



Supplementary Recruitment and Selection Guidance for Managers

Updated March 2017

Pre-Employment Checks for Preferred Candidates

This guidance provides Recruiting Line Managers with information about pre-employment checks they are required to carry out at the interview stage and action they need to take to progress the preferred candidate. It also confirms the checks which the recruitment team in the HR will carry out.

Culture NL requires a number of mandatory pre-employment checks required for recruitment and selection to all vacancies. The nominated candidate will not start in the new post before all relevant checks are completed satisfactorily. This applies to existing employees who are moving jobs within CultureNL and to external candidates.

Managers must carry out certain checks at the interview stage. Following interview, you must send relevant documentation for the successful candidate with the Interview Assessment Form to the recruitment team in HR, e.g. proof of ID and a copy of qualifications.

Managers should ensure that copies of documents provided by unsuccessful candidates are destroyed after the nominated candidate has accepted a formal offer of employment and commenced employment.

Checks carried out by managers

The letter inviting shortlisted candidates to interview will tell them to bring along relevant documents to be checked. The letter template is on myjobscotland website and is sent automatically to shortlisted candidates.

Managers have a responsibility to carry out the following checks at the interview stage:

- Eligibility to work in the UK - for all shortlisted candidates;
- Qualifications – where relevant;
- Driving Licence – where relevant;
- Self declaration of criminal convictions - where relevant the appropriate form should be issued with the invite to interview letter.

Eligibility to Work in the UK

CultureNL has a legal obligation to check documentary evidence to confirm that all potential employees are eligible to work in the UK. Information for job applicants on this aspect our recruitment process is provided on myjobscotland website. This includes a list of the documents that are acceptable. You must only accept original documents.

Further information is available in the **Employer's Guide to Right to Work Checks** guidance on the Home Office website at:

[https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/571001/Employer s guide to right to work checks.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/571001/Employer_s_guide_to_right_to_work_checks.pdf)

Checking documents

For each document, you must take reasonable steps to check that it is genuine and satisfy yourself that the person presenting it is both the rightful holder and allowed to do the type of work you are offering. You should do this by:

- Checking any **photographs** are consistent with the appearance of the person;
- Checking any **dates of birth** listed are consistent across documents and that you are satisfied that these match up with the appearance of the person;
- Checking that the **expiry dates** of any limited leave to enter or remain in the UK have not passed;
- Checking any UK government **endorsements** (Biometric Residence permits, stamps, stickers, visas) to see if the person is able to do, or can continue to do, the type of work you are offering;
- Satisfying yourself that the documents are **genuine**, have not been tampered with and belong to the holder; and
- Asking for a further document in explanation if you are given two documents which have different **names**. The further document could, for example, be a marriage certificate or a divorce decree absolute, a deed poll or statutory declaration.

Please note that short/abbreviated UK birth certificates (which do not have details of either of the holder's parents) and national insurance numbers on their own are not acceptable documents for the purpose of a right to work check and will not provide a statutory excuse.

An extract of entry from a register of births can be accepted as full birth certificate provided this is a 'Full Certificate', not an abbreviated certificate of birth.

Action

Take a photocopy of the relevant pages of the document. In the case of a passport or other travel document, the following parts must be copied:

- The document's front cover and any page containing the holder's personal details; and
- Any page containing UK government endorsements showing their permission to be in the UK and their right to carry out the work you are offering.

You must copy all other documents in full, including both sides of a Biometric Residence Permit.

You should sign and date the copy of the document and attach it to the Interview Assessment Form.

Qualifications

Action

Take a photocopy of the certificate and attach it to the Interview Assessment Form. If the original certificate is unavailable, a certified copy of the document must be provided by the issuing establishment.

Driving Licence

Action

Take a photocopy and attach it to the Interview Assessment Form. Where a Certificate of Professional Competence and/or Driver Qualification Card are required, the candidates will also need to provide evidence of the number of hours of periodic training undertaken since issue of the CPC or DQC.

Self Declaration of Criminal Convictions

CultureNL complies with legislation and codes of practice that govern the use of criminal conviction history information provided on ex-offenders.

Candidates invited for interview will be asked to complete a Criminal Conviction Self Declaration Form to provide information about any relevant history.

Action

Include the completed Criminal Conviction Self Declaration form and attach to the Interview Assessment Form.

Managers have a responsibility to carry out the following checks after the interview:

Once the shortlisted candidates have been interviewed and a preferred candidate has been identified, the chair of the interview panel contacts him/her to make a conditional offer of the post.

Action

Recruiting Line Manager contacts the candidate to advise him/her that the offer of employment is conditional on the following conditions being met:

- Satisfactory proof of eligibility to work in the UK;
- Satisfactory outcome of the Criminal Convictions self declaration;
- References satisfactory to CultureNL being received;
- Satisfactory outcome of the medical assessment;

- Satisfactory proof received for qualifications candidate has quoted on his/her application form;
- Satisfactory proof received for candidate having a current driving licence valid for driving in the UK (if applicable);
- Satisfactory outcome of the PVG check (if applicable).

References

The Recruiting Line Manager will take up references following the interview. Two written references are required from the referees provided by the candidate on his/her application form. One of these must be from their current or most recent employer. Where the candidate has no suitable previous employer able to provide an employment reference, an academic reference from a professor/lecturer/teacher/ course tutor can be accepted instead. In exceptional circumstances where a candidate has no suitable work relating reference available a character reference can be accepted as a reference.

If the Recruiting Line Manager is not satisfied for any reason, the candidate can be asked to provide the name of a further referee. A template for obtaining references is available from the HR Team. Where there is any doubt about the contents of a reference, the Recruiting Line Manager should contact a member of HR team.

Recruitment pack

Once satisfactory references have been received, the Recruiting Line Manager will forward the recruitment pack consisting of the following documents to the HR team:

- Job Description
- Employee Specification
- Vacancy Advertising Form
- Recruitment Business Case Form
- Job Advert
- Interview assessment forms completed by each the panel member
- Candidate's application form
- Criminal Convictions form
- Qualifications
- Proof of Eligibility to work in the UK
- Two references

Checks carried out by the recruitment team

The following checks are carried out by the recruitment team following receipt of the complete Recruitment Pack:

- Processing and counter signing PVG and Disclosure forms to Disclosure Scotland (where relevant)
- Medical assessment

PVG and Disclosure Checks

HR will process the PVG or disclosure form to Disclosure Scotland. Disclosure Scotland's timescales can vary between 2 and 4 weeks from receipt of the form depending on the volumes of checks they carry out.

PVG and disclosure forms are countersigned by authorised individuals in CultureNL. Counter signatories receive any disclosure information from Disclosure Scotland. They will share findings with the Recruiting Line Manager and provide advice where appropriate.

A candidate's suitability should be judged in light of the results of all the relevant checks carried out. The fact that a candidate has a criminal record does not automatically make him or her unsuitable. Managers need to consider a number of factors in weighing up their decision, including the nature, age and frequency of the offence, as well as any additional circumstances. Advice should be sought from HR.

Medical Assessment

All nominated candidates will be asked to undertake a medical assessment. In most cases, this is carried out by a health questionnaire which is assessed by the CultureNL's external occupational health provider. The recruitment team will e-mail the link to the nominated candidate attached to their conditional letter of offer.

Questions about health, attendance and/or disability must not be asked before a conditional offer of employment has been made. The purpose of the health check is to consider the nominated candidate's fitness in relation to carrying out functions intrinsic to the work concerned and the client group. The check will identify any need for adjustment as required by the Equality Act 2010.



Recruitment and Selection Fact Sheet - Proving Employee's Right to Work in the UK

Before anyone is employed CultureNL, we have a legal obligation to carry out document checks on them to make sure they have the right to work in the UK. For candidates invited to attend an interview, the Chair of the interview panel or their representative will verify that the candidates have produced the required evidence of their eligibility to work in the UK and that all their documents are **valid and original**. Photocopies are not acceptable forms of evidence. A copy of the original documents will be taken for our records.

For the candidate appointed to the post, the verified copies will be filed for the duration of his/her employment with CultureNL and for possible future reference.

Acceptable Documents

The candidates should bring to their interview the acceptable **original** documents detailed below. This applies to both internal and external candidates.

For further information visit the Home Office UK Visas and Immigration website <https://www.gov.uk/government/organisations/uk-visas-and-immigration>

List A

Acceptable documents to establish a permanent right to work in the UK

List A	
1.	A passport showing 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.
2.	A passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
3.	A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
4.	A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.

5.	A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
6.	A current passport 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 their stay in the UK.
7.	A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
8.	A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
9.	A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
10.	A certificate of registration or naturalisation as a British citizen, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

List B

Acceptable documents to establish a temporary right to work in the UK. We are required to carry out a follow-up check on these documents and/or contact the Home Office's Employer Checking Service as appropriate.

List B	
Group 1 – Documents where the temporary right to work in the UK lasts until the expiry date of leave	
1.	A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.
2.	A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to do the work in question.
3.	A current Residence Card (including an Accession Residence Card or a Derivative Residence Card) issued by the Home Office to a non-European Economic Area national who is a family member of a national of a European Economic Area country or Switzerland or who has a derivative right of residence.
4.	A current Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement

	indicating that the named person may stay in the UK, and is allowed to do the type of work in question, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
Group 2 – Documents where the temporary right to work in the UK lasts for 6 months	
1.	A Certificate of Application issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a family member of a national of a European Economic Area country or Switzerland stating that the holder is permitted to take employment which is less than 6 months old together with a Positive Verification Notice ¹ from the Home Office Employer Checking Service.
2.	An Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, together with a Positive Verification Notice from the Home Office Employer Checking Service.
3.	A Positive Verification Notice issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question.

¹ A 'Positive Verification Notice' is official correspondence from the Home Office Employer Checking Service which confirms that a named person has permission to undertake the work in question.