

Complaints Policy

Date: 13th November 2020

Review Date: 13th November 2021

1. Introduction

Prospero Group follow strict standards in order to ensure that all Candidates that we supply to our Clients are of the highest professional and personal calibre. We take seriously any concerns raised regarding our staff and our Candidates (and the organisations that we place Candidates in).

This policy gives details of what action we will take when concerns are raised with us and should be raised alongside our Temporary Worker Code of Conduct, Safeguarding Policy and Allegations & Misconduct Policy.

2. Scope of the Policy

This policy applies to anyone employed by Prospero Group including our Directors, staff, and any work placement/volunteers or anyone registered with us as a Candidate.

Any member of staff or Candidate who wishes to raise a concern regarding their conditions at work (or similar) should do so through the Company Grievance procedures and also refer to the Whistleblowing Policy.

Any organisation or service wishing to complain about our services, or the suitability/capacity of any Candidate placed with them should do so under this procedure.

3. Where there are concerns that an adult may have harmed or be a risk or be unsuitable work to children

A concern may be raised against an adult which suggests that they may be a risk to a child. This includes people who may:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child;
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

If a concern meets these criteria, then the process outlined in Prospero Group's Allegations & Misconduct Policy should be followed.

4. Complaints

The details of any complaint against a Candidate or member of staff is processed in a central incident file/in their respective electronic file on our system.

When we receive a complaint, we explain our procedures for handling complaints and ask the Candidate or member of staff in question if they would like us to commence a process accordingly.

Candidates

Complaints concerning Candidates will be brought to the attention of the Candidate by their consultant. Together they will discuss the complaint and the consultants will give warnings where necessary. The details of the discussion and any warnings will be documented on the Candidate's record. Candidates will be told that if the behaviour is repeated or any further complaints are received, it will result in further warnings and ultimately could lead to the removal from Prospero Group's register. Examples of complaints include the following:

- Professional conduct concerns
- Failure to follow instructions, if applicable.
- Lateness.
- Failure to carry out minor duties, such as cleaning up.
- Unsuitable attire.

Clients

Consultants will encourage Candidates to speak openly about their experience with the role and the workplace in which they have been placed. Candidate comments will be treated in confidence unless it is agreed with the Candidate to raise the issue with the Client. The consultant will act on behalf of the Candidate to help resolve any issues causing difficulty for them.

Complaints which do not meet the criteria for an allegation (see above) but are of a serious nature regarding the behaviour of Client staff, will be communicated to Complaints@prosperoteaching.com and/or relevant governing body.

5. Internal investigation procedures

Where appropriate, Prospero Group will undertake an internal investigation into the complaint.

Stage 1

The complaint should be communicated to Prospero Group by email to Complaints@prosperoteaching.com, explaining the nature of the complaint and how it has arisen.

If the complainant is a Client, the Client will be asked the following questions:

- Do you wish to terminate the engagement with the Candidate?
- Do you want to terminate immediately or wait until an investigation has been carried out?
- Would you like a replacement Candidate?

If the complainant is a Candidate, the Candidate will be asked the following questions:

- Do you wish to terminate the engagement?
- Do you want to terminate immediately or wait until an investigation has been carried out?

Prospero Group must be informed immediately of all serious allegations made against Candidates or Clients.

Stage 2

Prospero Group will inform the complainant that we conduct our own investigation. We will also explain the process of that investigation. A written statement will be requested from the complainant, together with any supporting documentation of the incident or incidents.

If the complaint is aimed towards a Candidate, Prospero Group will build up a profile of the Candidate based on their original clearance checks, references and feedback from previous Clients since working for Prospero Group in order to assess the nature of the incident.

Stage 3

The complainee is notified about the complaint and is asked for their version of the events. Confidentiality is maintained on a need-to-know basis.

If the complainee is a Client, they will be asked to discuss the matter over the phone or in person. If the complainee is a Candidate, they are asked to attend a face-to-face review meeting. During this meeting the alleged incident will be discussed in detail, so Prospero Group can evaluate the Candidates' ability to continue working for Prospero Group.

During the complaint, if it becomes apparent that the complaint is more serious and meets the criteria for an allegation then you should revert to the allegations policy and follow that.

Stage 4

Prospero Group informs the complainant of the steps that have been taken and of the outcome of the investigation. The complainant is advised that if the matter cannot be resolved and that the seriousness of the allegation warrants further action, to adopt whatever measures would normally come into force to meet legal requirements.

If the issue needs to be resolved through any authority involvement, Prospero Group will be guided by the authority's decision when considering working with the complainant subsequently.

Stage 5

If the complainee is a Candidate with an unblemished record and where a genuine error in professional practice has been made, Prospero Group will go through the Rules of Engagement with the Candidate and require the Candidate to resign the terms. If required, additional training will be given. In the event of repetitive minor misdemeanours and where complaints are continually being made (by the same or different Clients), we will take action and make a decision to remove the Candidate from Prospero Group's register.

All Candidates returning to work for Prospero Group after a review meeting are closely monitored on returning and relevant notes are kept on their file.

If Prospero Group is still concerned about a Candidate's ability to return to work after their practice review meeting, the matter will be referred to the relevant member of staff. For issues defined as professional incompetence or serious misconduct which have been the subject of an investigation and which have been proven to the satisfaction of the relevant member of staff of Prospero Group, a Candidate will be immediately removed from Prospero Group's register. If a Candidate is removed from Prospero Group's register, the Candidate and the relevant authorities will be informed, (for example the Disclosure and Barring Service). Affected Clients will also be informed.

6. Complaints against Prospero Group

It is our utmost priority that incidents and complaints are dealt with in a fair manner. If a complaint were to be made against Prospero Group by either a Candidate or a Client, the matter would be referred to the relevant member of staff who would decide which course of action would be most appropriate to follow in accordance with the Prospero Group Grievance Policy. To ensure the complainant is kept informed at all stages of the process, reports are issued either verbally or in writing. Support is given to both parties until a satisfactory conclusion is reached.

7. Whistleblowing Policy

This statement should be read alongside Prospero Group's Whistleblowing Policy.

Prospero Group encourages a free and open culture in dealings between its managers, employees and all people with whom it engages in business and legal relations. In particular, this company recognises that effective and honest communication is essential if concerns about breaches or failures are to be effectively dealt with and the company's success ensured.

This policy is designed to provide guidance to all those who work with or within the company who may from time to time feel that they need to raise certain issues relating to the company with someone in confidence.

Workers who in the public interest raise genuine concerns under this policy will not under any circumstances be subjected to any form of detriment or disadvantage as a result of having raised their concerns. For further details, see Prospero Group's Whistleblowing Policy.

We endeavour to send you an acknowledgment of your complaint within 10 working days and confirm what will happen next. This will be communicated by either letter or email, depending on how the complaint was received. We will also let you know the name of the person who will be dealing with your complaint.

We will then investigate your complaint. This will normally involve the following steps;

- Examining your records on our customer database;
- Speaking to the person/s you have dealt with and any other relevant parties;
- We may request further information from you as appropriate.

We will let you know of the outcome of this review within 15 days of acknowledgement. However, if you have raised a request for access to information held about you on our system ("Subject Access Request") we may take up to one month to respond to you, subject to data protection legislation.

If we have to change any of the time scales above, we will let you know and explain why.

Escalating Your Complaint

Following Prospero Group's response to your complaint, if you feel we have been unable to resolve your complaint satisfactorily, you can ask for your complaint to be referred to The Association of Professional Staffing Companies Limited (APSCo) for further investigation or you can contact the EAS (Employment Agency Standards Inspectorate).

Association of Professional Staffing Companies (APSCo) – complaints@apsco.org

Employment Agency Standards Inspectorate

Contact the [ACAS Helpline](#) or complete a [complaint form](#) at GOV.UK - pay and work rights complaints.