

APSCO OutSource Complaints Procedure

1. Purpose

- 1.1.** To provide a mechanism for people (including clients, supply partners, candidates and contractors) to complain that APSCO OutSource members have broken an APSCO OutSource code of conduct;
- 1.2.** To ensure that all complaints received are properly investigated and a decision taken in good time as to whether the complaint, in whole or part, should be upheld or rejected;
- 1.3.** To ensure that, where complaints are upheld, appropriate corrective action is taken to rectify the mistake and to help prevent recurrence.

2. Applicability

All APSCO OutSource members are bound by one of APSCO OutSource's codes of conduct. This procedure applies to any complaint received by APSCO OutSource from any person that a member has broken an APSCO OutSource code of conduct. Complaints must be made to APSCO OutSource no more than 3 months after the date of the alleged breach of the code.

3. Responsibility

The Managing Director is responsible for the implementation of this procedure.

4. Complaints

- 4.1.** Complaints that an APSCO OutSource member has breached an APSCO OutSource code of conduct can be raised to complaints@apsco.org by:
 - 4.1.1.** a client, candidate, contractor, supply partner or third party, or
 - 4.1.2.** another APSCO OutSource member in relation to a member.
- 4.2.** When a complaint is received APSCO OutSource shall,
 - 4.2.1.** record the complaint using a unique reference number;
 - 4.2.2.** write to or call the complainant acknowledging the complaint, asking for further details (if necessary) and explaining to the complainant this process; and
 - 4.2.3.** consider whether the complaint is in respect of a commercial dispute, which are not in scope of the complaints procedure.
- 4.3.** On receipt of full details from the complainant, APSCO OutSource shall contact the APSCO OutSource member about whom the complaint has been received, advising them of the details, and asking them to state briefly the current state of any discussion between the relevant parties.
- 4.4.** Where the complainant and the member are still in discussion about the complaint, APSCO OutSource may, at its discretion, suspend this procedure until such discussions have come to an end. If APSCO OutSource does suspend this procedure, it shall inform the parties to the complaint that:
 - 4.4.1.** the procedure has been suspended pending outcome of their discussions;
 - 4.4.2.** it will resume the procedure if discussions do not resolve the complaint; and
 - 4.4.3.** ask the parties to keep APSCO OutSource informed of the progress of such discussions.
- 4.5.** Either party may write to APSCO OutSource during a period of suspension and ask that APSCO OutSource resumes the procedure; such request to be granted at APSCO OutSource's discretion.
- 4.6.** Electronic copies of emails and other correspondence are kept on APSCO OutSource's server in accordance with its privacy notice.
- 4.7.** In the event of a complaint being received against the Managing Director the copy correspondence should be passed to the Chairperson of the Representative Committee who then performs the role of the Managing Director outlined in this procedure.

4.8. In the event of a Committee Member or other officer receiving a complaint which has not been recorded by the Managing Director, that Committee Member or other officer must pass details of the complaint to the Managing Director as soon as possible.

4.9. APSCO OutSource shall use its discretion to decide whether to reporting the member to the Employment Agencies Standards team at the Department for Business, Innovation and Skills at any point in the complaints process.

5. Complaints Process

5.1. In the first instance, APSCO OutSource shall appoint one of APSCO group's senior staff members to use reasonable endeavours to handle the complaint (the Complaint Assessor). In so doing, that person may speak to and request information from the complainant, the APSCO OutSource member about whom the complaint has been made and any relevant third party.

5.2. Once a decision on the complaint has been made APSCO OutSource shall write to the complainant and the member about whom the complaint was made to confirm the outcome. APSCO OutSource shall also notify the member of any non-conformity to the APSCO OutSource code.

5.3. The member should then advise APSCO OutSource on steps it intends to take to address non-conformities and APSCO OutSource shall review at an appropriate date to ensure such steps are taken.

5.4. The Complainant or APSCO OutSource member can appeal the outcome of the Complaint within seven days of receipt.

5.5. In the event of a very serious complaint the Complaint Assessor can unilaterally decide to immediately escalate the complaint to be handled in accordance with the Appeals Process.

6. Appeals Process

6.1. An appeal will be handled by the Managing Director (or someone of a similar managerial level)

6.2. The Managing Director shall review the outcome of the Complaints Process and may contact the complainant and APSCO OutSource member to obtain further information if necessary.

6.3. The Managing Director will then confirm whether the Complaints Outcome is upheld or will issue a revised Complaints Outcome, which may include transfer to the Investigatory Committee in the event of serious breach of an APSCO OutSource Code of Conduct.

6.4. The Managing Director's decision on appeal is final and there is no further right of appeal.

7. Investigatory Committee

7.1. Should the Managing Director escalate a complaint to Stage 7 then; the Managing Director shall appoint an Investigatory Committee comprising:

7.1.1. The Managing Director

7.1.2. Two current members of the APSCO Representative Committee who are in no way connected with the complaint, including the Chief Executive of the APSCO group

7.1.3. If the Managing Director deems it necessary: an external professional organisation with relevant knowledge, skills and experience.

7.2. The Investigatory Committee shall be responsible for investigating the complaint and shall disband at the conclusion of the investigation.

7.3. The Investigatory Committee shall investigate the complaint fairly and promptly.

7.4. In carrying out its investigation, the Investigatory Committee may:

7.4.1. ask questions in writing of any relevant party

7.4.2. ask any relevant party to supply relevant documentation and information

7.4.3. interview the parties to the complaint.

7.5. When the Investigatory Committee has concluded its investigation, it shall report to the Representative Committee setting out its findings and making recommendations for action.

7.6. The Representative Committee may request that the Investigatory Committee carries out specific, further investigation before it makes a final decision.

7.7. The Representative Committee may decide to uphold or reject all or parts of the complaint.

7.8. If the Representative Committee upholds all or part of a complaint, it may make any or a combination of the following sanctions: 7.8.1. Imposition of a fine, to be given by APSCO OutSource to charity. The fine may not exceed the price of a year's APSCO OutSource membership.

7.8.2. Warning that further breaches of APSCO OutSource's code of conduct may result in further disciplinary action, including expulsion from APSCO OutSource.

7.8.3. Suspension from APSCO OutSource for a specific period or until remedial action is taken to the reasonable satisfaction of the Managing Director.

7.8.4. Expulsion from APSCO OutSource.

7.8.5. Reporting the member to the Employment Agencies Standards team at the Department for Business, Innovation and Skills.

7.9. The Representative Committee's decision shall be in writing.

7.10. At the conclusion of this procedure, APSCO OutSource shall write to the relevant parties setting out in full the Representative Committee's decision.