



<b>Company Name</b>	<b>LTS Group Ltd</b>
<b>Policy Number</b>	<b>15</b>
<b>Policy Name</b>	<b>Recruitment Selection &amp; Vetting Policy</b>
<b>Version Number &amp; Date</b>	<b>v2 September 2020</b>

LTS Group Ltd (LTS) fully recognises that it is vital to adopt recruitment and selection procedures and other human resources management processes that help to deter, reject, or identify people who might abuse children, or are otherwise unsuited to work with them.

LTS is committed to safeguarding and promoting the welfare of children and young people and expects all staff to share this commitment.

LTS aims to:

- Ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position.
- To ensure that all job applicants are considered equally and consistently
- To ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.
- To ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education (KCSIE)– May 2016 (Updated Sept 2016) the Prevent Duty of Guidance for England and Wales 2016 and any guidance or code of practice published by the Disclosure and Barring Service (DBS)
- To ensure LTS meets its commitments to safeguarding and promoting the welfare of children and young people by carrying out all the necessary pre-employment checks.

LTS employees involved in the recruitment and selection of candidates are responsible for familiarising themselves with this policy

**Work-seeker:**

This term refers to persons looking for both permanent and temporary work and includes not only individual work-seekers but also limited company contractors (including composite and umbrella companies) who have not opted out of the Regulations. Under this definition a work seeker is not only a person that an employment agency or employment business provides work-finding services to, but also a person to whom it holds itself out to as being capable of providing such services. In other words both those actually working through the agency or employment business and those who may do so in the future. This does not however mean that where the agency or employment business receives large

numbers of speculative CVs that it cannot use, it is required to issue contracts to those persons or keep records in respect of them (see notes to regulation 29 (Record Keeping)). The requirement to issue contracts and keep records only arises once the agency or employment business starts taking active steps towards placing a work seeker in work.

LTS needs to ensure that the work seeker is suitably qualified for the role offered and therefore it is important the post advertised reflects the skills required. All applicants must be able to demonstrate high level of support in a child centred environment to ensure our commitment to Safeguarding and also to ensure a high level of support to client schools.

### **Terms with the Work Seeker**

Terms with the work seeker for work seekers MUST be made **before** introduction to a client and before each assignment. You must keep a record on the candidate file of the date and time you sent the terms of business.

See Appendix A

### **Pre-employment screening**

In line with DfE requirements the following checks are completed by LTS prior to candidates starting an assignment.

1. Pre- screening telephone interview
2. Competency based face to face interview
3. Completed Application Form
4. Proof of identity including Proof of address, permission to work in the Uk
5. Evidence of name change (if applicable)
6. Enhanced DBS (Disclosure and Barring Service) check including barred list
7. Overseas Police Check (where appropriate)
8. QTS and/or relevant highest qualification checks
9. A prohibition from teaching check. This will be sourced via the TRA (Teaching Regulation Agency) Teacher Services will be sought for all teachers.
10. Full Career history will all gaps explored
11. Two satisfactory professional references (one must be from current employer)
12. Mental and physical fitness verification
13. Request to check on Update Service
14. Rehabilitation of Offenders Act
15. Child Disqualification Declaration (only for candidates working with children under the age of 8 years)

## LTS Steps to Safer Recruitment

Step 1		Ensure LTS recruitment and selection policy describes processes and roles
Step 2		Ensure LTS has a safeguarding policy and that a statement about our commitment to safeguarding is included in all recruitment and selection materials
Step 3		Ensure LTS application form complies with recommended safer recruitment practice
Step 4		Ensure there is a job description and person specification for the role (s) you wish to advertise. This should specify the person's responsibilities in regard to safeguarding
Step 5		Ensure that you have an appropriate advertisement prepared that contains all necessary information about the organisation, role and statement regarding the company's commitment to safeguarding
Step 6		Ensure the candidate receives the information pack containing information about the organisation, role and safeguarding policies and procedures
Step 7		Ensure a face to face interview is conducted thoroughly for every candidate in line with LTS standard procedures and based on the candidate's ability to meet the person specification and job description
Step 8		Ensure candidates bring all necessary documentation to the interview in order to carry out a DBS check, identity check and the necessary documentation for the Right to Work in the UK

Step 9		Ensure the questions are asked using the LTS standard which focus on suitability to work in education establishments with vulnerable children across a range of special needs and disability
Step 10		Ensure you are confident that the candidate is suitable based on them demonstrating their suitability for the role.
Step 11		Ensure your candidate is informed that the position is subject to the necessary checks being completed. (DBS and suitable references)

#### **Client Contact**

It is an REC Audited Education requirement that we have clear procedures in place for obtaining and documenting information when taking instructions from a client. Under Regulation 18 of the Conduct Regulations we are required to obtain certain information from a hirer to enable you to select a suitable work seeker for the role the hirer seeks to fill. You must obtain this information before you introduce or supply the work seeker to the hirer.

**See Appendix B**

#### **Level of qualifications required and how they are verified**

Before advertising a role, clear information must be obtained from the client school via a job description and person specification. These should specify the individual's responsibilities in regard to safeguarding. (see Appendix 1) The potential candidate must be able to produce original certificates of competence for the position. The consultant must ensure a copy of each qualification is taken, signed and dated during the interview process. The choice of referee is important when a particular qualification is required and the candidate should ensure that one of the referees can verify that qualification. It may be that an additional referee should be sought.

**Teachers/instructors** – Teacher status must be checked on the Teaching Regulation Agency website (you will not be able to complete candidate registration until this has been verified) to ensure the teacher or instructor holds QTS or the relevant qualification. This check ensures the candidate is not prohibited from teaching, whether a teacher has completed their mandatory induction period, and also whether a teacher or those working in teaching-related positions (Teaching assistants instructors) have any disciplinary issue, prohibitions, sanctions and restriction that might prevent them from taking part in certain activities or working in specific positions.

**NARIC** (The National Agency responsible for information, advice, data and informed opinion on qualifications from outside the UK).

**UK NARIC** offers a range of unique services for educational institutions, employers, professional bodies and migrant advisory organisations.

UK NARIC can help you compare international qualifications from 200 countries, former states or territories with the equivalent levels of UK qualifications. They can also help you authenticate qualifications and detect fraud.

In order to ensure an overseas candidate's documentation is valid we must conduct a 'One Off Statement of Comparability Service' via the National service for the purposes of work, study or registration with a professional body. Please click on the blue plus icon to reveal the answer.

If, alternatively, we require a statement to meet UKVI visa or naturalisation requirements, then please refer directly to [www.naric.org.uk/visasandnationality](http://www.naric.org.uk/visasandnationality).

#### **Offering clients copies of documents**

Once you have obtained the correct documentation on qualifications and skills required by the client for a specific position you must offer those documents to the client along with the candidate's DBS. This must be sent along with the candidate vetting confirmation form before the candidate takes up the assignment.

#### **DBS update Service and frequency of such checks**

Prior to a work seeker being introduced to a client an Enhanced Disclosure must be in place. LTS uses the service of Access Personal Checking Services Ltd (APCS) to conduct the DBS checks on their behalf. If a work seeker is not subscribed to the Update Service a new DBS **must** be taken out prior to placement and the work seeker must then subscribe to the Update Service.

Once an Enhanced DBS is in place further checks must be carried out every 12 months. (the internal database will flag this up in advance and the Branch Manager is responsible for ensuring you make these checks)

All students up to the age of 19 whilst in full time education are classed as 'children' and an Adult Workforce check on the DBS is not appropriate. A Child Workforce check must be included.

#### **Overseas applicants - Checking via the DBS**

DBS cannot access criminal records held overseas, but it is possible to submit an application while the applicant is overseas.

Candidates must apply for and receive the overseas checks themselves. More information is in the following link;

<https://www.gov.uk/governmentpublications/criminal-records-checks-for-overseas-applicants>

This link provides specific details by country and provides information on how to apply for a criminal record check.

If the candidate provides a non-UK Police Check, it must be dated no more than three months prior to their leaving their home country. If the document is not in English, it must be accompanied by a certified translation into English. These checks should be carried out in addition to the DBS checks; the former to obtain clearance for the period before the individual came to the UK and the latter to cover the period since they arrived in the UK.

Steps to determine if Overseas Police Check is required:

- If the candidate has been a resident of the UK for less than 6 consecutive months, an Overseas Police Check is required. This also applies to UK citizens returning from working abroad.
- If the candidate has been a UK resident for longer than 6 months, then an Overseas Police Check is NOT required.
- If the candidate is intending to move to the UK in the near future, they MUST be advised to obtain an Overseas Police Check prior to leaving their current home country of residence.
- All Overseas Police Checks MUST be translated into English.

In a small number of cases, overseas criminal records are held on the Police National Computer and these would be revealed as part of a criminal record check. You must still verify the identity of an overseas applicant.

As the DBS cannot access criminal records held overseas, a criminal record check may not provide a complete picture of an individual's criminal record.

For more information please see the Home Office guidance [Criminal records checks for overseas applicants](#)

### **Checking via embassies**

If you are recruiting people from overseas and wish to check their overseas criminal record, you should contact the embassy or High Commission of the country in question.

[Find contact details for embassies and High Commissions in the UK on the Foreign & Commonwealth Office \(FCO\) website.](#)

You can also contact the FCO Response Centre Helpline on 020 7008 1500.

If the foreign check needs translating, the embassy of the country concerned may be able to help.

The DBS is not involved in the processing of applications made by individuals to overseas authorities and will not be responsible for the contents or the length of time taken for information to be returned.

### **Certificates of good conduct**

You should try to obtain a certificate of good conduct and any other references from potential overseas employees. The standard of foreign police checks varies. To find out the standard, you should contact either the authorities in a particular country, or their embassy.

Either you or the employee should obtain a certified translation of the certificate of good conduct. The DBS does not offer a translation service.

### **Checking an applicant's right to work in the UK**

The DBS does not check whether an applicant is permitted to work in the UK. The employer is responsible for ensuring employees have the right to work within the UK.

In a small number of cases, overseas criminal records are held on the Police National Computer and these would be revealed as part of a criminal record check. You must still verify the identity of an overseas applicant.

As the DBS cannot access criminal records held overseas, a criminal record check may not provide a complete picture of an individual's criminal record.

For more information please see the Home Office guidance [Criminal records checks for overseas applicants](#).

### **How to reject an unsuitable candidate**

If, during the pre-screening or interviewing process you deem a candidate to be unsuitable for the role you must thank the candidate for their application, the time they put into it, and the time and effort they put into the interviewing stage. You then should inform the candidate that you have offered the position to another candidate. You should follow up the call with an email or letter clarifying the same information as you discussed on the telephone.

If their CV lacked the kind of work experience you considered a prerequisite and another candidate was better experienced, tell you must tell them. If you tested them in a necessary skill and they came up short, tell them. Or if they are just not a good fit for the role at this time, tell them. Describe specifically the main factor or factors that contributed to your decision. Be rather vague about the successful candidate just informing them that they had more suitable qualifications and experience.

If you know they will never fit in successfully within our schools, do not go making a point of telling them to apply for other roles in future. While it may make you feel better to say so right now, the reality of them applying again isn't practical and would be a time-wasting exercise for you or another consultant, as well as the candidate themselves. Honesty is the best policy, and this will also ensure as much as possible that the candidate views LTS with respect.

It may help the candidate with future interviews and help them to source more training etc.

Always end the conversation by wishing them well in future for the future.

## Dealing with ex-offenders

### CONSIDERATION OF A CONVICTION

LTS ensures that all those involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences and legislation relating to the Rehabilitation of Offenders Act 1974

Part of LTS' recruitment procedure is to consider the relevance of any conviction declared to the post applied for. Issues to be taken into account in considering convictions include:

- The length of time since the offence occurred
- Whether the offence was a one-off, or part of a history of offending
- Whether the applicant's personal situation has changed since the offence, making re-offending less likely
- Any mitigation the applicant offered by way of explanation for the offence
- The nature of the post applied for, levels of supervision and responsibility Ex-Offenders Policy Updated: September 2014
- The potential access to children and vulnerable groups
- The seriousness of the offence and its relevance to the safety of students and other staff
- The age of the applicant when the offence occurred
- Any relevant information offered by the applicant about the circumstances which led to the offence being committed, for example the influence of domestic and financial difficulties
- The country in which the offence was committed as some activities are offences in Scotland and not in England and Wales, and vice versa

LTS is obliged to conduct a written risk assessment of every DBS that discloses information of a conviction. The client school MUST be informed if a candidate who may have the suitable qualifications for the role has disclosed a conviction, caution, reprimand or allegation. This will be taken into account when deciding the overall suitability of a candidate. It is a requirement under Regulation 18 of the School Staffing (England) regulations 2009

(<http://www.legislation.gov.uk/ukxi/2009/2680/regulation/18/made>) for the school to obtain a copy from LTS of any DBS certificate where that certificate contains information.

The conviction will be assessed for relevance in respect of safeguarding children and that person's suitability to work with children.

The documented risk assessment must be completed together with the head of compliance and a company director and communicated to the client.

The following areas will be used to determine the level of risk before a decision is made.

- Nature of the offence
- Length of time since the offence occurred.
- Whether the person had re-offended
- Whether the candidate disclosed the information before the DBS was received.
- Any training or work records since the offence
- The quality of any references from employers since the offence.



If a candidate does not correctly complete the Rehabilitation of Offenders form and is proved to have had a caution, reprimand or conviction will be immediately not acceptable as this is a serious matter.

It is unlawful to employ  
Offenders shown on the barred list

Other serious offences where the candidate would not be employed would be

- If Convicted of murder
- Child molestation
- Child kidnapping
- Rape
- Harm against a child
- Female genital mutilation

**Areas considered High Risk**

- Serious class A drug offences
- Grievous bodily harm
- Robbery/burglary
- Fraud

Please see link below for further information.

**[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/500138/Relevant\\_offences.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/500138/Relevant_offences.pdf)**

At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure by candidates to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

**If a candidate's suitability comes to light later**

An employer has the statutory excuse against a penalty where its checker has carried out all the stringent steps 1 to 14 and satisfied themselves that the documents are genuine, relate to the holder and establish the right to work in the role. If it later emerges that a document was false, the statutory excuse still applies, and there will be no penalty, unless the falsehood would have been 'reasonably apparent' to a person untrained in identifying false documents. In certain limited circumstances, the Home Office's Employer Checking Service will verify an applicant's right to work and must be contacted via an email request form. Prospective employees should be given reasonable time to produce documents, but an employer must not allow employment to commence until they are received, checked and found to be satisfactory. When presented with an apparently false document or document not relating to the holder during a pre-employment check, an employer should report the matter to the Home Office.

### **Information on Continued Suitability**

If a school or college has concerns about an existing staff member's suitability to work with children, LTS must carry out all relevant checks as if the person were a new member of staff. Similarly, if a person working at the school or college moves from a post that was not regulated activity, into work which is regulated activity, the relevant checks for the regulated activity must be carried out.

### **What to do if a work-seeker becomes unsuitable whilst in an assignment**

Regulation 20(2) provides that if an employment business receives or obtains information which gives it reasonable grounds (i.e. a realistic degree of certainty) to believe that a work-seeker is unsuitable for the position s/he has been supplied to a hirer for, it must inform the hirer of the information it has and end the supply of that temporary work-seeker without delay. So, for example, if a temporary teacher is supplied into a school and during the course of that supply the employment business receives information about that teacher, through a reference or other reliable report, which shows s/he is not suitable to work with children, the employment business must tell the hirer and remove the teacher from the assignment without delay. (Note: "without delay" is defined as "the same day, or where that is not reasonably practicable, on the next business day" (Regulation 20(7))

This Policy will be incorporated into the company shared drive and included in the induction process. This Policy will be reviewed and updated to reflect any changes to legislation and statutory guidance.

## **Appendix A**

### **Work seeker terms and conditions**

- These are the terms and conditions which apply between LTS Group Ltd and work seekers ("you") making use of its services.
- Please note that we are governed by the Conduct of Employment Agencies and Employment Businesses Regulations 2003 (EAA) and the Data Protection Act.
- LTS will provide you with work finding services as defined in the EAA. LTS will not charge you any fees for work finding services.
- LTS cannot guarantee to find you work. We will register you in our database if you have sent us your CV and completed our registration form and you will be included in searches that we conduct for vacancies we are handling. If you appear suitable for a particular vacancy, our consultants will try to contact you by phone or in writing to confirm your suitability and to invite you to apply.
- We may also contact you when carrying out research such as salary surveys and to ensure your registered information is up to date.
- When applying for a vacancy, either via our website or in response to communication with one of our consultants, you agree to inform LTS whether or not you have already applied for that vacancy or to the employer concerned in the past and whether or not you have an ongoing recruitment dialogue with that employer about any role(s).

- Should LTS write to you following your verbal confirmation that LTS may submit your CV or other details to an employer client, either speculatively or for a specific vacancy, asking for confirmation of those instructions, you agree to use your best endeavours to confirm those instructions but also agree that unless you reply to cancel those instructions before your candidature has been submitted to the employer client, we may proceed on your verbal instructions.
- You agree that having given LTS instructions to submit your candidature to an employer client, you will not make a further application for the same vacancy, either directly or via any other intermediary, or, if a speculative submission, that you will not apply to that client at all within 12 months without first informing LTS in writing of your intention to do so. Similarly, and in order to avoid unethical behaviour on the part of any clients, should an employer client contact you directly after your candidature has been submitted to that client, you agree to inform both the employer client and LTS accordingly and to maintain your candidature via LTS.
- You agree and acknowledge LTS may utilise the services of a third party company to check from time to time whether or not candidates whose candidature has been submitted to clients are now working for those clients without LTS' knowledge. LTS agrees to provide such third parties only with the minimum necessary information to facilitate those checks
- Data Protection - When you complete your registration form and send us your CV they will be stored and made available to LTS consultants only. Your CV will not be forwarded to any third party including our employer clients unless you specifically authorise us (either verbally or in writing) we can do so. By applying for an individual vacancy you are authorising us to forward your CV to the hiring company for that vacancy and you agree not to submit any applications for the same vacancy either directly or via any other agency or intermediary. LTS operate as an employment agency in respect of finding you permanent or temporary employment or seeking to find you such employment within the education market.
- LTS operates as an employment business in respect of any assignment or contract LTS may find for you in relation to which you are or will be employed by the umbrella company and under the control of the hiring company.
- LTS are required by law to obtain confirmation of your identity, that you are legally entitled and willing to work in the location and position which the hiring company is seeking to fill and that you have the experience, training, qualifications and any authorisations which the hiring company considers necessary or are required by law or by any professional body. You agree to provide the necessary information and documentation to LTS.
- When operating as an employment business, LTS will not withhold payment to you if LTS has not been paid by the hiring company. LTS may delay payment for a reasonable time if you

have not produced a signed time sheet while LTS obtain alternative proof that you have worked the hours claimed.

- Unless otherwise required by the hiring company, during the period of your employment with us, each party shall be required to give notice to terminate the contract as prescribed in the Employment Rights Act 1996 (or any replacement of that Act), the interval at which remuneration will be paid to you is monthly and you will be entitled to the minimum statutory days paid annual holiday or pro rata for your contracted hours and the duration of the assignment.
- When operating as an employment business LTS will seek to obtain and to pay you a competitive rate of pay for any assignment LTS finds for you but in any event this will be not less than the legally required minimum.

## **Appendix B**

### **Client Brief (Temporary Contract)**

Thank you for choosing LTS to meet your staffing needs. In order for us to provide you with the highest level of support, we would ask you to please complete our client brief in compliance under Regulation 18 of the Conduct Regulations. We have attached our Terms and Conditions for your information

School Name

Requested by:

<b>Temporary Assignment</b>
Start date and likely duration of assignment:
Start and Finish times:
Where the work will be carried out:
Details of the role (please attach job description and person specification)
Experience, qualifications etc.

Please detail any known health and safety risks
Please show steps you have taken to control the risk.
Details of rate of pay and any other benefits (please state)
Please inform us of any additional expenses that may be payable and the circumstances payment may be made.

Signed by

Date:

### Client Brief (Permanent Contract)

Thank you for choosing LTS to meet your staffing needs. In order for us to provide you with the highest level of support, we would ask you to please complete our client brief in compliance under Regulation 18 of the Conduct Regulations. We have attached our Terms and Conditions for your information.

School Name

Requested by:

<b>Fixed Term or Permanent (candidates who are directly employed by the hirer)</b>
Start date and likely duration of assignment:
Start and Finish times:
Where the work will be carried out:

Details of the role (please attach job description and person specification)
Experience, qualifications etc.
Please detail any known health and safety risks
Please show steps you have taken to control the risk.
Details of rate of pay and any other benefits (please state)
Please inform us of any additional expenses that may be payable and the circumstances payment may be made.
At what intervals would payment be made:
If the contract was to be terminate early the notice period required by school and worker.

### Communicating this policy

All staff have been informed of this policy and it is available on the LTS Group website.

Contact	Contact details	Comments
Landline	020 8362 3219	Office hours
Eddi Banks	07540 881687	Director
Karen Coles	020 8362 3219	Compliance Manager
Email contacts	<a href="mailto:e.banks@ltsg.co.uk">e.banks@ltsg.co.uk</a> ; <a href="mailto:k.coles@ltsg.co.uk">k.coles@ltsg.co.uk</a>	

SIGNED: MARK WILLIAMS  
POSITION: CEO  
DATE 2<sup>ND</sup> SEPT 2020  
REVIEW DATE: SEPT 2021