

Safer Recruitment and Selection Policy

Review

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Policy Owner	People and Organisational Development		
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Approvals

Board of Corp Y/N		Committee		Date Board approved	
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Change History

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Safer Recruitment and Selection Policy

1. Policy Statement

- 1.1. This is a policy of the City of Sunderland College, trading as Education Partnership North East (which includes Sunderland College, Hartlepool Sixth Form College and Northumberland College). These colleges will be referred to as “the College” throughout this document.
- 1.2. Education Partnership North East is committed to attracting and recruiting a diverse people workforce who have the appropriate skills, attributes, experience and the ability to provide an outstanding teaching and learning experience to its’ students in line with the aims and values set out within the College’s strategic plan.
- 1.3. The purpose of this policy is to provide a sound, robust framework for the recruitment and selection of staff which meet the requirements of relevant legislation including employment, safeguarding, immigration and data protection.
- 1.4. It is designed to ensure that all staff involved in recruitment and selection undertake their roles in a consistent, fair, efficient and cost-effective manner and in line with safer recruitment practices and processes.

2. Scope

- 2.1. This policy has been developed to support all staff and managers involved in the recruitment and selection of all permanent and fixed term posts within the college. The policy does not encompass the hiring of agency workers. However, it should be acknowledged that the principles of safer recruitment will still apply in the hiring of agency workers .
- 2.2. All candidates will be treated fairly and consistently, with courtesy and respect in order to ensure their experience is positive regardless of the outcome. Senior Post holders will be recruited in accordance with the Articles and Instruments of Government.
- 2.3. The People and Organisational Development department are responsible for overseeing all aspects of the recruitment and selection process. Hiring Managers are responsible for ensuring that all recruitment and selection decisions are conducted in line with the guidance as set out within this document.

3. Aims of the Policy/Underpinning Principles

3.1. Safer Recruitment

3.1.1 The College is fully committed to the PREVENT duty and the safeguarding and welfare of children and vulnerable adults and, in line with the Keeping Children Safe guidance, endeavours to create and maintain a safe learning environment for all of its students, staff and others within the College community by:

- attracting the best possible candidates to vacancies
- deterring prospective candidates who are unsuitable from applying for vacancies
- identifying and rejecting those candidates who are unsuitable to work with children and vulnerable adults.

3.1.2 All hiring managers are required to undertake the safer recruitment training and following this, are responsible for ensuring that any member of a recruitment panel is fully aware of the need to adhere to safer and robust recruitment and selection procedures.

3.2. Equality, Diversity and Inclusion

- 3.2.1. The College values diversity and inclusion and is committed to promoting equal opportunities and eliminating discrimination. Therefore, everyone will apply and administer this policy fairly and consistently to ensure that there is no discrimination on the grounds of age, disability, gender reassignment, marital and civil partnership status, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
- 3.2.2. The aim of this policy is to empower hiring managers to build a talented, innovative, and flexible workforce while promoting equality, diversity, and a commitment to eliminating bias through the use of a recruitment process that is efficient, consistent, and fair.
- 3.2.3. Reasonable Adjustments for people with disabilities - it is unlawful to discriminate against a disabled person in recruitment, selection and other aspects of employment. The college recognises it has a legal duty to make reasonable adjustments to processes, physical features or employment arrangements to prevent a substantial disadvantage being caused to a disabled person. For further guidance please refer to the People and Organisational Development Department.
- 3.2.4. Genuine Occupational Requirement - in accordance with the law, all posts must be open to all candidates. However, it is permissible in certain circumstances (specified in the Equality Act 2010) to seek only candidates of a particular race or sex, where this is a Genuine Occupation Qualification (GOQ). Such cases are unlikely to occur within the College; however, where a hiring manager considers that a GOQ may apply to a post this should be discussed with the People and Organisational Development Department.

3.3. Rehabilitation of Offenders

- 3.3.1. Due to the nature of the work in education, posts in the college are exempt from Section (4)2 of the Rehabilitation of Offenders Act 1974 by virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975.
- 3.3.2. Candidates are required to provide information to the college about spent convictions and cautions, except information about protected convictions and cautions.
- 3.3.3. In the event of employment, any failure to disclose such convictions may result in dismissal. Any information given will be completely confidential and will be considered only in relation to an application for positions to which the Order applies.
- 3.3.4. The disclosure of convictions during the application process must be considered only in relation to their relevance to the job in question and does not bar recommendation for employment. If information is given in confidence, it must be treated as such by anyone involved in the selection process.
- 3.3.5. Further guidance for candidates, including what constitutes a protected conviction or caution, can be found on the Disclosure and Barring Service website. (See Appendix 1 for further information about employing people with criminal convictions.)

3.4. Immigration and Asylum

- 3.4.1. In order to prevent illegal working, sections 15-25 of the Immigration, Asylum and Nationality act 2006 makes it a criminal offence for an employer to employ someone who is not eligible to live and work in the UK.
- 3.4.2. All candidates invited to attend an interview are required to bring evidence that they are eligible to live and work in the UK. (Appendix 2 provides further details with regard to which documentation is deemed to be acceptable by the Home Office.)

- 3.4.3. The College is currently unable to provide sponsorship to an overseas applicant through the Government's five tier points-based system.
- 3.4.4. It is the responsibility of the hiring manager to ensure that checks are carried out at interview. The People and Organisational Development department will be responsible for ensuring that copies of the documentation have been taken upon appointment of the successful candidate. Any checks made must be undertaken in a non-discriminatory manner.

3.5. Fixed Term Workers

- 3.5.1. The Fixed-Term Employees (Prevention of less favourable Treatment) Regulations came into force on 1 October 2002. Fixed term staff are entitled to no-less favourable treatment than substantive staff, starting with the recruitment process. If they have been employed on a fixed term contract for over four years, they have the right for the contract to be converted to permanent on the next renewal or extension, unless the renewal can be objectively justified.
- 3.5.2. Expiry of a fixed term contract is regarded as a form of dismissal and managers should seek timely advice from the People and Organisational Development department on this.

3.6. General Data Protection Regulations (GDPR)

- 3.6.1. All information obtained throughout the recruitment and selection process will be treated confidentially and in accordance with the GDPR and the College's Data Protection Policy and associated documents. This involves the College handling applicant's information and data whether computerised or manually held in a confidential and appropriate manner. Such data must be limited, processed fairly and collected for the specified reason.
- 3.6.2. Managers and staff involved in recruitment and selection must be aware that information about candidates is highly confidential and may be of a personal and sensitive nature.
- 3.6.3. Applicants have the right to be informed about the processing of their personal data and to be forgotten when there is no reason for this data to be processed any further.
- 3.6.4. Applicants may request access to interview notes and any assessment materials that they were asked to complete as part of the process.
- 3.6.5. Given the need for confidentiality, all shortlisting and interview documentation should remain with the interview panel until returned to the People and Organisational Development department.

3.7. Job Share

- 3.7.1. The College supports job sharing as a means of offering more flexible working arrangements and helping to retain experienced and trained staff without significant additional cost. It is also a useful method of supporting staff at different stages of their working life.

3.8. Internal Secondment

- 3.8.1. The College will consider each application for internal secondment on its own merits. For example, a temporary secondment may offer a member of staff the opportunity to develop new skills, whilst protecting their substantive employment. It also enables the College to fill a vacancy and retain any investment in their development.
- 3.8.2. In the event of any request to apply for an internal secondment, staff should seek approval from their line manager prior to applying for the secondment.

4. Responsibilities

4.1. Senior managers are responsible for:

- Authorising staffing requests submitted by managers via the e-recruitment system. This will include evaluating the need for the post in the context of the staffing establishment, staff utilisation and departmental budget.

- Ensuring that hiring managers actively manage their recruitment processes and make fair recruitment decisions in compliance with this policy and accompanying guidelines for managers.

4.2. Hiring managers are responsible for:

- Attending and completing the Safer Recruitment training course.
- Timely submission of all staffing requests for approval via the e-recruitment system, providing reviewed and accurate documentation as required for recruitment purposes.
- Managing and operating a fair, consistent and legally compliant recruitment, selection and onboarding process in line with this policy and accompanying guidelines for managers.
- Maximising the use of the e-recruitment system throughout the recruitment, selection and onboarding process to ensure a positive candidate experience and to facilitate the generation of management information data.
- Ensuring a comprehensive induction programme for any new employee(s).

4.3. People Operations Team are responsible for:

- Assisting the hiring manager in carrying out recruitment process steps required to be completed by the People Operation team and ensuring procedure compliance.
- Providing HR support for contract and onboarding (pre-employment checks) during the selection process.

4.4. People Business Partner is responsible for:

- Providing support and guidance on all aspects of the policy and accompanying guidelines for managers and any related policies/procedures and employment legislation.
- Providing support to the hiring manager on planning and creating a recruitment campaign, and selection plan, as required.
- Providing professional HR advice on grading of posts, content of job descriptions/person specifications, and appropriate salary levels, as required.

5. Implementation

There are several key stages in recruiting and selecting for a post. This section outlines the key stages. Further advice and guidance is available on the People and Organisational Development SharePoint pages and also in the accompanying guidelines for managers. In addition, People and Organisational Development offers training courses designed to equip hiring managers and any other staff involved in recruitment during key aspects of the process.

5.1. Establishing a vacancy

- 5.1.1. The recruitment and selection process should not commence until a full evaluation confirms the need for the role against the area's strategic plans and that it is still required within the staffing establishment and for staff utilisation purposes.
- 5.1.2. Where a new role is identified, the review will assist in the planning and preparation of a job description and a person specification.
- 5.1.3. Where changes are required to be made to a job description, hiring managers should seek advice from the People and Organisational Development department, as changes may affect the grade of the post.
- 5.1.4. Where there are significant changes to be made to staffing arrangements and which may amount to restructuring or redundancy, there must be formal consultation with recognised Trade Unions. In the event of such changes, hiring managers should seek advice from the People and Organisational Development department and follow the process as set out in the Redundancy Policy and Procedure.

5.1.5. Formal authorisation to recruit to a post should be sought via the e-recruitment system for consideration via the appropriate staffing authorisation process before commencing the recruitment process.

5.2. Job Description and Person Specification

A job description and person specification must be produced or updated for any vacant post that is to be filled. For further information on this please see accompanying guidelines for managers and tools/resources provided on the People and Organisational Development SharePoint site.

5.3. Advertising

- 5.3.1. To attract a diverse and talented pool of candidates, the College aims to recruit the right people with the right competences at the right time.
- 5.3.2. The advertisement will demonstrate the college's commitment to safer recruitment and vetting procedures (ensuring all advertisements state that a satisfactory DBS check will be required).
- 5.3.3. As a minimum all posts will normally be advertised internally within the College and externally using appropriate job boards which will direct candidates to the college's careers page on the College's main website.
- 5.3.4. Staff subject to redeployment (see Redeployment policy) will be given priority to any vacancies before they are advertised externally.
- 5.3.5. All advertisements must be cost-effective, should any manager wish to advertise on any specialist websites or publications, they should notify People and Organisational Development of this, and any additional recruitment costs will become the responsibility of the hiring manager.

5.4. Selection – shortlisting

- 5.4.1. The purpose of shortlisting is to determine which applicants will advance to the final selection stage.
- 5.4.2. Following the application closing date, the hiring manager and at least one other interview panel member will review and shortlist all applications via the e-recruitment.
- 5.4.3. Shortlisting decisions for each candidate must be documented using the e-recruitment system's scorecard feature.
- 5.4.4. Shortlisted candidates will receive written notification of the selection process, including any assessments, ideally with working days' notice. In accordance with the Equality Act 2010, they should also be invited to communicate any specific requirements or reasonable adjustments needed for full participation in the process.
- 5.4.5. All candidates, both internal and external, will undergo objective evaluation against the selection criteria outlined in the person specification. Shortlisting will be based solely on meeting all essential criteria, without making assumptions about the qualities of internal candidates.
- 5.4.6. All candidates will be subject to due diligence checks such as online searches as part of the selection process. Shortlisted candidates will be informed of this check as part of the recruitment process.

5.5. Selection – interview

- 5.5.1. All redeployment candidates who meet the essential criteria for the post (outlined within the person specification) will be offered an interview.
- 5.5.2. Any candidates who have declared they have a disability will be guaranteed an interview if they meet the essential criteria for the post (outlined within the person specification).
- 5.5.3. The interview panel should consist of at least 3 staff; the hiring manager plus 2 other relevant members of staff who should be more senior to the post being recruited into. Ideally this should be a mix of both male and female staff. A minimum of one panel member must be safer recruitment trained.

- 5.5.4. Selection at interview is a two-way process where candidates are assessing the role and what it would be like to work at the college. Managers and staff involved in recruitment should consider how best to convey a positive image of the college and to ensure a positive candidate experience.
- 5.5.5. Establishing a variety of selection methods that effectively assess both the essential and desirable criteria in the person specification is essential. A range of selection tools will improve the objectivity of decision-making, which may be challenging through interview alone.
- 5.5.6. Interview questions and the structure of the interview should be consistently applied to all candidates and should be based on the person specification.
- 5.5.7. Notes of the interview should be taken, by the interview panel, so that these can be referred to when assessing candidates against the person specification and making decisions.
- 5.5.8. Unsuccessful interview candidates should be dealt with courteously and sensitively. In the event that a candidate requests feedback about their performance in the selection process this should be arranged by the hiring manager.

5.6. References

- 5.6.1. The purpose of taking up references is to obtain information, in confidence, from a third party to check on a candidate's employment history, experience and their suitability for the post in question. References should be kept confidential and should not be revealed to anyone outside of the recruitment process.
- 5.6.2. All new applicants to the college are required to provide details of two referees, one of which must be their current or most recent employer. If the applicant is in full time education, then the reference must be provided by the educational establishment.
- 5.6.3. An offer of employment should preferably be made following receipt of two satisfactory references; however, this should not unduly delay the appointment process. A hiring manager can make an offer of employment conditional upon receipt of satisfactory references.

5.7. Making the appointment

- 5.7.1. Following conclusion of the selection process, the hiring manager is responsible for making a verbal offer to the selected candidate.
- 5.7.2. The College policy (in order to avoid a possible breach of the Equal Pay Act) is for newly appointed staff to be placed on the minimum point of the advertised salary scale but also to ensure that they would be no worse off than previously within the range of points.
- 5.7.3. To ensure consistency and fairness, the hiring manager should not enter into negotiations with candidates about salaries unless they have had prior discussions with the People and Organisational Development department.

5.8. Onboarding

- 5.8.1. Onboarding is a crucial stage in the employee lifecycle. Creating an excellent start to a new starter's career with EPNE will provide the foundations for a long and successful future with the College. The onboarding process is underpinned by the Learning and Development policy and the Probation policy.
- 5.8.2. The onboarding process begins once the hiring manager submits the Appointment Details form for the new starter.
- 5.8.3. Following receipt of the Appointment Details form, a written offer of employment in line with agreed service standards will be sent to the new starter. Offers of employment are normally subject to satisfactory references, medical clearance, right to work and other relevant checks (e.g., qualifications, Asylum and Immigration, Criminal Records Bureau (for posts that are exempted from the provisions of the Rehabilitation of Offenders Act).

- 5.8.4. The hiring manager should only confirm the new employee's start date after receiving confirmation from the People Operations team that all pre-employment checks have been completed.
- 5.8.5. The pre-employment stage, lasting approximately 1-3 months, depends on notice periods and timely completion of checks. During this period, the hiring manager is responsible for maintaining regular contact, supporting the new starter through pre-employment, and planning for day one induction and probation experience.
- 5.8.6. Where an internal candidate has been successful in gaining a post within another department within the College, the managers within both departments are responsible for negotiating a mutually agreeable date on which the member of staff can transfer to the new post. Contractual notice periods may be taken into consideration at this stage.
- 5.8.7. The induction process begins from the new starters first day of employment at the College.
- 5.8.8. The induction stage of the onboarding process usually lasts to the end of the new starter's fourth week, and then moves seamlessly into the remainder of the probationary period. The hiring manager is responsible for ensuring the new starter is welcomed into their new role using the New Starter Induction Checklist (located on the People and Organisational Development SharePoint pages).

5.9. Interview Expenses

- 5.9.1. The College is unable to reimburse candidates for interview expenses. In exceptional circumstances only, expenses may be authorised by the Director of People and Organisational Development.

5.10. Complaints Procedure

- 5.10.1. Applicants for posts within the College have the right to complain if they consider that they have been unlawfully discriminated against during the selection process.
- 5.10.2. The complaint must be made in writing to the Director of People and Organisational Development within 3 months of the action in question.
- 5.10.3. On receipt of the complaint the Director of People and Organisational Development will:
- if feasible and appropriate, "freeze" the appointment pending the outcome of an investigation and nominate a member of the People and Organisational Development department to investigate the complaint and report back within 2 weeks
 - in investigating the complaint, the People and Organisational Development department will interview all relevant persons including the complainant and will be given access to all documents used during the selection process.
 - the Director of People and Organisational Development will determine in the light of the report what action, if any, to take and will inform the complainant accordingly.

6. Associated Documents

Equality, Diversity and Inclusion Policy
Safeguarding Policy
Redeployment Policy and procedure
Redundancy Policy
Keeping Children Safe in Education
Data Protection Policy

7. Policy Monitoring and Review

Three-year cycle

7.1. Monitoring and Record Keeping

- 7.1.1. For each vacancy advertised, the People and Organisational Development department will monitor and record progress via the e-recruitment system.
- 7.1.2. This information is retained for no longer than 12 months.

8. Equality Impact Assessment

Have you sought consultation on this policy?				
Details:				
Could a particular group be affected (negatively or positively)?	Impact Y/N	Description of Impact	Evidence	Mitigation/Justification
Protected characteristics under the Equality Act 2010				
Age	Y	If the recruitment and selection process is not followed as set out in this policy and procedure then this could lead to potential risk of discrimination for one or more protected characteristics.		
Disability	Y			
Gender Reassignment	Y			
Marriage and Civil Partnership	Y			
Pregnancy and maternity	Y			
Race	Y			
Religion or belief	Y			
Sex	Y			
Sexual Orientation	Y			
Additional characteristics to consider				
Young Persons in Care & Care Leavers	Y			

Young Carers & Care Givers	Y	As above		
Young Parents	Y			
Youth Offenders	Y			
Those Receiving Free School Meals	N			
If there is no impact, please explain:				

Appendix 1: Employing People with Criminal Convictions

Purpose

1. The purpose of this annex is to provide guidance for recruiting and retaining people with a criminal record based upon a full assessment of the risks involved and within the framework of the law.
2. In line with the Equality, Diversity and Inclusion policy, the College aims to promote equality of opportunity for everyone with the right talent, skills and potential. Criminal records will therefore only be taken into consideration when the conviction is relevant. The College undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

Legislation

3. In accordance with the Rehabilitation of Offenders (ROA) 1974 (Exceptions) Order 1975 and the Police Act (Part V) 1997, the College has a duty to obtain criminal record information about prospective employees and volunteers from the Disclosure and Barring Service (DBS).
4. In obtaining such information, the College will endeavour to ensure that safer recruitment decisions are made by enabling appointing officers to make more informed decisions about those seeking to work in positions of trust including roles that will require the post holder to work with children or vulnerable adults.
5. For the purpose of ROA 1974 (Exceptions) Order 1975 the definition of 'working with children' includes working in a further education institution where normal duties of that work involve regular contact with persons aged under eighteen.
6. The College will also require some post holders to work with 'vulnerable adults'. The definition of vulnerable adults within the College will be those students aged eighteen or over who have a condition of the following type: a learning or physical disability; a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs; a reduction in physical or mental capacity.
7. Applicants are required to declare any pending criminal prosecutions they may have as well as any spent criminal convictions, cautions, reprimands and final warnings as defined under the ROA 1974 (Exceptions) Order 1975. Applicants should note they do not need to disclose any 'protected' cautions or convictions as defined by the ROA 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013. For example, a caution is protected under English and Welsh law if: more than six years have passed since the caution was received (or more than two years have passed if under the age of 18 at the time of the caution) and it is not for a 'listed offence'. Further guidance for applicants on protected cautions and convictions can be found on the DBS website. Guidance about whether a conviction or caution should be disclosed can be found on the Ministry of Justice website.
8. An unspent conviction will not necessarily bar applicants from employment at the college as this will be dependent upon the circumstances and background to the offence. The college is, however, fully committed to ensuring that it does not employ anyone who has a criminal conviction or caution that could present a risk to the safety and well-being of its learners and staff.
9. The majority of applicants offered employment at the college will be subject to a criminal record check from the DBS.

What is a criminal record?

10. A criminal record arises from a conviction in a court of law. There may also be occasions when cautions, reprimands and warnings are issued by the Police as an alternative to prosecution. These are usually for less serious offences and after an offence is admitted. It should be noted that criminal records do not normally include speeding and other minor driving or traffic offences.

Disclosure and Barring Service (DBS)/E-Safeguarding Portal

11. The DBS provides employers access to criminal records information from a centralised source. The DBS is responsible for providing four levels of criminal records checks. These are:

- a basic check, which shows unspent convictions and conditional cautions
- a standard check, which shows spent and unspent convictions, cautions, reprimands and final warnings
- an enhanced check, which shows the same as a standard check plus any information held by local police that's considered relevant to the role
- an enhanced check with barred lists, which shows the same as an enhanced check plus whether the applicant is on the list of people barred from doing the role

12. It should be noted that the college currently contracts E-Safeguarding to process all DBS applications and verify all appropriate criminal record vetting checks in line with DBS guidelines. E-Safeguarding is a web based portal which enables all criminal record checks to be processed and completed in a safe and timely manner.

13. Throughout the DBS process all information received will be used fairly and in confidence. All information will be handled and stored appropriately if applicable.

Recruitment and offers of employment

14. The college ensures that all hiring managers who are involved in the recruitment process have been suitably trained in Safer Recruitment. All vacancies advertised will state that the successful applicant will be required to undertake a disclosure check from the DBS.

15. Only the successful candidate at interview will be required to undertake this check. Once an offer of employment has been made, the candidate will be provided with details on how to apply for the disclosure check. This will usually entail the college forwarding the link to an electronic DBS application form on the ESafeguarding Portal direct to the candidate.

16. The candidate will then be responsible for completing the relevant sections within the form and to submit this before arranging a suitable time to attend the People & Organisational Development (P&OD) department with the relevant identification and documentation to support their DBS application. This must take place prior to commencing employment at the College.

17. The P&OD department are responsible for checking and verifying the documentation and/or identification before submitting this to the DBS via the E-Safeguarding Portal.

18. The DBS does charge a fee for each disclosure application, for which the College will pay.

19. It should be noted that there might be occasions where existing employees may be required to apply for a disclosure check. Such instances will only arise if the duties of the employee's post change to such an extent where a disclosure check would normally be required in the appointment of an external candidate.

Assessment of criminal records

20. E-Safeguarding are responsible for notifying the college if any disclosures have been made on the DBS check. Where disclosures have been made, the college will contact the candidate to request sight of the DBS check.

21. Having a criminal conviction will not necessarily bar someone from employment at the College. The College will only take a criminal record into account if the nature of the offence is relevant to the vacant post.

22. As only the successful candidate at interview is required to apply for a disclosure check, applicants should be assured that having a criminal conviction will not be a part of the initial recruitment and selection process.

23. In cases where a criminal conviction is disclosed, the appropriate member of the P&OD department will assess the relevance of the record and the suitability of the person to carry out the post. In reaching a decision, the applicants' interests must be weighed against the interests of the clients, employees and the public, including the College's responsibilities towards these groups.

24. Each case will be considered on its own merits but will take into account:

- relevance of the offence in relation to the post in question
- the nature of the offence
- the seriousness of the offence
- the length of time since the offence was committed
- whether the person had a history of re-offending
- individual circumstances

25. Before a final recruitment decision is made, the individual will be given the opportunity to discuss the information with the appropriate member of the P&OD department. This will give the individual the opportunity to present a case or provide further information. Applicants also have the right to appeal to the DBS if they believe that a mistake has been made on their identity or if the information provided to the College is incorrect.

Appeals

26. Applicants who wish to make a complaint about the information provided by the DBS should contact the DBS directly. Contact details can be found on the website.

27. Applicants who wish to appeal against a recruitment decision made by the college should initially raise their concerns in writing to the Director of People and Organisational Development.

Appendix 2: Documentation deemed acceptable by the Home Office

1. Candidates entitled to work in the UK. There are several broad categories through which non-EEA nationals that can enter the UK to live and work:

- Those who are free to enter, remain and work in the UK with minimal restriction on their length of stay or ability to change employment. These include all EU nationals and those from Switzerland, Norway, Iceland and Lichtenstein who have been granted indefinite leave to remain or have a Right of Abode in the UK.
- Those with greater, but still limited, restrictions on their ability to enter and work in the UK, including Commonwealth nationals with UK ancestry and dependants of British citizens.
- Those admitted to the UK with temporary permission as students or participants in short-term employment including exchange schemes, or for training or work experience.
- Those requiring full employment-based permission to work in the UK.

2. All overseas nationals must comply with the entry requirements of the various immigration Acts and Regulations. The points-based system for nationals from outside the European Economic Area The main route for migrants from outside the European Economic Area (EEA) is the government's five tier points-based system. It has been in place since 2008 to assess non UK nationals from outside the EEA that want to come to work in the UK. The criteria are adjusted regularly, so it's essential to check the latest information.

The tiers are:

- Tier 1 - Highly-skilled individuals, entrepreneurs and high net-worth individuals (not requiring a sponsor).
- Tier 2 - Skilled workers with a job offer.
- Tier 3 - Low skilled workers for temporary labour shortages (although this Tier has never been used because of the strong labour supply from European countries).
- Tier 4 - Students.
- Tier 5 - Youth mobility and temporary workers: people allowed to work in the UK for a limited period of time to satisfy primarily non-economic objectives. The scheme is restricted to several countries and is dominated by Commonwealth countries such as Australia and New Zealand, and Japan.

3. Sponsorship by an employer is essential for Tiers 2 and 5.

4. Sponsorship by an appropriately registered academic institution is essential for students with Tier 4 visas.

5. Under Tier 2, only employers registered with and licensed by the Home Office are permitted to issue a Certificate of Sponsorship (CoS) to a named individual, who must then apply for permission to enter the UK.

6. The employer must have undertaken a strict verification exercise in order to issue a CoS.

7. Education Partnership North East is unable to provide sponsorship to an overseas applicant through the tier system. Any checks made must be undertaken in a non-discriminatory manner

PREVENTION OF ILLEGAL WORKING

LIST A – Acceptable documents to establish a continuous statutory excuse

1. A passport (current or expired) showing the holder is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.
2. A passport or passport card (in either case, whether current or expired) showing that the holder is an Irish citizen.
3. A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted unlimited leave to enter or remain under Appendix EU to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.
4. A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
5. A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.
6. A birth or adoption certificate issued in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.
7. A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.
8. A certificate of registration or naturalisation as a British citizen, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.

LIST B – Group 1 - Documents where a time-limited statutory excuse lasts until the expiry of leave

1. A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.
2. A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted limited leave to enter or remain under Appendix EU to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.

3. A current immigration status document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK, and is allowed to do the type of work in question, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.

LIST B – Group 2 - Documents where a time-limited statutory excuse lasts for 6 months

1. A document issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules on or before 30 June 2021 together with a Positive Verification Notice from the Home Office Employer Checking Service.
2. A Certificate of Application (digital or non-digital) issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules (known as the EU Settlement Scheme), on or after 1 July 2021, together with a Positive Verification Notice from the Home Office Employer Checking Service.
3. A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man showing that the holder has made an application for leave to enter or remain under Appendix EU (J) to the Jersey Immigration Rules or Appendix EU to the immigration Rules (Bailiwick of Guernsey) Rules 2008, or Appendix EU to the Isle of Man Immigration Rules together with a Positive Verification Notice from the Home Office Employer Checking Service.
4. An Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, together with a Positive Verification Notice from the Home Office Employer Checking Service.
5. A Positive Verification Notice issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question.