AWR INFORMAL COMPLAINTS & RESOLUTION PROCEDURE

Agency Workers Regulations 2010

Grade A Recruitment Ltd

1. Purpose

Grade A Recruitment aims to identify and resolve Agency Workers Regulations (AWR) queries quickly, fairly and informally wherever possible. This procedure provides staff with a clear process for dealing with a candidate or temporary worker who believes their AWR rights may not have been applied correctly.

2. AWR rights to consider

When an AWR query is raised, Grade A will consider the rights relevant to the worker and assignment, including:

- Day 1 access to collective facilities and amenities at the hirer's workplace, and access to information about relevant vacancies;
- after completion of the 12-week qualifying period in the same role with the same hirer, entitlement to the relevant basic working and employment conditions as if recruited directly, subject to the Regulations;
- whether previous assignments, breaks, changes of role or other circumstances affect the qualifying clock; and
- whether the information supplied by the hirer about relevant terms and conditions is complete and up to date.

3. Informal resolution process

Step 1 – Listen and record
The consultant or staff member receiving the query should listen to the worker's concern, establish what AWR right they believe is affected and make a brief written record.

Step 2 – Check the assignment
Check the worker's assignment history, start date, hirer, role, working pattern and any relevant breaks or previous assignments to establish their AWR qualifying position.

Step 3 – Check the terms
Review the worker's current pay and relevant working conditions and compare these with the information Grade A has obtained from the hirer where the 12-week rights apply.

Step 4 – Liaise with the client
Where further information or clarification is needed, contact the school, trust or other hirer promptly. Ask for the relevant information required to assess the worker's AWR entitlement.

Step 5 – Explain and resolve
Explain the outcome clearly to the worker. Where an error is identified, Grade A will work with payroll and/or the hirer to correct it promptly and consider whether any backdated adjustment is required.

Step 6 – Record the outcome
Record the checks undertaken, information obtained, outcome, action taken and date the worker was informed.

4. Escalation

If the matter cannot be resolved informally, if there is disagreement about the worker's entitlement, or if the issue is significant or repeated, it should be escalated to the Operations Director. The worker should also be advised that they may use Grade A's formal Complaints Procedure.

Grade A will not disadvantage a worker for raising a genuine AWR query or complaint. Where necessary, appropriate employment or legal guidance will be sought.

5. Responsibilities

- Consultants: identify AWR queries, record them and escalate where required.
- Payroll / administration: check assignment and pay information and process authorised corrections.
- Operations Director: oversee unresolved or complex AWR matters and ensure appropriate action is taken.
- All staff: ensure AWR queries are handled promptly, professionally and consistently.

6. Records and monitoring

A record of AWR queries and their resolution should be retained securely. Repeated issues or trends should be reviewed to identify whether changes are required to client information gathering, assignment records, payroll processes or staff training.

AWR QUERY / INFORMAL RESOLUTION RECORD

Worker name: _____

Consultant / staff member: _____

Client / hirer: _____

Assignment / role: _____

Assignment start date: _____

Date query raised: _____

Nature of AWR query

_____

_____

_____

_____

_____

_____

Checks completed

☐ Assignment history and 12-week qualifying period checked

☐ Relevant breaks / previous assignments considered

☐ Current pay and relevant terms checked

☐ Client / hirer information checked or requested

☐ Payroll information checked where applicable

Client / hirer information or discussion

_____

_____

_____

_____

_____

_____

Outcome and action taken

_____

_____

_____

_____

_____

_____

_____

_____

Resolved informally: ☐ Yes ☐ No

Escalated to Operations Director / formal complaints procedure: ☐ Yes ☐ No

Date worker informed: _____

Follow-up date (if required): _____

Completed by: _____

Manager review / initials: _____

This record should be retained securely with the relevant AWR / assignment records in accordance with Grade A Recruitment's data retention requirements.