

Recruiter Accreditation Scheme Compliance Framework

July 2020

Overview: MRS Recruiter Accreditation Scheme Compliance Framework

MRS as the regulator and Code-holder for market, social and opinion research is responsible for setting the legal and ethical standards which underpin the Recruiter Accreditation Scheme (RAS)

This Guide sets out an overview of the compliance framework that will underpin the RAS.

Recruiter Regulations

The RAS is underpinned by the MRS Code of Conduct and the following mandatory regulatory guidelines:

- **Qualitative Research Recruitment – Legal Requirements and Best Practice: Regulations for Recruiters** are binding on all Company Partners, RAS Company Partners and members plus all accredited recruiters.
- **MRS Regulations for Buying of Qualitative Research Recruitment Services** are binding on Company Partners, RAS Company Partners and members, where they are in a position of authority which includes the selection and use of research services and suppliers.

Disciplinary and Complaints Regulations

Underpinning the Recruiter Regulations are self-regulatory support mechanisms should any complaints arise regarding accredited recruiters. **By becoming accredited individual recruiters become members of the MRS and organisations RAS accredited organisations.**

Both individual membership and RAS are supported by complaint and compliance mechanisms which would be used to investigate any complaints that the MRS Code and its associated Regulations and guidelines are not being upheld by accredited recruiters and/or accredited recruiter organisations.

If a complaint is received that indicates the MRS Code of Conduct and/or the associated Recruiter Regulations have been breached:

- individuals will be subject to the [MRS Disciplinary Regulations](#) which underpins the Recruiter Accreditation Scheme for individuals
- companies which are not Company Partners and are RAS accredited companies will also be subject to the [MRS Disciplinary Regulations](#).
- organisations which are Company Partners will be subject to the [MRS Company Partner Complaint Procedure](#).

The internal and external bodies involved in the disciplinary and complaints process are:

- **Market Research Standards Board (MRSB):** Appointed by the MRS Main Board and responsible for setting and regulating the Recruiter Accreditation Scheme standards. MRSB develops new regulatory guidance and investigates breaches of the MRS Code of Conduct using the disciplinary regulations and/or company partner complaint procedure.
- **Standards Department:** MRS professional staff team involved in developing the standards framework and supporting the MRSB. The Department operates Codeline which can be contacted by email codeline@mrs.org.uk for advice to help you understand, interpret and, most importantly, keep within the rules.
- **Investigations Committee /Quality Commitment Investigations Committee:** Standing sub-committees of 3 members of the MRSB to consider complaints about breaches of the MRS Code and/or the MRS Company Partner Quality Commitment, respectively.
- **Disciplinary Authority:** Comprised of independent members and MRS Fellows from which 2 independent members and one Fellow are drawn to conduct a tribunal for all cases where individual members contest the initial disciplinary findings by MRSB.
- **Reviewer of Complaints:** Independent barrister or solicitor who considers applications for review of MRSB decisions where there is no case to be pursued.

Duty to co-operate with the disciplinary/complaints process

All parties are required to co-operate with any investigation of the matter by the MRSB. This means that MRSB expects

- Timely co-operation with MRSB and investigations process
- Members will establish and follow a transparent internal complaints process¹
- Adoption of a professional approach to the compliance process (e.g. attempting to contact the investigating committee or in any other way subvert the disciplinary process)

The following sections set out the separate and different compliance process for individual recruiter members and companies which are Company Partners.

Individual Disciplinary Process

This section sets out a summary of the procedures that will be used to investigate and determine complaints against individual recruiters. Although where there is more than one MRS Member is involved in a matter under complaint, the MRS reserves the right to proceed with an investigation against all such Members, it will usually apply its discretion to proceed only against the most senior MRS Member(s) involved.

For more detailed guidance please see MRS Disciplinary Regulations: <https://www.mrs.org.uk/pdf/MRS%20Disciplinary%20Regulations%2014.06.2017.pdf>

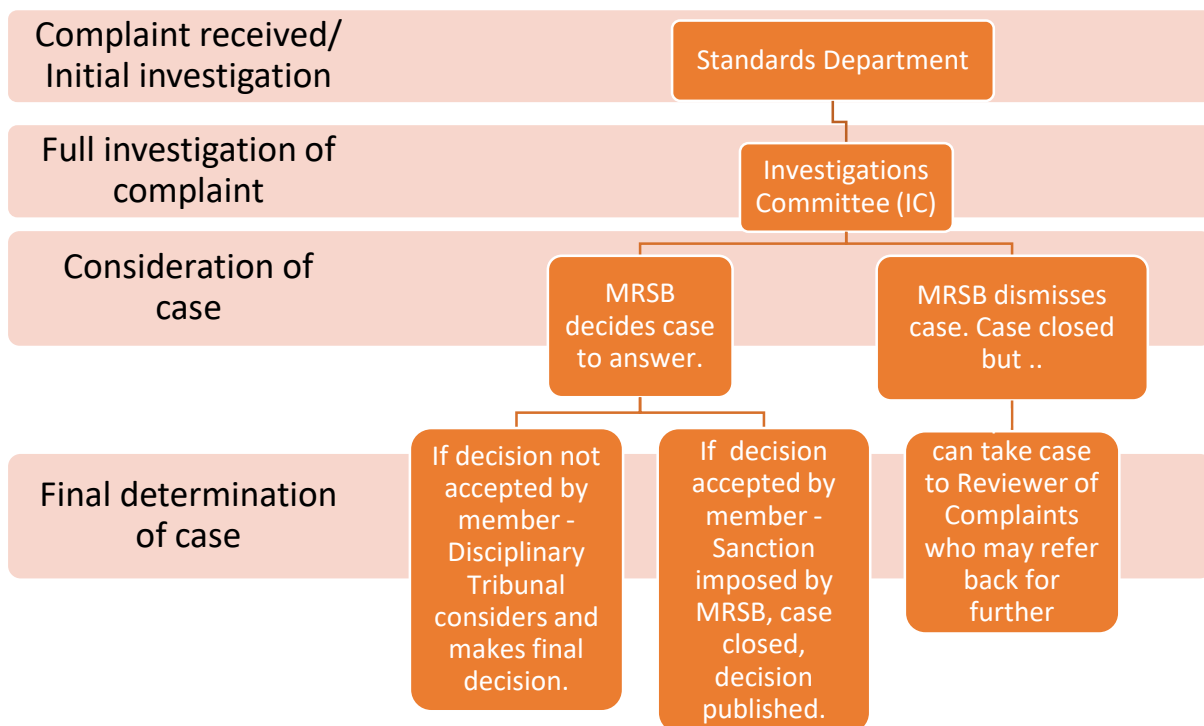
Informal Procedure

MRSB may settle matters informally. This is not part of the MRS formal disciplinary procedure and will occur through informal resolution/mediation by the Standards Department where the Investigations Committee decides that it is a minor matter. This process is likely to be used where there has been an inadvertent breach that has not adversely affected or harmed participants and steps can easily be put in place to remedy the situation.

Formal Procedure

The flowchart set out below outlines the overall process for formal disciplinary procedures under the Disciplinary Regulation. This will be the process followed for investigations and determinations on complaints about individual accredited recruiters.

Figure 1 Individual Disciplinary Process – Formal Procedure



Available sanctions

Once a determination has been made that there has been a breach the MRSB will consider whether to impose a sanction and what sanction to impose. Membership may be withdrawn, or other disciplinary action taken, if a Member is deemed guilty of unprofessional conduct. This includes:

- being found by MRSB to be guilty of any breach of the rules set out in the Code of Conduct or binding regulations
- failing without good reason to assist the professional body in the investigation of a complaint; or
- in the absence of mitigating circumstances having become bankrupt or having made any arrangement or composition with his/her creditors; or being found to be in breach of the EU General Data Protection Regulation 2016 ('GDPR'), the Data Protection Act 2018 or other comparable legislation applicable outside the UK.

Under the disciplinary regulations the following formal actions set out in escalating levels of severity are:

- issue of warning
- issue of reprimand
- accepting undertakings
- demotion of membership grade
- suspension from membership
- expulsion from membership

In line with these sanctions MRSB may also:

- make recommendations to the member, which the member is obliged to implement in a time frame set down by MRSB
- remove a member from the searchable recruiter register as part of any membership sanction imposed

Company Partner Complaints Process

Under the MRS Quality Commitment and its associated Complaints Procedure, MRS Company Partners make a commitment to comply with the MRS Code of Conduct and to co-operate with MRS to assist in the early resolution of any complaints.

This section sets out a summary of the procedures that will be used to investigate and determine complaints against Company Partner Recruiters. For more detailed guidance please see MRS Company Partner Procedure see: <https://www.mrs.org.uk/pdf/2011-01-01%20Company%20Partner%20Complaints%20Procedure.pdf>

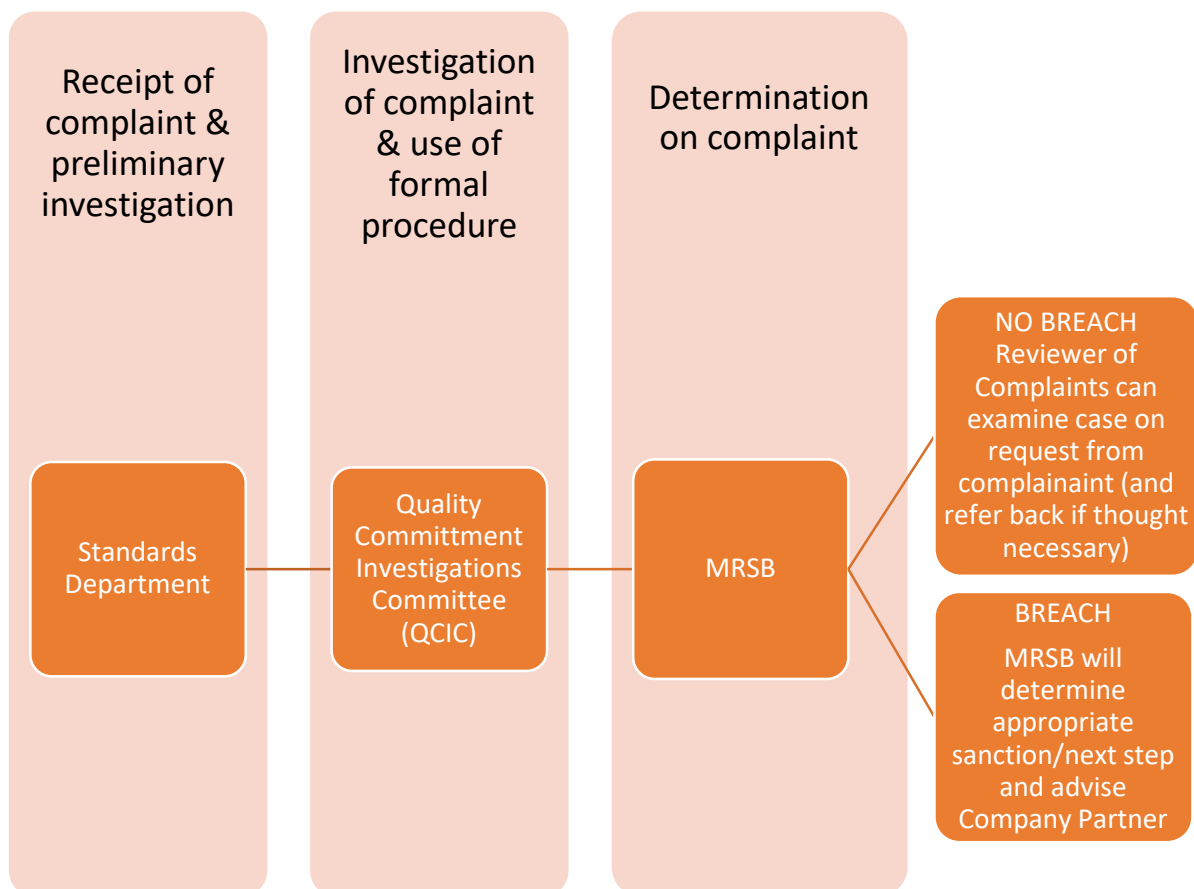
Informal Procedure

MRSB may settle matters informally. This is not part of the MRS formal disciplinary procedure and will occur through informal resolution/mediation by the Standards Department.

Formal Procedure

The flowchart set out below outlines the overall process for formal complaint procedures under the Company Partner Commitment. This will be the process followed for investigations and determinations on complaints about Company Partner recruiters.

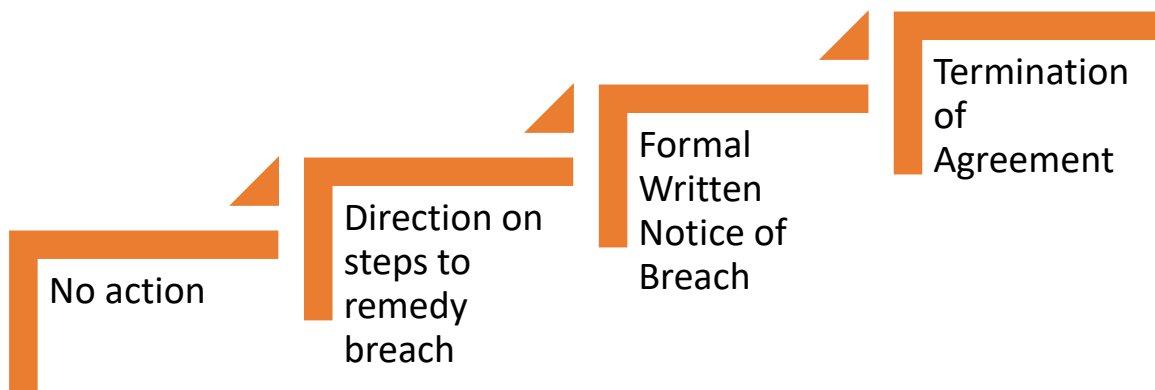
Figure 2 Company Partner Complaints Process – Formal Procedure



Available Sanctions

The sanction recommended and imposed by MRSB for breach of the MRS Quality Commitment will depend on the view of the gravity of the breach and may include in escalating levels of severity:

- No action
- Direction on steps to remedy breach and/or other corrective action including apology (minor, trivial or isolated breaches)
- Direction on steps to remedy breach and/or other corrective action including apology (breaches that are not minor, trivial or isolated)
- Referral to Main Board for issue of formal written notice of breach (breaches that are not minor, trivial or isolated)
- Referral to Main Board to consider whether agreement with MRS Company Partner should be terminated (breaches that are not minor, trivial or isolated)



Indicative Guidance on Use of Sanctions for Individual Recruiters

Complaints of code breaches may come before the MRSB in a variety of circumstances ranging from minor to significant breaches. MRSB has published guidance to provide information to members and aid members of the MRSB in their decision-making process on recommending sanctions. Guidance is available here:

https://www.mrs.org.uk/standards/how_to_complain

FAQ's on Recruiter Compliance Process

What happens if an organisation loses its accreditation, will all the staff within the organisation also lose their accreditation?

It depends on the nature of the complaint which resulted in the removal of accredited status. If a complaint showed direct involvement of accredited recruiter staff, it is possible that individuals may also lose their status. However, there may be occasions where an organisation loses its status but not all the recruiter staff.

If an organisation breaches the MRS Code or associated guidelines which underpin the Recruiter Accreditation Scheme what happens?

If a complaint is received that indicates the MRS Code of Conduct and/or the associated guidance have been breached, organisations are obliged to co-operate promptly with MRS to enable MRS to complete an investigation using either the MRS Company Partner Complaint Procedure if the organisation is a Company Partner, or the MRS Disciplinary Regulations if the organisation is a RAS Accredited Company but not an MRS Company Partner.

Serious complaints may result in the removal of an organisation's RAS Accredited Company status.

If an individual accredited recruiter breaches the MRS Code or associated guidelines which underpin the Recruiter Accreditation Scheme what happens?

If a complaint is received that indicates the MRS Code of Conduct and/or the associated Recruiter Regulations have been breached, individuals are obliged to co-operate promptly with MRS to enable MRS to complete an investigation using the MRS Disciplinary Regulations (which underpins the Recruiter Accreditation Scheme for individuals).

Serious complaints may result in the removal of an individual's accreditation.

More Information

Find out more on MRSB compliance and disciplinary requirements here:

- https://www.mrs.org.uk/standards/how_to_complain

Additional detailed information on the procedure can be found in these documents:

- [Changes to MRS Disciplinary Regulations: summary](#)
- [Disciplinary Regulations 14 June 2017](#)
- [Disciplinary Regulations 1 January 2011](#)
- [Company Partner Complaints Procedure: summary](#)
- [Company Partner Complaints Procedure](#)
- [Indicative Guidance on Use of Sanctions](#)

Find out more on recruiter accreditation scheme here:

- <https://www.mrs.org.uk/resources/recruiter-resources>