

	HUMAN RESOURCES Fair Recruitment & Selection Policy and Procedure	Number	HR004
		Page	1 of 25
		Policy	1

POLICY: Fair Recruitment & Selection Policy and Procedure

This policy has been written in consultation with the College’s recognised Trade Union representatives.

PURPOSE: The College is committed to ensuring planned, professional, fair, efficient and cost-effective recruitment across the organisation. This policy sets out best practice and provides guidance for each stage of the process.

The College’s aim is to recruit the best people for the wide range of posts which are necessary to ensure the standards of excellence to which it aspires. The purpose of the College’s recruitment and selection procedures is to ensure an appointment system that is transparent, consistent and unbiased, and to provide an excellent candidate experience.

Managers can obtain further guidance on this procedure from Human Resources.

SCOPE: All staff. This document sets out the separate procedures for all appointments within the College including Standard Appointment, Agency Worker Appointments, Casual Worker Appointments and Volunteer Appointments.

EQUALITY IMPACT ASSESSMENT

An Equality Impact Assessment (EIA) has been completed for this policy to consider its effect on individuals with protected characteristics under the Equality Act 2010. The assessment concluded that the policy supports equality of opportunity and includes appropriate safeguards to ensure fair and inclusive application.

General Data Protection Regulation (GDPR)

The College is aware of its obligations under the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 and ensures full compliance. As a Data Controller, the College will protect and safeguard the personal data that it processes and collects from applicants for all positions at the College.

All personal information will be treated confidentially and only used for the purposes stated, in line with the Data Protection Act (2018) and with the General Data Protection Regulation (GDPR), or any subsequent legislation.

In relation to personal data, the College will:

- process it fairly, lawfully and in a clear, transparent way;
- collect personal data only for necessary, legitimate reasons, for the purpose of Fair and Safe Recruitment & Selection, and for the purposes of any subsequent employment; and will
 - only collect data in the way that applicants have been informed of;
 - ensure that data is correct and kept up to date;
 - process and retain applicants’ data only for the period and bases for which it is legitimately required;

1. Principles

- 1.1 The College will always endeavour to attract and recruit the best candidate for each job.
- 1.2 All applicants will be treated with respect and dignity and will be subject to a fair, equitable and transparent selection process.
- 1.3 All recruitment and selection processes will comply with the College’s legal obligations and responsibilities, under the Equality Act (2010), the Equality Act 2010 (Amendment Regulations) 2023, the Employment Rights Act 1996, the Rehabilitation of Offenders Act (1974), and where applicable, Immigration (UKVI) legislation, to ensure that the most suitable person for a job is selected based on their relevant merits and abilities and that no employee/job applicant is unfairly treated on any grounds including any of the 9 Protected Characteristics/Groups:

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

- Race
- Religion and belief
- Sex
- Sexual Orientation
- Marital and Civil Partnership
- Age
- Disability
- Gender Reassignment
- Pregnancy and Maternity.

The College is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects all staff to share this commitment, with specific reference to, and in accordance with, the Keeping Children Safe in Education 2025 (KCSIE) Guidance for Schools and Colleges. This Policy and Procedure has been developed and updated in line with those guidance and recommendations.

1.4 The College will ensure that:

- Vacancies reach as wide a pool of potential applicants as is practicable;
- There are clear and up to date Job Descriptions & Person Specifications for every job;
- The Single Central Record is maintained and kept up to date and accurate at all times;
- Procedure and good practice for recruitment and selection for appointment or promotion is followed by every employee involved in the recruitment and selection of staff;
- Staff involved in the recruitment and selection process are given adequate, appropriate training on Safer Recruitment, the College's procedures, their responsibilities, current statutory requirements and best practice;
- Positive action is taken to make this procedure fully effective including steps to encourage applications from under-represented groups within the College and from ex-Armed Forces personnel.

2. Equality, Diversity & Inclusion

Stoke On Trent College is proud to be a multi-cultural community. Equality, Diversity and Inclusion values are embedded into all aspects of the recruitment and selection process, and discrimination of any type, at any stage, will not be tolerated.

2.1 Disability Confident – Employer

In addition, the College is committed to taking positive steps to employ people with disabilities and in recognition, is accredited as a 'Disability Confident' Employer:



2.1.1 Applicants who declare that they have a disability, and who confirm that they wish to partake in the scheme, and who meet the essential criteria for the job they have applied for, will be guaranteed an interview under this Scheme.

2.2 Armed Forces Covenant

2.2.1 On 1st December 2022, the College signed up to the Armed Forces Covenant, via the submission of our Pledge. The Armed Forces Covenant is a promise by the nation ensuring that those who serve or who have served in the armed forces, and their families, are treated fairly.

This is reflected in our Recruitment & Selection practices, in that we encourage applications for our jobs from ex-service personnel and commit to providing health and wellbeing support to all our staff, throughout their employment.



ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

The College endeavours in its business dealings to uphold the key principles of the Armed Forces Covenant, which are:

- no member of the Armed Forces Community should face disadvantage in the provision of public and commercial services compared to any other citizen
- in some circumstances special treatment may be appropriate especially for the injured or bereaved.

The College seeks to uphold the principles of the Armed Forces Covenant by:

- promoting the fact that we are an armed forces-friendly organisation;
- striving to support the employment of Service spouses and partners;
- endeavouring to offer a degree of flexibility in granting leave for Service spouses and partners before, during and after a partner's deployment
- seeking to support our employees who choose to be members of the Reserve forces, including by accommodating their training and deployment where possible;
- offering support to our local cadet units, either in our local community or in local schools, where possible;
- aiming to actively participate in Armed Forces Day and holding a Remembrance Service each year on site at College, for staff, students and visitors to attend.

3. THE PROCEDURE - Recruitment and Selection for Standard Employment Appointments

The key stages of the Recruitment and Selection process are as follows:

3.1 Authorisation

- 3.1.1 For all posts, a Business Case – Staff Request Template form (*formerly a Business Case form*), available to download from the Intranet, must be completed by the recruiting manager and submitted to the HR Requisitions email inbox for approval by the Senior Leadership Team (SLT), before a vacancy can be advertised. The Business Case form requires managers to set out all the terms, conditions and arrangements for the post being recruited to. An up to date Job Description & Person Specification for the post and Organisation Chart must be attached to the Recruitment Business Case form.
- 3.1.2 Authorisation for the post will be given by SLT, following consideration of the Business Case form submitted, at weekly SLT meetings.
- 3.1.3 The occurrence of a vacancy is an opportunity to review the necessity for the post and its duties, responsibilities and grade, and to carefully plan for any recruitment, before just seeking approval to recruit like for like.
- 3.1.4 Prior to advertising, consideration must also be given to any employees on the Redeployment Register who are at risk of Redundancy, etc, who it may be possible to redeploy into the vacant post. The recruiting manager will discuss this with their HR Business Partner/Officer during the manager's completion of the Business Case form.

3.2 The Vacancy

- 3.2.1 Every vacancy must be supported by an up to date Job Description and Person Specification, which accurately reflects the role. For newly created posts, Job Evaluation will be carried out prior to approval, to ascertain the Grade and Profile of the job. HR will advise on this as part of the planning process.
- 3.2.2 The Job Description should state the overall purpose of the job and list the key duties and responsibilities. The Person Specification describes the minimum (essential) qualifications, experience, skills and attributes that someone would require to be able to do the job, and the 'desirable', additional qualities and achievements which, are not essential for the job at the point of appointment, but which either provide a developmental aspect for the postholder or which would set apart an exceptional candidate from a good candidate at the shortlisting and decision making stages. The College's Job Description and Person

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

Specification template must be used and will be provided to the recruiting manager upon request from the HR & Recruitment Officer.

- 3.2.3 Qualifications for Teaching Roles - For all posts with a teaching component, the Person Specification will normally require candidates to hold qualifications at a level above the programme, qualification or learning aim being taught or delivered. This ensures appropriate subject depth, academic credibility and teaching quality. Where a candidate does not yet hold a qualification at a level above that being delivered, appointment will only be considered where there is clear evidence of substantial and relevant professional or vocational expertise, and where a qualification development plan is formally agreed as part of the appointment.
- 3.2.4 **Wording or criteria which are, or could be, discriminatory, must be avoided in all Recruitment documentation (Advert, Job Description & Person Specification, Further Particulars, etc) and the Human Resources Department will check documentation before publishing.**

3.3 Advertisement

- 3.3.1 Once full permission to advertise the post has been obtained via full sign off of the Business Case form, the post will be advertised by the HR & Recruitment Officer on the College's website, with GOV.UK Jobs and appropriate Social Media channels. To meet our Equal Opportunities requirements and to ensure that the UK labour market is adequately covered, adverts are published to reach as widely as possible. Exceptionally, if any of the above media are not appropriate for a particular role, or a target audience requires different media or a different advertising approach, managers should speak with the Human Resources Department to discuss alternative options. The OD Business Partner will provide additional support for complex vacancies that require innovative approaches and tailored solutions.
- 3.3.2 Following sign-off of the Business Case form by SLT, the Human Resources Department will discuss media options and preferences with the recruiting manager. If there are additional advertising media that the recruiting manager wishes to explore or use, the manager should discuss this with their HR Business Partner/Officer prior to advertising, as this may be subject to agreement of costs and budget based on feasibility and likely productivity, etc.
- 3.3.3 The job advert should be crafted to attract a strong and diverse pool of applicants. It must be clear, concise, and free from any discriminatory language, criteria, or references. Every advert includes an Our Safeguarding Commitment section, which specifies the role's level of involvement in regulated activity with children, ensuring transparency around safeguarding expectations from the outset. In line with Keeping Children Safe in Education (KCSIE) requirements, adverts also state that it is a criminal offence for individuals barred from engaging in regulated activity with children to apply. To maximize reach and appeal to the most suitable candidates, recruiting managers should ensure the advert is placed in the most effective media channels or consider alternative, role-appropriate approaches where necessary.
- 3.3.4 The Human Resources Department will check the advert text before publishing and if required, will advise on media choices and advertising approach.
- 3.3.5 For Senior Post Holder and other very senior or strategically significant roles, the College may, where appropriate, engage a specialist education executive search and recruitment consultancy to support the recruitment process. The use of such consultancies is intended to ensure a robust, transparent and fair process, access to a wider and suitably qualified candidate field, and alignment with sector best practice. Any such engagement will be approved in advance and conducted in line with this Policy & Procedure, including safeguarding, equality, and safer recruitment requirements.
- 3.3.6 All vacancies will be also advertised internally to College staff via the Principal and CEO's Weekly Briefing. By advertising in this way, the College ensures that all job vacancy details are available widely and can be made available to those staff who are on extended leave of absence from work, for example due to long term illness or for family reasons, by their line manager.
- 3.3.7 When a decision is made to also advertise a vacancy externally, consideration will be given to targeted advertising where particular groups may be under-represented and/or hard to reach. The OD Business Partner will support this process by identifying appropriate targeted options, channels, and job boards.

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

3.4 Applications

3.4.1 The College has a standard online application form, and candidates are required to complete this form to ensure the provision of standard and consistent information from each candidate and to assist the assessment process by ensuring that information can be assimilated and compared in an efficient manner. The application form also helps to ensure that candidates are given equal consideration.

For most posts at College Management, Executive and SLT level, which are at times recruited to via engagement of a Specialist Education Recruitment Agency/Consultancy, and for some specialist posts, CVs will be routinely accepted in accordance with the recruitment consultancy processes. Recruitment for such posts will often include the use of a recruitment micro site, through which, CVs and a supporting statement will be submitted.

- 3.4.3 Special provision may be made for applicants with a disability or other need who may wish to submit their application in a different format. Advice is available from the Human Resources Department in such cases.
- 3.4.3 All job applicants are asked to complete the online Equal Opportunities Monitoring form. This data is retained by the Human Resources Department in accordance with GDPR, for monitoring and reporting purposes.

3.4.4 Further Particulars

All applicants will be provided with the same information and opportunity to make an application. Comprehensive further particulars with up to date information will be available to candidates on the Recruitment site, including:

- College Information
- Job Description and Person Specification
- Terms and Conditions of Employment
- Closing date
- Details of how to apply
- HR Department and Recruiting Manager contact details
- Staff benefits
- Safeguarding and Disclosure and Barring Service (DBS) checks
- Any other relevant information

3.5 Recruitment Panels

- 3.5.1 In addition to the requirement for all CMT panel members to have undertaken mandatory Safer Recruitment training, recruiting managers must ensure the correct structure and composition of recruitment panels, according to the grade and type of job. The panel should be comprised of relevant, suitably qualified members of staff at an appropriate level of seniority in relation to the post. This is not only to ensure fairness but also to ensure that the panel has the relevant and applicable expertise necessary to make a good recruitment decision.
- 3.5.2 All interviews will be conducted by a panel of at least two, but ideally three, suitably qualified members of staff who are senior to the post being recruited to and who have a detailed knowledge of, and/or interaction with, the post. At least one panel member of all panels will be a member of the College Management Team (CMT) who must have undertaken the Safer Recruitment training, which must be renewed/ refreshed every 2 years.
- 3.5.3 The Human Resources Department will provide advice on panel composition, if necessary. ^(OBJ)
- 3.5.4 The recruitment panel should remain composed of the same members of staff, for all parts of the recruitment process for a role, including longlisting, shortlisting and all interviews and selection activities, to ensure fairness and consistency.

3.6 Role of the Chair of the Appointment Panel

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

- 3.6.1 The Chair of the panel - usually the line manager of the post being recruited to, who will be a member of CMT - has overall responsibility for the entire selection process and must ensure that recruitment and selection activities are well planned and managed, and fair and transparent.
- 3.6.2 The Chair is also responsible for ensuring that records of discussions and decisions are kept through all stages of selection and submitted to the Human Resources Department afterwards.

3.7 Longlisting and Shortlisting

- 3.7.1 If many applications are expected for a post, it may be necessary to both longlist and shortlist applications. Both longlisting and shortlisting processes must be carried out by the recruitment panel as outlined in 3.5.3 above, ideally in its entirety, but in any case by at least two of the panel members, who should meet to consider and discuss the applications and should fully document their decisions and long/shortlisting rationale.
- 3.7.2 Online applications will be accessed by the recruiting manager and should be filtered firstly by comparison to the essential criteria listed on the Person Specification. If many applicants meet the essential criteria and there are too many to reasonably interview over one or two days, applications should then be compared to the desirable criteria.
- 3.7.3 The Chair of the panel should ensure that a written record of the long and shortlisting process is kept. The reasons for selection and rejection at the long and shortlisting stages should be clearly documented and detailed.
- 3.7.4 Throughout the long and shortlisting processes, decisions must only be based on assessment against the criteria in the Person Specification.
- 3.7.5 Shortlisted candidates should be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children. A Declaration (Convictions and Barring) form will be provided to the recruitment manager by the HR & Recruitment Officer to be completed by all candidates attending an interview.

3.8 Assessment Activities

- 3.8.1 The most common assessment activities used by the College, are panel interviews, presentations or 'micro teach' sessions, 'in-tray' or scenario activities and other tests.
- 3.8.2 Feedback from micro teach sessions should be structured and focussed. Candidates must be given a clear brief against which to prepare and present.
- 3.8.3 Candidates may also be asked to make a presentation to the appointment panel at or before the interview. Where a presentation is required as part of the assessment process, the ability to present must be relevant to the job and listed as a skill/ competence on the Person Specification. The candidates should be given a clear brief about the presentation (which should be relevant to the job) and sufficient time to prepare prior to the interview date. The panel should also ensure that the necessary IT/ Audiovisual equipment is available on the day.

3.9 The Interview

- 3.9.1 The selection process for all posts at the College will include a face to face interview. Microsoft Teams will only be used as an alternative where a face to face interview is not reasonably possible. The aim of the interview is to select the best match between candidates and the person specification for the post and to extract relevant information in enough detail to reach an appointment decision.
- 3.9.2 Interviews are the opportunity to get the best from the candidates and provide them with the chance to demonstrate how they meet the specification for the role. It should not be seen as a test where no assistance can be provided or where candidates should feel they might be caught out by trick questions.

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

- 3.9.3 Interview questions should focus exclusively on the criteria outlined in the person specification. The question set must include mandatory questions covering safeguarding, promoting the welfare of children and young people, and any employment gaps. In addition, at least one question should address safeguarding and the protection of children, young people, and vulnerable adults; one should focus on Equality, Diversity, and Inclusion; and one should reflect our College Values. Additional questions may be used as appropriate, and all approved questions are available in the Interview Questions Bank on the College intranet.
- 3.9.4 The process should be a two-way dialogue which also allows candidates to gain further information about the College and the post.
- 3.9.5 All interviews will be conducted by a panel of at least two, but ideally three, suitably qualified members of staff who are senior to the post being recruited to and who have a detailed knowledge of, and/or interaction with, the post. At least one panel member of all panels, must have undertaken the Safer Recruitment training, which must be renewed/ refreshed every 2 years.
- 3.9.6 The College may require candidates to complete job-related selection tests or ask candidates to deliver presentations as part of the selection process where appropriate to ensure a comprehensive assessment of the person specification. Candidates applying for posts with a teaching element will be required to deliver a 'micro-teach' session as part of the process. In line with guidance from KCSIE, which recognises student involvement in recruitment as good practice, micro-teach sessions are recommended to be delivered to a group of students to support meaningful participation. Selection tests will not be used in isolation in the selection process and will be appropriate for the criteria that need to be assessed.
- 3.9 All documentation related to the interview should be forwarded to the Human Resources Department after the interviews, to be held on file for the period specified in the College's Data Retention policy (GDPR).

3.10 Making an Offer of Employment

- 3.10.1 The Chair (or their nominee) will complete an appointment form for authorisation by SLT prior to contacting the successful candidate. Once approved, the Chair will contact the successful candidate to offer them the job, making it clear that the verbal offer is subject to the conditions that will be set out in the written Offer Letter, as soon as possible after the interviews have concluded and a decision has been made. Care must be taken when making a verbal offer as, once accepted, it is legally binding. It is especially important to remember to state that the offer is subject to certain conditions such as suitable references and evidence of eligibility to work in the UK, which will be outlined in the contractual documentation issued by the Human Resources Department once a verbal offer has been accepted.
- 3.10.2 The Chair of the panel must also contact all unsuccessful candidates as soon as possible after the interviews, to inform them that they were unsuccessful and to offer some brief but meaningful feedback. Feedback should be provided to all candidates who have not been appointed, and it is the responsibility of the Chair/ appointing manager to provide this feedback following consultation with the interview panel. This needs to be carried out as soon as is reasonably practicable following the selection process. Advice on providing feedback is available from the Human Resources Department, as may be required.
- 3.10.3 All offers of appointment will reflect the qualification requirements set out in the approved Job Description and Person Specification, including those applicable to teaching roles. All offers of appointment are subject to:
- a satisfactory Enhanced Disclosure check by the Disclosure and Barring Service (DBS);
 - verification that the appointee is legally permitted to work in the United Kingdom;
 - the receipt of two references considered suitable by the College;
 - verification of all of the essential qualifications as per the Person Specification, by original certificate;
 - a separate Barred List check;
 - verification that the appointee is fit and able to carry out the duties of the role;
 - a Section 128 check (if applicable to the role);
 - any further checks as deemed appropriate by the College, for example, if the appointee has lived and worked outside of the UK.

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

By law, these checks must all be in place prior to the individual commencing in post and must be completed without delay following the offer of employment. Individuals will be asked to attend a pre-employment check meeting with the Human Resources Department prior to the offer being confirmed.

In addition to the pre-employment checks outlined above, for appointments to teaching roles, the College requires staff to hold or achieve a Certificate in Education and Training (CET) as a minimum teaching qualification. Where a candidate is appointed without a CET, achievement of the CET will be a mandatory condition of employment, to be completed within an agreed timeframe following appointment. The College will support staff to achieve this requirement in line with institutional expectations and professional standards.

3.10.4 The offer of employment will also include a starting salary; which must be approved by the Chief People Officer prior to any verbal or written offer being made to the appointee.

3.10.5 Pre-Employment Health Screening

The Health and Safety at Work Act (1974) imposes a general duty on all employers to ensure, so far as is reasonably practicable, the health, safety and welfare of their employees at work. The Management of Health and Safety at Work Regulations specifically provide that employers should ensure that employees are provided with health surveillance appropriate to the risk within their job. For this reason, all new appointments to the College will be required to complete a medical questionnaire; the purpose of which is to assist in identifying any reasonable adjustments that may be required in the workplace due to a disability or medical condition. The offer of appointment is not conditional upon this information.

4. References

Providing and requesting references are common practices in recruitment and selection. There are, however, statutory obligations and caveats for those providing, requesting and acting on references received, and the College's duty of care must be exercised. This section provides guidance on the legal aspects and best practice with regard to the use and provision of references, and applies to all employment references requested for, or issued by, College staff.

PLEASE NOTE – Since October 2010, the Equality Act makes it unlawful for employers to ask about the health or disability of job applicants either verbally or in writing prior to the offer of employment. All staff are therefore advised not to ask for, or provide, any information on the health, disability or sickness absence of job applicants.

In line with legislation (*School Staffing (England) Regulations 2009 (SI 2009/2680)*), where candidates apply for employment at an Academy or Maintained School in England, then the Governors of the previous School must, if asked, provide details in writing of any capability case which the candidate has been the subject of, within the last two years, and if so, must also provide details of how the concerns arose, for how long they lasted, and the outcome of any proceedings. Further, guidance from the Department for Education (DfE) stipulates that a Governing Body should take up references from the candidate's current or former employer and should consider asking the candidate's current employer for details of any such capability proceedings within the last two years, and the reasons for these. The Statutory requirement on School Governors to provide this information, only applies in England, and not in Wales.

4.1 References for New Appointees

4.1.1 Permission to contact Referees/ References in advance of interview is asked on the Application Form. Where possible, references should be requested before an interview, this allows any concerns raised to be explored further with the referee and taken up with the candidate at interview. When not possible to obtain prior to interview, references are requested for the successful candidate and used to validate the final decision.

4.1.2 It should always be borne in mind that any personal opinion given by a referee may be prejudiced, biased or discriminatory. It therefore follows that any decision based or part-based on such an opinion is open to challenge.

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

- 4.1.3 References are provided in confidence and should only be provided to and shared amongst the recruitment panel.
- 4.1.4 The College requests details of two referees, one of whom should be the appointee's present or last employer, and specifically, details of their reason for leaving and verification of their employment. If the appointee is not currently working with children, young people or vulnerable adults but have in the past, then one referee should be from that employment.
- 4.1.5 If the appointee is currently or has previously worked with children, young people or vulnerable adults on either a paid or voluntary basis, the College will ask referees about any disciplinary offences relating to children, young people or vulnerable adults, including any which are 'time expired'. References will be sought directly from the referee.
- 4.1.6 Unsolicited references submitted by candidates and addressed 'To Whom It May Concern' will be disregarded. References will not be accepted from relatives or people writing solely in the capacity of a friend or peer colleague.
- 4.1.7 Offers of employment should not be confirmed without satisfactory references having been sought and received.
- 4.1.8 Candidates will be asked to provide the details of two referees, one of which must include their current or most recent employer. Referees must not be contacted without the consent of the candidate.
- 4.1.9 The offer of employment will always be conditional initially, and 'subject to references deemed to be satisfactory by the College'.
- 4.1.10 Where the recruiting manager has concerns with the content of a reference received, they should contact the Human Resources Department for advice.
- 4.1.11 A reference request template can be found at Annex A. It may be appropriate for an adaptation of this template, to be used for academic references. Both academic and non-academic references should only seek to verify factual information. References written by Managers must be 'screened' by the Human Resources Department prior to being sent.
- 4.1.12 References should be obtained in writing, as information received via a phone call cannot be substantiated. E-mail may be used, but for extra security, it is advised to ask for the reference to be sent as an attachment.
- 4.1.13 All references are confidential and should not be viewed by anyone outside of the recruitment panel and Human Resources. They should be stored securely in accordance with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR) and only used for the purpose for which they were requested.
- 4.1.14 Where applicable, a Teachers' Prohibition Check will be conducted as part of the pre-employment screening process, in addition to a Disclosure and Barring Service (DBS) check.
- 4.1.15 Candidates may provide testimonials with their application for employment; however, these should not be relied upon and references should be taken up as detailed in 4.1 above.

4.2 References for Staff Leaving the College

- 4.2.1 The College is committed to providing a reference for all staff who leave to join another employer or to pursue other pursuits requiring a reference or testimonial. References given will be fair, accurate and factual.
- 4.2.2 The College recognises that it has a responsibility to both current and former employees to provide a fair, factual and timely reference in order to assist their future job prospects.

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

- 4.2.3 It is important to be mindful that the College can potentially be liable for a reference which could have a detrimental effect on an individual's future employment prospects.
- 4.2.4 The College has an 'open' reference policy, i.e. all staff have the right to see a reference about themselves, provided by the College.
- 4.2.5 Providing a reference involves processing personal data as classified under GDPR. Any employer or organisation making a reference request needs to provide evidence to the College of the appointee's (the Data Subject's) consent for the release of this data, in order for the request to be processed. It is the responsibility of the requesting employer or organisation to provide this evidence, and not for the College to obtain it directly from the member of staff.
- 4.2.6 Although there is no legal obligation to provide a reference for an employee leaving the College, it would be against College policy to withhold a reference. To refuse to provide a reference for an ex-employee could, therefore, be viewed as Post-Employment Victimisation.
- 4.2.7 The standard template for responding to reference requests can be found at Annex B. References must never be given verbally over the phone, or in person. Responses to reference requests written by Managers, must be 'screened' by the Human Resources Department prior to sending.
- 4.2.8 All confidential employment references will be provided in writing. No verbal references should be given. References should be clearly marked as 'Private & Confidential, for the Attention of the Addressee Only'.
- 4.2.9 E-mail, as a means to send a reference, should be used with care. The sender must be certain that the reference is only sent to the person requesting it. The e-mail should be clearly marked 'Private and Confidential, for the Attention of the Addressee Only' and the reference should be sent as an attachment. To avoid accidentally sending a reference to someone other than the main addressee (for example, someone who has been 'blind copied' into the request) do not e-mail a reference by reply; always send a new and separate email.
- 4.2.10 Anyone who provides a reference has a duty of care to both the data subject and recipient of the reference, that the content is true, accurate and fair and does not give a misleading impression. All references being provided by Managers, must be 'screened' by the Human Resources Department prior to sending.
- 4.2.11 References should be factual and the personal views and opinions of the author referee should be avoided wherever possible.
- 4.2.12 If opinions or views are sought, referees will need to ensure that the information is clear, concise and evidence based. Care should be taken to avoid interpretations or misunderstandings that may bring liability on either the referee or the College or bring the College into disrepute. Please note that the applicant may formally request sight of a reference that has been provided.
- 4.2.13 If an employee has been managed in accordance with any HR Procedures (e.g. Disciplinary, Performance Management, etc.) managers should contact the Human Resources Department for advice before writing and providing the reference.
- 4.2.14 Where questions are asked about Safeguarding and the employee's record, these must be responded to factually, and in conjunction with advice and approval from the Human Resources Department. No disclosures of information must be made in a reference, without this advice and approval.
- 4.2.15 Should it be necessary for a manager as a referee to provide unfavourable information, they must genuinely believe the information to be true, have reasonable grounds for that belief and have investigated the matter. In such instances, managers should contact the Human Resources Department for advice, before providing any such reference.
- 4.2.16 Managers should forward completed responses to reference requests to the Human Resources Department, to be checked prior to sending, and for a copy to be saved on the individual's HR file.

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

- 4.2.17 Personal references (where an individual has contacted a member of staff to request a reference that is not connected with any work at the College) may not be provided, as these are viewed as 'high risk' due to the member of staff's employment at the College, and a personal reference therefore still being viewed as being provided by the College.
- 4.2.18 Testimonials should only be provided by a manager who knows the individual sufficiently, in that that they would be able to substantiate any information given.
- 4.2.19 Much of the guidance outlined in 4.2 applies to providing testimonials, including the duty of care and the need to clarify views and opinions.
- 4.2.20 Where managers have any concerns about providing or receiving references or testimonials, they should contact the Human Resources Department for advice.
- 4.2.21 Where a manager receives a complaint about any aspect of an employment reference they have provided, no comment should be made or liability admitted, and the matter should be referred immediately to the Human Resources Department.

5. Monitoring and Evaluation

- 5.1 The College has a legal obligation to monitor and evaluate equality issues during the process and, in addition will monitor and evaluate the process in line with the core principles stated earlier in this document.

6. Eligibility To Work in the UK Checks for the Prevention of Illegal Working

- 6.1 Section 8 of the Asylum and Immigration Act 1996 and UK Visas and Immigration (UKVI) Regulations requires all employers in the United Kingdom to make basic document checks on every person they intend to employ. By making these checks, employers can be sure they will not break the law by employing illegal workers. As a result, all successful candidates are required to provide original documentary evidence of their eligibility to work in the UK prior to the commencement of their employment.
- 6.2 For further advice and information on the employment of Migrant Workers, please contact the Human Resources Department.

7. Disclosure and Barring Service Checks (DBS)

- 7.1 All College appointments are subject to an Enhanced DBS Disclosure. The College will not discriminate unfairly against applicants who possess a criminal record. For information on the recruitment of staff with criminal records and the use of criminal record checks please refer to our [Disclosure and Barring Service \(DBS\) Checks for Staff and Volunteers Policy and Procedure](#).
- 7.2 Under the Rehabilitation of Offenders Act 1974, ex-offenders do not have to disclose spent convictions on their application form. However, certain types of posts, particularly those that involve working with children or vulnerable adults or in other positions of trust or sensitive areas, are exempt from these provisions, and in these cases all convictions must be declared.

DBS checks which are required as a term of employment will be paid for by The College.

8. THE PROCEDURE – Engagement of Agency Workers

8.1 Authorisation

A Business Case form, available to download from the Intranet must be completed for all Agency Worker requests, prior to the HR Team contacting any Agencies to request CVs for engagement. The Business Case form should be completed by the recruiting manager and submitted to the HR Requisitions email

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

inbox. Authorisation for agency worker engagement will be given by the Senior Leadership Team (SLT) following consideration of the Business Case form at the weekly SLT meetings.

Following SLT approval, the Human Resources Department will make the initial contact with the relevant Recruitment Agency/ies, and provide any CVs to the recruiting manager for review.

To avoid unwitting or unintentional obligation to any particular agency, managers are asked not to make this initial contact with Recruitment Agencies themselves.

Agency workers may only be used when cover for a vacant post is required as a matter of urgency, whilst the College progresses through its standard substantive recruitment procedure, or to cover unexpected immediate absences such as sickness absence, or in instances where a post/the work/structure is under review and the longer term requirement is not yet known.

8.2 Selection

Upon reviewing a selection of CVs provided by the Agency/Agencies in response to the request, as a minimum, the appointing manager will conduct telephone interviews with (the) suitable candidate(s). Notification of the selected Agency Worker is to be given to the Agency in liaison with the Human Resources Department. The Agency will inform the selected Agency Worker, as well as the non-selected candidates.

8.3 Pre-engagement Checks

The Agency is required to carry out all pre-engagement checks and to provide the College with evidence of DBS checks, references, qualifications and proof of eligibility to work in the UK. The Human Resources Department will review all of these checks and documentation and will confirm authorisation for the Agency worker to commence work at the College.

Details of the Agency worker and all checks completed will be entered on to the College's Single Central Record, by the Human Resources Department.

8.4 Induction

Induction information will be provided to the Agency Worker by the HR & Recruitment Officer prior to the commencement of their work assignment at the College, as part of the First Day Arrangements email.

The appointing line manager will undertake all local level Agency Worker inductions. The induction will be recorded on the Agency section in the Step into Success Induction Teams Channel.

All agency workers will be required to complete on their first day:

- A College and Departmental-level induction conducted by the line manager, including:
 - Health and Safety briefing (including fire evacuation procedures)
 - Colleague introduction
 - Facilities tour
 - Confirmation of working pattern
 - Equipment handover
 - Teaching resources introduction

Within their first week:

- Mandatory Training, including:
 - Health and Safety Induction
 - Lockdown – all staff
 - Fire Safety
 - Manual Handling
 - Equality and Diversity
 - Safeguarding

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

- WRAP
- Equality and Diversity
- GDPR

The Human Resources Department will verify that their identity matches the vetting profile before issuing the Agency worker with a College Staff ID card on the first day of their assignment.

8.5 Review of performance

a) For Academic agency workers:

An ungraded lesson observation will be required within the first week. A graded lesson observation will be required within the first four weeks.

The agency worker's line manager will be required to liaise with the Quality Department to ensure that these observations are scheduled and recorded on the Agency section in the Step into Success Induction Teams Channel. Any issues highlighted over an individual's lesson observations should be discussed further with the Human Resources Department.

b) For Business Support agency workers:

A meeting to confirm work requirements and objectives will be required within the first week. A performance review will be required within the first four weeks.

The agency worker's line manager will be required to ensure that these meetings are scheduled and recorded on the Agency section in the Step into Success Induction Teams Channel. Any issues highlighted regarding an Agency Worker's performance should be discussed further with the Human Resources Department.

9. THE PROCEDURE - Engagement of Casual Workers (including Casual/ Bank Pool)

Casual Workers, whether held within a 'Casual/Bank Pool' or recruited and deployed immediately, are those paid on an hourly basis for a short term of no more than 12 weeks' continuous duration or on an ad hoc basis for no more than one academic year up to a capped number of pre-agreed hours.

9.1 Authorisation

A Business Case form to Request Hours from the Casual/Bank Pool/ Casual Worker form, which is available to download from the Intranet, must be completed by the appointing manager and submitted to the HR Requisitions email inbox for approval by the Senior Leadership Team (SLT).

9.2 Advertising

The College will advertise and invite applications for candidates to apply to join a pool of Casual/ Bank pool workers.


9.3 Application

Many Casual Work vacancies are promoted through personal referrals but also may be advertised in the usual ways. Applications for casual work will be made via the application form

Special provision may be made for applicants with a disability or other need, who wish to submit an application in a different format other than online. Advice should be sought from the Human Resources Department in such cases.

9.4 Shortlisting

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

	HUMAN RESOURCES Fair Recruitment & Selection Policy and Procedure	Number	HR004
		Page	14 of 25
		Policy	1

The shortlisting process identifies the applicants who meet the requirements of the post as defined in the Job Description & Person Specification, where those criteria can be assessed from the application. Shortlisted candidates must meet all essential criteria, which must be assessed from their application.

To ensure objectivity, shortlisting should be undertaken by at least two recruitment panel members. The reasons for selection and rejection at the shortlisting stage should be clearly documented and detailed.

9.5 The Interview

The selection process for all posts at the College will include a face to face interview. Microsoft Teams will only be used as an alternative, where it is not reasonably practicable to hold face to face interviews. The aim of the interview is to select the best match between candidates and the person specification for the post and to extract relevant information in enough detail to reach an appointment Decision.

The interview is the opportunity to get the best from the candidates and to provide them with the chance to demonstrate how they meet the specification for the role. It should not be seen as a test where no assistance can be provided or where candidates should feel they might be caught out by trick questions.

Candidates will be asked questions that relate specifically to the Person Specification criteria and this will include the mandatory questions, which relate to Safeguarding, promoting the welfare of children and young people and employment gaps. Additional questions are available and can also be used, all questions are available from the Interview Questions Bank on the college intranet.

The process should be a two-way dialogue which also allows candidates to gain further information about the College and the post.

All interviews will be conducted by a panel of at least two appropriately qualified members of staff who have full knowledge of the post, or who interact regularly with the post. The College's aim is that all managers involved in the recruitment and selection of staff will have undertaken the College's training on recruitment and selection. For academic/ teaching appointments the panel will be chaired by a senior manager.

The College will require candidates to complete job-related selection tests or ask candidates to deliver presentations as part of the selection process if there are some elements of the Person specification that are difficult to test at interview. Candidates applying for posts with a teaching element will be required to deliver a micro teach session as part of the process. In line with guidance from KCSIE, which recognises student involvement in recruitment as good practice, micro-teach sessions are recommended to be delivered to a group of students to support meaningful participation. Selection tests will not be used in isolation in the selection process and will be appropriate for the criteria that need to be assessed.

All documentation related to the interview should be forwarded to the Human Resources Department after the interviews, to be held on file for a period in line with the College's Data Retention policy (GDPR).

9.6 Relevant Checks

All Casual Workers recruited to the Casual Pool will undergo the following checks completed by the Human Resources Department:

- Enhanced DBS check (at a cost to the Casual Worker);
- Eligibility to work in the UK by original documentation;
- ID checks by original documentation;
- Qualifications by original certificate;
- Receipt of two references.

9.7 Induction

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

Individuals recruited to the casual/Bank pool will undertake College's Induction and will be required to complete the Safeguarding, Health & Safety, GDPR, Equality, Diversity & Inclusion and other mandatory induction modules. Upon commencement in the workplace, they will be given a workplace induction by their line manager.

The Human Resources Department will issue the Casual worker with a College Staff ID card on their first day.

9.8 Confirmation of Work

Upon receipt of satisfactory checks, clearances and references, the Human Resources Department will record completion of the checks completed. Casual Work will then be offered as need arises. Details of the Casual worker and all completed checks will be entered on the College's Single Central Record.

10. THE PROCEDURE – Procurement and Engagement of Independent Contractor/Suppliers

Contractor/Suppliers are engaged to provide a specific service based on an immediate, short to medium term need and are generally available quickly. Their services are usually engaged to cover a skills gap or vacant post, whilst recruitment of a substantive postholder takes place.

Contractor/Suppliers are self-employed and subject to pre-engagement checks, will be engaged on a Contract for Services, issued to them by the College. Consultants/ Contractors are therefore not employees of, nor workers for, the College and have their own legal work status. Contractor/ Suppliers should not be engaged for a long-term period, without regular reviews of the Contract for Services by the engaging manager, HR and the Contractor/Consultant.

10.1 Authorisation

A Business Case form to request authorisation for the engagement of a Contractor/Consultant, must be completed by the engaging manager and submitted to the HR Requisitions email inbox for approval by the Senior Leadership Team (SLT), prior to any negotiations with, or offers made to, the Contractor/Consultant.

To ensure objectivity, shortlisting should be undertaken by at least two recruitment panel members. The reasons for selection and rejection at the shortlisting stage should be clearly documented and detailed.

10.2 The Interview

The selection process for all posts at the College, including self-employed Contractor/ Suppliers will include a face to face interview. Microsoft Teams will only be used as an alternative, where it is not reasonably practicable to hold face to face interviews. The aim of the interview is to select the best match between candidates and the person specification for the post and to extract relevant information in enough detail to reach a selection decision.

The interview is the opportunity to get the best from the candidates and to provide them with the chance to demonstrate how they meet the specification for the role.

Candidates will be asked questions that relate specifically to the Person Specification criteria and this will include questions in relation to safeguarding and promoting the welfare of children, young people and vulnerable adults.

The process should be a two-way dialogue, enabling the candidate to gain further information about the College and its requirements for the assignment, and for the College to assess the candidate's suitability for the work.

All interviews will be conducted by a panel of at least two appropriately qualified members of staff who have full knowledge of the role/work, or who will interact regularly with the Contractor. The College's aim is that all managers involved in the recruitment and selection of staff will have undertaken the College's training

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

on recruitment and selection. For academic/teaching appointments the panel will be chaired by a senior manager.

The College will require candidates to complete job-related selection tests or ask candidates to deliver presentations as part of the selection process if there are some elements of the Person specification that are difficult to test at interview. Candidates applying for posts with a teaching element will be required to deliver a micro teach session as part of the process. Selection tests will not be used in isolation in the selection process and will be appropriate for the criteria that need to be assessed.

All documentation related to the interview should be forwarded to the Human Resources Department after the interviews, to be held on file for a period in line with the College's Data Retention policy (GDPR).

10.3 Relevant Checks

All self-employed Contractor/Suppliers will undergo the following checks and assessments completed by the Human Resources Department, with contribution from the engaging manager:

- Enhanced DBS check (at the Consultant's own cost);
- Eligibility to work in the UK by original documentation;
- ID checks by original documentation;
- Qualifications by original certificate;
- Receipt of two references;
- Determining Employment Status Assessment and IR35 Assessment (www.gov.uk)

10.4 Determining Employment Status and IR35 Assessment

Helpful definitions of Abbreviations	
IR35	IR35 is a piece of legislation that allows HMRC to collect an additional payment where a contractor is an employee in all but name. The College must be able to show, by completion of an Assessment, that neither it nor the Contractor, is attempting to avoid making these payments to HMRC.
PSC	A Personal Service Company (PSC) is a limited company, partnership or unincorporated company that typically has one or two directors who owns most or all the shares but can own as little as 5% of the shares. The contractor's PSC generally supplies professional services to end user clients, either directly or via an agency. The professional services are delivered by the contractor who is also the owner and director of the business.
HMRC	His Majesty's Revenue and Customs

10.4.1 HMRC has tightened its approach on hiring individuals as self-employed suppliers. This includes individuals operating through a Limited Company, a Personal Service Company or Partnership. In some circumstances, the College will be required to make PAYE deductions from their payment.

Failure to comply with HMRC Regulations could result in the College facing a claim for underpayments of Income Tax, NI Contributions, and substantial fines.

10.4.2 Determining Appropriate Employment Status

When considering engaging an independent contractor/supplier to undertake a one off or short-term piece of work, it is essential to first assess the work requiring cover or completion, and to determine the appropriate employment status for the individual, in the circumstances.

10.4.3 To determine Employment Status before issuing any contractual documentation, Human Resources and recruiting manager must jointly complete the [HMRC Employment Status Service tool](#).

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

The outcome of this Assessment must be printed off and verified by the Human Resources Business Partner and checked by the Chief People Officer.

10.4.4 For additional information and further details please refer to the_Determination of Employment Status Guidance for Managers, at **Annex C**.

10.4.5 Determining whether or not IR35 Rules Apply

The Human Resources Department and the engaging manager are jointly required to assess whether HMRC Off-Payroll Working (IR35) Rules apply if the contractor is a personal service company (e.g. a Limited Company) or whether they should be treated as a worker if they are an individual working for themselves (e.g. a sole trader). The Assessment tools can be accessed at the following link: [HMRC intermediaries' legislation off-payroll working rules](#).

10.4.6 Employment legislation and HMRC guidance describe a range of factors which must be considered in reaching a decision. The judgement is based on an evaluation of the overall effect, i.e., is the overall picture, that of a person working in a self-employed capacity, or a person working as an employee or worker in a business owned by someone else, or an organisation.

10.5 Induction

All Individuals carrying out work for and on behalf of the College, will undertake College's Induction and will be required to complete the Safeguarding, Health & Safety, GDPR, Equality, Diversity & Inclusion and other mandatory induction modules. Upon commencement of the assignment, they will be given a workplace induction by their line manager.

The Human Resources Department will verify their identity and issue the Contractor/Consultant with a College Staff ID card on their first day.

10.6 Confirmation of Work

Upon receipt of satisfactory checks, assessments, clearances and references, the Human Resources Department will record completion of the checks and assessments completed, and the finalised Contract for Services will be issued – by the Finance Department for Business to Business contractors, and by the Human Resources Department for individual Contractor/Suppliers.

Details of the Contractor/Consultant and all completed checks will be entered on to the College's Single Central Record.

11. THE PROCEDURE - Engagement of Volunteers

This Procedure applies to all Volunteers engaged by the College. It enables suitably motivated people to gain invaluable experience and personal development within the College environment with no financial gain. Examples of Volunteer categories include:

- Volunteers for a defined purpose;
- Work Experience;
- Work Placement;
- Students on Teaching Practice.

11.1 Authorisation

A Business Case form, available to download from the Intranet, must be completed by the engaging manager and submitted to the HR email inbox. Authorisation will then be sought, from the Head of HR.

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

The Business Case form should provide:

- Details of the volunteering activity/role being offered;
- The essential skills and experience required;
- The interview notes and selection decision rationale;
- Personal details of the Volunteer requested, including their education and professional qualifications;
- Referee details.

11.2 Relevant Checks

The Human Resources Department will coordinate the following checks:

- Enhanced DBS check (at a cost to the volunteer, as appropriate)
- ID checks
- Reference checks (if applicable)
- Barred List checks.

11.3 Confirmation of placement

Upon receipt of satisfactory checks and clearances, the Human Resources Department will send notification to the manager who will supervise the volunteer and will confirm an agreed start date.

Details of the volunteer and all checks completed will be entered on to the College's Single Central Record.

11.4 Induction

Induction information will be provided to the Volunteer by the HR & Recruitment Officer prior to the commencement of their work assignment at the College, as part of the First Day Arrangements email.

The appointing line manager will undertake all local level Volunteer inductions. The induction will be recorded on the Volunteer section in the Step into Success Induction Teams Channel.

All volunteers will be required to complete on their first day:

- A College and Departmental-level induction conducted by the line manager, including:
 - Health and Safety briefing (including fire evacuation procedures)
 - Colleague introduction
 - Facilities tour
 - Confirmation of working pattern
 - Equipment handover
 - Teaching resources introduction

Within their first week:

- Mandatory Training, including:
 - Health and Safety Induction
 - Lockdown – all staff
 - Fire Safety
 - Manual Handling
 - Equality and Diversity
 - Safeguarding
 - WRAP
 - Equality and Diversity
 - GDPR

The Human Resources Department will issue the Volunteer with an ID card – usually a Visitor ID card for short term placements and a copy of the volunteer agreement.

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

11.5 Termination

Generally, placements under the volunteer scheme are for a specified time period, and therefore both the individual and the College will be aware of the duration and termination date of the placement.

12. Preservation of Rights

Nothing in this Policy and Procedure will in any way detract from or impinge upon an individual employee's statutory employment rights. Where changes to a statutory provision affect this policy, the College retains the right to amend the policy accordingly.

13. Review

The operation of the Fair Recruitment and Selection Policy & Procedure will be reviewed annually by the HR Department, or sooner if legislative updates or College policy so requires.

Annex A

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

REFERENCE REQUEST - template

Date:

**Personal, Private and Confidential
For the intended addressee only**

Name and Address of referee

Dear (NAME OF REFEREE)

REFERENCE REQUEST FOR (NAME OF APPOINTEE)

We have offered (NAME OF APPOINTEE) the post of (POST TITLE) at Stoke on Trent College, subject to satisfactory references. They have given your name as a referee, and I would be grateful if you could provide the following information regarding their employment with you.

Name of Company:	
Name of Referee and Designation:	
Position held by (Name of Appointee):	
Start date of employment:	
End date of employment:	
Brief summary of duties and responsibilities:	
Comments on the individual's performance, against the enclosed/attached Job Description and Person Specification:	
Does the individual have any live warnings on their file?	
Please comment on the individual's Safeguarding record, and their suitability to work with Children and Vulnerable Adults.	
Any other comments you think would be relevant:	
Signed	Date:

All information received will remain in the strictest of confidence and will be processed in accordance with the Data Protection Act 2018.

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

Thank you.

Yours sincerely

**Name of Recruiting Manager / HR Business Partner/Officer
Job title**

Annex B

RESPONSE TO REFERENCE REQUEST – template

(This is a standard template for the use of all managers when responding to a reference request from another employer, and may be used in the absence of a pro forma from the employing organisation, or instead of).

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

Date:

**Personal, Private and Confidential
For the intended addressee only**

Name and Address of other employer

The information provided within this reference, is to the best of the referee's knowledge, and is a true and accurate account of the individual's employment at Stoke On Trent College.

Name of individual:	
Name of referee and Designation:	
Position held at Stoke On Trent College:	
Department:	
Start date of employment:	
End date of employment:	
Brief summary of duties and responsibilities:	
Comments on the individual's performance, against the enclosed/attached Job Description and Person Specification:	Note to Managers: If an employee has been managed in accordance with any HR procedures (e.g. disciplinary, capability processes) please contact HR for further advice before submitting this reference. (PLEASE DELETE THIS PARAGRAPH)
Safeguarding	(leave in or delete as appropriate) Whilst in our employment, I can confirm that the above named applicant has not been subject to any Safeguarding allegations or proceedings.
Signed:	Date:

Yours sincerely

Annex C

DETERMINATION OF EMPLOYMENT STATUS GUIDANCE FOR MANAGERS

A1. Introduction

A1.1 There will be occasions when the College needs to bring in individuals to undertake work on a short-term or one-off basis (e.g. to deliver a lecture on a specific topic, contribute expertise to a particular project or to undertake a specific service or task).

A1.2 This guidance does not apply where it is proposed from the outset that an individual should be engaged as a casual worker or an employee on a fixed term contract. However, in situations where it is proposed to treat

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

the individual as a supplier of services and provide payment in respect of those services provided against invoices, or through fees, this guidance must be followed.

- A1.3 In these circumstances, the College is required firstly to assess whether HMRC Rules on Off Payroll Working (IR35) apply or whether such individuals should properly be classed as employees. In the case of the latter, Income Tax and National Insurance will need to be deducted.
- A1.4 In cases where an employment relationship exists as defined by employment law, the individual should be engaged as a casual worker or as an employee on a fixed term contract.

A2. Purpose

The purpose of this guidance for managers, is to:

- A2.1 Explain the reasons why such assessments are required;
- A2.2 Set out the procedures which must be followed prior to engaging an individual who is working for themself (whether directly or through an intermediary) to undertake work for the College.

A3. Why we need to establish Employment Status and whether Off-Payroll Working Rules apply

- A3.1 HMRC has further tightened its approach on the acceptability of engaging individuals as self-employed suppliers rather than as workers or employees.
- A3.2 In April 2017, HMRC established new Rules for Off-Payroll Working in the Public Sector, shifting the responsibility for assessing the tax position of individuals working for themselves through intermediaries (limited companies, partnerships or Personal Service Companies, agencies) to the engaging organisation.
- A3.3 HMRC is concerned that the appropriate level of income tax and National Insurance contributions (NICs) are made by both the individual and the employer and where applicable that this is collected through PAYE, which results in employer NICs also being payable.
- A3.4 Failure to comply with HMRC Regulations could result in the College facing a claim for underpayment of income tax, employee and employer NICs and substantial fines. In the event of HMRC imposing a claim or fine, these costs would be payable by the area engaging the individual if the procedures within this guidance have not been observed.
- A3.5 In addition, the College must consider from an employment law perspective, whether an employment relationship exists and the individual could challenge that they should be given the rights of a worker, or as an employee to more extensive statutory rights. Managers need to be mindful that whilst the relationship may appropriately start as a supplier, there is a risk that over time it may inadvertently drift into employment relationship, and this must be avoided.
- A3.6 The College must ensure that Right To Work checks are carried out for all individuals who may be categorised as workers in accordance with UKVI Regulations. Suppliers, including those paid via Fees or as suppliers taxed by the College are not always subject to the usual internal vacancy controls or Right To Work checks, however, it is a requirement of the College, and in line with the KCSIE guidance, that all checks are undertaken and completed.
- A3.7 External contractors, including self-employed individuals and Personal Service Companies undertaking work for the College are not covered by the College's insurance in general, and, in particular, by its liability and professional indemnity insurance.

A4. Scope

- A4.1 This guidance applies where individuals undertaking work on a short-term or one-off basis for the College are working for themselves:
- they might be registered as self-employed (sole trader with a Unique taxpayer reference);

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

- they might be supplying services through their own limited company, Personal Service Company (PSC) or partnership;
- they might be engaged as an agency worker or through a consultancy company but supplying services through their own limited company, PSC or partnership. Any individuals holding Honorary Status with the College may be assessed for any work which they are engaged to carry out on a self-employed basis that is not in any way related to their unpaid/Honorary position.

A4.2 This guidance does not apply where:

- it is proposed from the outset that an individual should be engaged as a casual worker or an employee on a fixed term contract
- the contract for services is with an organisation who have the flexibility to select which of their employees they send to undertake the work and pay tax and NI on their behalf
- an individual is supplying goods rather than services

A5. The Role of the Manager

- A5.1 It is the responsibility of managers, with the support of their HR Business Partner, to ensure that the appropriate employment status is established prior to engaging an individual to undertake work for the College.
- A5.2 The recruiting manager must complete the Government's HMRC Employment Status Service Assessment tool, to establish under Tax Law whether the individual should be treated as employed or self employed, or the Intermediaries Off Payroll Working (IR35) Rules apply.
- A5.3 The outcome of the Assessment must be printed off and verified by the HR Business Partner and checked by the Chief People Officer, who will further consider whether an employment relationship is likely to exist under Employment Law.
- A5.4 Where several individuals are being engaged to carry out the same work, there is no need to complete a separate HMRC Assessment for each person. However, a copy of the relevant HMRC Assessment outcome must be saved on the individual's file, and a copy sent to the Finance Department, for each of the individuals concerned.
- A5.5 Where a supplier is engaged on several different types contracts within the College, if they have already been set up as a supplier where IR35 applies, this status will apply to all of their contracts with the College. If the HMRC Employment Status Service Assessment tool is unable to provide a definitive outcome, the manager and HR Business Partner should contact the HMRC helpline for further advice either by phone on 0300 123 2326, or by email at ir35@hmrc.gov.uk
- A5.6 Until such time as an outcome can be determined, any invoice payments should be either put on hold or treated as requiring PAYE deductions.
- A5.7 If the individual is unhappy with the outcome of the assessment they will need to contact HMRC. The manager should proceed with the engagement in accordance with the outcome of the Assessment.

A6. Employment Status & IR35 Assessment Outcome Meanings

A6.1 Assessment Outcome:

**“the individual should be treated as a worker/employed” or
“the Intermediaries’ Legislation Off Payroll Working (IR35) Rules apply”**

- A6.1.1 Both of these outcomes mean that payments to the Contractor/Supplier will be subject to PAYE Tax and NIC deductions.
- A6.1.2 In the case of one of these outcomes, the individual cannot be engaged as a Contractor/Supplier, and the recruiting manager and HR Business Partner must jointly decide how the individual should alternatively be engaged. The options are:

- a) as a casual worker, by following the casual worker engagement procedure;
- b) as an employee on a fixed term contract, through the normal recruitment procedure; **OR**
- c) as a supplier but with PAYE deductions, by following these steps:

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						

- i) The recruiting manager must inform the individual of the outcome of the HMRC tool assessment (a copy of the outcome may be given to the individual if requested) and inform the individual that invoice payments will be subject to PAYE tax and NICs through payroll;
- ii) The following personal details and documents are required in order to be able to process the Contractor's payments, including: their full name, address, date of birth and National Insurance number; a P45 or P60 (without this they will be taxed at the basic rate); a printed copy of the HMRC Assessment tool outcome (verified by the HR Business Partner)

A6.2 Assessment Outcome:

**“the individual should be treated as self-employed” or
“the Intermediaries’ Legislation Off Payroll Working (IR35) Rules do not apply”**

A6.2.1 In the case of one of these outcomes, payments are not subject to PAYE Income Tax and NIC deductions by the College. Therefore, HR, Finance and the recruiting manager can proceed with setting the individual up as a supplier.

A6.2.2 To do this, a printed copy of the HMRC Assessment tool outcome (verified by the HR Business Partner) must be forwarded to Finance Department and saved to the individual's file.

A6.2.3 Agency Workers as Contractors/Suppliers

- i) There is a requirement to assess the Employment Status of Agency Workers who are supplying services through their own Limited Company, Personal Service Company (PSC) or partnership.
- ii) Due to the nature of College contracts with PSL recruitment agencies (i.e. to supply temporary workers), the Intermediaries' Legislation Off Payroll Working (IR35) Rules will apply. The recruiting manager and HR must advise the agency of this when discussing their booking requirements.
- iii) In exceptional circumstances, where there is doubt about whether the IR35 Rules should apply, HR and the recruiting manager must jointly complete the HMRC Employment Status Service Assessment tool. The outcome of the Assessment must be printed off and verified by the relevant HR Business Partner and checked by the Chief People Officer, and a copy given to the recruitment agency and the Finance Department.
- iv) It is then the responsibility of the recruitment agency to ensure PAYE deductions are made. Invoices from the agency will be paid through the normal Finance Department procedures. After 12 months all supplier accounts automatically expire. If the supplier is to be used again after this time, their status must be re-assessed by completing the HMRC Employment Status Service Assessment tool again, and if appropriate, their supplier account will need to be re-activated.
- v) If at any time, a supplier's status is re-assessed as that of a worker/employee, the manager with the support of their HR Business Partner must take action as set out in A6.1 above, to engage them appropriately.

ISSUE	0	1	2	3	4	5	6	7
DATE	16.02.11	20.03.15	13.03.17	25.02.19	30.04.21	13.09.22	02.12.22	04.12.23
ISSUE	8	9						
DATE	24.11.25	16.04.26						