

Comms to REC Audited Education holders

17 August 2022

As you will be aware, Crown Commercial Services (CCS) have renewed the supply teacher framework for a further initial three year period and the new framework went “live” on 28 July 2022.

As before, the REC is an Accreditation Body for the framework and REC Audited Education is one of four approved accreditation products agencies need to supply onto the framework. The Accreditation Bodies are responsible for auditing suppliers to ensure compliance with paragraphs 6 and 12 of the framework specification.

If you hold REC Audited Education and are a supplier to the framework you must ensure that you fully comply with the audit criteria. However, you must also comply with the framework requirements laid out in Framework Schedule 1 (Specification).

It is important to be aware that whilst the REC Audited Education criteria and framework have been aligned in some areas, there are requirements in the framework, which are additional to the audit criteria.

Please see the FAQ's below for further details.

Which requirements in the framework are additional to the REC Audited Education criteria? (CCS Suppliers only)

- **References:** Whilst REC Audited Education requires two written references to be in place, the framework additionally requires that these cover the last two years as laid out in paragraph 12.3.5 in the Framework Schedule 1 (Specification). As well as carrying out checks in line with the Audited criteria, REC will check at audits that your written reference policy confirms that will obtain references to cover the last two years. Where this is not the case, it has been agreed that REC will inform CCS
- **Declarations:** There are certain clauses within paragraphs 6 and 12 of the framework where the REC will check by asking suppliers to confirm their compliance via a written declaration as part of the audit process. For clarity these clauses are 6.4/6/8 and 12.4/5 and 12.18/19/20

Which areas in the REC Audited Education criteria have been aligned with the framework? (CCS Suppliers and non-CCS Suppliers)

- **Overseas police checks:** REC Audited Education has been amended to align with the framework so that overseas police checks are required for workers who have lived/worked abroad “for a period of 6 months or more within the last 5 years”. (Previously, REC Audited Education required police checks where the worker had lived/worked abroad “for more than 6 months in the last 5 years)
- **Key Information Documents/Tax:** For CCS suppliers who use umbrella companies only, REC Audited Education has been amended to include checks that new Key Information Documents (KID's) are issued where a temporary worker changes to a new umbrella company meaning that the name of the employer and/or the name of the payer has changed. The REC will also

check a sample of payslips against KID's to check whether the name of the umbrella company is the same on the KID and that there are deductions for PAYE/NI. These are new checks that have been introduced to ensure that you are aware of the regulations relating to KID's and because of the prevalence and risk of mini umbrella companies

- **Interviewing workers** – REC Audited Education and the framework both require that face to face interviews are carried out either in person or by video
- **References** – REC Audited Education and the framework both require that references include the most recent or current employer where available and the most recent school based employer where applicable
- **Seeing a worker's documents** – REC Audited Education and the framework both require that all documents provided for validation are current and original and are copied and held in a format that cannot be subsequently altered. The retained copy of the documents must be dated and properly validated by electronic means or otherwise. All documents received by a supplier must be scanned or copied from the original and suppliers must ensure that all copies are clear and legible to read. Suppliers shall take all reasonable steps to ensure that documents have come from the original.
- **Right to work and DBS checks** – from 6 April 2022 employers can use Certified Identification Document Validation Technology (IDVT) to carry out digital right to work checks on British and Irish nationals. Adjusted digital right to work checks are in place until 30 September 2022 and after this time, you will be able to do right to work checks by a manual check, a Home Office online check or via IDVT. All three processes are acceptable for REC Audited and REC Audited Education holders/CCS suppliers. You must follow Home Office guidance on right to work checks at all times
- IDVT can also be used to conduct identity checks and address verification on any nationality for the purposes of DBS checks. You must follow DBS guidance on carrying out DBS checks at all times

REC Audited Education holders who aren't CCS suppliers

If you hold REC Audited Education but are not a CCS supplier, please note that the changes outlined in the paragraph above - ***Which areas in the REC Audited Education criteria have been aligned with the framework? (CCS Suppliers and non-CCS Suppliers)*** will apply to you.

Timescales

We know that adapting your operating procedures and terms to changes to REC Audited and REC Audited Education audit criteria needs some time. Separately to any REC audit requirements, CCS Suppliers will have already had sight of the Framework requirements and be under a contractual obligation to meet the terms.

To allow for adjustments to be made following this update to the audit criteria we have requested from CCS that we implement the updated Audit requirements in earnest from September.

What reporting obligations does REC have to CCS?

You should also be aware that REC have agreed with CCS that there will be certain circumstances when REC will automatically refer a matter to CCS. This is where it comes to the REC's attention that a worker has been supplied who:

- has been barred from carrying out regulated activity
- has not got a current and valid DBS check
- has placed an education worker who has been prohibited from working in an education environment or has restrictions placed on them that make it inappropriate to place them
- has not been barred or prohibited from working with children however references or additional information provided by the police suggest that this is imminent.
- does not have an overseas police check or letter, a letter of good conduct or a valid DBS
- has no evidence of right to work documentation on their file whatsoever or there are copies but they are illegible or where there are copies of right to work documentation but these have not been made by the agency (or an approved IDSP) and the agency has relied on such checks being carried out by a third party
- has changed umbrella companies and the supplier has not issued a new KID to the worker.
- The REC will also refer to CCS any instances where the REC has checked a payslip for an umbrella company worker against the corresponding KID and the name of the umbrella company is different
- The REC will also refer to CCS any instances where the REC has checked a payslip for an umbrella company worker and there are no deductions showing for PAYE/NI
- The REC will refer to CCS any instances where a supplier has not been able to confirm any of the required declarations in relation to clauses 6.4, 6.6, 6.8 and 12.4/5 and 12.18/19/20

What is required during the course of the framework?

As part of the agreement with CCS, you will also be required to complete a mid audit cycle (12 months) online diagnostic, which will ask a number of questions about the audit standards as well as asking you to confirm that no changes have been made that would result in your agency breaching the audit criteria.

During the course of the framework, REC and CCS will write to you about any further changes to the audit/framework standards e.g. as a result of any DfE amendments to guidance and you must amend your process accordingly.

Further help and guidance

Please see the REC Audited Education guidance, which can be found at the link below

<https://www.rec.uk.com/recruiters/compliance/audited-services>

If you have any questions, please contact compliance@rec.uk.com

Getting back to basics - REC Audited and REC Audited Education – for CCS Suppliers and Non-Suppliers

During the Covid pandemic, like many other organisations, the REC and CCS made several adjustments to the audit process to give some flexibility to manage issues caused by the significant impact of Covid.

The adjustments that we made to the audit helped to manage the impact of staff being furloughed, national lockdowns and school closures. These issues have now fallen away. Over the last twelve months or so we have for example returned to predominantly conducting in person rather than virtual on-site audit visits. We have also previously reinstated the need to complete full file sampling at the time of the onsite visit.

As we now issue these updates to audit holders, we want to emphasise the importance of fully returning to the terms and conditions that apply to REC Audited and Audited Education, particularly around renewals of the Audit. These should be carried out in a way that ensures that the new Audit can be awarded to run from the end of the expiry of the previous award. Particularly, all Suppliers on the CCS framework should bear in mind that there is a specific contractual requirement to ensure that the Audit is maintained in order to retain the right to supply. The REC and the other Accredited Bodies have an obligation to inform CCS when an audit is not renewed at the expiry date.

We'll be taking steps to make sure that all audit holders are contacted well in advance of renewal dates to ensure that renewals can be completed in a timely fashion.