Safe and Fair Recruitment Policy

Confidentiality Statement

This document is proprietary to LTE Group. It is supplied in confidence and should not be disclosed or otherwise revealed to outside parties without the prior written consent of an authorised LTE Group representative.

LTE Group is the UK's first integrated education and skills group offering learning right across the spectrum. LTE group is the largest social enterprise of its kind. Retains charitable status and supports national and regional government aims. For further details of LTE Group, please visit our website:

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Equality Statement

LTE Group aims to design and implement policy documents that meet the diverse needs of our workforce and associates, ensuring that none are placed at a disadvantage over others. It takes into account the provisions of the Equality Act 2010 and promotes equal opportunities for all. This document has been assessed to ensure that no one receives less favorable treatment on the protected characteristics of their age, disability, sex (gender), gender reassignment, sexual orientation, marriage and civil partnership, race, religion or belief, pregnancy and maternity or offending background. All candidates are selected for interview based on their skills, qualifications, and experience.

Due Regard

LTE Group will ensure that due regard for equality is taken and as such will undertake an analysis of equality (assessment of impact) on existing and new policies in line with the Equality Act 2010. This process will help to ensure that:

- Strategies, policies and services are free from discrimination.

- LTE complies with current equality legislation;
- Due regard is given to equality in decision making and subsequent processes;
- Opportunities for promoting equality are identified.

Please refer to due regard assessment (appendix 2) of this policy.

Policy statement

The mission of the LTE group is to improve lives and economic success through learning and skills.

We recruit high calibre colleagues who understand and recognise our mission and are, like us, committed to safeguarding and promoting the welfare of our students, learners & apprentices. This will drive a positive student, learner & apprentice experience across all areas of the LTE group and ultimately contribute to us being a safe environment, where safeguarding is at the centre of everything we do.

The LTE Group incorporates separate business units covering a range of education needs and the requirements regarding recruitment practices and in particular pre-employment checks may vary between the individual business units. Therefore for the purpose of this policy we have used colour coding to allow the specific additional requirements of each area of the group to be detailed.

The detail contained within the policy applies to all employees of the Group. All colleagues involved at any stage of recruitment and selection should be aware of and adhere to the contents of this policy. Any additional requirements based on the individual business units are detailed using the colour coding as follows:

Business unit	Colour Coding
TMC/UCEN	
Novus	
Novus Cambria	
Novus Gower	
Novus Transforming Lives	
Group Professional Services	
Total People and MOL	

Contents

2 Purpose of this policy
3 Legislation and guidance
4 Roles and responsibilities
5 General principles
6 The Single central record
7 The safer recruitment process
8 Induction
9 Records and data management
10 Training for colleagues
11 Definitions

2. Purpose of this Policy

2.1 The purpose of this policy is to:

- Create and maintain a culture of safer recruitment
- Ensure that recruitment and selection policies meet the requirements of employment and equal opportunities legislation
- Enable the rigorous and unbiased appointment of new colleagues
- Ensure that appropriate checks are carried out for temporary workers such as agency, contractors and sub-contractors and volunteers
- Provide systems and procedures for safe practice in recruitment, to safeguard and promote the welfare of all students, learners & apprentices
- Ensure that when recruiting colleagues, they are appointed and deployed in the most effective way to the benefit of all students, learners & apprentices
- Ensure that the LTE group complies fully with the provisions of the Rehabilitation of Offenders Act and follows best practice in its recruitment of individuals with a criminal record
- Ensure that we treat all applicants for jobs who have a criminal record fairly and do not discriminate unfairly against candidates with either a spent or an unspent conviction; at the same time the policy aims to safeguard the company, its employees, visitors and service users
- The policy sets out the basis on which it will seek information from prospective employees about past spent and unspent convictions, how this information will be used and the way in which it will seek and deal with information relating to offences

2.2 Other policies which are relevant to this policy include:

- Safeguarding and prevent policies
- EDI policy
- Data protection policy
- Identification and Visitors Policy

3. Legislation and guidance

3.1 This policy meets the requirements under the following legislation:

i. DBS code of practice
ii. Data Protection Act 2018
iii. Rehabilitation of Offenders Act 1974 (and the exceptions contained within)
iv. Police Act 1997 (Criminal Records) Regulations 2002 set out the purposes for which an Enhanced DBS check can be obtained, and the Police Act 1997 (Criminal Records) (No 2) Regulations 2009).

3.2 This policy is also based on the Home Office document 'Code of Practice for Disclosure and Barring Service Registered Persons' and the DfE 'Keeping Children Safe in Education'.

4. Roles and responsibilities

4.1 The Board

a. The Board are responsible for providing strategic leadership that supports an overarching culture of safeguarding across the LTE group and checking that the culture has become embedded, including our application of safer recruitment practice. Each business unit has an identified Designated

safeguarding Lead (DSL). The Safeguarding Link Governor will meet with the DSLs regularly to discuss any safeguarding incidents and act as the conduit between the DSL and Board.

The Board has a number of safeguarding responsibilities as outlined in the Safeguarding Policy for each Business unit. Its obligations mean that in practice they are responsible for:

i. Ensuring a robust Safeguarding and safer recruitment policy are in place in line with part three of Keeping safe in Education and the Disclosure and Barring Service (DBS) guidance
ii. There are written recruitment and selection procedures that include the requirements for appropriate pre-employment checks and at least one person on any appointment panel has undertaken staff recruitment training
iii. Ensuring that adults recruited to work in each of the LTE group of businesses, including volunteers, don't pose a risk to students, learners, apprentices, colleagues or members of the public
iv. Strong multi-agency and multi-disciplinary working is embedded within practice and is in line with published expectations described in Working Together to Safeguard Children (2023)
v. Ensuring relevant colleagues undertake safer recruitment training and are kept up to date with policy and practice
vi. Reading and following KCSiE, ensuring that the safeguarding policies, procedures and training are effective and comply with the law at all times
vii. Role model completion of statutory and mandatory training requirements for safer recruitment and hold the Executive team to account for organisation wide adherence to mandatory training requirements

b. Whilst there are no statutory requirements for governors and trustees to undergo safeguarding training, the LTE group provides training for the Board members in line with the guidance in the DfE governance handbook; *"it is best practice if everyone on the board has training about safeguarding, to make sure they have the knowledge and information needed to perform their functions, understand their responsibilities and assure themselves that their own organisation's safeguarding arrangements are robust".*

4.2 The Chief Finance Officer and Deputy Chief Executive of the LTE Group (with lead responsibility for the Human Resources and Information Systems teams) will:

i. Ensure that the Safer Recruitment Policy and Process is in place (in line with part three of Keeping Children Safe in Education and the DBS guidance), communicated to all hiring managers and its implementation monitored
ii. Provide training on Safer Recruitment procedures and processes to all hiring managers and ensure at least one person on any appointment panel has undertaken safer recruitment training
iii. Ensure that all right to work documentation is correct and in place prior to offer of employment
iv. Ensure that the DBS Policy and Procedures for Safer Recruitment are followed, and any disclosures are referred to the panel for approval and actioned accordingly
v. Ensure that the Single Central Record is suitable and is audited annually
vi. Ensure that any safeguarding or abuse allegations raised about members of staff raised are dealt with appropriately, thoroughly and follow policy and process, including referral to the DSL to

enable reporting to the LADO, DBS and the Police (where required) according to the LTE Group's statutory duty to report

vii. Ensure that any referrals to LADO or DBS are recorded and tracked

viii. Ensure that safer recruitment procedures are in place, followed and monitored when hiring agency staff members and any disclosures are referred to the panel for approval and actioned accordingly

ix. Ensure that the LTE Group IT policies in place for the College addresses the safety of students in mistakenly or intentionally accessing inappropriate material when using the internet and that appropriate filtering, monitoring and reporting systems are in place.

4.3 The Executive team

a. The Executive team are responsible for ensuring that the LTE group has effective procedures in place to adhere to the group's policy to ensure the safe, fair recruitment and selection of staff and volunteers in accordance with the DfE guidance and legal requirements.

b. In practice this means:

i. Identifying a lead member of the Executive team who will coordinate and report to the LTE group board and executive on safeguarding policy, implementation and procedures

ii. Ensuring that each business area operates the agreed safe, fair recruitment and selection procedures which are regularly reviewed and updated to reflect any changes in policy, legislation and statutory guidance

iii. Ensuring that all appropriate checks are carried out on colleagues and volunteers in the group

iv. Approves all decisions on the recruitment of candidates where a risk assessment has been conducted and a recommendation made by the DSL

v. Monitoring the Single Central Record and ensuring that any gaps are identified and addressed

vi. Monitoring the compliance of any contractors / sub-contractors and agencies used by the LTE group

vii. Promoting the safety and wellbeing of students, learners & apprentices at every stage of this process

viii. Provide effective leadership for the DSL within the business unit, minimising delays and decision making when managing risk and support interventions

ix. Allocates sufficient time and resources to enable the DSL and any deputies to carry out their roles effectively

x. Ensures that all staff feel able to raise concerns about poor or unsafe recruitment safeguarding practice and that such concerns are handled sensitively and in accordance with the whistle blowing procedures

xi. Role model completion of statutory and mandatory training requirements for safer recruitment and hold the Senior Leadership Group to account for organisation wide adherence to mandatory training requirements

xii. Ensure that individuals are suitable trained and promote and monitor mandatory training

4.4 Hiring managers

a. Hiring managers are responsible for using our policies and processes to provide a positive candidate experience, make an unbiased selection from the talent pool available and employ the right people, in the right role and deterring those who are seeking opportunities to harm students, learners & apprentices.

b. In practice this means:

   i. Role model completion of statutory and mandatory training requirements for safeguarding and safer recruitment and ensure that all team members have completed their training within the timescale specified

   ii. Prior to recruitment commencing, ensuring that the role has been job evaluated and that the relevant authority to recruit has been obtained

   iii. Fully complying with the group's policy on Equality and Diversity

   iv. Manage the recruitment process and timeline to provide an efficient and positive experience for candidates and fill the role in the optimum time possible to avoid unnecessary delays

   v. Handle candidate data sensitively and compliantly according to GDPR regulations

   vi. Support when needed, the HRSS department with the DBS application and DBS refresh process

   vii. Notify HRSS as soon as they become aware of a potential disclosure issue in respect of an applicant or existing employee

   viii. Depending on the Business Unit, hiring managers may need to complete a risk assessment where a new colleague joins before DBS checks have been completed (excludes TMC and UCEN)

   Providing the recruitment team with all relevant documents and information to enable them to support an effective and compliant recruitment process.

d. Following the safer recruitment policy to ensure that candidates have been suitably screened and comply with policy and legislative requirements.

e. Make reasonable adjustments as appropriate to ensure that no individual is disadvantaged throughout the recruitment process

4.5 Human Resources

a. The HR team support the entire recruitment and onboarding process and are responsible for ensuring LTE group's adherence to the legislative and regulatory requirements.

b. In practice this means;

   i. HRSS administrate the process and ensure effective record keeping including maintaining the Single Central Register and reporting any gaps to Business Units to address

   ii. Ensuring that the appropriate disclosures and right to work are obtained for all new employees prior to the commencement of employment

iii. Ensuring that DBS checks are renewed every five years as required by the business unit if the individual is not using the update service
iv. Providing advice and guidance with regards to assessing suitability (upon receipt of disclosure statements)
v. Managing any subsequent referrals to DBS and/or LADO in collaboration with the appropriate HRBP, PRP and DSL
vi. Building training materials on Safer Recruitment procedures and processes for all hiring managers and ensure at least one person on any appointment panel has undertaken safer recruitment training

4.6 Designated safeguarding Leads (DSL) / decision makers

a. The DSL's take lead responsibility for safeguarding and child protection for each business unit and act as a source of support, advice and expertise for all colleagues. As our subject matter experts they are responsible for ensuring that our safer recruitment practices comply with the appropriate legislation and guidance.

b. They assume responsibility for being the decision makers in circumstances where a recruitment risk assessment is required and must act fairly, consistently and with integrity and accountability when making decisions in respect of the suitability for employment (or continuing employment) in respect of applicants/existing colleagues.

c. In practice this means:

i. Assume responsibility alongside the Business Unit Exec lead for making sure that appropriate measures are in place
ii. Ensuring any DBS Disclosures are reviewed and risk assessed where appropriate, gaining approval from their Executive Lead for recommended decisions
iii. Lead on any LADO referrals and take part in any external strategy meetings
iv. Support hiring managers when self-disclosures take place

4.7 Applicants / existing colleagues

a. All colleagues are expected to demonstrate their commitment to safeguarding, safe recruitment and promoting the welfare of our students, learners & apprentices, and colleagues

b. All applicants should comply with the LTE Safer Recruitment processes and provide all relevant documentation as required

c. Colleagues must complete mandatory training relevant to their role in relation to safeguarding and safer recruitment, within the timescales stipulated at the time of release, and demonstrate their understanding by following relevant processes and practices compliantly and effectively.

d. All individuals must handle all associated documentation and disclosure data sensitively, respect confidentiality and in accordance with the DBS Code of Practice and LTE Group Data Protection Policy.

5. General Principles

5.1 All recruitment will follow all relevant employment legislation that is in place at the time of recruitment.

5.2 All recruitment activity will be carried out in line with the Equality Statement and all those involved in the process will have been reminded to update themselves on the content prior to involving themselves in the recruitment.

5.3 Throughout the recruitment and selection process all candidates will be treated with respect and dignity. Full regard will be given to child protection, adult safeguarding and welfare issues in appointing new member of staff.

5.4 This Policy aims to ensure that appropriate checks are made on all colleagues, agencies, contractors and sub-contractors, volunteers and associates of the LTE group. It is a condition of employment for any colleague who has frequent or infrequent contact with children or adults at risk. LTE group employees and volunteers are also required to disclose any new information that may impact on their ability to work with children and vulnerable adults.

5.5 The LTE group will treat all DBS check applicants fairly and will not discriminate automatically because of a conviction or other information revealed. A risk assessment will always be undertaken when criminal information is disclosed or an online search reveals information that may impact on their suitability to work with children.

5.6 This policy as indicated in the relevant sections applies to prospective employees, agency workers, contractors and sub-contractors and volunteers and is made available on our website and intranet, and consent is obtained prior to using their information to access any service DBS provides.

5.7 The LTE group complies with the DBS Code of Practice.

5.8 Full consideration will be given to the behaviours or personal qualities required to support safeguarding and promote the welfare of students.

5.9 We will build appropriate training to ensure that hiring managers are trained in 'Safer Recruitment'. This training will be refreshed every 3 years or if there are any legislative changes.

5.10 This policy does not form part of the formal contract of employment, but it is a condition of employment that employees abide by the terms of this policy. Any failure to follow this policy may result in disciplinary proceedings.

6. Single Central Record

6.1 In line with DfE record keeping requirements, LTE group maintains a single central record (SCR) of pre-appointment checks, referred to in the regulations as the 'register' and more commonly known as the Single Central Record.

6.2 At LTE group, the Single Central Register is maintained and owned by HRSS as part of the P&T team; overall roles and responsibilities for the SCR are set out in **section 4** of this policy.

6.3 LTE group complies with the DfE obligations by recording the necessary information gathered during

the safer recruitment process as detailed in section 7 below. This includes:

- an identity check
- an appropriate level DBS check
- prohibition checks where appropriate to the specific business unit
- further checks on people who have lived or worked outside the UK
- a check of professional qualifications, where required
- a check to establish the person's right to work in the United Kingdom
- whether the person's position involves 'relevant activity', i.e. regularly caring for, training, supervising or being solely in charge of persons aged under 18
- A minimum of two suitable employment references

6.4 Audits of the Single central record are conducted annually by the Group DSL and our external auditors, RSM. Audit findings and recommendations are shared with the Board and actions are agreed and owners allocated.

7. The safer recruiting procedure

7.1 Stage 1: Authority to recruit

a. Prior to recruiting, the Hiring Manager will ensure that the approval process has been followed before a requisition request is submitted via the HR system to start the recruitment process.

b. The Hiring Manager will ensure that the supporting documents i.e., role profile has been reviewed and is in line with the business requirements.

7.2 Stage 2: Advertising

a. Before an advertisement is placed, all relevant documentation e.g. job description will be in place and make specific reference to the LTE group's commitment to safeguarding and suitability to work with children and young people. These should be reviewed before an advert is placed to ensure content and requirements are valid and up to date.

b. The recruitment advertisement will be drafted to sell the job, promote the safeguarding agenda and discourage unsuitable candidates.

c. The advertisement should specify whether the role is regulated / non-regulated.

d. Advertisements will include the following statement: *The LTE group is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. All applicants will be required to undergo an appropriate DBS check via the Criminal Records Bureau. Due to the educational aspect of our group some roles are exempt from the Rehabilitation of Offenders Act 1974 and would require an Enhanced DBS check and may be subject to additional online checks as part of our pre-screening process*.

e. To ensure equality of opportunity, our practice is to advertise all vacant positions both internally and externally to encourage as wide a field of candidates as possible. However, where there is a

reasonable expectation that there are sufficient qualified internal candidates or where colleagues are at risk of redundancy, an internal advertisement only may be considered. In addition, where a temporary post is being made permanent and the original temporary position was advertised, it may be appropriate to appoint the temporary post holder.

Prospective applicants will be supplied, as a minimum, with a completed Job description which covers the role duties and person specification. Business units may choose to also supply further information. A link will be provided to both this policy and the relevant Safeguarding Policy.

f. All candidates are expected to complete a short online application form and provide a CV, with full details of employment and volunteer roles since leaving school.

g. The application form will also state that providing false information is an offence and could result in the application being rejected or summary dismissal if the applicant has been selected and employment commenced. The matter may also be referred to the police and other professional regulatory bodies.

h. Applicants will be advised that we may perform an online check after an offer has been made, should a disclosure or previous checks raise any concerns, and that relevant issues arising from references and online checks will be taken up with successful applicants during our pre-screening checks. These checks would be completed through a third-party specialist.

i. A criminal disclosure will only be considered at interview (if declared) and does not necessarily stop a person from being employed. A risk assessment will be undertaken to assess the safeguarding impact on students, learners & apprentices and staff and any restrictions that may be put in place. This is undertaken on a case-by-case basis, considering the vulnerability of students, the impact of the disclosed activity, the timeframe and the specifics of the role.

j. Applicants who are invited for interview will be asked if they have any criminal convictions and interviewers will ask questions around any disclosed offences. A DBS check will be undertaken for successful candidates to check that information given in the disclosure matches the DBS information.

k. Any decision to appoint a candidate with a criminal conviction will be taken by the lead Executive Team member for the business unit, in conjunction with the DSL, following completion of a risk assessment. If the lead Executive team member is absent this will be performed by their delegated second who has assumed their Executive duties.

7.3 Stage 3: Shortlisting

a. All candidates will receive a response and will be kept informed of the progress of their application.

b. Applicants will be shortlisted against the role profile and advert for the post. The criteria for selection will be consistently applied to all applicants.

c. Shortlisting should be carried out by a minimum of two people, assessing the information provided

in the individual's application against the essential knowledge, skills and abilities on the person specification.

d. The application / CV will be scrutinised to ensure they are properly and fully completed; information is consistent, and any gaps are identified. Any gaps will, be clarified by telephone, e-mail or at interview using value-based interview techniques.

e. Any anomalies, discrepancies or gaps in employment should not exclude the candidate from interview but must be investigated at interview and be noted as part of the consideration or whether to appoint the applicant.

f. Repeated changes in employment or obvious gaps, without clear career or salary progression will also need to be explored and verified at interview.

g. All short-listed applicants will be reminded that any offer of employment will be conditional on a suite of pre-screening checks including DBS being carried out and the result confirming that the applicant is suitable for the role. They should also be made aware that online searches may be carried out in the recruitment process. The parameters of the online search are:
   i. Year search restriction
   ii. Google search on any names candidate has been known by
   iii. Search on popular social media such as Facebook, Instagram, LinkedIn, TikTok

h. Any concerns identified will be discussed with the candidate before the offer is formalised.

i. Previous offences will not be considered at this stage.

j. LTE Group is a Disability Confident Committed employer, the group guarantees if an applicant declares a disability and who have demonstrated that they meet the minimum essential selection criteria, they must be placed on the shortlist and guaranteed an interview.

k. If the field of applicants do not meet the essential criteria for the role, the post may be re-advertised.

7.4 Stage 4: Selection process

a. Selection methods may vary across the LTE group depending upon the requirements of a post. Selection may include as many of the following as is appropriate or other criteria as deemed necessary:
   i. CV Screening
   ii. Telephone interviews
   iii. Face to face interviews
   iv. On-line psychometric testing
   v. Assessment Centres (including role play exercise, group exercises with colleagues and students, presentation exercise)
   vi. Microteach (observed test teaching session)
   vii. In tray exercises

b. Candidates will be provided, in advance, with an overview of the selection activities to be used on the day of the interview. The selection exercises will be designed to bring out the best in all candidates and give them the opportunity to show their strengths.

c. The questions asked at interview will be aimed at obtaining evidence of how each applicant meets the requirements of the role profile. The same areas of questioning will be covered for each applicant and no questions which would discriminate directly or indirectly on protected characteristics under the Equality Act 2010 will be asked.

d. Candidates will be required to:
   i. Explain any gaps in employment
   ii. Explain satisfactorily any anomalies or discrepancies in the information available to the interviewers
   iii. Declare any information that is likely to appear on the DBS disclosure

e. In addition, all interviews will explore issues relating to safeguarding and promoting the welfare of children and young people including:
   i. Motivation to work with children and young people
   ii. Ability to form and maintain appropriate relationships and personal boundaries with children and young people
   iii. Emotional resilience in working with challenging behaviour/situations
   iv. Attitudes to authority and maintaining discipline

f. All documents used in the interview/assessment process must be uploaded to the HR system after the recruitment process is completed. In line with LTE group procedures, this information will be kept in a secure location for six months. Information relating to the successful candidate will be kept on their file for the period of their employment and for seven years afterwards, in accordance with legal requirements.

7.5 Stage 5: References

a. References will be sought directly from the referee and verified. Open references will not be accepted. References provided by the candidate will not be accepted.

b. References will be requested, one of which will be from the most recent or current employer. The number of references requested will depend on the number of roles held in the last 3 years. Current employment referees will only be approached when the candidate consents.

c. If the last teaching/relevant position was 3 or more years, then a reference will be requested from the last position.

d. Referees will always be asked specific questions about:
   i. Employment dates, post held and reason for leaving
   ii. The candidate's suitability for working with children and young people
   iii. Any disciplinary warnings, including time-expired warnings, that relate to the safeguarding of children
   iv. The candidate's suitability for the post

e. Any information about past disciplinary action or allegations will be considered carefully when assessing the applicant's suitability for the post; these will be sent to the DSL for review and any decision to appoint a candidate will be taken by the lead Executive Team member for the business unit, in conjunction with the DSL, following completion of a risk assessment.

f. Where necessary, previous employers who have not been named as referees will be contacted in order to clarify any anomalies or discrepancies. A detailed written note will be kept of any such exchanges.

g. Where two referees are provided from the same employment, previous employers should be contacted instead, where a previous employment was within five years.

h. Where the individual has not had two employers, academic references should be sought as an alternative for the second reference, where it is practical to do so.

i. All appointments are subject to satisfactory references, vetting procedures and DBS clearance.

7.6 Stage 6: Pre employment checks

a. The successful candidate will be offered a conditional offer, subject to satisfactory references, DBS and other required checks. No candidate may commence employment until satisfactory DBS and right to work checks have been received.

b. When appointing new staff, HR Shared services on behalf of the LTE group will:
   i. Have obtained appropriate references from the last 3 year's employment, which are deemed to be satisfactory
   ii. Verify a candidates identity using online digital checking
   iii. Obtain a DBS certificate appropriate to the role including an enhanced DBS disclosure certificate with a barred list information where the candidate will be engaging in a regulated activity
   iv. Require the candidate to provide proof of professional status and actual certificates of qualifications as appropriate for verification
   v. Verify the candidate's eligibility to live and work in the UK. See Further Information below
   vi. Issue a Work Health Assessment (via Fit4jobs), an online questionnaire that needs to be completed and confirmation received from the Occupational Health provider and agreement that the candidate will attend an occupational health appointment if necessary
   vii. Carry out any further checks considered appropriate if the candidate has lived or worked outside of the UK
   viii. Instigate the prison vetting process (Novus / Novus Cambria / Novus Gower only)

Total People / MOL will conduct prohibition checks in addition to the above as required by Training Providers in line with the KCSiE policy.

c. All checks will be:
   i. Documented and retained on the individual's personnel file and recorded on the LTE group appropriate systems.
   ii. Followed up if they are unsatisfactory, or if there are any discrepancies in the information

received. Unsuccessful candidates will be notified by iTrent automatic email after successful candidates have been informed. Unfortunately, it is not possible to provide external candidates with feedback on their performance

d. Employment will only commence once all the checks and procedures have been satisfactorily completed.
e. All successful candidates will be made aware that they will be asked to complete a Criminal Declaration under the Rehabilitation of Offenders Act 1974. They will also be directed to guidance on filtering and protected offences, to ensure they are aware of what offences need to be disclosed and which do not.

7.6.1 Proof of Identity and Right to work in the UK & Verification of Qualifications and/or Professional Status

a. Successful applicants for all posts will be required to provide proof of identity via our digital online checking systems in line with Safer Recruitment guidance.

b. Successful candidates will also be required to provide evidence of their right to work in the UK, in accordance with the government's guidance. (See Further Information below). LTE group is required to hold this evidence on the employee file for appointed individuals.

c. Successful candidates will also be required to provide proof of their qualifications and professional status by producing documentation as part of their conditional offer.

d. The LTE group will verify that candidates have obtained qualifications legally required or deemed essential for the job by asking to see the relevant certificate, or a letter of confirmation from the awarding body/institution.

e. If the original documentation is not available, the LTE group will require sight of a properly certified copy.

f. In most circumstances proof of identity and other documentation will be verified via our online digital check service, however in some cases managers may be asked to verify documentation.

g. Work Permits and Visas – candidates requiring a work permit or visa to work in the UK will be required to secure these themselves before applying to work for the group, examples include Student visas, Biometric residence permits, or Visa under the EU settlement scheme. This excludes Skills Shortage Visas which require employer sponsorship.

7.6.2 DBS requirements

a. The DBS check searches personal details provided by applicants against police records and other sources. It is an essential component of our Safer Recruitment process and will be undertaken to minimise risk to students, learners & apprentices.

b. There are three types of check that the LTE group may request from the DBS:-

    i. Standard Check – shows unspent convictions, cautions, reprimands and final warnings along with any spent convictions and cautions that are not eligible for filtering

ii. Enhanced Check - shows the same information as a Standard Check plus any information held by local police that's considered relevant to the role
iii. Enhanced Check with Barred Lists – shows the same information as an Enhanced Check plus whether the applicant is on the list of people barred from doing the role

c. Requirements for DBS and the appropriate level will be detailed at offer stage. If the role involves providing regulated activity an enhanced DBS check with barred list information will be required. If the role is solely based in a location which is not covered by the DBS code of practice, a DBS may not be required. It is a condition of employment that an appropriate level of DBS check is undertaken by the organisation and clearance is received before an applicant starts their employment.

d. Due to the nature of work as an Educational Services provider, it is likely that at least a Standard Check up to an enhanced with child is required for most LTE group roles.

e. In certain circumstances (excluding Group Functions, TMC and UCEN Manchester - see below) an individual may commence employment prior to receipt of the Disclosure certificate if:
i. A risk assessment has been carried out by the hiring manager and approved by the appropriate senior leader or DSL
ii. They have submitted a DBS application via Xchecker
iii. Have a recent DBS certificate that must be validated by HRSS
iv. They are always supervised and have no access to student records systems.

f. In addition, there is a confidential process for transgender applicants. If a transgender applicant is asked to complete a DBS check and has a previous identity that they do not wish to be disclosed to LTE group and/or on their DBS certificate, they may call or email the DBS dedicated sensitive applications team before submitting their application. The team is experienced in dealing with sensitive cases and will advise them of the process and what they need to do. More information can be found via https://www.gov.uk/guidance/transgender-applications.

TMC/UCEN: individuals are not permitted on TMC/UCEN campus sites or to have access to student records systems until the disclosure certificate is received. Individuals needing to attend site for a meeting or to collect IT equipment before their disclosure certificate is received must follow the Visitor process and be accompanied by a colleague at all times.

Group Functions: individuals are not permitted on any sites or to have access to student records systems until the disclosure certificate is received. Anyone needing to attend site before their disclosure certificate is received must follow the Visitor process and be always accompanied by a colleague. In exceptional circumstances for safety or legislative/compliance critical roles only, it may be possible for an individual to commence employment prior to receipt of a Disclosure Certificate if points e. i. to iv above are followed. In these circumstances the exec lead for the relevant Group Function must approve the risk assessment and it must be authorized in advance by the Executive team lead for Safeguarding.

Novus/ NC/NG/NTL: If employees are going to be working, or be a regular visitor at a Prison establishment, they will be required to undertake the appropriate security clearance for the establishment at which they are going to be based. Dependent on the role and nature of the particular Prison establishment this may be Ministry of Justice enhanced security clearance or CTC clearance. HMPPS Security vetting must be completed before they commence employment.

Total People: Job roles that involve carrying out certain activities for children and adults may require an enhanced DBS check with a check of the barred lists. This will check if someone is included in the 2 DBS 'barred lists' of individuals who are unsuitable to work with:

· Children
· Adults
· It is against the law for employers to employ someone or allow them to volunteer for this kind of work if they know they are on the barred lists.
· There are specific rules for working with children – known as working in a regulated activity with children.
· In exceptional circumstances, certain roles across TP/MOL maybe permitted to commence employment whilst awaiting the outcome of the DBS. In these exceptional circumstances, risk assessments must be undertaken and signed off by either the MD or DMD.

7.6.3 DBS checks for non-employed Workers and Visitors

a. Non-Employed Agency Workers: where an Agency worker is employed, the Agency must provide written confirmation of the DBS clearance before the Agency worker commences work at the level appropriate for the role and business unit. Hiring managers must complete the non-employed form in iTrent to alert HRSS to perform the checks and ensure that the Single Central Record is complete. All Agency workers must comply with the Visual Identification Policy for the particular site and accept the Health and Safety and Safeguarding Expectations.

b. Anyone who visits one of the sites frequently (once a week or more often, or on four or more days in a 30 day period) and has regular unsupervised access to students, learners & apprentices is considered to be a regular visitor and would therefore be required to either have a DBS statement from their employer, where self employed have signed up to the online DBS checker or complete a DBS with the college. Hiring managers must complete the non-employed form in iTrent to alert HRSS to perform the checks and ensure that the Single Central Record is complete. All regular visitors must comply with the Visual Identification Policy for the particular site and accept the Health and Safety and Safeguarding Expectations.

c. Regular Visitors (ie Consultant teachers) who are delivering/mentoring online frequently (once a week or more often, or on four or more days in a 30 day period) and has regular access to students, learners & apprentices is considered to be a regular visitor and would therefore be required to either have a DBS statement from their employer, have signed up to the online DBS checker or complete a DBS with the college. Hiring managers must complete the non-employed form in the HR system to alert HRSS to perform the checks and ensure that the Single Central Record is complete. All online regular visitors must be provided with and accept the Safeguarding Expectations.

d. Primary Contractors: Where a primary contractor is employed, the contractor must provide written confirmation of their DBS clearance procedures for all their employees before any contractor commences work on campus which includes enhanced DBS (with child barring lists) check. All primary contractors must comply with the Visual Identification Policy for that particular site and wear a primary contractors visitors' badge. All contractors must complete the contractor induction process. An annual audit will be conducted with each primary contractor.

e. Responsive contractors (not a primary contractor): Where a responsive contractor is employed, the contractor must provide written confirmation of their DBS clearance procedures before any contractor commences work on campus. Where enhanced DBS checks (without child barring lists) are completed, contractors will need to show a copy of this when signing in. Where a contractor does not complete enhanced (without child barring list) DBS checks they will be treated as a visitor and must be supervised at all times. All contractors must sign in (complying with the visual Identification Policy for the particular site) wear a responsive contractors visitors' badge, complete the contractor induction process.

f. Other Visitors: Adhoc visitors not having unsupervised access to students. Anyone visiting one of the sites must sign in (complying with the Visual Identification Policy for the particular site), wear a visitors' badge and be supervised at all times. All regular visitors must comply with the Visual Identification Policy for the particular site and accept the Health and Safety and Safeguarding Expectations.

Examples of Definitions of a Visitor:

Parent/Carer
Professional representing a service provider or agency e.g Police or a college nurse
A visiting guest speaker/lecturer
A speaker at an internal or external event

Events held that involve visitors as outlined above (i.e awards evening, open and sport events, performances etc) require a risk assessment to be completed by the responsible manager. This will include an assessment and management of safeguarding risk.

g. Volunteers: volunteers are treated in the same way as non-employed colleagues; if they are age 16 or over and will be engaging in regulated activity, we require an enhanced DBS check with the relevant barred list information. If they are going to be based at a site which is exclusively or mainly for the provision of education to children (or will regularly visit such a site) we require an enhanced DBS check. They will not be allowed to commence voluntary work or attend site until the applicable check has been completed and a satisfactory disclosure received. Their details will be held on the Single Central Register. All Volunteers must sign in (complying with the Visual Identification Policy for the particular site)

h. Trainee Teachers: all trainee teachers are treated in the same way as non-employed colleagues. All trainee teachers must have either a DBS check or a letter from their place of study confirming that a DBS check has been undertaken and is deemed satisfactory. If they do not have this, hiring managers must complete the non-employed form in the HR system to alert HRSS to perform the checks and ensure that the Single Central Record is complete. The organisation may take a decision not to provide a placement dependent upon the outcome of the check. They will not be allowed to commence teaching or attend site or have access to student records systems until the applicable check has been completed and a satisfactory disclosure received. Their details will be held on the

Single Central Register. All Trainee Teachers must comply with the Visual Identification Policy for the particular site.

i. **Subcontracting -** Where a Business Unit enters a subcontract partnership with another provider the lead manager should follow the LTE Group's Safe and Fair Recruitment Policy. It is the responsibility of the subcontracted provider to complete all the necessary safer recruitment checks and the lead manager to check and confirm that these are in place. All staff under a sub-contractor will be recorded on the single central record.

j. Governors: all board members will need to have an Enhanced with child DBS check.

7.6.4 DBS process

a. When a conditional offer of employment is made for permanent or temporary employment the relevant link for the completion of the DBS and guidance material is issued by HRSS. This is checked together with the relevant documentary evidence (three forms of ID is required) and processed via Xchecker. REED will advise HR if the disclosure certificate is clear or unclear. If an applicant subscribes to the Update Service, please refer to 6.6.6.

Novus/NC/NG/NTL: Whilst it is a requirement of employment with Novus that a DBS check be carried out prior to a start date being agreed, it may also be a requirement by the individual Prison establishment that a separate DBS check be carried out as part of the relevant overall security checking procedure to allow access to the applicable site. There may therefore be a requirement for two separate DBS checks to be carried out; one by Novus and one by the individual Prison establishment. Employment will only be able to commence once all other separate security clearances have been concluded by the Prison establishment irrespective of whether a DBS check has been completed by Novus.

b. If the DBS Certificate contains disclosure information the applicant will be asked to send a copy of their original Certificate and complete the DBS disclosure form in order for us to make a decision. A copy of this form can be seen in Appendix X.

c. A Risk Assessment will be undertaken by the business unit DSL to decide if the employment or volunteering should commence or continue. All risk assessments will be authorised by the Executive lead for the business unit, in discussion with the DSL. If the lead Executive team member is absent this will be performed by their delegated second who has assumed their Executive duties.

d. In undertaking the Risk Assessment and making a decision, the following factors will be taken into account:
    i. Whether the conviction or other matter revealed is relevant to the post offered
    ii. Has the candidate disclosed the offence and been honest and open at interview stage the seriousness of any offence or other matter revealed
    iii. The length of time since the offence or other matter occurred
    iv. Is there a pattern of behaviour or a one-off event
    v. Have the individual's circumstances have changed since the offending behaviour

e. Any information disclosed by the individual will be treated in strictest confidence and will only be shared with employees who require the information in the course of their duties. This will usually

be limited to the DSL and HRSS, and only if appropriate, with the individual's Line Manager(s).

f. The organisation complies fully with the Code of Practice regarding the correct handling, use, storage, retention and disposal of DBS certificates and Disclosure information. We also comply fully with our obligations under the Data Protection Act 2018 and other relevant legislation pertaining to the safe handling, use, storage, retention, and disposal of Disclosure information. More information about how we handle personal data is outlined in our Privacy Notice.

g. The risk assessment will be implemented and monitored and will be placed on the individual's employee file.

h. If it is determined that the employment should not commence, or the volunteering continue, the individual will be verbally informed about the decision and confirmed in writing.

i. Providing false information is grounds for gross misconduct and immediate dismissal.

7.6.5 Process to determine suitability

a. It is important that applicants understand that having a criminal record will not necessarily bar people from working for the organisation. We consider any matter revealed in a Disclosure (or as otherwise disclosed by the applicant) in a sensitive and confidential matter.

b. In determining the applicant's suitability for employment, we will consider the details/circumstances of the offence, the time lapsed since the last conviction, nature of the position etc. The decision as to whether to allow the offer of employment to proceed will balance the primary concern, which is to protect the learners, with the desire to be fair to applicants who may have been successfully rehabilitated. In some cases, the information will be discussed with the Local Authority Designated Officer (LADO) as a source of authority (with personal information redacted).

c. It is impossible to provide definitive guidelines as to what should or should not cause an applicant to be rejected and therefore if a disclosure is received in relation to a potential applicant the matter will be referred to the DSL who will undertake a risk assessment. The decision maker(s) (the Executive Team lead) will consider the matter and decide whether the applicant should be rejected, allowed to proceed and/or whether any risk assessments or safeguards should be put in place.

d. We ensure that those designated members staff who are involved in the recruitment process have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

e. Many low level convictions do not need to be reported or shared with Ofsted and it is up to the discretion of the management if they wish to employ an individual. However, there are number of more serious crimes which mean that the individual is disqualifiable under the Childcare Act 2006. This does not mean that the person is automatically disqualified from working with children, but they must themselves apply for a waiver with Ofsted and cannot be with children until Ofsted have a made a decision to grant the waiver. A waiver only needs to be applied for one time and can be carried into other jobs.

f. If we determine that the information revealed/disclosed means that the applicant is not felt to be suitable for the position, we will then withdraw any conditional offer of employment that has been made.

Novus/NC/NG/NTL: If the position is based at (or regularly working within) Novus, further discussions will need to take place with the relevant Prison establishment prior to any decision being taken on the continuation of the offer of employment. It should, however, be noted that for posts based at (or regularly working within) a Prison establishment, the final decision as to who is suitable to be allowed access to the establishment rests with the individual Prison establishment.

g. Applicants should note that we are not legally permitted to employ someone for this kind of work if we know they are on one of the barred lists. Therefore, if a person appears on a barred list relevant to the role, they will be automatically deemed as not suitable for employment.

h. It is illegal for applicants to apply if they are on the child barred list and we have a duty to report this.

7.6.6 DBS Update Service

a. The DBS includes an Update Service which individuals can choose to subscribe to.

b. Subscribing to the Update Service entitles individuals to have their DBS certificate kept up to date and potentially use the same disclosure certificate between organisations (including voluntary organisations) providing certain criteria is satisfied e.g. the same type and level of check is required by the "new" body.

c. If an applicant already subscribes to the Update Service they should inform the recruitment panel when attending for interview, as a new DBS application may not be required if they are successful.

d. Applicants will need to give the organisation consent to carry out a status check which will be dependent upon them providing their original DBS certificate to us. If the status check reveals a change to the DBS certificate applicants will subsequently be required to complete a new DBS application form.

e. If an applicant is not already a member of the Update Service, they will need to complete the new DBS application via the link issued by HRSS. As they will be completing a new DBS check for their employment with the organisation they will be eligible, should they choose to do so, to subscribe to the Update Service on an individual basis. This needs to be done within 30 days of the certificate being issued.

f. The organisation does not require employees to subscribe to the Update Service and will not reimburse any annual subscription amounts, however we do encourage employees to subscribe to the Update Service should they wish to do so.

7.6.7 Referrals

a. As a regulated activity provider, we have a legal duty to refer an individual to the DBS in the following circumstances:
    1. When we have permanently removed a person from "regulated activity" through dismissal or permanent transfer from "regulated activity" (or would have if the person had not left, resigned, retired or been made redundant)
    2. And we believe the person has either:
        i. Engaged in "relevant conduct", or
        ii. Satisfied the "harm test" (i.e. no action or inaction occurred, but the present risk that it could was significant), or
        iii. Received a caution or conviction for a "relevant offence" (a list of these offences is available from the DBS).

b. A referral will not usually be made when a safeguarding concern is first raised or an allegation is first made, as it is important that a process of investigation is conducted first, which may include the organisation's disciplinary policy being invoked, in order that sufficient information can be provided to the DBS should a referral be deemed to be required.

c. If an employee is part of a disciplinary process which results in a sanction relating to the above the organisation will consider if the concern/allegation meets the above requirements for a referral to be made. A referral decision will be made by the nominated decision maker(s). If the decision is made not to refer to the DBS, a record will be made of the consideration undertaken and why that decision was made. It is important to highlight the fact that should an individual resign from or otherwise leave their employment prior to the conclusion of any investigation/disciplinary process, a referral will still be made to the DBS, should the criteria for a referral be met.

d. The organisation will notify any individual in writing that they are being referred to the DBS and the reason(s) for the referral.

e. The organisation will also give consideration to whether the concern should be raised with the Local Authority Designated Officer (LADO) or whether a referral to other relevant professional bodies such as the Institute for Learning is appropriate. For Novus employees this could include raising the concern with the relevant Governing Governor.

f. The organisation has a standard policy of providing factual references following the end of employment which confirm the dates of employment, the role in which the person was employed and the reason for employment ending. Should the employee have been subject to a referral in relation to a DBS concern and a prospective employer asks a specific question about this, then they will be informed about the presence of that referral.

7.6.8 Overseas Checks

a. Any new starter who has lived or worked outside of the UK for a period of more than 6 months within the last 10 years will be required to undergo a police check for every country that they have lived in for the last 10 years.

b. The original check/certificate as well as an official translation of the document will need to be shown to a member of HRSS or their Line Manager if they are based in a prison.

c. The application process for obtaining a criminal records check/certificate varies from country to country. Further information on how to request a check from another country can be found Guidance on the application process for criminal records checks overseas - GOV.UK (www.gov.uk).

LTE group may be able to conduct other checks as part of our pre-screening methods. Whether this is appropriate will depend on the particular circumstances that apply and the overriding consideration will be the safety and security of learners and colleagues.

7.6.9 Existing employees with a disclosure – change of circumstance

a. Should an employee's criminal record change during employment, they are required to inform the organisation of that change as soon as it occurs.

b. Dependent on the employee's role and the Police force involved, the organisation may be informed by the Police via the Notifiable Occupations scheme, however an employee should ensure they inform the organisation directly in the first instance.

c. The employee will be asked to complete a personal statement and the matter will be referred to the Employee Relations team. Consideration will be given to the nature of the role and the conviction or other information which is available.

d. Until the decision maker(s) ie the Designated Safeguarding Lead and the business unit Executive Lead have considered the matter the employee may be subject to interim precautionary action as outlined in the disciplinary policy. This could include not permitting the employee to work unsupervised, redeployment or suspension pending an investigation, it would be without prejudice and with full pay.

e. Where an employee fails to inform management of a change to their disclosure status the employee will be liable to disciplinary action which could lead to their dismissal without notice.

Novus/NC/NG/NTL: In the event the decision maker(s) (the Executive Team lead) determines the employee is permitted to continue working, further discussions will need to take place with the applicable Prison establishment to determine whether they are satisfied and whether they will continue to allow access in accordance with their security requirements

7.6.10 Repeat DBS checks during employment

a. The organisation will conduct repeat DBS checks during employment (or repeat status checks for those employees who have subscribed to the Update Service). This will normally be every five years from the date of the original check/status check for Regulated Activity roles as required by the Business Unit.

b. Employees will receive notification of renewal 90 days prior to their DBS renewal date via email requesting they complete and provide their evidence within 4 weeks. Where the DBS renewal

application and evidence is not provided by the DBS renewal date then the matter will be referred to the Employee Relations team for formal escalation under the disciplinary policy. In addition, the employee may not be permitted to work on site, or have access to student records systems, or have unsupervised access to students until this is completed.

c. Where a DBS Certificate reveals information which was known to the LTE group before the employment commenced and which has been previously risk assessed and confirmed that employment may commence/continue, no new risk assessment will be undertaken unless there has been a material change in circumstances which requires a new risk assessment to take place to ensure the safety and security of learners and/or staff.

d. If a disclosure is received as part of the re-checking process containing information not disclosed in accordance with paragraph 6.6.9 (e) above, the employee will be liable to disciplinary action which could lead to their dismissal without notice.

Novus/NC/NG/NTL: There may be occasions where , on a more frequent basis than that outlined above, the applicable Prison establishment requires an updated DBS check, for example, as part of the security renewal process. Applicable employees will be required to comply with this.

7.6.11 Monitoring and Ongoing Vigilance

a. The recruitment process and induction arrangements will be monitored to allow for future recruitment practices to be better informed. It will normally cover staff turnover and reasons for leaving, exit interviews.

b. We operate a culture of vigilance, supporting and encouraging staff to be watchful, the welfare of students is always a primary concern for the LTE group.

8. Induction

8.1 Once an appointment is made, the hiring manager must ensure practical arrangements for the new member of staff are organised before their arrival such as their workspace, IT login and arrange ID badge.

8.2 The hiring manager should also ensure a local induction programme is planned for the new member of staff in readiness for their first day. This should incorporate standard information/activities which are common to all staff within the department, plus elements which are specific to the role. Individual business units will also have specific induction programmes.

8.3 New colleagues will be given access to our online learning platform and required to complete our core statutory and mandatory training modules which will include Safeguarding and the Prevent duty amongst others. The training must be completed as the first task of the role, KCSiE should be completed on the first day of employment before taking up duties.

9. Records & Data Management

9.1 Records will be kept on all stages of the recruitment and selection process and retained by the Human Resources Recruitment team for a period of 6 months for unsuccessful candidates and then disposed of

securely.

9.2 Where candidates who have met the criteria and were successful in the recruitment process but were not the highest ranking or first choice, the Group will look to retain application details for the purposes of talent pooling and streamlining future applications suitable for the candidate, subject to the applicable data retention period.

9.3 Further clarification on retention periods can be found in the Records Management Policy and Data Retention Schedule.

10. Training for colleagues

10.1 Training will be designed and delivered to ensure that Managers involved in leading the recruitment and selection of staff will be made aware of this policy and its provisions.

11. Definitions

11.1 Disclosure - this includes, but is not limited to, information relating to criminal/unlawful activity and, in the case of applicants, information relating to misconduct whilst in other employment and/or other relevant information which may bring their suitability for employment into question.

11.2 Regulated Activity with Children – the information below provides a summary of the main provisions of regulated activity relating to children (a person under 18 years of age). It does not cover all aspects of regulated activity relating to children or cover all exceptions.

11.2.1 Activity of a specified nature:

i. teaching, training, instruction, care for or supervision of children (except if the person undertaking the activities is under regular supervision) if carried out by the same person frequently* or overnight

ii. advice or guidance (except legal advice) provided wholly or mainly for children which relates to their physical, emotional or educational well-being if carried out by the same person frequently or overnight *(* frequently means once a week or more for four or more times in any 30 day period*)

11.2.2 Activity within a specified establishment:

i. any activity that is for or on behalf of the establishment with the opportunity for contact with children if carried out frequently;

ii. excepted is work by volunteers under regular supervision or occasional or temporary contract work that is not an activity of a specified nature listed above;

iii. specified establishments are schools, pupil referral units, academies, nursery schools, Further Education (FE) establishments mostly for children, institutions for the detention of children, children's homes, children's centres and childcare premises including nurseries

11.2.3 Day to day management of regulated activity (any frequency*):

i. Day to day management on a regular basis, of a person who is providing a regulated activity in relation to children. This includes the supervisor of a person who would be in regulated activity if not under regular supervision *(* any frequency means that doing the activity once or more is*

regulated activity)

11.2.4 Supervising a child in employment:

ii. Excepted from regulated activity relating to children is a person who supervises a child in the course of the child's employment including work experience. However, it is regulated activity if the child is under 16 and it is carried out by an unsupervised person for whom arrangements exist principally for that purpose

11.3 Regulated Activity with Adults – the information below provides a summary of the main provisions of regulated activity relating to adults (a person over 18 years of age). It does not cover all aspects of regulated activity relating to adults or cover all exceptions

11.3.1 Adults are regarded as vulnerable if they require regulated activities to be provided on their behalf at that particular time. Regulated activities include:

i. Healthcare of an adult;
ii. Personal care of an adult;
iii. Providing social work;
iv. Assistance with general household matters;
v. Assistance in the conduct of a person's own affairs;
vi. Conveying
vii. Day to day management of regulated activity

Regulated activity relating to both children and adults is defined in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 (as amended)

11.4 Evidence Requirements – applicants need to provide a minimum of three items of documentation one of which must contain their current address. Details of the acceptable evidence requirements are available from www.gov.uk/dbs.

11.5 Filtering – the DBS do not include certain specified old and minor offences. The filtering rules, together with the list of offences that will never be filtered, are available from www.gov.uk/dbs. Applicants should refer to these rules if they need further information to help them understand whether any conviction information they may have will still appear on their certificate, or whether it will have been removed, and therefore whether they need to disclose that information to us. It will also assist applicants in completing the relevant question relating to conviction information on the DBS application form.

12. Recruitment of ex-offenders

12.1 Background

a. The Rehabilitation of Offenders Act was introduced to ensure that ex-offenders who have not re-offended for a specified period since their date of conviction are not discriminated against when applying for jobs.

b. The Act enable ex-offenders to 'wipe the slate clean' insofar that, unless the job they are applying for is exempted, they are no longer required to disclose convictions that are spent

c. It is unlawful for an organisation to discriminate against an ex-offender based on a spent conviction unless the individual in question is applying for an exempted job, although unspent convictions must be disclosed

d. The length of time required for a conviction to become spent depends on the sentence received and the age when convicted (see Guidance notes for Rehabilitation of Offenders/Criminal Records Declaration Form).

e. There are, however, a number of jobs that are exempt from the Act in order to protect vulnerable groups within society; such posts might involve unsupervised access to children, young people, the elderly, disabled people, alcohol and drug users and the chronically sick.

f. As an organisation using the Disclosure & Barring checking service ("DBS") to assess applicants' suitability for positions of trust, LTE group complies fully with the DBS Code of Practice and aims to treat all applicants for positions fairly.

g. It undertakes not to discriminate unfairly against any individual based on a conviction or other information revealed. This policy on the recruitment of ex-offenders will be made available to all DBS applications at the outset of the recruitment process as well as to individuals who, either at the start of their employment or during its course, give consent for online Status Checks to be undertaken on their DBS Certificate via the Update Service.

h. Positions which meet certain criteria, such as roles involving work with children, young people, or vulnerable adults, will require applicants to undergo a criminal record check processed through the Disclosure and Barring Service (DBS). As advised by the DBS Code of Practice published under section 122 of the Police Act 1997, any applicant for a position requiring a DBS check who has a criminal record will be treated fairly by LTE group and not discriminated against because of a conviction or other information revealed.

i. Having a criminal record does not necessarily prevent an individual from working in certain roles. This will depend on the exact nature of the position applied for and the details and circumstances of the individual's offence(s). Criminal record information does, however, need to be considered in a fair, effective and robust manner, focusing on the need to safeguard people and, where necessary, exclude individuals with particular forms of criminal record.

j. LTE group has some jobs that require it to check the background of proposed appointments to positions of trust within the company and which are exempt from the Rehabilitation of Offenders Act.

12.2 General principles

a. As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), LTE group complies fully with the code of practice and undertakes to treat all applicants for positions fairly.

b. LTE group undertakes not to discriminate unfairly against any subject of a criminal record check on

the basis of a conviction or other information revealed

c. LTE group can only ask an individual to provide details of convictions and cautions that LTE group are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended)

d. LTE group can only ask an individual about convictions and cautions that are not protected

e. LTE group is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background

f. LTE group actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records

g. LTE group selects all candidates for interview based on their skills, qualifications and experience

h. An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position

i. LTE group will design and deliver training to ensure that all those in LTE group who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences

j. LTE group also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974

k. At interview, or in a separate discussion, LTE group ensures 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 to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment

l. LTE group makes every subject of a criminal record check submitted to DBS aware of the existence of the code of practice and makes a copy available on request

m. LTE group undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

13. Useful links

a. Keeping Children Safe in Education 2024 Keeping children safe in education - GOV.UK (www.gov.uk)

b. Data Protection Act 2018 Data protection: https://www.gov.uk/data-protection?msclkid=c3958ac7d0b811ec8f6c37a606aa79d2

c. Education and Training (Welfare of Children) Act 2021 Education and Training (Welfare of Children) Act 2021 (legislation.gov.uk)

d. DBS Code of Conduct https://www.gov.uk/government/publications/dbs-code-of-practice?msclkid=edad70efd0b811ec9e88c5b3aafcbb64

e. Online DBS Check Application | DBS Check Online

f. Safer Recruitment Protocols 2021 (Safer Recruitment Consortium) Home (saferrecruitmentconsortium.org)

g. Right to Work Guidance https://www.gov.uk/government/publications/right-to-work-checks-employers-guide

h. Working Together 2018 https://www.gov.uk/government/publications/working-together-to-safeguard-children--2?msclkid=87afbb92d0b911ec829e2b6b6b3b1f01

i. Police, Crime, Sentencing and Courts Act 2022: https://www.gov.uk/government/publications/police-crime-sentencing-and-courts-bill-2021-factsheets/police-crime-sentencing-and-courts-bill-2021-positions-of-trust-factsheet

Appendix 1

DBS DISCLOSURE FORM

DBS Disclosure(s) - Form One **Personal Statement for Applicants**

Part One — to be completed by the applicant			
Name:		Role applied for:	
Key Information: Due to the nature of the work, it is imperative that any individual with any (spent or unspent) conviction, indictment, bind-over, reprimand, police caution, final warning or any individual who is under police investigation or has proceedings pending, has their suitability for employment reviewed to ensure that they pose no risk to learners. As it has recently been brought to our attention that you have a disclosure(s), are under investigation or have proceedings pending, we need you to complete a personal statement to enable us to understand the context. The information providing by you will be assessed by a decision maker(s). To ensure we have an accurate understanding of the circumstances surrounding your disclosure(s) please supply us with open, honest and detailed information.			
Please provide full details of all disclosure(s), including dates:			
Please provide a full explanation of the circumstances surrounding the disclosure(s):			
Please provide evidence which demonstrates how you have achieved and sustained rehabilitation since offending:			
Please provide evidence which demonstrates that you present no risk to our learners:			
Decision Maker(s) details:			

Name:	Job Role:
Name:	Job Role:
Name:	Job Role:
Declaration: I declare that the information given in this form is complete and accurate. I understand that any false information or deliberate omissions may result in future disciplinary action, and could lead to my summary dismissal. I undertake to notify the organisation immediately of any changes to my details. The organisation complies fully with the Code of Practice regarding the correct handling, use, storage, retention and disposal of DBS certificates and Disclosure information. We also comply fully with our obligations under the Data Protection Act 2018 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information. More information about how we handle personal data is outlined in our Privacy Notice.	
Signature:	Date:
For HR use only: Please return to HR Shared Services	
Date Received:	
Name:	
Job Role:	
Nominated decision maker(s):	
Date forwarded:	
Date returned:	
Please detail any action to be taken by HR/Line Manager etc.:	
Part 2: TO BE COMPLETED BY THE DECISION MAKER	
Note of key points discussed:	
Decision maker(s) Recommendation:	

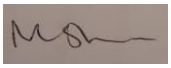
APPENDIX 2

DUE REGARD SCREENING TEMPLATE

SECTION 1	
Name of activity / proposal	***Safe and Fair recruitment Policy***
Date screening commenced	12 January 2026
Directorate / service carrying out the assessment	Human Resources Team
Name and role of person undertaking this due regard (equality analysis)	Tracey Spencer
Give an overview of the aims, objectives and purpose of the proposal:	
AIMS: • Provide clarification for our approach to safe and fair recruitment at LTE group	
OBJECTIVES: • Ensure colleagues and managers understand our approach to safe and fair recruitment and can effectively and compliantly apply the policy to recruitment decisions • Provide a comprehensive and compliant overview of how we approach recruitment • Demonstrate our adherence to the necessary legislation	
PURPOSE: • Create and maintain a culture of safer recruitment • Ensure that recruitment and selection policies meet the requirements of employment and equal opportunities legislation	

Protected characteristic	**If the proposal/s have a positive or negative impact please give brief details**
Age	No
Disability	No
Gender reassignment	No
Marriage & Civil Partnership	No
Pregnancy and Maternity	No
Race	No
Religion and belief	No
Sex	No
Sexual orientation	No
Other equality groups	No

SECTION 3			
Does this activity propose major changes in terms of scale or significance for LTE Group? For example, is there a clear indication that, although the proposal is minor it is likely to have a major affect for people from an equality group/s? Please tick appropriate box below.			
YES		**NO**	✓
High risk: complete a full Equality Impact Assessment		Low risk: go to section 4	

SECTION 4		
If this proposal is low risk please give evidence or justification for how you reached this decision:		
After being operational for 12 months, the policy has been reviewed with some minor amendments made to ensure this remains robust and fit for purpose to ensure safe and fair recruitment practices.		
Signed by reviewer / assessor	**NAME:** Tracey Spencer	**DATE: 12/01/26**
Approval that this proposal is low risk and does not require a full Equality Assessment analysis		
For and on behalf of the LTE Group EDI committee:	**NAME: Marie Stock**	**DATE: 24/01/25**
TITLE: Vice Principal	**SIGNATURE:** 	

Appendix 4

STAKEHOLDERS AND CONSULTATION

Key individuals involved in developing the document:	
Name:	**Role:**
Marie Stock	Vice Principal, Student Experience and Support
Andrew Pickles	Assistant Principal, Foundation Learning and Student Support
Sarah Costigan	Director, Human Resources
Tracey Spencer	Head of HR - Lead for Recruitment
Lisa Bateman	HRSS Manager

Circulated to the following individuals:	
Name:	**Role:**
Peter Cox	Managing Director of Novus
Annick Platt	National Operations Director, Novus
Shamila Anjum	HRBP, Novus
Rachel White	HRBP, Novus
Rachel Curry	Principal and Deputy Chief Executive Officer
Rebecca Marsden	HRBP, TMC/UCEN
Melanie Nicholson	Managing Director of Total People and MOL
Gina Steele	Deputy Managing Director of Total People and MOL
Sophie Hayes	Teaching and Learning Manager, Total people and MOL
Imtiaz Kala	Safeguarding Equality Diversity and Inclusion lead, Total People and MOL
Wendy Pennington	Director of Student Experience and Engagement, UCEN
Alison Close	Managing Director of Group Operations and Deputy CEO
Sarah Costigan	HR Director
Lisa Bateman	HRSS Manager
Tracey Spencer	Head of HR - Novus and Group - Lead for Recruitment
Kim Harris – Small	Director, SHE
Ed Lack	Group Quality and Standards Director

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