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| Private Hire Operator: |
| Licence Number:  |
| Complaints Policy |

**About us**

(**INSERT TRADING NAME**) is a private hire vehicle operator (hereafter “the Operator”, “we” or “us”) licensed by Broxbourne Borough Council. In order to obtain an operator’s licence, the Council must be satisfied that the operator is fit and proper to be licensed under the Local Government (Miscellaneous Provisions) Act 1976.

In line with our Hackney Carriage and Private Hire Licensing Policy adopted in July 2022, it is a requirement of our licence conditions that the Operator has a complaint policy in place setting out who to complain to and how that will be dealt by us.

We aim to provide a high quality service for our clients and this policy covers customers of our business and members of the public affected by our business.

**Our relationship with you, our customer**

Upon the acceptance of your booking for a private hire vehicle a contract of service is formed between us, the Operator and you, the customer. This contract is, unless stated or agreed otherwise, governed by law of England and Wales and falls within the protections set out in the Consumer Rights Act 2015.

When we accept your booking we will provide you with a licensed private hire vehicle and driver and meet any extra requirements that you may have requested and we have agreed to. We will allocate and despatch a vehicle and driver to you, with the expectation that the driver arrives on time with a clean and safe vehicle. The journey should be to your reasonable satisfaction – safe and comfortable and gets you to your destination at the expected time.

All our drivers and vehicles are licensed by Broxbourne Borough Council and the conduct of our drivers is regulated by them.

**Types of complaints**

Complaints are split into two categories. Those about our service and those that are about the conduct of a driver or the operator.

**Service Complaints:** These are complaints are about the performance of our service to you, which did not meet your expectations. For instance, if you experienced issues with vehicle (i.e. vehicle was too small or damaged), the ride was uncomfortable, the price was too high or the driver was late.

**Conduct Complaints:** These are complaints which relate to the behaviour of the individual which you consider to be unacceptable and outside of remit of poor service. For instance, if a driver says something offensive to you, tries to overcharge you, discriminates against you or intentionally causes harm.

Sometimes a complaint can fall into both categories. For instance if the driver gives you the wrong change it could be a simple mistake or an intentional act.

**Who to complain to:**

Complaints about our service should be made to us by telephone or in writing.

You can write to them/us at: (OPERATOR ADDRESS)

Email: (OPERATOR EMAIL)

Call: (TELEPHONE NUMBER)

Complaints about the conduct of a driver (or us) should be made to ourselves and Broxbourne Borough Council. You should email taxi@broxbourne.gov.uk to submit your complaint.

**Information we need**

The information that we need will depend on the nature of your complaint but as a general rule, we will need you to provide as much information as possible, and to do so as soon as possible after the incident.

For example, the type of information we may need is as follows:

* The pick-up/drop off locations and the time of each;
* The vehicle make, colour, reg. number and plate number;
* Description of driver and badge number,
* Description of what happened;
* Details of any witnesses;
* Details of any loss or damages incurred by you – for instance, if a driver spilt coffee on you and you had your suit dry cleaned we would need an invoice/ receipt from you.

**Complaints about our service**

All complaints about our service will be treated informally in the first instance. We will look into the matter and investigate in order to continually improve our service. You will be advised of this, and that if you wish to make a formal complaint you may do so in writing.

If you are not satisfied with our initial response or if we consider the matter to be serious we will advise you to submit a formal complaint in writing by email or post.

**Actions that we take when receiving your complaint**

We will record all complaints made, and reference the driver or vehicle that the complaint was made about.

We will deal with your complaint, so far as we are able, in the strictest confidence. However, it is likely that it will relate in part to a driver or vehicle and some details may need to be shared with the driver in order to investigate the matter. We shall only share as much detail with the driver as necessary. We will record and hold data in line with GDPR regulations when a complaint is made.

We will investigate your complaint and provide a response to you. We aim to do this in [STATE NUMBER OF DAYS………………………..] A response will be provided to you in writing.

If we uphold your complaint we will seek to address it in a number of ways:

1. by apologising to you;
2. Providing you with some form of compensation or good will gesture;
3. Recompensing you for any loss, damage or suffering;
4. Referring the matter to the Council if necessary;
5. Referring the matter to the Police if necessary;

If we do not agree with your complaint we will inform you and refer you to this document of other actions that you may have open to you.

**Matters to be referred to the Council or Police**

As we are regulated by the Council you may complain to them in the first instance. However, where a complaint relates to service the Council will not normally investigate and will refer to us. We ask that customers do not complain to the Council about the service we provide without first giving us the option to address your matter.

Some matters we cannot resolve, and whilst we welcome you letting us know, it is important that you let the appropriate authorities know. Due to data protection issues we cannot complain to them on your behalf.

If you allege that a crime has occurred you must report it to the police. If you are unhappy with the conduct of a driver or an individual working for the operator you should submit your complaint to the

Operator. As part of our licence conditions, the operator shall immediately notify the Council in writing of any complaint concerning the standard of any vehicle or a complaint against the driver.

We will, however, refer to the Police and Council where an allegation is made that a criminal offence of a violent, sexual or dishonest nature is alleged. We will not pass on your details and request that you make the complaint to them. However, if you do not make a complaint to them the Police or Council may request your details under the exemptions of the Data Protection Act.

**If you are not satisfied with our response**

If you are not happy with our response you can email the Council, taxi@broxbourne.gov.uk and explain your complaint and the reasons you remain dissatisfied. You should forward on to them all the communication you have had with us. The Council will let you know if they think the nature of your complaint is within their remit.

Alternatively, you may wish to seek your own independent legal advice about the matter.

To discuss a complaint with us or contact us about our policy please contact: (insert name, position, number, email etc. of appropriate person).