

If you need help using this or any other Highways Agency information, please call **0300 123 5000** and we will assist you.

## Putting Things Right The Highways Agency Complaints Procedure



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## About Us

The Highways Agency is an executive agency of the Department for Transport. We operate, manage, maintain and improve England's motorways and major A roads on behalf of the Secretary of State for Transport.



We aim to provide the best customer service, but there may be a time when you need to complain. We want to hear about these experiences as we are keen to learn from them so that we can improve the service we deliver.

This leaflet explains our complaints procedure but if you're not sure where to start phone our Highways Agency Information Line staff on:

**0300 123 5000**

The line is open 24 hours a day, 365 days a year, or you can send an email to:

**[ha\\_info@highways.gsi.gov.uk](mailto:ha_info@highways.gsi.gov.uk)**

You can also find out more information about many aspects of our work from our website:

**[www.highways.gov.uk](http://www.highways.gov.uk)**

If you prefer to send a letter our Information Line staff can give you the best address to write to and they can also help you with contact details of those responsible for other roads.

We aim to respond to all communications (letters, e-mails, faxes, telephone calls) within 15 working days of receiving them. This includes a complaint that has been formally recorded by one of our traffic officers. If we are going to take longer, we will let you know why and when we aim to reply.

## How to make a complaint

### Stage 1 – Resolve Locally



We aim to investigate and resolve your concern at the most appropriate level which is usually where it originated. This could be where you live, where a particular road goes, where a scheme is proposed or some concern you have with our staff who you have already been dealing with. We have a network of offices across England.

If we are at fault we will:

- Apologise and provide a full explanation of what went wrong.
- Tell you what we can do to put things right.
- Do our best to learn lessons to improve our service and prevent a recurrence.

### Stage 2 – Chief Executive

If you are not satisfied with the local service and response you receive, you can write to our Chief Executive:

Chief Executive, Highways Agency, 5th Floor,  
123 Buckingham Palace Road, London,  
SW1W 9HA

Our Chief Executive will make sure your complaint is reviewed and that you are sent a reply.

### Stage 3 – Independent Assessment

**Referral of a complaint to the Independent Complaints Assessor (ICA)**

If you think that your complaint has not been handled properly, you can ask our Chief Executive to refer it to the ICA.

The role of the ICA is to consider whether the agencies of the Department for Transport have handled a complaint appropriately and have given a reasonable decision.

Complainants, who have received a final response to their complaint from the agency concerned and are dissatisfied with it, can ask for their case to be referred to the ICA.

It does not cost you anything to have your complaint assessed by the ICA and the service is open to anyone to use.

Ian Bynoe BA OBE is the Independent Complaints Assessor. He is not a civil servant and is not part of the management of any of the agencies or the Department for Transport.

Mr Bynoe is a former practising lawyer. He has undertaken a wide range of non-executive and advisory roles, including as a Commissioner with the Independent Police Complaints Commission.

#### The ICA **can** look at complaints about:



- Bias or discrimination.
- Unfair treatment.
- Poor or misleading advice (e.g. inaccurate information has been given).
- Failure to give information.
- Mistakes.
- Unreasonable delays (e.g. where matters haven't been dealt with promptly).
- Inappropriate staff behaviour (e.g. rude responses or refusing to listen).

#### The ICA **cannot** look at:



- Matters of government, departmental or agency policy.
- Complaints where there is a specific right of determination by any court, tribunal or other body with specific jurisdiction over the matter.
- Complaints about an ongoing investigation or enquiry.
- Any complaint that has not completed the agency's own complaint process.
- Personnel and disciplinary decisions or actions.
- Any complaint that is more than six months old from the date of the final response by the agency.
- Complaints that have been or are being investigated by the Parliamentary Ombudsman.

If you are dissatisfied with the agency's handling of your complaint and you wish to have it referred to the ICA then please write to the agency concerned, setting out the reasons why you would like the ICA to consider your complaint. The agency will then pass the papers to the ICA to assess the complaint to see if it is one that he can consider.

If the ICA decides he cannot accept your complaint he will write to you to tell you why.

When the ICA accepts your complaint for review he will consider all the papers, asking for any further documents or explanations he needs from either the agency or you.

When he has completed his review he will issue a formal report with his findings and any recommendations that he considers appropriate.

There might be times where although you have not asked for an independent assessment of your case the agency concerned considers it is in the public interest for the ICA to consider the complaint. The agency will write to you if they are considering that option.

### Parliamentary Ombudsman

There may be times when you've tried resolving the complaint with us and you still think you received a poor service. If so you may want to take advice from a Member of Parliament (it need not be your local MP) about referring your complaint to the Parliamentary and Health Service Ombudsman.

Details of their service can be obtained from their website at:

[www.ombudsman.org.uk](http://www.ombudsman.org.uk)

their helpline during office hours on:

0345 015 4033

or by writing to their offices at:

Parliamentary and Health Service,  
Ombudsman,  
Millbank Tower,  
Millbank,  
London SW1P 4QP

**Our roads**  
Is it one of our roads?  
Call our Information Line on:  
**0300 123 5000**

