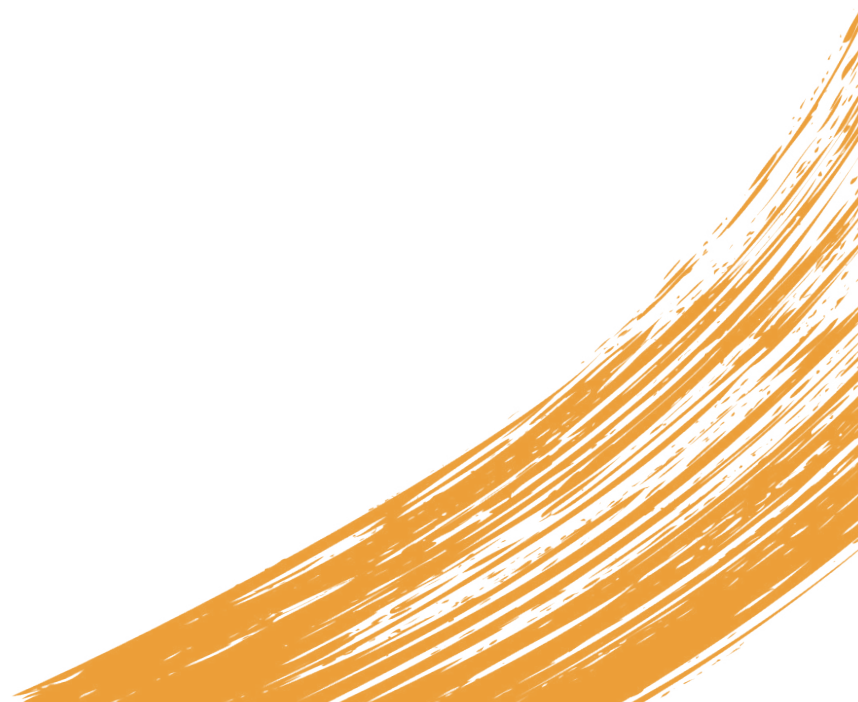




Athona Education

Policies and procedures



Policy & Procedures Manual

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1. Privacy Notice

This Privacy Notice describes how we comply with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA 2018).

This privacy notice will help you understand how we collect, use and protect your personal information. If you have any queries about this privacy notice or how we process or protect your personal information, please contact the Data Protection Officer at dpo@athona.com

'The Company' refers to Athona Ltd, Athona Education Ltd and Athona Clinical Services Ltd.

Who we are

The Company is a recruitment business specialising in the medical, nursing, health and education sectors. We provide work-finding services to our clients and work-seekers. The Company must process personal data (including sensitive personal data) so that it can provide these services – in doing so, the Company acts as a 'data controller' this means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice in accordance with data protection law.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

We will comply with data protection law. This says that the personal information we hold about you must be:

- Personal data must be processed lawfully, fairly and transparently.
- Personal data can only be collected for a specified purpose.
- Personal data must be adequate, relevant and limited to what is necessary for processing.
- Personal data must be accurate and kept up to date.
- Personal data must be kept in a form such that the data subject can be identified only as long as is necessary for processing.
- Personal data must be processed in a manner that ensures its security.
- The accountability principle requires you to take responsibility for what you do with personal data and how you comply with the other principles

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You may give your personal details to the Company directly, such as on an application or registration form, attendance at an event or via our website, or we may collect them from another source such as job boards and social media. The Company must have a legal basis for processing your personal data. For the purposes of providing you with work-finding services and/or information relating to roles relevant to you we will only use your personal data in accordance with the terms of the following statement.

How we will use information about you?

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- Where we need to perform the contract we have entered into with you.
- Where we need to comply with a legal obligation.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- We may also use your personal information in the following situations, which are likely to be rare:
 - Where we need to protect your interests (or someone else's interests).
 - Where it is needed in the public interest (or for official purposes).

Collection and use of personal data

a) Purpose of processing and legal basis

The Company will collect your personal data (which may include sensitive personal data if you give this to us) and will process your personal data for the purposes of providing you with work-finding services. This includes for example, contacting you about job opportunities, assessing your suitability for those opportunities, ensuring you are compliant to work in regulated activities, updating our databases, putting you forward for job opportunities, arranging payments to you and developing and managing our services and relationship with you and our clients.

Types of personal data that we have collected or you have provided to us:

- Full name and any previous names
- Address and address history
- Contact details
- Gender
- Date of birth
- Regulatory Body number and status if applicable
- Qualifications
- Training history
- Work history
- Education history
- Recruitment information (information included on your CV or application form including referees)
- Right to work status including nationality
- Bank account details, payroll records and tax status information
- Salary, annual leave, pensions and benefits information
- National Insurance number
- Start date and end dates of employment
- Location of employment or workplace
- Performance information, references, complaints, investigations.
- CCTV Footage and other information obtained by electronic means i.e. swipe cards
- Information about your use of information systems and communication systems
- Where information is relevant to the position you are applying for, we may conduct Online / Social Media Checks as part of our due diligence.
- Photographs
- Types of sensitive personal data that you have provided to us:
- Information about your race or ethnicity, religious beliefs, sexual orientation or political opinions.
- Medical history
- Immunisation history
- Disability
- Criminal convictions
- Regulatory body investigation or sanction history
- Next of Kin and emergency contact information
- Marital status and dependants
- National Insurance number

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Most of the personal information we hold about you is that which we have collected directly from you, for example:

- Each time you apply for a role via the Company
- Each time you provide your availability to take up another position with the Company.
- Each time you interact with us over the phone or respond to email, sms or other media communications.
- When you complete your registration as a temporary worker or interested in permanent placements
- When you make enquiries with our payroll team or compliance team.

We collect personal information about you through events you attend, interests you show, application and recruitment process, either directly from candidates or sometimes from an employment agency, background check provider, CV portal or online platform. We may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies i.e. Identity and Right to Work Checks, Disclosure and barring service, PVG, Access NI, Overseas Police Checks, DBS Update Service checks, regulatory body checks and status updates for your profession.

We will collect additional personal information in the course of job-related activities throughout the period of you working for us.

In some cases we may be required to use your data for the purpose of investigating, reporting and detecting crime and also to comply with laws that apply to us. We may also use your information during the course of audits to demonstrate our compliance with certain industry standards or specific contractual terms relating to the supply of temporary workers to regulated activities.

The legal bases we rely upon to offer these services to you are:

- Where we have a legitimate interest
- To comply with a legal obligation that we have
- To fulfil a contractual obligation that we have with you



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b) Legitimate interest

This is where the Company has a legitimate reason to process your data provided it is reasonable and does not go against what you would reasonably expect from us. Where the Company has relied on a legitimate interest to process your personal data our legitimate interests is/are as follows:

Providing work-finding services to you, including sending your information to our clients where you have demonstrated an interest in doing that particular type of work but not expressly consented to us passing on your cv:

- Managing our database and keeping work-seeker records up to date
- Contacting you to seek your consent where we need it (sensitive data)
- Contacting you with information about similar services that you have used from us recently and
- Passing work-seeker's information to regulatory bodies or other government agencies.

c) Recipient/s of data

The Company will process your personal data and/or sensitive personal data with the following recipients:

- Healthcare or education establishments that we introduce or supply work seekers to. Any public information sources and third-party organisations that we use to carry out suitability checks on work-seekers e.g. Companies House, the Disclosure and Barring Service (DBS), regulatory body checks and status updates for your profession.
- this list is not exhaustive.
- Our carefully selected third parties for the purposes of pre-employment screening checks, occupational health screening, and or receiving training to ensure you are compliant with regulatory and contractual requirements.
- Your former or prospective new employers that we must obtain or provide references to
- Umbrella companies that you ask us to pass your information to
- Other recruitment agencies or parties in the supply chain (e.g. master/neutral vendors, second tier suppliers, payroll portals, direct engagement portals or clients which can include uploading your data and sensitive data to their systems for the purposes of work finding services);
- Our insurers
- Our legal advisers
- Social networks
- Our IT and CRM providers

- Government, law enforcement agencies and other regulators e.g the Police, Home Office, HMRC, Trade unions
- The Recruitment and Employment Confederation (and any other trade body that we are a member of who may have access to our candidates' data)
- Any other third parties who carry out audits to ensure that we run our business correctly or adhere to the contacts we have provided you work seeking services through.
- Any other organisations that you ask us to share your data with (subject to compliance with the DPA 2018)

d) Statutory/contractual requirement

In order to provide you work seeking services in Regulated Activities your personal data is required by both law and contractual requirements (e.g. our client may require this personal data to undertake their own statutory or regulatory checks (i.e. Identity and Right to Work Checks, DBS Update Service checks, regulatory body checks and status updates for your profession as a requirement which is necessary to enter into a contract with you.

Situations in which we will use your personal information

We need all the categories of information in the lists above (see 'the kind of information we hold about you') primarily to allow us to perform our contract with you and to enable us to comply with legal obligations. In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below:

- Making a decision about your recruitment or appointment
- Determining the terms on which you work for us
- Checking you are legally entitled to work in the UK
- Paying you and, if you are an employee, deducting tax and National Insurance contributions and if applicable pension contributions
- Providing any benefits or services to you i.e. training, referral fees, appraisal, confirmation or revalidation services.
- Liaising with your pension provider
- Administering the contract we have entered into with you
- Business management and planning, including accounting and auditing

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- Conducting performance reviews, managing performance and determining performance requirements
- Making decisions about salary reviews and compensation
- Assessing qualifications for a particular job or task, including decisions about promotions
- Gathering evidence for possible grievance or disciplinary hearings
- Making decisions about your continued employment or engagement
- Making arrangements for the termination of our working relationship
- Education, training and development requirements
- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work
- Ascertaining your fitness to work
- Managing sickness absence
- Complying with health and safety obligations
- To prevent fraud
- To monitor your use of our information and communication systems to ensure compliance with our IT policies
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution
- To conduct data analytics studies to review and better understand employee retention and attrition rates
- Equal opportunities monitoring

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

You are obliged to provide the personal data, to notify us of any changes to your personal or professional circumstances, and maintain full compliance of the contractual requirements throughout the duration of your placement or introduction to our clients, and if you do not the consequences of failure to provide the data are:

- Breach of contract with the Company
- Withdrawal of employment or offer of employment
- Non-compliance with statutory and regulatory requirements
- Risk referral to law enforcement agencies, government agencies or other regulators for your profession.

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We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Overseas Transfers

The Company may transfer only the information you provide to us to countries outside the UK and / or the European Economic Area ('EEA') including India for the purposes of providing you with work-finding services including. We will take steps to ensure adequate protections are in place to ensure the security of your information. The EEA comprises the EU member states plus Norway, Iceland and Liechtenstein.

Data retention

The Company will retain your personal data only for as long as is necessary for the purpose we collect it. Different laws and contractual obligations may also require us to keep different data for different periods of time, enquiries about specific retention periods should be sent to the dpo@athona.com examples of the core retention periods are listed below:

- The Conduct of Employment Agencies and Employment Businesses Regulations 2003, require us to keep work-seeker records for at least one year from (a) the date of their creation or (b) after the date on which we last provide you with work-finding services.
- We are required to retain workers records in accordance with the National Staffing Frameworks for 2 years post framework, therefore the maximum retention period is 6 years post the end of the agreed framework, and frameworks typically run for 4 years.
- We are required to keep your payroll records, holiday pay, sick pay and pension's auto-enrolment records for as long as is legally required by HMRC and associated national minimum wage, social security and tax legislation.
- We are required to retain records of all healthcare or education professionals that have worked on behalf of the Company in regulated activities for the purposes of safeguarding enquiries, providing information to regulatory bodies, responding to complaints, investigations, inquests and or legal challenge indefinitely.

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Your rights

Please be aware that you have the following data protection rights:

- The right to be informed about the personal data the Company processes on you
- The right of access to the personal data the Company processes on you
- The right to rectification of your personal data
- The right to erasure of your personal data in certain circumstances
- The right to restrict processing of your personal data
- The right to data portability in certain circumstances
- The right to object to the processing of your personal data that was based on a public or legitimate interest
- The right not to be subjected to automated decision making and profiling and
- The right to withdraw consent at any time

Where you have consented to the Company processing your personal data and sensitive personal data you have the right to withdraw that consent at any time by contacting the Data Protection Officer at dpo@athona.com or by telephone on 01277 217777

There may be circumstances where the Company will still need to process your data for legitimate contractual or legal purposes. We will inform you if this is the case. Where this is the case, we will restrict the data to only what is necessary for the purpose of meeting those specific reasons.

If you believe that any of your data that the Company processes is incorrect or incomplete, please contact us using the details above and we will take reasonable steps to check its accuracy and correct it where necessary.

You can also contact us using the above details if you want us to restrict the type or amount of data we process for you, access your personal data or exercise any of the other rights listed above.

Automated decision-making

The Company use automated profiling to ensure that you are only contacted or only receive information that is relevant to your training, qualifications and skills to match you to suitable opportunities or specific interests. We may also utilise your post code or preferred geographical location when matching against suitable opportunities or specific events that we wish to share with you.

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Without this small degree of automated profiling, you could potentially receive information that is irrelevant therefore we deem this as essential process to protect you from receiving irrelevant or unwanted communications.

Complaints or queries

If you wish to complain about this privacy notice or any of the procedures set out in it please contact The Data Protection Officer at:

Tel: 01277 217777

Email: dpo@athona.com

Or write to:

The Data Protection Officer
Athona Ltd
2nd Floor Kingsgate House
1 King Edward Road
Brentwood
Essex
CM14 4HG

You also have the right to raise concerns with Information Commissioner's Office on 0303 123 1113 or at <https://ico.org.uk/concerns/>, or any other relevant supervisory authority if you believe that your data protection rights have not been adhered to.

This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

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2. Customer Service Policy Statement

Athona Education Ltd is a member of the Recruitment and Employment Confederation (REC) and adheres to their Code of Professional Practice.

At Athona Education Ltd we always endeavour to provide you with the best possible service. If you would like to make any comments, suggestions, raise a query or make a complaint about the service you have received, please contact us, our contact details are set out below. We will respond to your query within **5 working days**.

This policy will be kept up to date, to reflect changes in the nature and size of the business. To ensure this, the policy and its effectiveness will be reviewed annually.

Courtesy

All recruitment consultants will be trained in customer service standards; will exhibit customer friendly service skills; and be knowledgeable, professional and courteous in meeting the needs of our customers.

Communication

We Athona Education Ltd will return all phone calls and emails received from clients and registered candidates and applications in respect of specific vacancies within agreed timescales. Where we are unable to meet this agreement, we will inform you of this as soon as possible and agree a new deadline.

Consistency

As part of our commitment to upholding professional standards, we will review our policies annually to ensure that they continue to meet business needs and the Recruitment and Employment Confederation's Code of Professional Practice; and that they are consistently applied to all our customers.

Complaints

Athona Education Ltd seeks fair, just and prompt solutions when possible to any complaints and appeals. All such issues should be directed to the Managing Director Jeanette Holder in the first instance, where they will be acknowledged and directed to the attention of the appropriate person. A complaints process is in place for any disputes; copies are available from our offices or by [clicking here](#).

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Access to Information

We comply fully with the provisions of the Data Protection Act 1998 and the General Data Protection Regulation (EU 2016/679). Any personal or confidential information held by us about a client or work seeker is fully accessible to that person or body for review or editing by contacting the Managing Director Jeanette Holder in the first instance.

The company has also appointed a Data protection Officer who is responsible for:

- Adding, amending or deleting personal data;
- Responding to subject access requests/requests for rectification, erasure, restriction, data portability, objection and automated decision processes and profiling;
- Reporting data breaches/dealing with complaints

The Data Protection Officer can be contacted on

Tel: 01277 217777

Email: dpo@athona.com

Or can be contacted at the address below.

Reduce Bureaucracy

Wherever possible, without compromising our legal requirements and professional standards we strive to reduce the burden of unnecessary paperwork.

How to Contact Us

Jeanette Holder

Education Division

2nd Floor, Kingsgate House, 1 King Edward Road, Brentwood, Essex, CM14 4HG.

Tel: 01277 245 840

Fax: 01277 245 841

Email: education@athona.com

Internet: www.athonaeducation.com

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3. Complaints policy

Aim of the policy

Athona Education Ltd is a responsible supplier of temporary and permanent staffing solutions and as such welcomes complaints to enable us to learn and improve our provision of reputable staffing solutions. It aims to handle complaints quickly, effectively and in a fair and honest way.

What is covered by this policy?

- Who Can Make a Complaint?
- How a Complaint Can be Made
- Confidentiality
- Complaints About Sub Contractors
- Equalities Statement
- The Complaints Process
- Monitoring Satisfaction and Performance.
- If the complainant disagrees with the outcome
- Matters that are Outside of the Policy
- Documents relating to this policy

Who Can Make a Complaint?

Any person or body who interacts with Athona Education Ltd for supply services of temporary or permanent staffing solutions, this can include temporary workers, education establishments, private clients, and regulatory bodies. This policy can also extend to any member of the public or their representatives, staff, businesses, public and voluntary bodies who may be a third party to our services can also make a complaint in the same way.

How a Complaint can be made

If you have a complaint or concern, please contact Jeanette Holder, Managing Director, Athona Education Ltd.

You can write to her at: Athona Education Ltd, 2nd Floor Kingsgate House, 1 King Edward Road, Brentwood, Essex CM14 4HG

Or send an email to jeanette.holder@athona.com

Or call our switchboard on 01277 245840

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Confidentiality

All complaints are treated with confidentiality in mind. Anonymous requests will be acted upon as an opportunity to improve our services, however it is better to provide contact details so that the complainant can be informed of the outcome.

Complaints about Sub Contractors and Customers

Athona Education recognises complaints regarding sub-contractors, and any organisation contracted to work on behalf of Athona Education and will seek to resolve such complaints. These complaints are useful to guide learning in future service delivery and contractual arrangements, and feedback on performance is given to sub contractors on a regular basis. Athona Education Ltd will forward complaints received in respect of other organisations including education establishments or private clients to the appropriate bodies.

Equalities Statement

Athona Education Ltd aims to handle all complaints fairly and honestly regardless of who makes a complaint. Athona Education treats all complainants equally and will not show bias to any individual or group.

The Complaints Procedure

The complaints procedure enables anyone to make complaints quickly and simply, we will investigate and resolve complaints in accordance with strict timescales. Subject to any restrictions relating to confidentiality or the UK Data Protection Act 2018. The complainant is expected to cooperate with Athona Education by providing the necessary information surrounding the complaint to enable the complaint to be fully investigated.

Upon Receipt of a Complaint

We shall respond promptly to all complaints, oversights and omissions and shall immediately make good / resolve any default on our own part. In doing so we will:

Send you an email or letter acknowledging your complaint and asking you to confirm or further explain the details set out. We will also let you know the name of the person who will be dealing with your complaint. You can expect to receive acknowledgement within 2 working days of us receiving your complaint.

We will record your complaint in our central database on the day of receipt. If the complaint relates to a temporary worker who has a regulatory body for their profession or works in a regulated activity, we will consider if any restrictions on practice of the temporary worker should be applied whilst under investigation.



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We will fully investigate the complaint as soon as all available evidence has been brought together.

If the complaint relates to a temporary worker, we will ensure that the temporary worker is promptly and fully informed of the complaint relating to them. We shall expect and follow up that that temporary worker takes demonstrable action to ensure there is no reoccurrence of the action complained of.

If the complaint is raised upon receiving a less than satisfactory reference from the customer, the temporary worker shall not be reintroduced to work until such time that the customer is satisfied that the actions complained about have been satisfactorily remedied and will not reoccur. In doing so we consider if any evidence of poor performance or malpractice needs to be reported to the regulatory body for that profession and for subsequently monitoring such complaints with that person and or body. We will consider if any safeguarding actions needs to be reported and we will cooperate with any action as reasonably required with the customer.

We will insist that the temporary worker provides evidence or a statement of their version of events within 5 working days, the temporary worker will be made aware that this will be made available to the customer as part of the investigation process. For serious complaints or allegations, the temporary worker may wish to seek professional advice on their response, and in doing so this may prolong the length of time that we would usually expect a response, in this instance, we will notify you of any changes to expected timescales.

If the complaint relates to the service you have received from Athona Education, we will ensure that we fully investigate and that the parties involved in the complaint are promptly and fully informed of the complaint relating to them. We shall expect and follow up that that any party involved learns from the complaint and investigation findings and takes demonstrable action to ensure there is no reoccurrence of the action complained of.

We will use all reasonable endeavours to make good / resolve the complaint, oversight or omission within 10 working days of its receipt, unless the nature of the complaint requires additional investigation or action of a third party, for example, the relevant professional and regulatory body, safeguarding investigations, HMRC or the Police, in which case the complaint will be made good, resolved as soon as possible thereafter. We will be responsible for monitoring and following up such complaints, oversights and omissions with that relevant third-party body until an outcome has been reached.

We will provide updates to the customer regarding the progress made in making good / resolving the complaint, oversight or omission.



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We will notify the customer in writing when the complaint has been made good / resolved and details of the action taken and to prevent its reoccurrence and keep a full written record of the nature of the complaint and details of the action taken to make good / resolve any complaint, oversight or omission reported and to prevent its reoccurrence.

Monitoring Satisfaction and Performance

We operate a Quality Management System in accordance with ISO9001:2015 to analyse and identify any patterns of complaints, oversights or omissions involving either the supplier or sub contractor or temporary worker.

If the Complainant Disagrees with the Outcome

We accept that not every complaint may be resolved to the complainant's satisfaction, in this instance the complainant may write to the Founder of Athona Education at the address given above. Full details of the investigation will be reviewed, and the complainant will receive a response from the Founder within 10 working days, to determine if the outcome of the complaint will be upheld or requires reinvestigation. The Founder will write to you confirming our final position on your complaint explaining our reasons.

For an alternative process for dealing with a complaint, in cases where a complainant does not wish to liaise with our company, or if you are still not satisfied, you can contact the REC, the industry trade association, of which we are a member by writing to the Professional Standards Manager, REC, 20 Queen Elizabeth Street London SE1 2LS.

Matters that are Outside the expected 10 working day resolution timescale of this Policy

Complaints which are subject to legal proceedings and Complaints that are escalated to Regulatory Bodies and or safeguarding, HMRC or the police.

Documents relating to this policy: ISO9001:2015 QMS - P09 – Nonconformity, Client Complaint, Corrective and Preventative Action Procedure.

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4. Disclosure and Barring Service and Update Service checks

Athona Education Ltd requires all our work seekers to have an enhanced Disclosure and Barring Service (DBS) check which includes a check on the Children's Barred List.

We view and take a copy of the original DBS certificate and, with consent from the work seeker, carry out a status check on the DBS Update Service. We record details of the check and the date the check is undertaken on the work seeker's file. If the Update Service check states that there is new information, we will require the work seeker to apply for a new DBS certificate before proceeding with their registration.

If a work seeker wishes to register with Athona Education Ltd and they are not already on the Update Service, a new DBS check will be required, and we would encourage the work seeker to subscribe to the Update Service. If they do not subscribe to the Update Service, we will require a new DBS check to be undertaken at least once a year.

Athona Education Ltd will undertake repeat status checks on the Update Service at least once a year, or more often if required by our clients, but no more than four times a year. We always obtain the work seeker's consent to undertake a status check.

If the DBS check shows details of a conviction or caution, in line with the Rehabilitation of Offenders Act 2014, we must email a copy of the DBS to the school.

Following the decision of the Department for Education to remove access to the stand-alone Barred List checking system for employment businesses from 1 April 2021, we cannot conduct this standalone check and we will not place any work seekers in a role without a full enhanced DBS check being completed. This check includes a Barred List check.

When reviewing a work seeker's DBS certificate, Athona Education Ltd will check that the certificate is for Child Workforce only and status checks on the Update Service will only be for Child Workforce.

The definition of 'work with adults', as set out in the Police Act 1997 (Criminal Records) Regulations is narrower than the definition of 'work with children' and refers to providing personal care to the adult.

It is, therefore, not always the case that we will be entitled to view information relating to the adult barred lists. If there is any uncertainty as to whether a particular role is eligible for a criminal record check, we can use the DBS eligibility tool and, if necessary, obtain guidance from the DBS.

If a particular role is not eligible for an enhanced check against both the child and adult barred lists, we must not proceed with the check and if the work seeker has an existing DBS certificate covering both child and adult workforce, we will require them to undertake a new DBS for child workforce only.

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5. Qualifications and early career teachers (ECTs)/newly qualified teachers (NQTs)

Where the client, legislation or any professional body requires the work seeker to have a particular qualification or authorisation to work in the position offered by the client, we will obtain copies of original qualifications and authorisations and these will be available to our clients upon request.

Under the Education (School Teacher's Qualifications) (England) Regulations 2003, work seekers being supplied into a teaching position must be qualified to teach. In addition to checking the qualifications, we will also check the teacher's qualified teacher status via the Teacher Regulation Agency online portal. Please see further details below.

We will check overseas qualifications via the [UK's National Recognition Information Centre](#).

Wherever possible we will work with schools and ECTs/NQTs to find suitable induction placements. In England, an ECT is required to complete 6 full school terms.

Teacher Regulation Agency

Athona Education Ltd will undertake checks via the Teacher Regulation Authority (TRA), to check a teachers UK qualified teacher status to ensure that qualification certificates are genuine and that there are no prohibitions or sanctions imposed against the work seeker. We will retain a screen print on the teacher's file as a record of these checks. These checks are made on an annual basis or when a candidate returns after a period of inactivity

Additionally, we will undertake a check for all non-teaching support staff to ensure that there are no prohibitions or restrictions. A record of this check will be noted on the work seeker's file. If a prohibition or restriction is imposed, we will retain a screen print. This is also checked on an annual basis and when a candidate returns after a period of inactivity.

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6. Rehabilitation of Offenders Act Declaration (& the recruitment of ex-offenders)

During the registration process, all work seekers are required to complete our Rehabilitation of Offenders Act Declaration and, as required for regulated sectors, disclose all spent and unspent convictions, subject to the filtering rules.

If a work-seeker discloses any convictions, Athona Education Ltd will consult with the Teacher Regulation Agency, and the REC's legal helpline to obtain advice and guidance on whether the work seeker can work in the education sector.

Athona Education Ltd complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly

Rehabilitation of Offenders Policy

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

Athona Education Ltd undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

Athona Education Ltd can only ask an individual to provide details of convictions and cautions that Athona Education Ltd 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).

Athona Education Ltd can only ask an individual about convictions and cautions that are not protected.

Athona Education Ltd 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 dependents, age, physical/mental disability or offending background.

Athona Education Ltd has a written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the start of the recruitment process.

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Athona Education Ltd 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.

Athona Education Ltd select all candidates for interview based on their skills, qualifications and experience.

Athona Education Ltd ensures that all staff of Athona Education Ltd who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.

Athona Education Ltd 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.

At interview, or in a separate discussion, Athona Education Ltd 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/assignment.

Athona Education Ltd 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.

Athona Education Ltd undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

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7. Child Protection Policy & Procedure

Introduction

We fully recognise our responsibilities for child protection.

There are two main elements covered:

1. Ensuring we practice safe recruitment in checking the suitability of staff working with children.
2. Implementing procedures for identifying and reporting cases, or suspected cases, of abuse.

We follow the procedures set out by the Local Safeguarding Children Board and take account of guidance issued by the Department for Education and Skills to:

- Ensure supply or contracted staff understand their responsibilities in being alert to the signs of abuse and responsibility for referring any concerns to the designated senior person responsible for child protection.
- Keep written records of concerns about children, even where there is no need to refer the matter immediately.
- Ensure safe recruitment practices are always followed.

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8. Communication of Recruitment Policy & Procedure

It is important that our clients are fully familiar with our recruitment policy so that they are aware of what we seek to do on their behalf. Consent is sought prior to disclosing candidate information to clients, which can be obtained via e-mail or telephone conversation.

We provide our clients with information from our candidate's induction meeting. This is given to our clients when they call to make a placement or when the client makes an initial enquiry about the service that we provide.

The client is made aware of the minimum checks that we carry out on a teacher/candidate and also that they must confirm their consent to any absent, although not key checks.

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9. Continued Professional Development Policy & Procedure

Introduction

While it is important that candidates take responsibility for their own professional development, we help facilitate this process by offering access to arrange resources, training and developmental opportunities. We also encourage them to explore new initiatives in education and as the result of feedback received on a teacher's performance, we identify further training that would benefit them.

Facilities

We have resource information available in the format of our teacher handbook that can be accessed online or via hard copy, which provides details of the national curriculum and key stage standards, including lesson planning. This information is updated when documents are updated.

Awareness

Teachers are advised of this during interview and this is reinforced by: -

- Information we provide on our website
- Teachers handbook
- Information included with the payslip
- E-mail campaigns

Recording of CPD

CPD is recorded on each candidates' personal file. If a teacher attends training independently, we ask that they advise us of this, so that we can keep our records up to date.

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10. Diversity & Equal Opportunities Policy & Procedure

General

We embrace diversity and seek to promote the benefits of diversity in all of our business activities. We seek to develop a business culture that reflects that belief. We seek to widen the mediums in which we recruit, to ensure an employee and candidate base as diverse as possible. We strive to make sure that our clients meet their own diversity targets.

We are committed to diversity and promote diversity for all employees, workers and applicants and adhere to this policy at all times. We continually review all aspects of recruitment to avoid unlawful or undesirable discrimination. We treat everyone equally irrespective of sex, sexual orientation, gender reassignment, pregnancy and maternity, marital or civil partnership status, age, disability, colour, race, nationality, ethnic or national origin, religion or belief, political beliefs or membership or non-membership of a trade union or spent convictions, and place an obligation upon all staff to respect and act in accordance with this policy. We are committed to providing training for its entire staff in an equal opportunities' environment.

We do not discriminate unlawfully when deciding which candidate or temporary worker is submitted for a vacancy or assignment, or in any terms of employment or terms of engagement for temporary workers. We ensure that each candidate is assessed in accordance with the candidate's merits, qualifications and ability to perform the relevant duties required by the particular vacancy.

We will not accept instructions from clients that indicate an intention to discriminate unlawfully.



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Discrimination

Unlawful discrimination occurs in the following circumstances:

Direct discrimination

- Direct discrimination occurs where one individual treats or would treat another individual less favourably on grounds of sex, sexual orientation, gender reassignment, pregnancy and maternity, marital or civil partnership status, disability, colour, race, nationality, ethnic or national origin, religion or belief, political beliefs ("the protected categories").
- It is unlawful for a recruitment consultancy to discriminate against a person on the grounds that they are members of a protected category.
- In the terms on which the recruitment consultancy offers to provide any of its services;
- By refusing or deliberately omitting to provide any of its services;
- In the way it provides any of its services.

Direct discrimination would also occur if a recruitment consultancy accepted and acted upon a job registration from an employer which states that certain persons are unacceptable because they are members of a protected category, unless one of the exceptions applies, for instance, the job demands a genuine occupational requirement.

Indirect Discrimination

A claim of indirect discrimination arises when an employer applies a provision, criterion or practice generally, but which is such that a proportion of persons in a protected category who can comply with it are considerably smaller than the proportion of persons who are not in that protected category.

Indirect discrimination would also occur if a recruitment consultancy accepted and acted upon an indirectly discriminatory instruction from an employer.

If the vacancy falls within the definition of a genuine occupational requirement or any other statutory exception, we will not deal further with the vacancy unless the client provides written confirmation of the genuine occupational requirement.

Disabled Persons

Direct Discrimination

Direct discrimination against a person occurs where, if for a reason which relates to the disabled person's disability, an individual:

- Treats them less favourably than they treat, or would treat others to whom that reason does not or would not apply, and,
- The employer cannot show that the treatment in question is justified.

Or

If on the grounds of a disabled persons disability, they treat the disabled person less favourably than they treat or would treat a person not having that particular disability, whose relevant circumstances, including his abilities, are the same as, or not materially different from, those of the disabled person. This type of direct discrimination can never be justified.

Duty to make reasonable adjustments and to provide auxiliary aids and services

This is a similar protection to indirect discrimination in the other protected categories.

Where a provision, criterion or practice applied by or on behalf of an employer, or any physical feature of the employer's premises, places a disabled person at a substantial disadvantage in comparison with persons who are not disabled, it will be the duty of an employer to take such steps as are reasonable, in all the circumstances of the case, to remove the provision, criterion, practice or physical feature.

Agencies must take reasonable steps to provide auxiliary aids or services if this would make it easier for the disabled person to use their services. For instance, an appropriate auxiliary aid or service can include the provision of information on audiotape or provision of a sign language interpreter.

We will not discriminate against a disabled job applicant or employee on the grounds of disability:

- in the arrangements i.e. application form, interview and arrangements for selection for determining to whom a job should be offered or
- in the terms on which employment or engagement of temporary workers is offered or
- by refusing to offer, or deliberately not offering the disabled person a job for reasons connected with their disability or
- in the opportunities afforded to the person for receiving any benefit, or by refusing to afford, or deliberately not affording him or her any such opportunity

Or

- by subjecting him or her to any other detriment (detriment will include refusal of training, transfer, demotion, reduction of wage, or harassment).
- We will accordingly make career opportunities available to all people with disabilities and every practical effort will be made to provide for the needs of staff, candidates and clients.
- Wherever possible we will make reasonable adjustments to hallways, passages and doors in order to provide and improve means of access for disabled employees and workers. However, this may not always be feasible.

Age Discrimination

Age discrimination became unlawful in October 2006, therefore we encourage clients not to include any age criteria or other subjective criteria in job specifications. Every attempt will be made to persuade clients to recruit on the basis of competence and skill and not age.

We are committed to recruiting and retaining employees whose skills, experience, and attitude are appropriate to the requirements of the various positions, regardless of age.

As far as is reasonably possible, age requirements will not be stated on any job advertisements on behalf of the company.

We request candidates date of birth as part of our recruitment process but information will not be used as selection, training or promotion criteria or in any detrimental way and is only for compilation of personal data, which the company holds on all employees and workers.

Part-time Workers

We have procedures which cover the treatment of those employees and workers who work on a part-time basis. We recognise that it is essential that part time employees are treated on the same terms as full-time employees (albeit on a pro rata basis) in matters such as rates of pay, holiday entitlement, maternity leave, parental and domestic incident leave and access to our pension scheme. We also recognise that part time employees must be treated the same as full time employees in relation to training and redundancy situations.

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Harassment

We are committed to providing a work environment free from unlawful harassment.

Harassment on grounds of sex, sexual orientation, gender reassignment, marital or civil partnership status, disability, colour, race, nationality, ethnic or national origin, religion or belief, political beliefs or any other basis protected by legislation is unlawful and will not be tolerated by us.

This prohibits unlawful harassment by any of our employees or workers.

Examples of prohibited harassment are:

- Verbal or written conduct containing derogatory jokes or comments,
- Slurs or unwanted sexual advances
- Visual conduct such as derogatory or sexually orientated posters,
- Photographs, cartoons, drawings or gestures,
- Physical conduct such as assault, unwanted touching, or any interference because of sex, race or any other protected basis,
- Threats and demands to submit to sexual requests as a condition of continued employment or to avoid some other loss, and offers of employment benefits in return for sexual favours
- Retaliation for having reported or threatened to report harassment.

If you believe that you have been unlawfully harassed, you should make an immediate report to Athona Education's Quality Manager followed by a written complaint as soon as possible after the incident. Your complaint should include:

Details of the incident:

- The name or names of the individual or individuals involved
- The name or names of any witness or witnesses

We undertake a thorough investigation of the allegations. If it is concluded that unlawful harassment has occurred, remedial action will be taken.

Any employee who is found to be responsible for unlawful harassment will be subject to the disciplinary procedure and any sanction may include termination.

[A person who discriminates or harasses may be liable for payment of damages to the person offended, in addition to any damages payable by us should it have been found to have failed to ensure the practice ceased forthwith. Under the Criminal Justice Act 1994, harassment became a criminal offence, punishable by a fine of up to £5,000 and/or a prison term of up to 6 months. Under the Protection from Harassment Act 1997, the penalties for aggravated harassment are an unlimited fine and/or 5 years imprisonment.]

Gender Reassignment

We recognise that any employee or worker may wish to change their gender during the course of their employment with the company.

We support any employee or worker through the reassignment, provided that full medical counselling has been undertaken and we have access to any relevant medical reports.

We make every effort to try to protect an employee or worker who has undergone, is undergoing or intends to undergo gender reassignment, from discrimination or harassment within the workplace.

All employees and workers will be expected to comply with our policy on harassment in the workplace. Any breach will lead to the appropriate disciplinary sanction.

Where an employee is engaged in work where the gender change imposes genuine problems we make every effort to reassign the employee or worker to an alternative role in the company.

Any employee or worker suffering discrimination as the result of their gender reassignment should make recourse to the company's grievance procedure.

Any discrimination complaint will be investigated fully.

Complaints and Monitoring

We have procedures in place for dealing with complaints of discrimination. These are available from the Quality Manager and will be made available immediately upon request.

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11. Feedback Policy & Procedure

It is important to ensure that our candidates are of the highest quality, suit the needs of our clients and are appropriately placed. Our candidates are subject to performance checks on varying levels and we make every effort to obtain regular feedback for our candidates. This is collected in both written and verbal format.

In addition to securing feedback from the client we also ask our candidates to confirm that they are happy with the assignment and wish to continue. We need to ensure that our candidates have a full understanding of what is expected of them and that they are being given clear instruction by the client.

- Daily supply - At the end of each days supply, a consultant will telephone the client to find out if they were happy with the candidates performance and if the assignment is to be extended. The candidate is also contacted for feedback where deemed necessary and is recorded within our database.
- Long-term supply - Feedback requests are sent to our clients and candidates by email at the end of each half term.

All feedback is placed on our candidates personal file and if necessary cross-referenced with the client's file.

If the client fails to return a written request form then a consultant will telephone and request verbal feedback. Every effort is made to obtain feedback and our clients are made aware of the importance of this via our policy document.

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12. Fees and Charges Policy & Procedure

To ensure transparency of fee and charges we enter into a contractual arrangement with all of our clients prior to the first placement of one of our candidates.

Our Terms & Conditions and fees are given to the school:

- Within an introductory 'client pack'
- During our introductory visit
- Prior to the first placement of one of our candidates
- By email when sending candidate CVs.

The terms are compliant with the Employment Agencies Act 1973 and Conduct Regulations 2003 and the appropriateness of the contract is reviewed on a regular basis to ensure continued compliance. In the event of an amendment a revised copy is sent to the client, drawing their attention to the particular changes relevant to the supply process.

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13. Interview Policy & Procedure

We place teachers, instructors, cover supervisors, teaching assistants and nursery staff.

All candidates must attend a personal face-to-face interview prior to short-term or long-term placements. Candidates are invited to interview by telephone, which is followed up by an email confirmation. We occasionally accept unplanned interviews depending on both staff availability and whether the candidate has the relevant registration documentation with them.

We ensure that all staff here at Athona Education are competent and adequately trained prior to conducting interviews.

This is achieved by:

- Internal training that takes place as part of the induction process
- Shadowing experienced consultants
- Previous training/experience

At interview all candidates must present original documentation and answer a series of pre-set questions that enable us to determine their knowledge and experience. Any gaps in employment are discussed at interview and if further evidence is required to justify such absences a teacher will be asked to submit these. The interview is recorded in detail and follows a consistent format, thus allowing us to justify any recruitment decision we make.

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14. Maintaining Knowledge in Education Policy & Procedure

Copies of all interview reports are retained on the candidates file and are signed and dated by the consultant conducting the interview.

In order for us to deliver an informed and effective service we ensure that all of our staff are kept up-to-date with initiatives in education and current thinking. Our candidates are reliant on us to keep them up to date and we do this by:

- Subscribing to and reading TES, Jobscene and BBC News
- Regular team meetings to discuss issues arising in the education sector,
- Members of the REC and Education Sector Group
- Using school contacts to provide insight to issues arising,

Any key changes are documented and circulated to the team to reinforce verbal discussion. In turn, any relevant information is passed onto the candidate and client.

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15. Management of Misconduct Policy & Procedure

The safety and wellbeing of children is paramount and all checks that are undertaken during the recruitment, selection and vetting process contribute to ensure this. We recognise our responsibility in preventing unsuitable people from working with children in line with both DfES guidance and the Protection of Children Act 1999.

Initial Action

If we are advised that a candidate registered with our agency has behaved inappropriately, we would immediately contact the client to establish the reasons for ceasing to use the candidate's services and if this would amount to misconduct. The candidate would not be offered any further assignments through the agency until the situation has been resolved to our satisfaction.

We will, in consultation with the client make a decision as to whether the worker's assignment is to continue whilst the investigation is proceeding.

As part of making proper enquiries a LADO meeting may be held or we would hold an investigatory meeting and/or investigatory discussions with the worker. We inform the client of further information obtained.

If there is an investigation into the conduct of an agency worker during an assignment, the client may wish the assignment to continue, subject to certain conditions. In which case, then the client should confirm to the agency in writing the changes to the worker's assignment duties and level of supervision applied, pending the investigation. This information should be confirmed to the worker by the agency. Alternatively, the client may not want the assignment to continue during investigations, in which case the employment agency would normally terminate the engagement of the worker.

Whether the assignment is terminated or continues, the agency and client should continue to complete their investigations as to suitability in co-operation with each other. If the reason an assignment is terminated is due to an allegation involving misconduct and safeguarding (i.e. the risk of harm, or actual harm to a child), or if the referrer is unsure, it should be referred to LADO and if deemed necessary to the Disclosure & Barring Service (DBS) and the NCTL if applicable.

Advice to the candidate

It is important to ensure that the candidate continues to receive support and we offer the following advice, information and suggestions:

1. Contact his/her union representative.
2. If suspended or if the assignment is terminated (but investigations are ongoing), provided with the name of an agency contact to keep them up to date about client/agency activities outside of the investigation.
3. See their GP if they think their health may be affected.

Documentation

Key documents relating to an investigation, including the outcome, will be retained in a secure place. Other parties will be expected to maintain their own records.

Reporting to DfES Children's Safeguarding Operations Unit

Within the barring procedures we have a statutory duty to send a report to the Children's Safeguarding Operations Unit for consideration of barring someone from, or placing restrictions on them, working with children or young people, if that person:

- Is dismissed (or their temporary assignment is terminated) for reasons of misconduct or because they are otherwise considered unsuitable to work with children, or
- Resigns before a disciplinary process is completed but may have been dismissed at the outcome of the process; or leaves a temporary assignment before an investigation had been completed and whose assignment would have been terminated following the investigation.

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16. Monitoring Performance Policy & Procedure

Through our feedback reports we make every effort to ensure we are kept up-to-date with our candidates' performance, and by obtaining regular feedback from both the client and candidate we are able to identify a candidate's strengths and particular interests along with areas that may require developments.

Negative feedback

If a client expresses concern over areas of the candidate's performance, we aim to address any areas as soon as they arise. If the school wish to formalise the complaint, we execute our complaints policy.

On-going assignments

- Review interview notes and the candidate's CV to ensure that the candidate had the relevant experience and was appropriately placed.
- Contact the client and discuss the area in greater detail. Occasionally this will reveal that the client had different expectations and a potential shortcoming was outside of the candidate's control.
- Arrange to observe the teacher whilst teaching.
- Establish if the client is happy to continue with the candidate and discuss the issue and establish if they are happy to continue working at the education establishments.
- If necessary, offer the candidate advice, access to reference materials, observe lessons or CPD information.
- Contact the client to inform them of the action taken.
- Contact both the candidate and the client to establish if the training has been successful.

Daily supply

- Review interview notes and the candidate's CV to ensure that they had the relevant experience and were appropriately placed.
- Contact the client and discuss the area in greater detail. Occasionally this will reveal that the client had different expectations of the candidate.
- With the permission of the client we would contact the candidate and discuss the issue.
- If necessary, offer the candidate advice, access to reference materials or CPD information.

Relaying of negative comments

Comments which have identified a candidate's potential shortcomings need to be handled carefully. In situations like this, we gauge from the candidate how they felt the assignment went as it is possible that they did not receive adequate or correct information about the assignment so lack of any preparation may not necessarily have been the candidate's fault. We also acknowledge that clients have different expectations and negative comments can help us understand more about the client, children and facilities and a negative comment may not be truly reflective of a candidate's performance.

Depending on the severity of the comment and the candidate's receptiveness we either telephone them or ask them to call into the office. If a candidate is accepting of the issues, we suggest training and offer mentoring, as well as directing them to a relevant website that may offer support. If the candidate is not willing to cooperate, we will consider dispensing of their services. If a candidate receives more than two items of negative feedback over a period of six weeks or one term (for a long-term placement) we will review the type of positions the candidate is being offered and either:

1. dispense of their services
2. offer a different type of assignment.

Relaying of positive comments

It is equally important to let a candidate know that a client is happy with their performance and we relay this information as soon as possible. This will be relayed verbally and if it is written feedback and with the permission of the client, we will arrange to forward a copy to the candidate.

It is essential that we read between the lines as if a candidate appears to be excelling in their role, it is possible that they are ready to move to a more challenging position where we can help them develop to their full potential. All comments are recorded on the candidates personal file.

All feedback is given to the recruitment consultants and reported within management meetings; this ensures that positive and negative and positive feedback is acted upon and any trends are noted and either CPD or correct action is challenged.

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17. Permission to Work Policy & Procedure

Right to Work Checks

All Right to Work Checks are conducted in accordance with the Home Office, An Employers Guide to Right to Work Checks Published 28th February 2023.

Right to work checks conducted determine if the Temporary Worker has the legal right and permission to work in the UK. The Immigration, Asylum and Nationality Act 2006 (amended by the Immigration Act 2016) provides employers with a statutory excuse against civil penalty where they can clearly demonstrate that they have carried out all the necessary checks to mitigate any risks of employing illegal workers.

Employers are at risk of facing a civil penalty if they are found to be employing an illegal worker and they haven't carried out the correct right to work check.

We are mindful to not discriminate against potential Temporary Workers and check all Temporary Workers Right to Work documents in accordance with the Home Office guidelines regardless of nationality or country of residence.

When undertaking right to work checks we take the following steps to ensure the Temporary Worker has the legal right to work in the UK. This policy should be read in conjunction with our Verification of Identity Checks – All Professions Policy v1.8 Feb 2023 briefly outlined below:

Verifying the Temporary Worker's identity is the most fundamental of all of the employment checks and minimises the risk of employing or engaging someone in an activity who is:

- An illegal worker
- An individual impersonating another
- Avoiding the detection of a criminal offence
- An individual who has used illegal means to obtain genuine documents to gain employment.

Verification of Identity checks are completed at the face to face meeting with the Temporary Worker. Identity checks are designed to determine that the information given by the Temporary Worker is genuine, our role is to:

- Determine that the identity is genuine and relates to a real person
- Establish that the individual owns and is rightfully using that identity

We undertake a series of verification stages to ensure that we establish the identity of the Temporary Worker.

- Conducting a face to face interview
- Ensure the Temporary Worker presents original documents
- Check the authenticity of the original documents
- Validate their personal details against external reliable sources
- If any documents are presented with different names, these are cross referenced with marriage / civil partnership certificates, divorce certificate, deed poll, adoption certificate or statutory declaration.

Determine which type of Right to Work check needs to be undertaken

Based on the original documents presented at the face to face meeting, determine if we can undertake:

- Option A - an online Home Office check
- Option B - a right to work check using an identity service provider that offers Identity Document Validation Technology (IDVT)
- Option C - a manual check
- Option D - In-time Applications (ECS Check)

Option A - An Online Home Office Check

Since 06 April 2022, it has been mandatory for holders of the Biometric Residence Card (BRC), a Biometric Residence Permit (BRP) and Frontier Work Permit (FWP) to evidence right to work using the Home Office checking portal. We are no longer be able to accept physical biometric cards for BRC, BRP and FWP holders to evidence right to work. Non-UK nationals wishing to work in the UK can confirm their right to work through the Home Office online checking portal, the digital service supports checks in respect of those who hold:

- a biometric residence permit
- a biometric residence card
- status under the EU Settlement Scheme
- status under the points-based immigration system
- a British National Overseas (BNO) visa, or
- a frontier workers permit

Temporary Workers are asked to provide us with their share code so that we can check their right to work status digitally alongside their documentary evidence. The share code is generated when the Temporary Worker accesses their details online.

An online Home Office Right to Work check is performed by the compliance officer using the share code provided by the Temporary Worker. The compliance officer will carefully compare the photograph on the Online Home Office Check to the true likeness of the Temporary Worker.

If the compliance officer is satisfied that it is a true likeness, they will download a copy of the Right to Work Check as evidence of a statutory excuse from penalty.

Where a right to work check has been conducted using the online right to work checking service, the information is provided in real-time directly from Home Office systems and there is no requirement to check any of the documents listed below.

Option B - Using Trust ID an Identity Service Provider (IDSP)

British and Irish nationals will be able to confirm their right to work through our chosen Identity Service Provider (IDSP) called Trust ID. The Trust ID checks enable us to verify British and Irish nationals' eligibility to work, via a certified third party, other nationalities will need to be checked via the Home Office Check or a Manual Check.

The Temporary Worker is sent a Trust ID link to upload their own identity documents and take a selfie which is then verified using the IDVT software to confirm a match. The data uploaded is checked against the Passport records and Amber hill Police Compromised Documents Database to give us another layer of assurance that the documents presented are genuine and belong to the person presenting them.

Currently IDVT checks for Right to Work can only be performed on British and Irish Passports.

We review the results of the Temporary Workers document upload and selfie on Trust ID to confirm it is a true likeness of the Temporary Worker at the time of the verification of identity check.

Option C - Manual Right to Work Checks

It is sometimes not possible to conduct an online right to work check, as not all Temporary Workers will have an immigration status that can be checked online. In circumstances in which an online check is not possible, we will conduct the manual check using List A or List B.

Acceptable Right to Work Documentation Combinations

List A – acceptable documents to establish a continuous statutory excuse

- 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.
- A passport or passport card (in either case, whether current or expired) showing that the holder is an Irish citizen.
- 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(J) 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.
- 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 UK³.
- 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.
- 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 employer⁴.
- 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.
- 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 date of permission to enter or permission to stay

- 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.
- 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(J) 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.
- 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 six months

- 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 (known as the EU Settlement Scheme) on or before 30 June 2021 together with a Positive Verification Notice from the Home Office Employer Checking Service.
- 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.
- 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.
- 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.
- 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.

Right to work evidence – scenarios

EEA nationals

The UK has left the European Union (EU) and the EU Withdrawal Act 2020 ended free movement law in the UK on 31 December 2020. There followed a grace period of six months (until 30 June 2021) during which relevant aspects of free movement law were saved to allow eligible EEA citizens and their family members resident in the UK by 31 December 2020 to apply to the EU Settlement Scheme.

Since 01 July 2021, EEA nationals and their family members have required immigration status in the UK, in the same way as other foreign nationals. They can no longer rely on an EEA passport or national identity card to prove their right to work. EEA nationals must demonstrate their right to work either with the pre-settled or settled status under the EU Settlement Scheme, or with a visa under the points-based immigration system.

Most EEA national's resident in the UK will have made an application to the EU Settlement Scheme and will have been provided with digital evidence of their UK immigration status. They will evidence their right to work by sharing their immigration status digitally, using the Home Office online right to work checking service.

This service allows employers to check an applicant's right to work status online instead of requiring them to present documentary evidence.

There will, however, be other EEA nationals who have another form of leave in the UK, which is held in a physical document, for example an endorsement in a passport, visa or vignette, those are included in the Home Office acceptable right to work document lists.

Irish nationals continue to have the right to work in the UK under Common Travel Area arrangements and as such they can continue to use a passport or passport card to prove their rights in the UK. They did not have to apply for status under the EU Settlement Scheme, but may have chosen to do so, meaning they can also use their settled or pre-settled status to prove their right to work.

Non-EEA nationals

Non-EEA nationals can use an immigration status document listed in the Home Office acceptable right to work documents to prove their right to work.

Those who hold a biometric residence permit, biometric residence card or status under the points-based immigration system can also prove their right to work using the Home Office online checking service. If an applicant uses the online service, this will generate a share code so that employers can check an applicant's right to work status online instead of requiring them to present documentary evidence

Asylum seekers

An asylum seeker is a person who has made an application for asylum, but whose application is yet to be decided upon. 17 Asylum seekers generally do not have the right to work in the UK. For the very small number who do, it will state employment permitted or allowed to work on their application registration card (ARC).

Employers must seek a positive verification notice from the Home Office to confirm the individual's status and right to work in the UK before they can be allowed to start work. This can be done by going to the online employer checking service portal. It is employers' responsibility to inform prospective or current employees when they are carrying out a check with the service.

Refugees

A refugee is a person who has had a positive decision on their claim for asylum under the 1951 United Nations Convention Relating to the Status of Refugees (the Refugee Convention). Individuals who do not meet the Refugee Convention's criteria for refugee status may qualify either for humanitarian protection (granted for five years), or discretionary leave to remain (granted for up to three years).

Refugees have rights under the Geneva Convention to be treated no less favourably than citizens of the host nation. This means that they can work and are able to move and reside freely in the UK. They are also eligible for mainstream benefits and services, including access to education and NHS treatment, in the same way as UK citizens.

International students

International students are often able to work part time (20 hours per week) when studying in the UK, and full time during their holidays and any period between completing their studies and their permission to be in the UK expiring. Some international students have no right to work at all.

Before employing a student with limited right to work during term time, you must obtain evidence of their academic term and vacation dates that cover the duration of their studies in the UK for which they will be employed by you. You should request this evidence from the student.

This evidence should originate from the education institution that is sponsoring the student. You may obtain the dates for the entire duration of the course or, if this is not possible, you may obtain and copy them annually providing the information you hold is current at the time of the student's employment.

Acceptable evidence includes one of the following:

- A printout from the student's education institution's website, or other material published by the institution setting out its timetable for the student's course of study. You should check the website to confirm the link is genuine.
- A copy of a letter or email addressed to the student from their education institution, confirming term-time dates for the student's course.
- A letter addressed to you as the employer from the education institution, confirming term-time dates for the student's course.

What to do if an applicant does not have the right to work

If, after carrying out these checks, it is established that the applicant is not permitted to work in the UK, then you must not allow the individual to commence employment.

If a person is likely to obtain the relevant permission within an acceptable period, then it is our discretion to wait until the permission is received or withdraw the offer of employment. If there is no evidence that the relevant permission is going to be forthcoming promptly, then the offer of employment must be withdrawn.

Data Protection

All Right to Work documents are copied, validated with a stamp 'I certify this to be a true copy of the original document which I have sighted' dated and signed at the time of processing the original document.

All records are held in formats that cannot be altered. These are processed in accordance with the General Data Protection Act 2018 and retained in line with our retention and disposal policy.

Doubts on authenticity of information or documents presented

We regularly provide update training using the latest advice from the Home Office and Border Force to ensure that our staff who are responsible for checking the authenticity of documentation are up to date with any changes or known trends in forged documentation.

We understand that documents change and forgeries are common, if we have any doubts on the authenticity of documentation presented, we will seek advice from the Home Office via their Employers Enquiry Line or Helpline.

- Home Office Employers Enquiry Line 0300 123 5434
- Home Office Employers and Education Providers Helpline 0300 123 4699

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In exceptional circumstances, where checks reveal substantial misdirection, our compliance team are aware to escalate to the Head of Quality and Compliance who can contact the UK Border Force and or the police.

- Border Force Immigration Enforcement Line 0300 123 7000

This policy applies to all temporary, contract and permanent workers placed by us. Exceptions to this policy are only permitted by prior written approval by the client that they will be undertaking these processes as part of their own onboarding pre-employment screening process for permanent candidates.

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18. Provision of Information to the Client Policy & Procedure

In order to fulfil our obligations, it is important that we give the client as much information about the candidate as possible prior to placement. At our initial induction meeting with the client we establish the most appropriate method in which to relay this information and the level of information that they expect to receive from us.

Daily and long-term supply

For daily or unplanned supply, most of our client schools require basic details and are fully reliant on our recruitment process and our experience to provide an appropriate placement. The key information they require is:

- Name of teacher
- Daily rate
- Availability to extend assignment if necessary
- Expected arrival time
- Status of checks – complete/incomplete checks
- Key experience and comments i.e. strong key stage 1 etc

This can be relayed either by telephone, email or fax and this will be agreed with the school.

Long Term and Planned Supply

For long term and planned supply while the schools rely on us to provide an appropriate placement, we do provide a teacher profile. This information is always given in writing and includes:

- Name of teacher
- Daily rate
- Availability to extend assignment if necessary
- Expected arrival time
- Status of checks – complete/incomplete checks
- Key experience and comments i.e. strong key stage 1 etc

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19. Recording CPD Policy & Procedure

We are reliant upon the candidate to provide us with the information on inset days and external training undertaken. At interview we stress the importance of recording such data. We do ask candidates to provide copies of attendance/completion certificates and this is retained on each candidates' personal file and updated as and when training has occurred.

An email is sent to each candidate annually asking them for information relating to personal development. Their file is then updated with the information received.

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20. Terms of Engagement Policy & Procedure

At the end of a successful registration interview the candidate is given two copies of our Terms of Engagement for signature. All candidates must have signed and returned the Terms of Engagement to us prior to their first assignment.

At interview stage we explain key terms such as arrangement for pay, holiday entitlement and termination arrangements. A copy of the signed and dated contract is retained on the candidates file and a copy is retained by the candidate for their records.

The terms are compliant with the Employment Agencies Act 1973 and Conduct Regulations 2003 and the appropriateness of the contract is reviewed on a regular basis to ensure continued compliance. In the event of an amendment a revised copy is sent to the candidate.

Pension Arrangements

At present we offer an auto enrolment NEST Pensions scheme for PAYE workers, they are eligible for assessment to join pension scheme after three months, subject to meeting the criteria set by NEST Pensions.

We advise the candidate of this at initial registration and interview.

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21. Treatment of Early Career Teachers (ECT) Policy & Procedure

Support, advice and guidance needs to be provided for early career teachers (ECT) previously newly qualified teachers.

In the case of a contract, clients are notified prior to placement, to help secure terms that will count towards their ECTS, and to ensure that adequate support is provided.

Ensure that early career teachers are aware that they are only able to work as a supply teacher for five years without starting their induction. After this time the teacher will have to undertake their positions for their induction year. If they have started their induction within five years, there is no time limit on completing this.

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22. Treatment of Overseas Trained Teachers Policy & Procedure

Overseas Trained Teachers need to gain ENIC verification for their qualifications, to ensure that they are comparable to UK qualifications. It may be necessary for extra training to be undertaken by the candidate, prior to taking on a teaching role.

Overseas Training Teachers are only able to work for four years in the UK without obtaining their Qualified Teacher Status (QTS).

Where possible, we provide information to help the candidate gain practical knowledge of working in UK schools.

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23. Treatment of Instructors Policy & Procedure

Instructors can only be considered if there are no teachers available for each position.

Clients need to be made aware of the Instructors status, so that they can perform checks to see if any other applicants are available.

A confirmation needs to be sent outlining in writing the instructors status and rate.

Where possible, we provide information to help the candidate gain practical knowledge of working in UK schools.

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24. Eligibility to Work in the UK

You must have current eligibility to work in the UK. Please inform Athona immediately if your right to work changes whilst you are working for Athona.

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25. Computer Use and Social Media Guidance

ICT and communication

When using ICT equipment within education establishments, you must adhere to the following rules:

Familiarise yourself with the school's policies and procedures on the use of ICT equipment. You must adhere to these school policies when you are working at the school.

When organising access to the school's network, request your own username and password. Avoid using somebody else's login.

Do not let anybody else use your staff login details, whether this be another member of staff or pupil.

If your computer is going to be left unattended at any time always ensure you log off the machine.

If you believe that somebody else may have used your computer login (either staff member or pupil), report this immediately to a senior member of staff.

Ensure that you do not use the school's computers for your own personal use.

You must not use the school email system to send personal emails of any nature.

If you are using the internet make sure that the websites you visit are appropriate and relevant. If you accidentally visit a website that contains inappropriate material you must close down the site immediately and report this incident to a senior member of staff.

If you find out that a school computer has been used to access inappropriate material this must be reported to a senior member of staff immediately.

If you are sending an email via the school email system you must check that you are using appropriate language and that the content of your emails cannot be misconstrued.

Being in a position of trust, you should not enter into over-familiar correspondence with pupils. If you receive

any form of communication with a pupil that causes you concern you must tell a senior member of staff immediately.

Do not give your mobile phone number to a pupil or take their number. There is no reason for this to be done and could place you in a vulnerable position.

You should not use your mobile phone to take photos or videos of pupils, unless it is part of your lesson plan and you have been granted clear permission to do so from the school.

Do not leave your mobile phone in view during lessons.

Social media

Do not ask to connect with or accept invites from pupils on Facebook, Twitter or any other social networking mode, even if you are coming to the end of an assignment. This blurs the lines between pupil and teacher and intentions could be questioned.

Do not access your social media pages on any computer/equipment that does not belong to you.

You should not refer to/identify any schools, teachers, pupils or agencies that you are working with on any social media statuses.

Avoid making any comments on social media that could be seen to be prejudicial, discriminatory or defamatory. This can lead to complaints and concerns from head teachers, governors and parents.

Social media profile pictures are easily accessible to pupils, so avoid using any photos that could be deemed as inappropriate. Ensure that your privacy settings are set so that only your friends/connections have access to your profile/personal details.

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26. Disclosure & Barring Service (DBS checks)

We are required by law to obtain an enhanced DBS check for all candidates prior to their first placement with Athona Education, and on an annual basis thereafter.

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27. Whistleblowing

Whistleblowing is the disclosure of confidential information that relates to danger, fraud or other illegal or unethical conduct connected with work including abuse or neglect of pupils or education professionals.

The disclosure may relate to concerns regarding:

- Athona Education Limited as a company or employee.
- A fellow Athona Education Limited candidate.
- The location in which you currently work or have worked.
- Any other party e.g. a pupil or staff member within a school.

Under the Public Interest Disclosure Act 1998, candidates who speak out, in good faith, against corruption and malpractice at work have statutory protection against victimisation and dismissal. Athona Education Limited operates a whistleblowing policy which encourages a culture of openness within our organisation and aims to prevent malpractice.

The policy will apply in cases where a contractor genuinely and in good faith believes that one of the following sets of circumstances is occurring, has occurred or may occur within their line of duty:

- A criminal offence has been committed, is being committed or is likely to be committed.
- A person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject.
- A miscarriage of justice has occurred, is occurring or is likely to occur.
- The health and safety of any individual has been, is being or is likely to be endangered.
- The environment has been, is being or is likely to be damaged.
- Information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

Anyone who wishes to raise or discuss any issues which might fall into the above categories should contact their Athona Education Limited recruitment consultant in the first instance, who will treat the matter in confidence. It is likely that a further investigation will be necessary, and you may be required to attend a disciplinary or investigative hearing as a witness.

Where the concern may involve a direct employee of Athona Education Limited, the concern should be raised via our confidential inbox whistleblowing@athona.com

Further information and guidance can also be found [here](#)

You should be aware that if any disclosure is made in bad faith (for example, in order to cause disruption within the organisation), or concerns information which you do not substantially believe is true, or indeed if the disclosure is made for personal gain, then such a disclosure may constitute breach of contract, which may lead to immediate termination of the contract.

In accordance with PIDA guidelines,

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28. Grievance and Disciplinary Procedures

(in line with government guidelines from "Keeping Children Safe in Education")

When complaints, concerns or an unacceptable variation in individual performance is identified or when concerns exist about safeguarding the following procedure should apply:

This procedure applies to everyone irrespective of sex, sexual orientation, gender reassignment, marital or civil partnership status, pregnancy and maternity, age, disability, colour, race, nationality, ethnic or national origin, religion or belief, political beliefs or membership or non-membership of a Trade Union or spent convictions.

Instances of complaints, concerns, unacceptable variation of performance or safeguarding could be identified by:

- Client complaint
- Child, Parent or Guardian Complaint
- Poor End of Assignment Feedback
- Poor references
- Poor colleague feedback
- Safeguarding Investigation
- Regulatory Body Investigation
- Unaddressed deterioration of health that could cause safeguarding risk
- Or any serious breach of the terms of engagement or obligations placed upon the temporary worker.

This procedure has been written to coincide with Athona's ISO9001 Nonconformity, Client Complaint, Corrective and Preventative Action Procedure 09 (Appendix 1) and Complaint Database F18b (Appendix 2).

All complaints should be referred immediately to Geri Chapman Compliance Manager **Geri.chapman@athona.com** and Jeanette Holder, Managing Director **Jeanette.holder@athona.com** (Within 24 hours).

All complaints will be acknowledged to the client / complainant in writing within 3 working days of receipt of the complaint and details of the nominated investigator shared. We may request additional supporting information i.e. statements, evidence, notes (redacted) and the client / complainant may be required to assist in the investigation.

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The nominated investigator will review the complaint and agency workers records and document the information as a formal non - conformity, providing an overview of the agency workers history and any previous complaints to the Managing Director.

The Managing Director will advise the nominated investigator and recruitment consultant of the complaint threshold / seriousness of the complaint / variation and offer advice in terms of interim measures or immediate suspension from work. Where there is a need for LADO involvement, the agency worker will be required to cease work and confirm in writing they will not seek employment elsewhere whilst the investigation is ongoing.

Complaint thresholds, procedures and actions:

a) Negative feedback / Minor Complaint

1. Records will be checked to see if negative feedback / a complaint of similar nature has been received previously, if so escalate to Managing Director for further review.
2. A discussion about the negative feedback or minor concerns will take place between the agency worker and recruitment consultant. A copy of the negative feedback or minor concern will be shared in writing with the agency worker. The agency worker is expected to respond with a statement or may provide reflection on how they will avoid a similar occurrence in the future.
3. Agency worker can continue working whilst a single negative feedback / complaint is being investigated. If multiple negative feedbacks / complaints are received see 'Ending Assignments and Dismissal'
4. Confirmation that the negative feedback / complaint has been addressed with the agency worker will be sent to the client / complainant.

b) Low level Complaint

1. Records will be checked to see if negative feedback / a complaint of similar nature has been received previously, if so escalate to Managing Director for further review.
2. Where a client / complainant has reported a complaint to LADO, and LADO have decided it is a low-level complaint, Athona Education will be instructed to conduct the investigation.
3. The agency worker is not able to work whilst the complaint is being investigated.

4. The nominated investigator will speak to the agency worker or arrange a meeting with them to investigate the complaint. The nominated investigator is not able to divulge any specific details about who raised the complaint but may ask general questions about events on a certain day. The agency worker has the right to be accompanied by a trade union representative.
5. The agency worker will be sent notification of the complaint and formally advise them that they are unable to work whilst the investigation is ongoing.
6. The client / complainant, LADO and Athona work together to investigate the complaint.
7. LADO will advise what the results of the investigation are, they may decide to escalate to the next threshold of concern, or they may decide to close the case with advice, re training or no action.
8. The agency worker will be sent notification of the outcome of the investigation which may include escalation, closure of the case with advice, re training or no action.
9. If negative feedbacks / complaints are received see 'Ending Assignments and Dismissal'

c) Complaint meets threshold of concern

1. Where a client / complainant has reported a complaint to LADO, and LADO have decided it meets a threshold of concern. LADO will investigate & will arrange a meeting with the school, police, social services and Athona Education. Records will be checked to see if negative feedback / a complaint of similar nature has been received previously.
2. The agency worker is not able to work whilst the complaint is being investigated.
3. LADO will decide who will conduct the investigation, either the Police or Athona Education (if investigation is being conducted by Athona Education, follow the Low-level process above).
4. The Police / LADO will advise what the results of the investigation are, they may decide to escalate to prevent the agency worker from working with children, or they may decide to close the case with advice, re training or no action.
5. The agency worker will be sent notification of the outcome of the investigation which may include escalation, Athona Education will need to refer to the TRA (Teaching regulatory authority) and DBS, closure of the case with advice, re training or no action.
6. If the complaint outcome is that of a serious threshold of concern, see 'Ending Assignments and Dismissal'

Ending assignments and dismissal

The agency worker, the agency and the hiring organisation do not have to give any notice to end an assignment early unless it's clearly written in the contract or assignment information.

The agency worker should tell the agency if they want to end the assignment.

If an agency worker wants to leave the agency, the agency worker should check the contract or written agreement. Usually, you need to tell the agency in writing.

An agency can usually end their relationship with an agency worker – or 'dismiss' an agency worker – without notice or reason unless:

- The contract says otherwise
- The contract states the worker is an employee of the agency and they have been employed for at least 1 month

Going through a disciplinary procedure

The Agency has rules and procedures for dealing with disciplinary issues or issues that raise safeguarding concerns as detailed in the above procedure.

If the contract states that the individual is an 'agency worker' the agency is likely to stop finding them work if they get reports of complaints, misconduct or poor performance. The agency is required to escalate any safeguarding concerns to the relevant authorities.

If the contract states the individual is an employee, the agency will follow a standard disciplinary procedure to investigate the alleged complaint, misconduct or poor performance in accordance with the employee disciplinary and grievance procedure. The agency is required to escalate any safeguarding concerns to the relevant authorities. A copy of the employee disciplinary and grievance procedure is available in the employee handbook or upon request.

Grievance procedure

The Agency Workers Regulations 2010 ("the Regulations") came into effect on 1 October 2011, and gave agency workers many of the same basic employment and working conditions as their comparable colleagues who work on a permanent basis in the same or a similar role. Agency worker's rights are unique to people who have a contract with an agency but work temporarily for different hirers. Agencies do not have to follow a formal grievance procedure for agency workers; however we will ensure your rights under AWR are met by the agency and the client.

Should an issue arise, we will try to mediate a resolution for you, and or fully investigate and respond to any formal complaints raised through the complaints procedure.

If you have a problem with the agency or the end client you were assigned to, in most instances these problems can be resolved informally by contacting your recruitment consultant to discuss any issues you are facing. They will work between you and the end client you were assigned to and try to mediate a resolution.

If you have a problem with the recruitment consultant you work with, you can directly contact Geri Chapman, Compliance Manager **Geri.chapman@athona.com** or Jeanette Holder, Managing Director **Jeanette.holder@athona.com** to raise any issues. They will work between you and the recruitment consultant you were assigned to and try to mediate a resolution.

You can also make a formal complaint that will be fully investigated using the complaints procedure.

If the contract states the individual is an employee, the agency will follow a standard grievance procedure. A copy of the employee disciplinary and grievance procedure is available in the employee handbook or upon request.

For an alternative process for dealing with a complaint, in cases where a complainant does not wish to liaise with our company, or if you are still not satisfied, you can contact the REC, the industry trade association, of which we are a member by writing to the Professional Standards Manager, REC, 20 Queen Elizabeth Street, London SE1 2LS.

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29. Recruitment, selection and vetting policy

1 Introduction

Athona Education is an employment business supplying temporary workers to work within the education sector. The work seekers that we engage must pass thorough and robust vetting procedures before we can consider them for any placement or assignment with our clients and this policy sets out our commitment to comply with the highest standards at each stage of the recruitment process.

Our processes are compliant with relevant legislation and the Department for Education's statutory guidance: [Keeping Children Safe in Education \(KCSIE\)](#). We ensure our temporary workers remain compliant throughout their time with Athona Education by undertaking the checks set out in this policy.

We have processes in place whereby we obtain feedback from our clients once placements are made.

2 Recruitment and Selection

2.1 Face to face interviews

Before placing any work seekers on assignments, Athona Education meets with them face to face either in person or via video. Before meeting the work seeker, we ask them to forward a copy of their CV and advise them of the documentation they are required to forward to us or bring with them to the interview.

During the interview, a suitably trained and competent consultant will assess the work seekers suitability for the role by discussing their previous work history and qualifications. Athona Education uses a template of standard relevant questions to ensure equality of approach and seek to understand the work seeker's knowledge and understanding of protocols and to assess how they would react to various scenarios. Provided the outcome of the interview is satisfactory, Athona Education will then start the pre-employment checks.

2.2 Right to work checks

Athona Education conducts right to work checks on every work seeker we intend to supply to our clients to comply with immigration requirements, recruitment industry legislation and to ensure that guard against the risk of supplying a person who is not permitted to work, to a client. All checks are carried out in line with

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best practice and equality law. We will conduct **a manual document check, a digital identity verification check through an Identity Service Provider (IDSP) or an online check using the Home Office Online or Employers checking service** to establish a candidate's right to work. Where a right to work check is conducted using the online service, the information is provided in real-time, directly from Home Office systems and so there will be no requirement to see the documents listed below.

2.2.1 Manual right to work checks

For physical document checks we follow the three-step process set out in the [Home Office Guidance: An employer's guide to right to work checks](#):

- **Step one:**

We obtain the work seekers original documents. The work seeker must provide us with either one document (or a combination of documents where applicable) from [LIST A](#) of the Home Office right to work checklist or any of the documents or combination of documents from [LIST B](#) of the checklist. We only accept original documents. Photocopies or electronic scans are not acceptable, and we must be in receipt of the physical documents.

- **Step two:**

We take reasonable steps to check that the document is genuine and that the work seeker is the person named in the document.

For each document we complete the following checks:

- check any photographs are consistent with the appearance of the work seeker;
- check any dates of birth listed are consistent across documents and that we are satisfied that these correspond with the appearance of the work seeker;
- check that the expiry date for permission to be in the UK has not passed;
- check that the documents are valid and genuine, have not been tampered with and belong to the holder; and
- if given two documents which have different names, we ask for a further document to explain the reason for this. The further document could be a marriage certificate, a divorce decree absolute, a deed poll or a statutory declaration.
- check that in relation to restrictions on permission to work in the UK the work seeker is allowed to do the type of work they have applied for. For students, we will obtain a copy of their academic term times from the relevant institution.

- **Step three:**

We make a copy of the relevant page/s of the document in a format which cannot be subsequently altered. This can include a photocopy or a scan in a non-rewritable format.

Where the work seeker has provided us with a passport, we will photocopy or scan the following: any page with the document expiry date, the holder's nationality, date of birth, signature, leave expiry date, biometric details, photograph and any page containing information indicating that the holder has an entitlement to enter or remain in the UK and undertake the work in question.

For all other documents, we make a clear copy or scan of the document in full.

All copies of documents taken will be kept securely for the duration of the work-seeker's engagement with Athona Education and for two years afterwards. The copy will then be securely destroyed. We will make a note of the date on which the check was conducted by either a declaration on the hardcopy or on a separate record.

2.2.2 Digital identity verification check

For digital document checks we follow the three-step process set out in the Home Office Guidance: An employer's guide to right to work checks:

- **Step one:**

We will use the services of an Identification Service Provider (IDSP) who can satisfy a minimum of a Medium Level of Confidence check.

- **Step two:**

Once we have received the output form from the IDSP confirming details of the check, we will satisfy ourselves that both the photograph and biographic details of the work-seeker such as their date of birth, are consistent with the person presenting themselves to us for work finding services. We may conduct this check via video call or in person.

- **Step three:**

All copies of the output forms will be kept securely for the duration of the work-seeker's engagement with Athona Education and for two years afterwards. The copy will then be securely destroyed.

2.2.3 Online right to work checks

For online right to work checks we will follow the three basic steps set out in the the [Home Office Guidance: An employer's guide to right to work checks](#):

- **Step one:**

Where the work-seeker provides us with a valid share code we will use the Home Office online right to work checking service and will only supply the person if the online check confirms they are entitled to do the work in question;

- **Step two:**

We satisfy ourselves that any photograph on the online right to work check profile page is of the individual presenting themselves for work; and

- **Step three:**

We retain a clear copy of the profile page provided by the online right to work check (storing that response securely, electronically or in hardcopy) for the duration of the work-seekers engagement with Athona Education and for two years afterwards. The copy will then be securely destroyed.

2.2.4 Employers checking service checks

If we are unable to conduct an online check because:

- we have not been provided with any acceptable documents listed in List A or B of the guidance and we have been unable to obtain an online check via share code;
- we have been provided with a non-digital Certificate of Application (CoA), email or acknowledgement letter confirming an application for the EU Settlement Scheme (EUSS) was made on or before 30 June 2021;

- we have been provided with evidence that the worker is a long-term resident of the UK who arrived before 1988 but have not received documents in List A or B;
- we have been provided with a non-digital CoA confirming an application for the EUSS was made on or after 01 July 2021
- we have not been provided with any acceptable documents but have been given information that indicates an application for permission to stay was made to the Home Office prior to the expiry of the workers previous permission or there is an appeal or administrative review pending;
- we have been provided with a valid application registration card.

In these circumstances we will use the Home Office's employers checking service and await receipt of a positive verification notice before supplying the work seeker to a client.

2.3 ID checks and proof of address

In addition to the above right to work documents, we also require the work seeker to provide us with two original documents, one to confirm their identity and one to confirm their address. The type of documents that we accept are a valid driving licence, Passport, utility bill, bank statement, government document/letter which includes the work seeker's national insurance number.

Copies of documents will be taken and noted with the date the documents were checked. Copies will be kept securely for the duration of the work-seeker's engagement with Athona Education and for at least 1 year after. The copy will then be securely destroyed.

2.4 References

In accordance with Regulation 22 of the Conduct of Employment Agencies and Employment Businesses Regulations 2003 (and the terms of the Crown Commercial Service (CCS) Supply Teacher Framework), we require (at least) two references that must cover the previous two years of employment for all work seekers. One reference must be from the work seekers' most recent employer. References must be from non-family members who give their consent for the reference to be forwarded to our clients.

We will verify all references by contacting the referees directly, either by telephone or email.

Verbal references will be recorded, and a copy of the record will be sent to the referee via their school email address to obtain their written confirmation that the record is correct and their consent to forward it to a third party. If the referee does not provide their written confirmation that the record is correct and does not give their consent, the reference will not be accepted.

Open references may be accepted, provided that they include the following information:

- the dates during which the work seeker worked for or with the referee;
- the role the work seeker undertook;
- whether the work seeker is deemed suitable to work with children;
- whether the referee would re-employ the work seeker; and
- whether the work seeker was subject to any disciplinary action and the circumstances, if any.

References from other employment businesses must, as a minimum, include dates of employment and details of any safeguarding issues if they are known.

3 Vetting

3.1 Rehabilitation of Offenders Act Declaration

During the registration process, all work seekers are required to complete our Rehabilitation of Offenders Act Declaration and as required for regulated sectors, disclose all spent and unspent convictions, subject to the filtering rules.

If a work-seeker discloses any convictions or cautions, Athona Education will consult with the Teacher Regulation Agency, or for Wales, the Education Workforce Council, and the REC's legal helpline to obtain advice and guidance on whether the work seeker can work in the education sector. We will also ensure that the school has a policy on the treatment of ex-offenders, is aware of the conviction/s to allow them to conduct their own risk assessment and determine their assessment of a candidate's suitability for the role in accordance with its policy on ex-offenders.

3.2 Rehabilitation of Offenders Policy

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

Athona Education undertakes not to unfairly discriminate against any subject of a criminal record check on the basis of a conviction or other information revealed.

Athona Education can only ask an individual to provide details of convictions and cautions that Athona Education 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),

Athona Education can only ask an individual about convictions and cautions that are not protected.

Athona Education 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 dependents, age, physical/mental disability or offending background.

Athona Education has a written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the start of the recruitment process.

Athona Education actively promotes equality of opportunity for all with the right mix of talent, skills, and potential and welcomes applications from a wide range of candidates, including those with criminal records.

Athona Education selects all candidates for interview based on their skills, qualifications and experience.

Athona Education ensures that all staff of Athona Education who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.



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

At interview, or in a separate discussion, Athona Education 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/assignment.

Athona Education 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.

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

3.3 Disclosure and Barring Service and Update Service checks

Athona Education requires all our work seekers to have an enhanced Disclosure and Barring Service (DBS) check which includes a check on the Children's Barred List, where appropriate/required.

We view and take a copy of the physical and original DBS certificate and, with consent from the work seeker, carry out a status check on the DBS Update Service. We record details of the check and the date the check is undertaken on the work seeker's file. If the Update Service check states that there is new information, we will require the work seeker to apply for a new DBS certificate before proceeding with their registration.

If a work seeker wishes to register with Athona Education and they are not already on the Update Service, a new DBS check will be required, and we would encourage the work seeker to subscribe to the Update Service. If they do not subscribe to the Update Service, we will require a new DBS check to be undertaken at least once a year. More frequent checks may be required in certain circumstances, such as if required by a school/client or if we receive information about a work-seeker/candidate that requires us to carry out additional checks.

Athona Education will undertake repeat status checks on the Update Service at least once a year, or more often if required by our clients, but no more than four times a year. We always obtain the work seeker's consent to undertake a status check.

If the DBS check shows details of a conviction or caution, in line with The School Staffing (England) Regulations 2009, we must email a copy of the DBS to the school.

Following the decision of the Department for Education to remove access to the stand-alone Barred List checking system for employment businesses from 1 April 2021, we cannot conduct this standalone check and we will not place any work seekers in a role without a full enhanced DBS check being completed. This check includes a Barred List check where required.

When reviewing a work seeker's DBS certificate, Athona Education will check that the certificate is for the Child Workforce only and status checks on the Update Service will only be for the Child Workforce. Unless the role being applied for involves regulated activity with both children and adults in accordance with the definition of Regulated activity contained in the Safeguarding Vulnerable Groups Act 2006, we will not accept a previously issued DBS that covers both adult and child workforces.

The definition of 'work with adults', as set out in the Police Act 1997 (Criminal Records) Regulations is narrower than the definition of 'work with children' and refers to providing personal care to the adult. It is, therefore, not always the case that we will be entitled to view information relating to the adult barred lists. If there is any uncertainty as to whether a particular role is eligible for a criminal record check, we can use the [DBS eligibility tool](#) and, if necessary, obtain guidance from the DBS.

If a particular role is not eligible for an enhanced check against both the child and adult barred lists, we must not proceed with the check and if the work seeker has an existing DBS certificate covering both the child and adult workforces, we will require them to undertake a new DBS for the child workforce only.

3.4 Overseas Police Checks

All work seekers who have lived and worked in a single overseas country for six months or more in the last five years must provide an overseas police check. This will be done in accordance with the [Government Guidance](#) particular to each country. Anything else a candidate provides will not be accepted.

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If the work seeker is unable to provide a police check from the relevant country (for example, if the relevant country does not provide police checks), Athona Education may accept a statement of good conduct from the work seeker's previous employer within the relevant country. We would require the statement to include confirmation that, to the best of their knowledge, the work seeker has no criminal convictions and that they know of no reason why the work seeker should not work with children.

If we are unable to obtain a police check or a statement of good conduct, we will advise the school that we have been unable to obtain these and the reasons why in order for the school to advise us of any further checks they may require or carry out a risk assessment based on the information we have been able to obtain.

3.5 Letter of professional standing for work seekers that have lived or worked overseas

For work seekers seeking teaching roles, which have lived or worked overseas, Athona Education will request sight of a letter of professional standing issued by the professional regulatory authority in the country/ countries where the individual worked. This check is completed to confirm the work seeker's suitability for the role in line with Athona Education obligations under the Conduct Regulations. We will obtain details of the Regulated bodies in the EU/EEA and Switzerland via the [Regulated Professions database](#). We will independently research and contact the Regulated bodies for any other part of the world.

Where the letter cannot be obtained and all reasonably practicable steps have been taken to obtain it, Athona Education will request that the work seeker to provide an alternative document which confirms their suitability for the role. This may be a letter of good standing from the head teacher in the school that they worked in or additional professional references.

Athona Education will then inform the client of the steps taken to comply with the suitability requirements which are set out in Regulation 22 of the Conduct Regulations.

3.6 Online/social media checks

In accordance with the updated guidance in [KCSIE 221](#), Athona Education will conduct an online search of a shortlisted candidate as part of our due diligence checks/ should this form part of a school's recruitment policy. We will take into account any specific checks that form part of the school's own online checks policy or procedure. We will inform all candidates that this will form part of the recruitment process prior to conducting a search and update our privacy policy and retentions policy accordingly.

3.7 Qualifications and early career teachers (ECTs)/newly qualified teachers (NQTs)

Where the client, legislation or any professional body requires the work seeker to have a particular qualification or authorisation to work in the position offered by the client, we will obtain copies of original qualifications and authorisations, and these will be available to our clients upon request.

Under the Education (School Teacher's Qualifications) (England) Regulations 2003, work seekers being supplied into a teaching position within a maintained school must hold qualified teacher status (QTS) and have successfully completed their induction. This is subject to certain exemptions listed in Annex A of the [Induction for Early Career Teachers \(England\) statutory guidance](#). In addition to checking the qualifications, we will also check the teacher's qualified teacher status via the Teacher Regulation Agency online portal. Please see further details below.

We will check overseas qualifications via [UK ENIC](#) the UK's National Information Centre.

A qualified teacher who has been awarded QTS but who has not yet completed an induction period can only undertake short term supply work of less than 1 term in a maintained school for a maximum period of 5 years from the award of the QTS. An induction programme must be put in place immediately if it becomes clear that the extended assignment will continue for at least a term. Athona Education will ensure that a teacher who has not satisfactorily completed an induction period is eligible to carry out short term supply work.

Wherever possible, we will work with schools and ECTs/NQTs to find suitable induction placements. In England, an ECT is required to complete 6 full school terms. In Wales NQTs must complete 3 school terms but this can be done by working 380 sessions (a session is equivalent to either a morning or an afternoon of teaching).

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3.8 Check a Teacher Record/ Education Workforce Council (Wales)

Athona Education will undertake checks via the DfE check a teacher [online service](#), or in Wales, the [Education Workforce Council \(EWC\)](#), to check a teacher's UK qualified teacher status to ensure that qualification certificates are genuine and that there are no prohibitions or sanctions imposed against the work seeker. We will retain a screen print on the teacher's file as a record of these checks.

3.9 Referrals

Athona Education as an employment business is a 'personnel supplier' and has a legal requirement under the Safeguarding Vulnerable Groups Act 2006 to refer information to the DBS about individuals who have either harmed, or placed at risk of harm, a child or vulnerable adult.

Where Athona Education supplies or introduces a work seeker to a client, and the client subsequently removes the work seeker from carrying out 'regulated activity' because the client believes that the person has engaged in 'relevant conduct' or the 'harm test' is satisfied, Athona Education must provide information to the DBS about this matter. Additionally, if Athona Education decides to withdraw our services from the work seeker because we believe that the work seeker engaged in 'relevant conduct' or that the 'harm test' is satisfied, we must provide information to the DBS about this.

'Relevant conduct' is defined as:

- Conduct which endangers a child or vulnerable adult or is likely to endanger a child or vulnerable adult,
- Conduct which, if repeated against a child or vulnerable adult would endanger or would be likely to endanger him,
- Conduct involving sexual material relating to children (including possession of such material),
- Conduct involving sexually explicit images depicting violence against human beings,
- Conduct of a sexual nature involving a child or vulnerable adult.

Athona Education has a duty to refer information to the DBS if the 'harm test' is satisfied, i.e. if Athona Education thinks that that the person may:

- Harm a child or vulnerable adult,
- Cause a child or vulnerable adult to be harmed,
- Put a child or vulnerable adult at risk of harm,
- Attempt to harm a child or vulnerable adult,
- Incite another to harm a child or vulnerable adult.

To ensure compliance with the DBS referral rules, we have processes in place to ensure that all staff are aware of the legal duty to make a DBS referral where necessary and know the process for doing so.

3.10 Fitness to teach.

To ensure compliance with the Education (Health Standards) (England) Regulations 2002, Athona Education will ask all work seekers to advise us of any health or disability issues that they believe are relevant to the role and which make it difficult for them to carry out functions that are essential to the role.

If a declaration is made, with consent from the work seeker, we will obtain confirmation from the work seeker's doctor that the work seeker is fit to teach. If we are unable to obtain this confirmation, we will not proceed with the registration.

If a teacher has been retired on medical grounds by the Department of Education after 1 April 1997, and is currently in receipt of ill health pension or total Incapacity benefit, the teacher will not be able to teach as they have been considered medically unfit. However, if the retirement was before 1 April 1997, the teacher may be able to work if they can evidence that they have the health and physical capacity to teach. This can be achieved by obtaining confirmation, in writing, from a GP. In these instances, they can only work a maximum of 2.5 days per week. This requirement only applies in England.

3.11 Disqualification

In order for Athona Education to comply with our obligations under the Childcare Act 2006 and the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) Extended Entitlement (Amendment) Regulations 2018, we must carry out appropriate checks to ensure that work seekers are not disqualified from teaching. Under the rules, individuals can either be disqualified from carrying out work with children in their own right, or disqualified by association because they live with somebody, or have somebody working in their home, who is disqualified.

3.11.1 Disqualification by association checks

Changes to the disqualification rules were introduced in 2018 and since then, disqualification by association only applies to those who work in childcare in a domestic setting, such as in a childminder's home (previously it applied in schools and non-domestic settings such as nurseries).

For roles involving childcare, which is carried in a domestic setting only, we will require a disqualification by association declaration to be signed by candidates before we place them in any roles.

3.11.2 Disqualification checks

Disqualification checks are required for all candidates who are seeking work which involves 'relevant childcare roles', such as:

- provision of early years childcare
- later years childcare in nursery, primary or secondary school settings
- staff directly concerned with the management of the above.

For candidates who do not work in these 'relevant childcare roles', we will not conduct disqualification checks. For example, staff who do the following are not covered:

- only provide education, childcare or supervised activity during school hours to children above reception age; or
- only provide childcare or supervised activities out of school hours for children who are aged 8 or over; and
- are not involved in the management of relevant provision.

4 Other checks

4.1 Continued suitability

In order to ensure that all work seekers registered with Athona Education meet the safeguarding and suitability requirements on an ongoing basis, at least once a year we will conduct status and Teacher Regulation Authority/Education Workforce Council checks (subject to any shorter period imposed by a client).

Where a work seeker has not worked with us for a period of three to six months, we will conduct status and Teacher Regulation Authority/Education Workforce Council checks and obtain an additional reference/s to cover the period in question.

Where a work-seeker has not worked with us for over six months the registration process will be repeated in full.



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