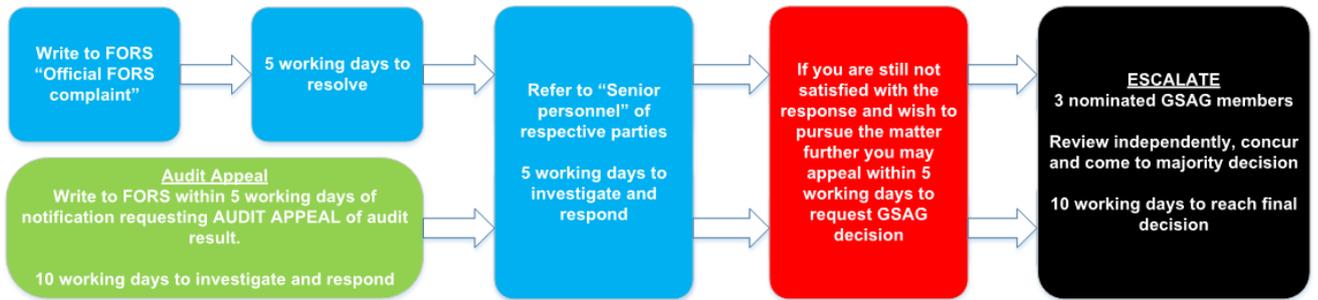


Figure 1: FORS Complaints and audit appeals escalation process