

City Early Years and Childcare

Pre-employment Checks

There are a number of checks that must be undertaken before confirming a person's appointment to work with children:

Identity checks

Verification of the person's identity is essential. The person's identity should be checked at interview against photo ID, for example a passport, birth certificate or driving licence. This applies to volunteers as well as paid staff. Identity checks must be made to ensure that the applicant is who they say they are. Unsuitable people may try to use a false identity to prevent their background from being uncovered. It is also important to make sure that the same person who applies attends interview and starts the role.

An enhanced DBS disclosure (Disclosure and Barring Service)

On 1 December 2012, the Criminal Records Bureau (CRB) became the Disclosure and Barring Service (DBS) and CRB checks became DBS checks. The DBS searches police records and in relevant cases, barred list information. It then issues a DBS certificate to the applicant and the employer to help them make an informed recruitment decision. An enhanced DBS disclosure must be completed on every new employee. This will confirm the declaration / disclosure about the criminal background made by the applicant. Without the completion of this check the new employee must not be given unsupervised access to children in the setting. This applies to volunteers as well as paid staff. The employer must keep records of DBS clearances for every staff member including the certificate number and date of issue. It is not a requirement to keep the original or hold copies of certificates as these belong to the individuals. The certificate number will suffice.

Qualification checks

Verification of qualifications is an important safeguard to help verify the suitability of an applicant. They can help to identify unqualified applicants or those who have provided false information. Where qualifications are required for the job it is important to ensure that individuals meet the requirements of the professional regulatory body. Original or certified copies of any qualification or training must be seen and copied. This should be done at interview and verified with the awarding body. Checks can also be made to ensure the applicant is registered with a professional body where appropriate.

Eligibility to work within UK

The Asylum and Immigration Act 1996 makes it a criminal offence for an employer to employ somebody who does not have permission to live or to work in the United Kingdom. It is therefore vital to check a new employee's entitlement to work and live in the UK. This should be done at interview by asking to see one of the following documents.

To avoid unfair discrimination you should ask ALL the candidates you invite to interview to bring one of the following along with them.

- A P45 or P60 from a former employer
- A document showing their national insurance number, such as a payslip.
- A passport confirming they are a British citizen.
- A passport or ID card confirming they are a citizen of the European Economic Area (which is EU countries plus Iceland, Norway and Liechtenstein).
- A birth certificate issued in the UK or Republic of Ireland.
- Evidence from the Home Office confirming their right to live in the UK and take up employment.

Health checks

Verification of the applicant's medical fitness, including physical and mental can be obtained through a declaration made by the applicant or by a medical assessment. This cannot be done prior to appointing the successful candidate. The Equality Act 2010 includes a provision which makes it unlawful, except in certain circumstances, for employers to ask about a candidate's health before offering them work.

References

A minimum of two references should be obtained. One must be the current or most recent employer. If the applicant is not currently working with children but has done so in the past it is highly recommended that an additional reference from the most recent employer where the candidate worked with children is obtained.

Relatives and friends should not be used as referees as they are unlikely to be objective and there is no way of verifying the accuracy of their information. It is important that the kind of information to be requested from referees is also made clear to the applicants themselves.

It is not a legal requirement for a previous employer to send a reference however obtaining objective and factual information to support appointment decisions is vital so should always be sought and sought again to ensure it is obtained.

When requesting a reference, a questionnaire or pro forma can help achieve objective, relevant, verifiable and comprehensive information. A pro forma will ensure that all referees are asked the same questions and it asks specific and relevant questions which makes it much easier for an employer to complete.



The pro forma should include and ask for comments on:

- Disciplinary offences relating to children, including any in which the penalty is 'time expired' (for example, where a warning could no longer be taken into account in any new disciplinary hearing).
- Whether the applicant has been the subject of any child protection concerns.
- The outcome of any enquiry into their conduct or any disciplinary procedure.
- The candidate's performance history in the job.
- The candidates conduct including performance management issues, disciplinary investigations and proven disciplinary offences, whether time expired or not.
- Any specific concerns that the referee might have or be aware of in regard to the person's suitability to work with children and young people.
- The applicant's skills and attributes in relation to the post they have applied/volunteered for.

As an employer it is important to advise the referee of the following:

- That the referee has a legal liability for references and the reference should contain no material misstatement or omission
- That the content of the reference may be discussed with the applicant at interview
- That the referee may be contacted later for clarification of any part of the reference.

References can be obtained at any point in the recruitment process however the most convenient time would be once short listing has been completed.

Previous employers can only be asked for a reference if the applicant has given their permission.

If a job offer is to be made subject to satisfactory references being received, it is important to ensure there is a policy on what to do if a reference is not received in time for their start date or at all. If this is the case, a suitable probationary period must be set up in order to proceed.

It is important that the employer does not rely solely on references to make a decision on the suitable applicant, as the reference may state false information. If a job offer is withdrawn for this reason, the employer may face legal action by the applicant.

Validation precautions

To make sure that all the information provided is valid, all checks should be:

- Confirmed in writing.
- Documented and kept on the personnel file.
- Followed up if they are unsatisfactory or if there are discrepancies in the information provided.



Recording and storing of information

It is advised that all information received is kept for future reference including:

- All staff who are employed to work at the organisation.
- All staff who are employed through an agency.
- Any other individuals with direct regular contact with the children, such as volunteers or activities coordinators.

Completion of a checklist will fulfil the requirement (statutory for regulated services) to maintain a record of the recruitment and vetting checks which have been undertaken. A checklist is also a convenient way to sign-off each stage of the process and can be filed as a permanent record at the end of the process.

It is good practice to keep and maintain a single central record showing that all the above pre-employment checks have been carried out. The record should show the date on which each pre-employment check was completed or the relevant certificate obtained and who carried out the check. It also needs to show whether or not the person is involved in regulated or controlled activity. This should include dates and whether results were positive or satisfactory, but cannot record specific details of any offences.

This information must be stored confidentially and appropriately in a locked cupboard or office and should only be accessible to managers / allocated staff members.

CRB disclosure information must not be discussed in front of parents or other staff members

Example Templates

[Example Pre-employment recruitment checklist \[WORD 36KB\]](#)

[Example reference request letter and pro-forma \[WORD 43KB\]](#)

Useful organisations

Acas Independent advice, guidance and training for employers and employees www.acas.org.uk National Helpline 08457 47 47 47

Childcare Workforce Development Team Guide to Recruiting and Managing Childcare Staff

All information contained within this guide is current on 01/09/2012. However, for all statutory and legal requirements, it is recommended further advice is sought from the appropriate organisation.



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