



# **IAM RoadSmart**

## **Suspension and Removal of Observer Qualification Policy**



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## History and revisions

Version	Created by	Document Classification	Revision History	Date Published
V1.00	Amanda Smith	Unrestricted	Created	April 2019
V1.01	Nichola Mason	Unrestricted	Added paragraph two in the section Data Protection on page 6	26/10/2020
V1.02	Nichola Mason	Unrestricted	Reviewed no amendments	14/07/2021
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## Authorisation

Version	Authorised by	Department	Date
V1.00	Mike Quinton	CEO	02/04/2019
V1.01	Richard Gladman	Head of Driving & Riding Standards	26/10/2020
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# IAM RoadSmart



## Suspension and Removal of Observer Qualification Policy

### **Introduction**

#### **Purpose of the policy**

IAM RoadSmart recognises that there may be occasions where it is necessary to suspend or remove an individual to act as an Observer. The purpose of this policy is to identify the circumstances in which suspension/removal should be considered and outlines the procedures to be followed. Wherever possible we will seek alternatives to suspension and attempt to resolve the issues that have arisen.

#### **Investigation**

An investigation is a fair and unbiased method of investigating allegations made against an observer prior to any formal action being considered. The process of investigation allows the observer the opportunity to answer any issues of concern raised against them. Investigations are to be confidential with the report being shared with the supporting line manager, senior manager and relevant Group Committee members (Group Chair).

#### **Principles**

The act of suspension is a neutral act and is without prejudice. It is not a disciplinary action and does not imply there has been any misconduct and will not be seen to be a predetermination of an outcome. It is recognised that suspension can be stressful for the individual and may have an impact on service delivery; therefore suspension will only be applied where it is felt it is necessary and all alternatives have been considered. It is an action taken for the best interests of all parties concerned.

#### **Policy Statement**

IAM RoadSmart recognises that there may be occasions where it is necessary to suspend or remove an observer from their duties. The decision to suspend can be made for a number of reasons some of which are outlined in the following section but should only occur as a last resort.

Before suspension can take place the Area Service Delivery Manager should gather as much information as possible relating to the allegations that have come to light, recording all accounts as appropriate.

Where suspension is appropriate the procedure will always be conducted in a fair and supportive manner in consultation with the Head of Field Service Delivery.

## Responsibilities

The Head of Field Service Delivery is responsible for:

- the implementation of this policy;
- providing training on the policy;
- reviewing the effectiveness of the policy;
- providing support and guidance to managers on the application of this policy and advising on timescales

The Area Service Delivery Manager is responsible for:

- Ensuring any act of suspension is conducted in a fair and equitable manner in line with the procedure outlined in the policy; and
- gather as much preliminary information as possible relating to the allegation that has come to light, liaising as appropriate with the relevant people;
- consult with senior manager where appropriate before suspending an Observer;
- consider the options available as an alternative to suspension;
- consider suspension as a last resort to alternative measures;
- ensure any decisions made are in line with IAM RoadSmart's Equality and Diversity Policy;
- ensure the suspension procedure is adhered to and the Observer is supported throughout the procedure;
- keep in regular contact with the suspended Observer throughout the suspension period; and • review the suspension at appropriate intervals

## Grounds for suspension

Possible reasons for suspension are listed below; however this list is not exhaustive:

- Failing to comply with IAM RoadSmart policies or codes of conduct
- Failing to comply with IAM RoadSmart IMI observer competencies
- Failing to comply with IAM RoadSmart driving or riding standards
- Improper use of IT equipment and software in the Observer role

This will ensure that both IAM RoadSmart and the Observer are protected whilst a transparent investigation takes place.

## The Suspension Meeting

If the decision is taken to suspend an observer, the ASDM should meet with the Observer as soon as possible to inform him/her of their decision. Where possible this meeting should be face to face and should take place in a private area with steps taken to avoid interruptions.

The Observer should be given reasonable time ahead of the suspension meeting to make any arrangements.

The ASDM should inform the Observer of the allegation and their decision to suspend whilst the allegation is being investigated.

After the meeting a letter confirming the details of the suspension meeting should be sent by Recorded Delivery to the Observer's home address within two working days. (Address details should be confirmed with the Observer during the meeting.) Alternatively, by agreement, this can be sent via email to an agreed email address.

### **Findings of the investigation**

At the end of the investigation, the ASDM will produce a report outlining the findings of the investigation. Based on the information contained in the investigation report the Head of Field Service Delivery will decide the appropriate action, this could result in the removal of the Observers from this role.

### **Keeping records**

It is important to keep written records during this process. Records should include:

- The allegation against the Observer
- Findings made and actions taken
- Reason for actions taken
- Whether an appeal was lodged
- The outcome of the appeal

Records should be treated as confidential and be kept no longer than necessary in accordance with the Data Protection Act 2018, which gives individuals the right to request and have access to certain personal data. Copies of investigation meeting records should be given to the Observer concerned although in certain circumstances, it may be appropriate to withhold certain information, for example to protect a witness.

### **Data protection**

IAM RoadSmart processes personal data collected during the investigation stage and any subsequent stages of the Suspension and Removal procedure in accordance with data protection legislation. In particular, data collected as part of the investigation stage and any subsequent stages of the Suspension and Removal procedure is held securely and accessed by, and disclosed to, individuals for the purpose of completing the Suspension and Removal process.

IAM RoadSmart may share your IMI Qualification results/report and notify affiliated group committees of any observer suspensions to manage any aspect of the product or service we provide.

Inappropriate access to, or disclosure of, personal data constitutes a data breach and should be reported to the IAM RoadSmart's Data Protection Officer via email [data.protection@iam.org.uk](mailto:data.protection@iam.org.uk) immediately. It may also constitute a disciplinary offence, which will be handled under this disciplinary procedure.