

Agency Workers Regulations (AWR) Complaints

Introduction

Legislation came into force on 1 October 2011, giving agency workers the entitlement to the same basic employment and working conditions as if they had been recruited directly, if and when they complete a qualifying period of 12 weeks in the same job. This document applies to all contractors and clients and should be read in conjunction with the AWR Guidance document and the Equal Opportunities, Diversity and Inclusion Policy and the Complaints and Disciplinary Policy.

Statement of Intent

On receipt of any formal written requests received from contractors about any aspect of equal treatment, Axcis Education will action and respond within 28 days.

Procedures

Axcis Education will request relevant information relating to the basic working and employment conditions of the contractor from the hirer. The contractor will be required to detail their current employment conditions and list the areas where they feel they are not receiving equal treatment.

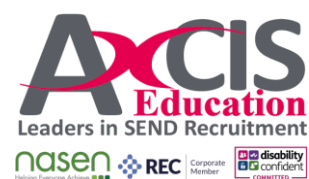
Axcis Education will act reasonable in determining what working terms and employment conditions the contractor should be engaged under once the 12 week qualifying period has been reached. Axcis Education will ensure that it provides the contractor with those working and employment conditions.

The Regulations state that if a qualifying contractor does not receive equal treatment (basic working and employment conditions), then they can pursue a claim in an Employment Tribunal against either the agency or the client (or both). An Employment Tribunal will analyse the facts to determine to what extent each party is responsible for the breach of the Regulations. This means that when determining what compensation will be awarded to a contractor who is successful in bringing a claim, the Employment Tribunal can apportion the award against the party or parties which it concludes is/are responsible for the failure to provide equal treatment.

On receipt of the contractor's detailed request regarding unfair treatment, Axcis Education will liaise with the end hirer to ascertain the working conditions of the contractor. Axcis Education will investigate the areas where the contractor has stated they are not receiving fair treatment and if necessary, visit the school/unit or client where the contractor is working. Axcis Education will agree with the end hirer the terms and conditions of the employment and discuss any areas of dispute and where necessary seek changes to ensure the contractor receives fair treatment. Axcis Education will act on behalf of the contractor to ensure a speedy resolution.

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Communicating this Policy

This guidance will be communicated to contractors at their initial induction interview / briefing and thereafter from time to time, as determined appropriate by Axcis Education. This guidance is available on the Axcis Education website and is communicated to all clients.

The contact details for Axcis Education are as follows:

Contact Point	Number or e-mail	Notes
Landline	020 7580 2956	Use during office hours
Martin Keddie	0207 580 2956	Associate Director – HR & Candidate Management
Sara Wills	0207 580 2956	HR & Training Director
E-mails	martin@axcis.co.uk sara@axcis.co.uk	E-mails are periodically checked out of hours

Signed: *Paul Gold*

Position: CEO

Date: 12th September 2024

Revision date: Annually

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