

Policy and Procedure on Recruitment, Selection and Appointment of Staff

Policy Author	Shilleen Freeth, Head of Human Resources
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1. Monitoring and Review

- 1.1. The Proprietor will undertake a formal review of this policy for the purpose of monitoring and of the efficiency with which the related duties have been discharged, by no later than three years from the date of approval shown above, or earlier if significant changes to the systems and arrangements take place, or if legislation, regulatory requirements or best practice guidelines so require.
- 1.2. The local content of this document will be subject to continuous monitoring, refinement and audit by the Head of Service.



Jeremy Wiles
Group Executive Director- Children's Services
August 2021

2. Introduction

- 2.1. This policy deals with the way in which the Company recruits, selects and appoints people as new employees. It is applicable to all people employed irrespective of whether their contract is for full time, part time, permanent, temporary, agency or fixed term work and includes those engaged on a consultancy basis.
- 2.2. It affects all staff.
- 2.3. Make sure that you are familiar with the detail and what is expected of you under the policy.

3. Purpose

- 3.1. To ensure that The Company comply with all the relevant current legislation and other National Standards which govern this area of our work.
- 3.2. The Company recognises that our success depends upon the calibre of our people. Our aim is to establish an effective workforce. This policy seeks to ensure that the best candidate is chosen for each job vacancy

regardless of sex, marital and civil partnership status, religion, beliefs, colour, race, ethnic origin, nationality, pregnancy, sexual orientation, gender reassignment, disability or age.

- 3.3.** To protect those in our care from harm by trying to prevent, as far as possible, the appointment of any person who may be unsuitable to work with vulnerable children and young adults.

4. Policy

- 4.1.** Individuals will be assessed at all stages against the job-related criteria only, as set out in job descriptions and role profile for the role they are applying for.
- 4.2.** Any qualifications or requirements applied to a job that have or may have the effect of inhibiting applications from certain groups of people may only be retained if they can be legally justified in terms of the job to be done.
- 4.3.** Information on sex, marital and civil partnership status, religion, beliefs, colour, race, ethnic origin, nationality, pregnancy, sexual orientation, gender reassignment, disability and age will be collected in order to monitor the number of applications from different groups. This information will not be used in the selection process or for any other purpose.
- 4.4.** All managers involved in recruitment and selection will be competent and trained to do so using the online Safer Recruitment certificated programme. This is organised via the Learning & Development Department. A log-in will be provided to employees as part of their induction training following a request from their Manager.
- 4.5.** For unsuccessful candidates, written records of interviews and reasons for decisions made at each stage will be kept for a period of **12 months** in a secure archive facility and will then be securely destroyed. For successful candidates, the written records will be scanned and saved to their personnel folder. The written records include: Scored interview notes and appropriate recruitment exercises, copies of Candidate Application Forms, Right to Work documentation and appropriate copies of candidate ID provided at interview.
- 4.6.** All information held about a candidate will only be used for the purpose for which it has been collected.
- 4.7.** All candidates will be required to provide documentary evidence of their right to live and work in the UK. Please refer to GHR03.06 'Documents to be brought to interview'. A photocopy of accepted documentation will be made and retained on the pre-employment file.
- 4.8.** Reasonable adjustments will be made to reduce any disadvantage faced by people with disabilities making an application in response to an advertisement. Where disabled candidates apply, the process will take into account such adjustments to working arrangements as are reasonable to accommodate their needs and to not place them at a substantial disadvantage compared with non-disabled candidates.
- 4.9.** The Staff Development Programme comprising of regular supervision meetings, training, both regulatory and mandatory, and annual appraisal /objective setting meetings, shall be integrated with the needs of the business. Wherever possible we will actively promote the progression of existing employees while ensuring that this does not compromise on recruitment or regulatory standards.
- 4.10.** All new employees must receive a written statement of the main Terms & Conditions (which may be included in a contract of employment) at the time of appointment. This must be provided on day one of employment for all workers (not just employees). This will include:

The business name, the employee's name, job title, or a description of work and start date. If a previous job counts towards a period of continuous employment, the date the period started. How much and how often the employee will be paid. Hours of work (and if employees will have to work Sundays, nights or overtime). Holiday entitlement (and if that includes public holidays). Where an employee will be working and whether they may need to relocate. If an employee works in different places, where these will be and the locality. How long a temporary job is likely to last. The end date of a fixed term contract. Notice periods. Collective agreements. Pensions. Who to go to with a grievance. How

to complain about how a grievance is handled. How to complain about a disciplinary or dismissal decision and the location of the Company's Equality policy.

4.11. No appointment will be unconditionally confirmed unless the following requirements are successfully met:

- The Right to Work in UK.
- Completed application form.
- Completed interview notes signed by at least two members of the panel, which evidence areas covered during interview, including satisfactory explanations for gaps in employment.
- Receipt of two satisfactory references or more including the current, or most recent reference and one other reference. This should be via a minimum of two written references.. If the candidate has worked in a Care environment previously, it is a requirement that we take every reasonable effort to obtain verbal confirmation from the referees of the references received.
- Fitness to carry out the intrinsic functions of the role to which appointed, this will involve the completion of a medical questionnaire and may require a referral to the Occupational Health team.
- Possession of required qualifications and/or professional registration where the role requires it, and evidence of any qualifications claimed.
- Where a referral has been made - confirmation from Occupational Health of their fitness to do the job for which they are being employed, including verification of their mental and physical fitness to ensure they have the capability to undertake the role they have applied for.
- Completion of the conflict of interest form notifying the Company of any conflicting work or projects that may impact on their ability to complete the required hours of their post.
- Satisfactory completion of any Probationary Period

4.12. The core business of The Company is to provide services to children and vulnerable young adults. This area of work constitutes a regulated activity as defined by the Safeguarding Vulnerable Group Act 2006. We consider that all employees have the opportunity to contact vulnerable service users and as such, all employees will be required to submit an enhanced DBS disclosure request which includes a barred list – Please refer to GHR03A – DBS Policy

- In addition to obtaining the Enhanced DBS Certificate described, anyone who is appointed to carry out teaching work will require an additional check to ensure they are not prohibited from teaching.
- Subject to the role, and the teaching post held, individuals may also be required to undergo Teacher status checks to check for: The award of qualified teacher status (QTS), completion of Teacher induction and, prohibitions, sanctions and restrictions that may prevent the individual from taking part in certain activities or working in specific positions.
- A section 128 direction might also be required for particular teaching and management positions. Section 128 direction prohibits or restricts a person from taking part in the management of an independent school. A person who is prohibited is unable to participate in any management of an independent school. Schools will carry out a section 128 themselves for its staff engaged in management positions. The following are considered to be management positions.
 - Headteacher
 - Teaching positions on the senior leadership team
 - Teaching positions that carry a department headship

4.13. The documents referred to in point 4.11 will be collated into the candidate's application (pre-employment) pack. The Resourcing & Onboarding Administrator (Recruitment Team), is responsible for Pre-Employment checks being completed in full, checked, signed by that administrator and counter-signed by another member of the Recruitment Team. The relevant Operational Hiring Manager will be accountable to provide a final sign

off in the relevant section of the pre-employment file. The file is then stored within the employees personnel file. The process shall be continuously reviewed and improved.

5. Procedures

- 5.1. Hiring Managers responsible for recruiting, selecting and appointing staff shall follow the detailed recruitment process flow available to them in **section 7**, to ensure that the appropriate authorisation is obtained and the terms of this policy are followed. To ensure that recruitment can be monitored centrally, the appropriate recruitment system as approved by the central Recruitment Team must be used to process all candidates. (Detailed process and responsibilities, information and all documentation to be used can be found in the Resourcing & Onboarding Handbook which will be reviewed and updated regularly.)

Recruitment

- 5.2. Staffing levels for establishments and central functions shall be set by the Managing Director and the Commercial Finance Team and establishment Managers may only recruit up to these levels. If there is a business requirement to amend the staffing levels, for example a change in the service user's care to staff ratio needs, the Managing Director and Commercial Finance team would need to authorise before recruitment begins.
- 5.3. Use of approved recruitment agencies according to the latest Preferred Suppliers List (PSL) may be beneficial for specific, difficult to fill posts but this must be authorised in advance by the Managing Director responsible for the region. Guidance for use of agency staff must be complied with, i.e. all agency staff must bring a signed copy of the latest locum checklist. The checklist must be signed by a recognised and agreed member of the agency. The locum checklist will be kept on Cambian Point alongside the recruitment policy. The PSL is updated annually and is available on request from the Recruitment team.
- 5.4. Any agency member of staff not in receipt of this checklist must undergo the full recruitment and on boarding process and checks before commencing employment.

Selection

- 5.5. Must be objective and aimed at assessing how well candidates meet the key requirements set out in the job description and person specification, and fully compliant with required Safer Recruitment Guidelines and criteria.
- 5.6. In all cases the Recruitment Team will conduct an initial shortlisting exercise to ensure the candidate meets the minimum criteria as set out within the job description.
- 5.7. Within our Education provisions, shortlisting will be conducted utilising the Company Application Form only and any gaps in employment or other queries identified within the application form, will be fully explored at interview.
- 5.8. Hiring Managers responsible for appointing staff must follow the interview guidelines provided in relation to interviewing and final selection. The interview guidelines contain the interview questions, the scoring matrix and guidance on how to consistently apply the scoring matrix. These details and the documentation to be used is included in the Resourcing & Onboarding Handbook in section 7.

References

- 5.9. As in Section 4.11, a minimum of 2 references which must be provided directly from the referee (HR or Payroll wherever possible, references from previous colleagues will not be accepted), and are required for all appointments: One from the current employer and one other from a previous employer. However, if the applicant has had previous employment involving work within Care, we must take every reasonable effort to obtain references from all previous care posts held. If such a reference is unobtainable, a file note must be included detailing why. If a candidate has advised that a Company has dissolved, a copy of the Company's house listing should be included in the employees file for evidence. References must evidence the employee's

affiliation with the organisation and should not be accepted from a personal Hotmail or Gmail account. If a candidate has not worked before or for a long time then professional or academic references can be sought. As a minimum, references should confirm: dates of employment/study, job title/course, and reason for leaving employment, any safeguarding issues and any disciplinary issues. In the event that it is the Company's policy to only include dates and job title, a 'safeguarding email' is sent to the referee and a copy of this and the response is retained within the Pre-Employment pack.

Preventing Illegal Working

- 5.10.** It is important that only people who have the legal right to work in the UK are employed. Right to work can be evidenced by the following documents: A full birth or adoption certificate issued in the UK and proof of National Insurance number, UK or EU passport, a permanent residence card or biometric residence permit.
- 5.11.** Any potentially successful candidate must produce a UK/EEA Passport or for non-EEA Citizens, a valid document that provides the right to work must be provided. All documentation should be checked, photocopied, signed and dated (verified) by the relevant Manager at interview and sent to the Recruitment Team to be added to the candidate's Staff File.
- 5.12.** Separate guidance on this is available at the Home Office website 'An Employer's Guide to Right to Work Checks'. This website is maintained and regularly updated by the Home Office. Managers must ensure that all employees have their right to work in the UK verified before any job offer is made.

Criminal Records, Ex- offenders and DBS – Please also refer to GHR03A – DBS Policy

Cambian is committed to equality of opportunity for all job applicants, and aims to select people for employment based on the basis of their individual skills, abilities, experience, and knowledge and where appropriate, qualifications and training. The Company will therefore, consider ex-offenders for employment on their individual merits.

- 5.13.** As in section 4.11, we consider that all employees have the opportunity to contact our vulnerable service users. We will therefore require all candidates to disclose all convictions, whether spent or unspent (other than where protected cautions and protected convictions do not need to be disclosed, depending on the job concerned). Even in these circumstances however, the Company will not refuse to employ a particular individual unless the nature of the conviction has some relevance to the job for which the individual has applied.
- 5.14.** All application forms, job adverts and recruitment briefs will contain a statement that an application for an enhanced DBS certificate will be submitted in the event of the individual being offered the position.
- 5.15.** The Company will make all candidates who are the subject of a criminal record check submitted to DBS, aware of the code of practice and make a copy available on request.
- 5.16.** The Company undertakes to discuss any matter disclosed on a DBS certificate with the individual seeking the position prior to withdrawing a conditional offer of employment.
- 5.17.** If applicable, the Company will, once it has selected the individual to offer employment, seek documentary evidence about the candidate's criminal convictions. We will seek an application to the Disclosure and Barring Service (DBS) for an Enhanced with DBS barred lists check. The Company will reimburse the individual for any fee charged for obtaining the appropriate criminal records certificate. Where the individual is a member of the DBS update service, the Company will seek to carry out a status check on any current certificate.
- 5.18.** If the DBS report provides information that requires further clarification from any applicant, a Risk Assessment (Form GHR 03B) should be conducted with the candidate and a full written account of their response to the query and an evaluation of the interviewer's response must be retained on file using the DBS authorisation form. For Residential services this should be signed off by the Responsible Individual, the Registered Manager

and the HR Business Partner, and for Education provisions, by the Head/Principal, the Regional Educational/Care Lead and the HR Business Partner.

- 5.19.** The Company processes information about an individual's criminal convictions in accordance with its Data Protection Policy on processing special category personal data and criminal records data (GIG 14). In particular, data collected during recruitment is held securely and accessed by, and disclosed to, individuals only for the purposes of completing the recruitment process. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the Company's Data Protection Policy immediately. It may also constitute a disciplinary offence, which would be dealt with under the Disciplinary procedure.
- 5.20.** Once an individual is recruited, information about his/her criminal record, gathered in the course of the vetting process will not be transferred to his/her personnel file.
- 5.21.** As noted in 4.11, no person shall be allowed to start work in any location, on shift caring for individuals until a satisfactory enhanced DBS disclosure with barred lists check and appropriate references have been received for both children and vulnerable young adults, across our Residential services, and for children within our Education provisions.
- 5.22.** All employees are required to disclose criminal convictions acquired during their **ongoing** employment with The Company which may be relevant to their position, or related to violence, assault or damage to property. Disclosure is to be made immediately and confidentially to their direct Line Manager who will consider the affect of the offence on the employee's role within the company. Examples of convictions relevant to positions include a driving offence for a driver position, theft or fraud for a finance position and convictions relating to children or vulnerable adults.
- 5.23.** Disqualification by association now only applies in domestic settings, not schools. Schools must no longer ask about the cautions of convictions of someone living or working in their household (it should be noted that other statutory guidance may be relevant where the third party lives on the school premises, for example boarding schools). Schools will need to review any historic data collected and destroy any information which is no longer required.
- 5.24.** Disqualification under the Child Care Act still applies to staff themselves who work in a childcare capacity, whether paid, volunteer or on work placement. Relevant staff are those working in childcare, or in a management role because they are: working with reception age children at any time; or working with children older than reception until age eight or outside school hours.
- 5.25.** More information about the management of disqualification under The Childcare Act as part of their routine school inspection process can be found in the document 'Management of disqualification under the Childcare Act' and the latest version should be accessed here : <https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006/disqualification-under-the-childcare-act-2006>

Single Central Register (SCR)

- 5.26.** Schools and Colleges must maintain a SCR (Single Central Register) of pre-appointment checks, referred to in the Regulation (KCSIE 2019) as the register more commonly known as the SCR. The SCR must cover the following people;
- Current Employees - including teaching and trainee teachers on salaried routes, bank staff, volunteers, contractors who are self-employed;
 - Agency and third-party supply - including contractors sourced via agency which employs them;

For agency and third-party supply staff, schools and colleges must also include whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, and the date that confirmation was received and whether any enhanced DBS

certificate check has been provided in respect of the member of staff. This data should be completed on Form GRH 03.05 Agency- Locum Checklist

- Central (Multiple Employees);
- Members of the Proprietor Body.

5.27. The Single Central Register must indicate whether the following checks have been carried out or certificates obtained and the date each check was completed / certificate obtained:

- An identity check – additional information to that contained in this policy can be found on the GOV.UK website;
- a barred list check;
- an enhanced DBS check/certificate;
- a prohibition from teaching check;
- further checks on people who have lived or worked outside the UK (KCSIE 2019). This would include recording checks for those European Economic Area (EEA) teacher sanctions and restrictions (KCSIE 2019);
- a check of professional qualifications where required;
- a check to establish the person's right to work in the United Kingdom;
- colleges must record whether the person's position involves 'relevant activity', i.e. regularly caring for training, supervising or being solely in charge of persons under 18;
- a section 128 check for management positions (as set out in KCSIE 2019) for independent schools including academies and free schools.

5.28. Principals and Headteachers are fully responsible and accountable for all onsite staff and must ensure that the central SCR template is being used, additionally that;

- SCR is stored in electronic version and readily available;
- SCR has the correct details and current details for all members of staff and others who work in regular contact with children in the school, including volunteers;
- SCR evidences that appropriate checks have been carried out for all staff;
- SCR is free from administrative errors and accurately maintained;
- A robust internal protocol is maintained for where and how to store SCR and that the storage of SCR is secure
- The SCR carries the date of the last update

- 5.29.** There is no requirement for schools to retain copies of DBS certificates in order to fulfil the duty of maintaining the SCR. Where a school chooses to retain a copy of the DBS certificate, this should be for a maximum of 6 months. All other documents pertaining to recruitment and selection should be retained in accordance with the guidelines as set out in this policy.

Section 128

- 5.30.** A section 128 direction prohibits or restricts a person from taking part in the management of an independent school. A person who is prohibited is unable to participate in any management of an independent school.
- 5.31.** Principles and Headteachers are fully responsible and accountable for all Sec 128 checks for current employees and agency and third-party supply, (see 5.26)
- 5.32.** The Recruitment Team are fully responsible and accountable for all Sec 128 checks for Central (Multisite) employees and members of the Proprietor Body, (see 5.26)
- 5.33.** The full list of grounds is set out in regulation 2 of the Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014.

Monitoring

- 5.34.** Information in respect of sex, marital and civil partnership status, religion, beliefs, colour, race, ethnic origin, nationality, national origin, sexual orientation, disability and age is retained on Cambian's internal systems for the purposes of monitoring and collating equal opportunities data only, in line with GDPR policy.
- 5.35.** Progress through each stage (application - shortlist – interview – appointment) has to be tracked and management information will be produced. Reasons for failure at any stage must be recorded and interview records kept for a period of 12 months then securely destroyed.
- 5.36.** It is our policy to use this to identify and rectify any discriminatory trends or practices which need to be addressed.

Appointment

- 5.37.** All offers of appointment must be confirmed by letter or by email.
- 5.38.** On appointment, all new employees must provide their basic details (**New Starter** and **Employee Details Form**). This information must be entered on to the **HR system** and the form then sent to Payroll.mailbox@cambiagroup.com.
- 5.39.** All employee details must be kept up to date on the **HR system** by the Recruitment Team, and a hard copy Staff File should also be kept for key documents (application form, references, evidence of DBS disclosure, letter of appointment, contract/written particulars of employment, job specification, qualifications and registration, Right to Work in UK ID documents, (supervision contract and signed code of conduct - only in hard file). Once a recruitment (or other relevant) decision has been made, we do not keep DBS certificate information for any longer than is necessary. This is generally for a period of up to six months, to allow for the

consideration and resolution of any disputes or complaints. After 6 months, it will be shredded to comply with the current data protection legislation.

- 5.40. If, in very exceptional circumstances, it is considered necessary to keep certificate information for longer than six months, we will consult the DBS about this and will give full consideration to the Data Protection and Human Rights of the individual before doing so.
- 5.41. It is vital that both Hiring Managers and Recruitment staff follow the 'Guidance for Managers on approval of Pre-employment Files' guidelines provided, to ensure that all pre-employment checks are made.
- 5.42. Failure to follow the guidance as per section 5.22 and failure to follow the recruitment policy or sections thereof, will also result in formal disciplinary action, up to and including dismissal.

Promotion/Sideways move

- 5.43. It is important to ensure that employees are selected for promotion using the same criteria and process as if they were an external applicant. Managers who make these decisions must ensure that they do so by using criteria which are objective and measurable, and that they follow the full recruitment and selection process.
- 5.44. A new contract/statement of particulars of employment must be used wherever there is a permanent change of job title or promotion. This is not applicable in the event that an employee is redeployed to temporarily or otherwise, work in a different location.

Casual Workers

- 5.45. All casual/bank/relief, and workers engaged on a consultancy or contractor basis must undergo all the pre-employment checks that permanent employees are subject to as detailed in 4.11. It is the responsibility of the agency who provides the worker (or the individual who commissions the consultant or contractor) to ensure that these checks are completed and up to date, **prior to working on shift with young people**. The Form GHR 03.05 Agency – Locum Checklist must be completed for these workers. The Recruitment Team will process staff moving from Temp to Perm working in the usual way, during the period of agency employment, prior to permanent appointment of the member of staff.
- 5.46. For agency and third-party supply staff, schools and colleges must also include whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the

relevant checks and obtained the appropriate certificates. Also, the date that confirmation was received and whether any enhanced DBS certificate check has been provided in respect of the member of staff.

Acting, Secondment, or Temporary Roles

- 5.47.** In some cases, such as when a management post is unfilled for a period of time, it may be appropriate for a person to adopt an 'acting' role in a promoted position and Managers must seek the support of their HRBP for this process.
- 5.48.** This will be done as a result of the Line Managers referring to performance records of staff in the grade below the unfilled post and offering the temporary position to the most suitable employee whose record reflects developmental potential.
- 5.49.** A formal letter outlining the changes to the job role, the duration and any remuneration amendments for the duration of the post, must be sent to the employee, signed and attached to their original contract. You must liaise with the relevant HR Business Partner to provide this letter.
- 5.50.** If the post becomes a recruitment vacancy the normal recruitment process must be used to appoint a permanent employee and a request to advertise the role must be emailed to the Recruitment Team.

Transfers

- 5.51.** Staff who wish to transfer to another location, still within the same part of the company, for a post of the same title and job specification should first discuss this with their Line Manager, if approved, the Manager will complete a Transfer form and send to the relevant HR email box to be processed.

Staff with a second job

- 5.52.** All staff should inform the interviewer of their intention to take up a post (if offered) as well as maintain their existing role outside of Cambian and complete a [Other Employment Form](#) (GHR 03.03). Where staff are already employed they will need to complete the [Conflict of Interest Form](#) (GHR 03.02). This will ensure a

satisfactory risk assessment can be performed to ensure their ability to manage both jobs and to ensure that the Working Time Regulations are adhered to.

6. Standard Forms, Letters and Relevant Documents

- 6.1. GHR 03A – Disclosure and Barring Service Policy
- 6.2. GHR 03B – DBS Disclosure Authorisation and Risk Assessment form
- 6.3. GHR 03.1 – Application form
- 6.4. GHR 03.02 – Conflict of Interest
- 6.5. GHR 03.03 – Other Employment Form
- 6.6. GHR 03.04 – Staffing Analysis and Minimum Staffing levels
- 6.7. GHR 03.05 – Agency Locum Checklist
- 6.8. GHR 03.06 – Docs to be brought to interview
- 6.9. GHR 03.07 – Interview guidance for Hiring Managers
- 6.10. GHR 03.08 – Interview schedule template
- 6.11. GHR 03.09 – Out of budget requisition form
- 6.12. GHR 03.10 – Guidance for Managers, approval of pre-employment files
- 6.13. GHR 03.11 – Single Central register (SCR) template
- 6.14. GHR 03.12 – Pre-employment file
- 6.15. GHR 03.13 – New starter pack
- 6.16. GHR 03.14 – Your interview with Cambian
- 6.17. GHR 03.15 – Cover sheet
- 6.18. GHR 03.16 – Education RACI
- 6.19. GHR 03.17 – MDT Doctor RACI
- 6.20. GHR 03.18 – MDT General RACI
- 6.21. GHR 03.19 – Residential RACI
- 6.22. GHR 03.20 – Resourcing & Onboarding Handbook
- 6.23. GHR 15: Employee Supervisions Policy

Legal References and Guidance

- 6.24. Keeping children safe in education; 2019
- 6.25. Safeguarding schools – Best Practice – Ofsted 2015
- 6.26. The Bichard Report; 2004

- 6.27.** Prevent Duty Guidelines for England and Wales, revised July 2016
- 6.28.** Department for Education: Registered activity in relation to children
- 6.29.** The Children's Homes (England) Regulations 2015
- 6.30.** Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014.
- 6.31.** Management of disqualification under the Childcare Act