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Agency Workers' Complaints Policy

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To be reviewed (annually): August 2021

Version number: 2

Agency Workers' Complaints Policy

1. Policy Statement

The Tes supply agencies are committed to ensuring that any concerns and complaints are dealt with as quickly and appropriately as possible. In addition, concerns and complaints brought to the attention of the Tes supply agencies can be an opportunity to inform, review and help improve the companies' procedures.

2. Aims and Principles of the Policy

This policy aims to:

- Encourage the resolution of concerns and complaints by informal means wherever possible.
- Ensure that concerns are dealt with quickly, fully and fairly and within defined time limits where possible.
- Provide effective and appropriate responses to concerns and complaints.
- Maintain good working relationships between the Tes supply agencies and all those involved.

Key principles of the policy are:

- Accessibility – useable format, free from jargon, assuming no specialist knowledge.
- Good communication – clarification of the process involved in dealing with complaints.
- Clear and adhered to recommended timescales where appropriate.
- Clarity of roles and responsibilities of those involved in the process.
- Appropriate confidentiality which must be maintained by all involved in the process.

3. Recording Complaints

Complaints may be verbal or written in nature and all complaints should be taken seriously. Where a verbal complaint is made, the following information should be obtained and recorded:

- Name of the complainant.
- Date and time when complaint was made.
- Details of the nature of the complaint.
- Desired outcome of the complainant.
- How the complaint is being investigated including written records of any interviews held.
- Results and conclusions of investigations.
- Any action taken.
- The complainant's response.
- Any subsequent action if required.

A practical guide for handling verbal complaints can be found in **Appendix 1**.

If you have a complaint, please contact Sylvie Reid, Strategic Project Manager, so that we can try to resolve your complaint informally.

4. Upholding/Not Upholding Complaints

At each stage of the complaints process, the conclusion will be either:

- That the complaint is upheld (in part or in full) and where appropriate some form of action is taken, **OR**
- That the complaint is not upheld and reason(s) for this, where appropriate, are clearly stated.

In the first instance of receiving a complaint it may be appropriate to resolve the issue by offering the complainant one or more of the following:

- An empathetic response.
- An explanation of events.
- Recognition that the situation could have been handled differently or better.
- An explanation of the steps that have been taken to ensure that it will not happen again. However, this must not include any information or detailed action taken against or involving a member of staff.
- An undertaking to review policies and procedures in light of the findings of the complaint.

The complainant may choose to take no further action or take their complaint to the next stage.

5. Stages of the Complaints Process

Stage 1 (also known as the Informal Stage)

The complainant raises and discusses their complaint with the consultant. Most concerns can be resolved satisfactorily at this stage. However, the consultant may feel it more appropriate to refer the complainant to a senior manager who will try to resolve the concern informally.

Stage 2 (also known as the Formal Stage)

If the complainant remains unhappy with the outcome of the informal stage, then they should put their complaint in writing to the company. Sylvie Reid (or their nominated representative) will then investigate the complaint and respond within agreed timescales. An acknowledgement of their complaint will be sent within five working days and a response within 14 working days of receiving the complaint. If it is not possible to meet these timescales, then Sylvie Reid will contact the complainant to discuss reviewing these.

If the complaint is against the hiring school or staff not employed by the Tes supply agencies, we may need to liaise with the school and share information as appropriate to resolve the issue informally.

Stage 3 (also known as the Appeal Stage)

If the complainant remains unsatisfied by the outcome of the Formal Stage, they may appeal to Fiona Baker, Operations Director for the Tes supply agencies, who will investigate if the complaints process has been followed appropriately.

Stage 4 (also known as the External Stage)

If you think there are unresolved issues that come under the Recruitment and Employment Confederation's (REC) remit, you may refer the matter to REC by completing the REC complaint form. Please also ensure any documentary evidence is attached as the decision to proceed with any complaint will be based on the information provided.

What is not covered by this Agency Workers' Complaints Policy

- Complaints about entitlement to usurp or avoid our requirements to adhere to Agency Workers' Regulations (AWR) legislation and rights.
- Issues relating to child protection and safeguarding. In the first instance, contact the Local Authority's Designated Officer (LADO) for child protection at the appropriate authority office.
- Criminal investigations. These should be referred to the police.
- Ofsted has some powers to investigate complaints, but they do suggest the complainant discusses their complaint directly with the hiring school in the first instance. Where this is applicable, the Tes supply agency will share such information as may be appropriate with parties to resolve the issue.
- CCS Framework complaints. Please refer to the CCS Framework Information Sheet for dealing with complaints relating to the CCS Framework.

6. Model Complaints Procedure

