Pre-employment screening is part of the Company’s recruitment and selection process. All offers of employment with the Company must be made on a conditional basis, subject to pre-employment screening. For most appointments, Human Resources will carry out pre-employment screening. The purpose of screening is to confirm that a candidate is suitable for the job that s/he has been offered e.g. that the candidate has not committed offences that would preclude him / her from working with children or vulnerable adults.

**Principles**

In accordance with the Company’s Recruitment Policy, a successful candidate shall be sent a letter offering him / her employment with the Company, subject to receipt of satisfactory clearances. These are listed in the section of this policy entitled Suitability for Employment or Engagement.

All pre-employment screening will be conducted as stipulated in this policy.

**Application**

This policy applies to all candidates who are offered employment with the Company.

The policy also applies to those who are offered casual work. Although they are not Company employees they should be screened prior to working for the Company.

Workers engaged via a third party (e.g. recruitment agency) must provide evidence of identity and that they have confirmation from the agency that the required checks have been made.

**Suitability for Employment or Engagement**

Confirming whether a person is suitable for Company employment, or engagement for other work within the Company (e.g. casual work) entails obtaining:

- Proof of identity (e.g. passport or photo driving license).
- Evidence of legal right to work in the United Kingdom.
- References about past performance, conduct and attendance (the section entitled References refers)
- Information about any convictions or cautions or any court cases that are pending.
- Evidence of professional qualification/s and registration, where applicable.
- Completed Confidential Medical Questionnaire.
- Evidence of Driving Licence, if required.

**Pre-Employment Screening**

The information and evidence regarding suitability for employment / engagement is to be obtained, as follows:

**Proof of identity and the right to work in the UK**

Employers have a legal duty to establish that individuals they employ have a right to work in the United Kingdom.
References

Human Resources should obtain two references, one of which must be from the current/most recent employer.

Where the candidate cannot provide a suitable second employer referee, for example, due to short-term periods of employment, we will require an additional referee such as a college or university tutor, form teacher or voluntary work supervisor. This will only be appropriate if the tuition, voluntary work or other activity was undertaken in the last 5 years.

Where the post requires a CRB check, two references will be sought.

Human Resources must ensure that the source of references has been authenticated. If the reference is submitted by email it must come from the organisation’s email account. In all other circumstances, the reference should be signed and on headed paper.

Information about Criminal Records

The Rehabilitation of Offenders Act enables some criminal convictions to become 'spent' after a set period of time has elapsed from the date of conviction. This period is known as the rehabilitation period. Details of rehabilitation periods are provided in Appendix C. After the relevant period has elapsed, an ex-offender is not obliged to mention the conviction when applying for a job, and it would be unlawful discrimination not to employ him / her because of a ‘spent’ conviction, unless the position applied for is an exception listed in the Act.

Exceptions listed in the Act include occupations involving working with children or vulnerable adults (as defined and listed below):

- Over the age of 65
- Suffering from serious illness or mental disorder of any description
- Addicted to alcohol or drugs
- Have a visual, hearing or speech impairment
- Substantially and permanently disabled by illness, injury or congenital deformity
- Employment concerned with the provision of health services
- Any employment concerned with the provision to persons aged under 18 of accommodation, care, leisure and recreational facilities, schooling

Professional Qualifications and Registration

Where holding a particular qualification and being registered with a professional association are essential for the job being offered, all candidates must produce evidence of qualification and registration.

Confidential Medical Questionnaire

All candidates will complete a confidential Medical Questionnaire. If the candidate declares on the form that s/he has a condition or disability that s/he considers could affect her / his ability to do the job, HR may, with permission from the candidate, request further information from the candidate’s Doctor.

The Doctor should advise the Company whether the candidate is medically fit for the job concerned and whether any reasonable adjustments need to be made to the work station, equipment etc, for example, if the candidate has a hearing impairment.
Driving Licence

It is essential that a candidate who would be required to drive as part of their job provides evidence that they hold the appropriate licence.

Confidentiality Agreement

A Confidentiality Agreement will be completed by all agency workers, students, consultants and volunteers who will have access to sensitive data.
APPENDIX 1 – RIGHT TO WORK IN THE UK

Employers are required to establish that candidates have a legal right to work in the UK. The information that follows explains the actions that must be taken and the documents that must be produced.

It is a criminal offence to employ someone who has no right to work in the United Kingdom, or no right to do the work that the Company is offering.

Definition of ‘employer’ for the purposes of the legislation

An ‘employer’ is defined as a person who employs an individual under a contract of employment. This can be a contract of service or apprenticeship, whether orally agreed or in writing.

However, whilst casual / relief workers are not Company employees they are on the Company’s payroll and the UK Borders Agency would hold the Company responsible for any failure to carry out right to work checks.

Checking Documents

All those who have been offered employment with the Company must be asked to produce appropriate original documents as evidence of their right to work in the UK, except for:

Company employees whose employment commenced prior to 27 January 1997, which is before the provisions of the Asylum and Immigration Act 1996 took effect

Company employees whose right to work in the UK without limitation (as to the nature of work they can do or the period) was confirmed when they joined the Company. (Note that where an employee’s employment is subject to a certificate of sponsorship and / or Leave to Remain and this is due to expire, or the work the employee has been offered differs from the type of work for which the certificate or sponsorship was granted, consent from the Home Office will be required to change or extend employment.)

Checking and copying certain original documents provides:

- Verification of the identity of the candidate, and
- Protects the Company and service users from the risks inherent in employing an illegal worker.
- The documents that the candidate needs to provide will depend on a candidate’s individual circumstances.

The documents that can be accepted are listed in Lists A and B of this appendix.

The candidate must provide proof of National Insurance Number and one document from List A which will demonstrate that the individual has unlimited right to work in the UK or one document from List B which will demonstrate a right to work for a specified period only. Please note that there is a legal duty to recheck the individual’s circumstances every 12 months.

Nationals from the European Economic Area

Subject to their providing requisite original documents as listed in either List A or List B, nationals from many European Economic Area (EEA) countries can enter and work in the United Kingdom without any restrictions. These countries currently are: Austria, Belgium, Cyprus, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, United Kingdom.

However, the Government has set up a Worker Registration Scheme to monitor the participation in the UK labour market of workers from eight of the ten countries that joined the EEA on 1 May 2004. When an
individual from one of these countries starts works it is the employer’s responsibility to ensure that s/he registers with the Home Office unless s/he is exempt.

Within one month of the employee starting work, the Company must:

• Issue confirmation of employment in writing (letter or employment contract)
• Take a copy of the registration application and retain this until the Home Office notifies the Company that the employee has been registered
• Once the registration certificate has been received, retain a copy of it.

Romania and Bulgaria

It is important to note that candidates from Romania and Bulgaria (referred to by the Home Office as A2 countries) are required to obtain authorisation from the Home Office before they start work. This entails the prospective employer obtaining a certificate or sponsorship and the candidate obtaining an Accession Worker Card.

Documentary Evidence

In accordance with the Immigration, Asylum and Nationality Act 2006 and Company Policy it is a Company audit requirement that all candidates who are offered employment produce a document containing their National Insurance Number (must be a permanent number) and item from List A.

List A

• A valid passport showing that the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.
• A valid passport or national identity card showing that the holder, or a person named in the passport as the child of the holder, is a national of the European Economic Area (EEA\(^1\)) or Switzerland.
• A residence permit, registration certificate or document certifying or indicating permanent residence, issued by the Home Office or the Border & Immigration Agency to a national of an EEA country or Switzerland.
• A permanent residence card issued by the Home Office or the Border & Immigration Agency to the family member of a national of an EEA country or Switzerland.
• A Biometric Immigration Document issued by the Border & Immigration Agency to the holder that indicates that the person named in it is allowed to stay indefinitely in the UK, or has no time limit on his or her stay in the UK.
• A valid passport or other travel document endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on his or her stay in the UK.
• An Immigration Status Document issued by the Home Office or the Border & Immigration Agency to the holder with an endorsement indicating that the person named in it is allowed to stay indefinitely in the UK or has no time limit on his or her stay in the UK.
• A full birth certificate issued in the UK that includes the name(s) of at least one of the holder’s parents
• A full adoption certificate issued in the UK that includes the name(s) of at least one of the holder’s adoptive parents
• A birth certificate issued in the Channel Islands, the Isle of Man or Ireland
• An adoption certificate issued in the Channel Islands, the Isle of Man or Ireland
• A certificate of registration or naturalisation as a British citizen
• A letter issued by the Home Office or the Border & Immigration Agency to the holder that indicates that the person named in it is allowed to stay indefinitely in the UK
List B

If the individual does not have the above documents we can accept one of the documents from the list below.

- A passport or travel document endorsed to show that the holder is allowed to stay in the UK and is allowed to do the type of work in question, provided that it does not require the issue of a certificate or sponsorship.
- A Biometric Immigration Document issued by the Border & Immigration Agency to the holder that indicates that the person named in it can stay in the UK and is allowed to do the work in question.
- A certificate or sponsorship or other approval to take employment issued by the Home Office or the Border & Immigration Agency when produced in combination with either a passport or another travel document endorsed to show the holder is allowed to stay in the UK and is allowed to do the work in question, or a letter issued by the Home Office or the Border & Immigration Agency to the holder or the employer or prospective employer confirming the same.
- A certificate of application issued by the Home Office or the Border & Immigration Agency to or for a family member of a national of an EEA country or Switzerland stating that the holder is permitted to take employment that is less than six months old when produced in combination with evidence of verification by the Border & Immigration Agency Employer Checking Service.
- A residence card or document issued by the Home Office or the Border & Immigration Agency to a family member of a national of an EEA country or Switzerland.
- An Application Registration Card issued by the Home Office or the Border & Immigration Agency stating that the holder is permitted to take employment, when produced in combination with evidence of verification by the Border & Immigration Agency Employer Checking Service.
- An Immigration Status Document issued by the Home Office or the Border & Immigration Agency to the holder with an endorsement indicating that the person named in it can stay in the UK, and is allowed to do the type of work in question, when produced in combination with an official document giving the person’s permanent national insurance number and his or her name issued by a government agency or a previous employer.
- A letter issued by the Home Office or the Border & Immigration Agency to the holder or the employer or prospective employer that indicates that the person named in it can stay in the UK and is allowed to do the work in question.