

East Devon District Council Employment Screening Policy

Reviewed

April 2009

Policy Approval

This policy has been agreed by the Executive Board (insert date) and the Staff Joint Forum.

Reasons for introducing the policy

There is now a greater requirement than ever before to ensure that rigorous employment checks are carried out on prospective and current employees. It is illegal to employ anyone who does not have a permit to work in the UK. Additionally, East Devon District Council (EDDC) has a duty of care to protect the well-being of the people of Devon and, in particular, those groups or individuals in its care who are considered to be especially vulnerable or at risk, such as children, the elderly and those with disabilities. It is also incumbent upon the Council to protect its assets such as sensitive information from the threat of terrorism or malicious damage by ensuring employees who have access to this information are trustworthy. The policy is particularly mindful of the legal framework which surrounds employment screening and in particular the Rehabilitation of Offenders Act, the CRB code of practice, Human Rights Act, The Police Act 1997, and The Safeguarding Vulnerable Groups Act.

Policy statement

This document sets out our policy, procedure and guidance to Authorised Officers and managers on how to carry out employment checks of all employees, fixed term workers, casual staff, self employed workers and volunteers for positions where there might typically be unsupervised access to children and vulnerable adults.

The policy and its associated guidance document (Managers' Guide to Employment Screening) aims to ensure that EDDC's position on the right to work and baseline personnel security standard checks is explained.

EDDC is also committed to the elimination of discrimination and to promoting equal treatment in employment. This applies at all stages of employment and prospective employment including recruitment. Although no aspects of employment are excluded, there are certain circumstances where different treatment can be shown to be justified and is appropriate in order to fulfil the Council's duty of care, outlined above.

Specific policy areas

This policy will apply equally to internal candidates (for example, those currently employed by EDDC) and external candidates being considered for relevant permanent, temporary, casual/relief or volunteer positions. It will also apply to self employed and contract for services as well as where external agencies recruit and employ staff to carry out contract work on behalf of EDDC or where external agencies recruit staff to become employees of EDDC. As a responsible employer, EDDC will ask short-listed candidates to volunteer information about their criminal history including unspent convictions when applying for positions which are included in the Exceptions Order 1975 to the Rehabilitation of Offenders Act 1974.

EDDC will only apply for Disclosures in respect of posts that are included in the Exceptions Order to the Rehabilitation of Offenders Act 1974. It may be an offence under section 123 (2) of the Police Act 1997 to apply for a Disclosure in respect of a post not covered by the Exceptions Order 1975.

The policy is divided into 3 parts and each section has associated guidance within the Managers' Guide to Employment Screening. The sections are:

- Part 1 : Rehabilitation of Offenders, Criminal Record Bureau Disclosure (CRB) and Independent Safeguarding Authority
- Part 2: Baseline Personnel Security Checks
- Part 3: Right to Work in the UK
- Part 4: Employment Screening checks required at a glance.

PART 1

Rehabilitation of Offenders, Criminal Record Bureau Disclosure (CRB) and Independent Safeguarding Authority

Policy Statement on the Secure storage, handling, use, retention and disposal of Disclosures and Disclosure information.

East Devon District Council complies fully with the Criminal Record Bureau (CRB) Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the Data Protection Act and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information.

Handling, Storage and Access

Disclosure information is never kept on an applicant's personnel file and is always kept separately and securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties. Disclosure information is only passed to those who are authorised to receive it in the course of their duties we recognise that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Usage

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Retention

Once a recruitment (or other relevant) decision has been made, we do not keep disclosure information for any longer than is absolutely necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep disclosure information for longer than six-months, we will consult the CRB about this and will give full consideration to the Data Protection and Human Rights of the individual before doing so. Throughout this time, the usual conditions regarding safe storage and strictly controlled access will prevail.

Disposal

Once the retention period has elapsed, we will ensure that any disclosure information is immediately suitably destroyed by secure means, i.e. by shredding. We will not keep any photocopy or other image of the disclosure or any copy or representation of the contents of a disclosure. However, in order to maintain the Council's Criminal Records Checks Database we will keep a record of the date of issue of a disclosure, the name of the subject, the type of disclosure requested, the position for which the disclosure was requested, the unique reference number of the disclosure and the details of the recruitment decision taken.

Recruitment

Whenever a vacancy for a position which will be subject to a CRB check arises the following will always be observed:

- The appointing officer must have attended mandatory Recruitment and Selection training before being responsible for appointments.
- The job advertisement and any supporting information sent to prospective candidates should clearly state that the post is subject to a CRB Disclosure.
- Short-listed candidates will be sent a form to complete and bring to interview detailing their full criminal history including both spent and unspent convictions.
- Either at interview or at a separate meeting the candidate will be asked to discuss the circumstances around their declarations on the declaration form. A record of this meeting will be kept until the return of the CRB Disclosure. A risk assessment should then be carried out to help determine if the criminal history is relevant to the role.
- Only the successful candidate will be required to apply for a CRB Disclosure. It is now no longer permissible to accept a portability check.
- Where it is determined the candidate's criminal background does not preclude employment, a conditional offer of employment can be made, subject to relevant pre-employment checks including a CRB Disclosure. Once the CRB Disclosure is returned, if it has revealed the same information as the candidate disclosed and only if this is not considered to pose a risk following the risk assessment then providing all other pre-employment checks are satisfactory an unconditional job offer can be confirmed, following a meeting with the candidate.
- If the CRB Disclosure contains information which was not revealed by the candidate, or additional information is received by the police, it will be necessary to hold a further discussion with the candidate and a further review against the risk assessment carried out to determine whether to confirm or withdraw the conditional offer of employment. This decision must be ratified by the Head of Service or designated senior manager and HR advice sought.
- For posts which need to be filled with some urgency it is suggested that the following steps are taken for a quicker process:
 - ✓ CRB Application forms sent to all short-listed candidates
 - ✓ short-listed candidates asked to bring completed CRB Application form to interview with relevant ID
 - ✓ Authorised Officer conduct ID checks and complete section X of CRB form on day of interview
 - ✓ Only appointed candidate CRB application form should be sent to Records Disclosure for processing and all other forms destroyed.

Policy Statement – Recruitment of Ex-Offenders

As an organisation using the CRB Disclosure service to assess suitability for positions of trust, EDDC complies fully with the CRB Code of Practice and undertakes to treat all candidates for positions fairly. It undertakes not to discriminate unfairly against any subject of a disclosure on the basis of conviction or other information revealed.

East Devon District Council is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

This policy on the recruitment of ex-offenders will be made available to all disclosure applicants at the outset of the recruitment process.

We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.

A disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a disclosure is required, all application forms, job adverts and recruitment briefs will contain a statement that a disclosure will be requested in the event of the individual being offered the position.

Where a disclosure is to form part of the recruitment process, we encourage all candidates called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to a designated person within East Devon District Council and we guarantee that this information is only be seen by those who need to see it as part of the recruitment process.

Unless the nature of the position allows East Devon District to ask questions about a candidate's entire criminal record we only ask about "unspent" convictions as defined in the Rehabilitation of Offenders Act 1974.

We ensure that all those in East Devon District Council who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, we will ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

We make every subject of a CRB Disclosure aware of the existence of the CRB Code of Practice and make a copy available on request.

We undertake to discuss any matter revealed in a disclosure with the person seeking the position before withdrawing a conditional offer of employment.

Having a criminal record is not necessarily bar to working with us. This will depend on the nature of the position and the circumstances and background of the offences.

The Criminal Records Bureau Check Disclosure Level

There are currently two levels of disclosure available, Standard or Enhanced. The level check is dependent on the nature of the role and guidance found on the CRB website www.crb.gov.uk or part one of the Managers' Guide.

Standard CRB check

Standard CRB checks are primarily for posts that involve working with children or vulnerable adults. Standard checks may also be issued for people entering certain professions, such as members of the legal and accountancy professions.

Enhanced CRB Check

Enhanced checks are for posts involving a far greater degree of contact with children or vulnerable adults. In general, the type of work will involve regularly caring for, supervising,

training or being in sole charge of such people. Examples include a Teacher, Scout or Guide leader. Enhanced checks are also issued for certain statutory purposes such as gaming and lottery licenses.

Enhanced checks contain the same information as Standard checks but with the addition of any locally held police force information considered relevant to the job role, by Chief Police Officer(s).

However, East Devon District Council in seeking to fulfil its duty of care, encourages all disclosure checks to be applied for at Enhanced level, as this is the only level that discloses all relevant information.

A guide to the posts which require CRB check within East Devon District Council can be found in the Managers' Guide to employment screening part three.

Disclosure checking service

The disclosure checking service, offered by the CRB, is accessed via Devon County Council's Records Disclosure Service who is a registered Umbrella Body with the CRB.

The CRB checks each disclosure applicant against the Police National Computer (PNC), Local Police Intelligence, List 99 (Department for Children, Schools & Families), the Department of Health Consultancy List; the Protection of Children Act (POCA) list and the Protection of Vulnerable Adults (POVA) list. A comprehensive check can thus be made on those individuals potentially coming into contact with children or vulnerable adults.

It should be stressed that, whilst CRB checks are vital in the consideration of appropriately staffing posts with access to vulnerable people, they are just one in a range of pre-employment checks which must be carried out in order to assess the suitability of candidates. Other checks include thoroughly confirming identities, qualifications, taking up references and examining dates of employment histories on application forms (see also part 3 of this policy).

Any matter of potential concern revealed in a disclosure must be fully discussed with the person seeking the post before a decision to either withdraw or confirm a conditional offer of employment is taken.

CRB Code of Practice

The CRB Code of Practice sets out the obligations that must be met by recipients of Disclosure Information. Every subject of a CRB Disclosure will be made aware of the existence of the Code of Practice and a copy of it will be made available to that individual on request, by visiting the CRB web-site at www.crb.gov.uk or our own website. In addition, a guide to completing the Disclosure application form can also be found at the above web site or by contacting the Records Disclosure Service.

Roles and Responsibilities of 'Authorised Officers'

The Records Disclosure Service is a small centralised team and therefore Authorised Officers play an important role in the CRB process from conducting the ID checks to receiving results of positive disclosures.

Who can be an Authorised Officer

Anyone can be nominated as an Authorised Officer providing they can meet the following criteria:

- They must hold a current enhanced CRB which is clear and less than 3 year old.
- They will need to have the authority to authorise the payment for the check
- Typically they should be in a more senior role than those being checked, or work in Human Resources.

Authorised Officers are required to ensure they are fully aware of the application process and have read and understood the CRB Code of Practice.

Key responsibilities for Authorised Officers

- Completing the CRB Disclosure Application Form
- It is the responsibility of the Authorising Officer to ensure that the CRB application form is completed fully and correctly, taking into consideration common errors, otherwise this can result in delays in the process.
- The CRB1 Form
- Each CRB Application Form must be accompanied by a completed and appropriately signed CRB1 form. This form should always be double sided with the Evidence sheet.
- ID Checking

The most important feature for Authorised Officers is conducting the identity check required with CRB checks. All the appropriate original documents must be seen and evidenced in the section identified **X** on the Disclosure Application Form along with completing the Evidence sheet (on the back of the CRB1).

Comprehensive guidance on ID checking and the list of defined documents, along with useful hints and tips on how to identify fraudulent ID documents can be found on the CRB website www.crb.gov.uk or by contacting the Records Disclosure Service.

- Receiving the Results

The Authorised Officer on the CRB1 form will receive the results of the CRB check. If the disclosure comes back with no information on, then an email will be sent direct to the Authorised Officer confirming the basic details which can be stored on the personnel file. Should however the disclosure be returned with information on, then the disclosure certificate will either be posted recorded delivery to the Authorised Officer or passed through the relevant HR contact (this varies per Directorate). Once an employment decision has been made a disclosure of a criminal records form with a tear off slip must be completed and returned to the Records Disclosure Service at Devon County Council advising the decision that was made regarding employment.

- Payment

All invoices will be paid by the Human Resources section and Authorised Officers must ensure that the correct internal charge code is stated

Further advice on the responsibilities of Authorised Officers can be sought from Human Resources or via the Records Disclosure Service by contacting 01392 383266 or disclose@devon.gov.uk

Managing the Disclosure Process

- The disclosure process is managed by a nominated Authorised Officer (who may also be the Appointing Officer) who is a recognised contact with the Records Disclosure Service. As both Appointing and Authorised Officers are given access to sensitive information relating to criminal records they must be of an appropriate level within the organisation.
- The Authorised Officer should ensure that the applicant receives adequate support and guidance on completing the Disclosure Application form and that they are made aware of the Council's policy on recruitment of Ex-Offenders.
- The Authorised Officer is responsible for ensuring compliance with the CRB Code of Practice during the Disclosure process.

- Once the Records Disclosure Service receives the copy of the Disclosure certificate back from the CRB if the Disclosure contains no information then a confirmation email will be sent to the Authorised Officer.

If there is information contained on the Disclosure certificate the Authorised Officer will be notified by receipt of the actual certificate .

- Having considered the information on the disclosure certificate and undertaken a risk assessment the Authorised Officer will need to complete a CRB2 form and return to the Records Disclosure Service at Devon County Council.

Employees Changing Post within EDDC

Any existing employee who is offered a new position within EDDC will be required to undertake a new CRB Disclosure if the post involves greater access with children and/or vulnerable adults, working with a different client group or a change in base.

Existing Employee Re-checks

EDDC will as a matter of course carry out 3 yearly re-checking for all existing employees in posts subject to CRB Disclosures. However EDDC reserves the right to carry out re-checking more frequently in some service areas where required by regulations.

Existing employees who have not previously been subject to a CRB Disclosure may, as a result of changes in legislation, regulations or working practices, be required to undertake a disclosure during the course of their employment with EDDC. All employees will be expected to comply and any employee refusing to comply with the request for a disclosure will be advised that their deliberate and unreasonable refusal to carry out lawful and safe instructions issued and/or to comply with a contractual agreement, will lead to the employee being subject to a disciplinary investigation and potentially disciplinary action.

In addition to the standard re-checking policy EDDC reserves the right to ask existing employees in relevant positions to apply for a disclosure if their actions or activities give cause for concern. The grounds for this could include allegations of suspicious or inappropriate behaviour made by a child or vulnerable adult, or a colleague, parent, carer or member of the public. In such instances a full investigation will be conducted and EDDC may ask for a new disclosure to be carried out, only after seeking legal advice.

It is a contractual requirement for all staff in posts subject to a CRB check to disclose any pending criminal proceedings for which they have been formally charged, any criminal conviction, caution, reprimand, bind-over or final warning received during their employment or since their last CRB Disclosure or where a CRB Disclosure has never been carried out, all criminal information must be disclosed. Failing to notify the Council will lead to instigation of the Disciplinary Policy and Procedure.

Volunteers

EDDC uses volunteers in many activities, some of which require contact with children or vulnerable adults, the nature of the volunteer role means some may require a CRB Disclosure. This should be determined by the frequency and nature of contact with children i.e. if being left unsupervised with children and/or if having regular contact which is defined as 3 times in a 30 day period or more.

Volunteers who only accompany staff and children on one off outings or trips or who help at one off specific events such as sports days, school fete's etc do not need to be CRB checked. If however an overnight stay is involved then an enhanced CRB must be obtained.

CRB checks for volunteers are free as long as the CRB definition of volunteer is met which is

“Any person engaged in an activity which involves spending time, unpaid (except for travel and other approved out of pocket expenses), which aims to benefit some third party other than or in addition to a close relative”

Independent Safeguarding Authority Scheme

A new vetting and barring scheme covering those who work or volunteer, or seek to work or volunteer, with children and/or vulnerable adults will be implemented from 12th October 2009. The scheme stems from the Safeguarding Vulnerable Groups Act 2006, which was implemented as a result of the Bichard Inquiry (Soham murders). The scheme will be implemented by the newly formed Independent Safeguarding Authority (ISA) and will be administered by the CRB. The main objective of the scheme is to have one organisation looking at both criminal and non conviction records from different sources which will allow a full picture of the individual to build up. The ISA will decide whether that person should be barred from working with children or vulnerable adults. The decision to bar someone will be a permanent restriction unless an appeal overturns the decision.

From July 2010 when we recruit someone to work with children or vulnerable adults we will need to check their ISA registration status which may affect their suitability for the role. It will be an offence to recruit someone to work in regulated activity who does not hold ISA registration. For existing staff there will be a 5 year roll-out period for registering with the ISA. Further information can be found at www.isa-gov.org.uk.

Employees or job applicants need only apply for ISA registration once, as the registration number will remain with the individual for their career lifetime. The CRB check will still need to be completed in line with our re-checking policy of every 3 years.

All ISA registered employees will be subject to continuous monitoring. When new information such as a conviction or caution is known, the ISA will make a decision as to whether to bar the individual from working with children or vulnerable adults. East Devon District Council has a duty to report to the ISA any relevant information regarding the employee

Under ISA guidelines it will be necessary to CRB check any employee who is considered to be working in either a controlled or regulated activity.

Regulated activity refers to ANY activity which involves contact with children or vulnerable adults, this may be paid or voluntary work and involves contact with children or vulnerable adults frequently, intensively and or / overnight. Regulated Activities may include, teaching, training, care, supervision, advice, treatment and transportation

Controlled activity may be:

- (a) Frequent or intensive support work in general health settings, the NHS and further education.
- (b) Individuals who work for specified organisations, for example a local authority, who have frequent access to sensitive records about children and vulnerable adults.

As a guide the ISA have indicated that “Frequent” is defined as once a month or more and “intensive” is when the activity is carried out on 3 or more days in a 30 day period.

Barred individuals will only be allowed to work in “controlled activities” if there are sufficient safeguards in place.

Part 2: Baseline Personnel Security Checks

As from April 2009, the Government implemented the HMG Security Policy Framework which is comprised of 7 sections geared to ensuring that security standards are implemented and upheld in government organisations where sensitive data is held. Security Policy No 3: Personnel Security is of particular relevance and it dictates that we must implement Baseline Personnel Security Standard Check in 4 areas (verification of identity, employment history, nationality and immigration status and unspent criminal records) The purpose of verification is to protect and ensure the security of information, property and staff in a proportionate manner from terrorist attack, and other illegal or malicious activity. It will be necessary to ensure that all employees who will have access to the Government Connect Security Xtranet (GCSX) system which permits transferring data to another statutory body will require a Baseline Personnel Security Standard check (BLPSS)

Candidates must be advised through the recruitment literature whether their post is subject to baseline security check. In most cases EDDC will aim to ensure that all candidate screening will be carried out in line with the standards as set out below, this is to ensure that should an employee transfer to another post, which is subject to security clearance, all the necessary checks have already been completed.

Before an offer of employment is confirmed and a start date arranged it will be necessary to check and verify the following:

- Confirmation of name, date of birth and address
- National Insurance number or other unique personal identifying number where appropriate
- Full details of previous employers over the past three years
- Confirmation of any essential qualifications/ licences
- Educational details and references where someone new is coming to the Council
- Confirmation of permission to work in the UK

EDDC will ensure that all information is checked and that there are no obvious gaps; where gaps exist candidates will be given an opportunity to provide the information. (please refer to part 2 of the Managers' Guide to Employment Screening) If the candidate does not provide the information on request it will be necessary to withdraw the offer of conditional employment. Reasons for withdrawal should be noted and kept on file for a period of 6 months in order to deal with any dispute arising.

Employees transferring to new posts

Where an employee is promoted, seconded or transferred to a post and requires access to information which will be accessed or transferred via the GCSX system, it will be necessary to ensure that Baseline Security Standard Checks (BLPSS) have also been retrospectively applied even if the employee has worked for the Council for several years, this ensures a consistent and non discriminatory approach is adopted and applied. All employees will be expected to pass the new BLSC before commencement in their role.

CRB checks as part of Security Checks

It may be necessary depending on whether a post has long term, frequent and uncontrolled access to SECRET and TOP SECRET assets to carry out a CRB check on the post holder in addition to carrying out the baseline checks. It is unlikely that such a post exists in EDDC, but should a post be identified that will have access to SECRET and TOP SECRET data then a CRB check will be sought and the post holder informed at the outset.

Agency and contractors

EDDC recognises that the same checks will need to be applied to any contractor or agency worker as an employee of the Council. EDDC will therefore ensure suppliers of agency workers or contract for services will be subject to the same rigorous procedures. The contracting organisation must be able to demonstrate to EDDC that checks have been completed

satisfactorily and that spot checks will be carried out for the purposes of satisfying audit controls. It should be noted that our preferred supplier, Devon County Council, has agreed that spots checks can be carried out in order to demonstrate compliance of carrying out the required employment checks. It is also a requirement that confidentiality agreements will be signed by any agency or contractor worker who has access to information as part of their work.

Part 3: Right to Work in the UK

Right to work in the UK checks

Most European Union (EU) nationals have the right to come to the UK and look for work. However, nationals from the new EU member states in Eastern Europe have certain restrictions placed upon their employment.

On 1 May 2004, the right to live and work in the UK was extended to nationals of the following eight countries (known as the A8 countries) which joined the EU on the same date:

1. Czech Republic
2. Estonia
3. Hungary
4. Latvia
5. Lithuania
6. Poland
7. Slovakia
8. Slovenia

The Government decided that nationals of these countries are required to register with the Home Office if they start working in the UK after 1 May 2004. On registration, they will be provided with a worker's registration certificate. This certificate will be issued for 12 months and will confirm that the person has the right to live and work in the UK while they are working in that job. Registration allows the Government to monitor the impact on the UK's labour market of workers from these countries.

Malta and Cyprus also joined the EU on 1 May 2004 and nationals of these countries have the full right to live in the UK as those from other EU countries.

On 1 January 2007, Bulgaria and Romania joined the EU and so their citizens consequently acquired the same right to live in the UK as those from other EU countries.

However, they have neither the automatic right to work in the UK (unless they are exempt from work authorisation requirements) nor the right to come to work in the UK under the Worker Registration Scheme. Instead, they are only allowed to work in various 'authorised categories of employment'. Specifically a number of low skilled Bulgarian and Romanian workers per year are allowed to work in the food processing and agricultural sectors for a maximum of six months at a time.

Those with specialist skills can continue to work if they qualify for a work permit under the Highly Skilled Migrant Programme. To do so they need to prove they are carrying out jobs which cannot be filled by residents, as well as meeting qualifications and earnings based tests.

These arrangements are regularly reviewed so if you are unsure please contact Human Resources.

Employment of other overseas workers Who needs a work permit?

The issue of work permits is controlled by the Immigration and Nationality Directive. Any person who is subject to immigration control and comes with the intention of working in the UK must have a work permit.

Who does not need a work permit?

Those who do not need a work permit to work in the UK are:

- 1) European Economic Area (EEA) citizens
Note that the nationals of newer EU countries are subject to more stringent requirements.
- 2) Swiss nationals
- 3) Gibraltans
- 4) Commonwealth citizens who have permission to enter or remain in the UK on the basis that a grandparent was born here
- 5) Commonwealth citizens between the ages of 17-27 who are essentially coming to the UK as part of an extended holiday and take up employment merely to support themselves while they enjoy their break
- 6) Those with 'settled' status in the UK
- 7) Spouses and children under 18 of overseas workers who can lawfully work in the UK.

Checking a person's right to work in the UK

As an employer we must carry out three basic steps before a new employee begins working in order to establish that they have the right to work in the UK.

These are:

1. Ask the potential employee to provide one original document from List A or List B or a combination of two original documents specified in either of those lists. See List A and List B.
2. Carry out certain checks on the document(s) to be satisfied they relate to the potential employee (See Checking the documents in part 3 of the managers' guide to Employment Screening)
3. Make a copy of the whole of the document(s) or certain parts of a passport or travel document in a format which cannot be subsequently altered (See Copying the documents in part 3 of the Managers' Guide to Employment Screening).

The employer must keep a copy or copies of original documents in a secure manner for two years after the employment has ended.

In addition, to carrying out such checks, as soon as a national from the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Poland, Slovenia or Slovakia begins to work for an employer, their employer must inform them that they are required to register immediately under the Worker Registration Scheme.

Further guidance pertaining to Right to work in the UK checks can be found in Part 3 of the Managers Guide to Employment Screening

Part 4: Employment Screening checks required at a glance.

The Table below is aimed to provide a quick overview of the employment screening checks that are required for certain posts. All offers of employment should be made conditional on satisfactorily meeting the appropriate conditions required for the post.

*Frequent is defined as once a month or more and intensive is when the activity is carried out on three or more days in a 30 day period.

** if the post requires access to SECRET or TOP SECRET data a CRB check should be carried out. (for the avoidance of doubt it is unlikely that such a post in EDDC exists)

Please refer to the managers guide for more information.

Outcomes

	All Employees	Posts requiring Access to Government Connect Secure Xtranet	Posts with frequent or intensive access to children or vulnerable adults * (see category codes 1-10 in appendix 2 of managers guide)	Posts which are in a position of trust (for example Solicitor, accountant, chief executive – see category codes Appendix 2 of the managers guide)	Posts which are designated essential car user (NB if casual user checks will be made at point of first claim)
Identity	✓	✓	✓	✓	✓
Medical	✓	✓	✓	✓	✓
Qualifications	✓	✓	✓	✓	✓
References	✓	✓	✓	✓	✓
Right to Work in the UK	✓	✓	✓	✓	✓
National Insurance Number	✓	✓	✓	✓	✓
Unspent Convictions Declaration	X	✓	✓	✓	X
CRB Check	X	**	✓	✓	X
ISA Registration (After October 2009)	X	X	✓	X	X
Valid Driving Licence, MOT & Insurance	X	X	X	X	✓

The desired outcomes of this policy are:

- That the safety of vulnerable adults and children is protected as far as practicable.
- East Devon District Council employs people legally to avoid prosecution,
- To ensure the Council can protect its assets such as data from theft and corruption,
- To ensure that mechanisms are in place for proper and thorough vetting before and during employment to ensure that anyone who works for East Devon District is suitable for employment.

Who is responsible for delivery?

All managers are responsible in particular those responsible for recruitment activities.

Performance monitoring

Success of this policy will be measured through recruitment information such as withdrawals of offers, complaints and fines for illegal workers.

Policy consultation

This policy has been consulted upon through the Senior Management Team (SMT) and UNISON

Policy review

This policy will be reviewed as and when legislation changes

Related policies and strategies

- Recruitment and selection policy
- Volunteering for East Devon District Council
- Data Protection Policy