**Offers & On-boarding**

**Pre-employment screening**

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|  | | |
|  |  | **Introduction** |

Pre-employment screening is part of the Council’s recruitment and selection process. All offers of employment with the Council must be made on a conditional basis, subject to pre-employment screening. For most appointments, Human Resources will carry out pre-employment screening, in conjunction with the recruiting manager. However, where Human Resources are not involved in the recruitment process (e.g. casual and relief workers) the recruiting manager will be responsible for the screening process. The purpose of screening is to confirm that a candidate is suitable for the job that they have been offered e.g. that the candidate has not committed offences that would preclude them from working with children or vulnerable adults.

## Principles

In accordance with the Council’s [Recruitment Policy and Procedure](https://enfield365.sharepoint.com/:w:/r/sites/intranethr/_layouts/15/Doc.aspx?sourcedoc=%7B8E5B58AB-474A-4B65-9126-DA8152F53D5F%7D&file=Recruitment%20Policy%20and%20Procedure%20Aug%202020.docx&action=default&mobileredirect=true) a successful candidate shall be sent a conditional offer of employment with the Council, subject to receipt of satisfactory clearances (such as references).

**Application**

This policy applies to all candidates who are offered employment with the Council, with the exception of school-based staff who, under local management arrangements are covered by procedures adopted by the Governing Body of each school.

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

Managers who undertake the recruitment (for paid or unpaid work) of such persons as casual or relief workers, students, consultants, volunteers are responsible for verifying the identity of the person concerned and establishing that they are suitable for the work being offered. The section of this policy entitled Suitability for Employment or Engagement refers. For further information about engaging casual workers please refer to the Council’s [Principles of Managing Casual Workers](https://enfield365.sharepoint.com/:w:/r/sites/intranethr/_layouts/15/Doc.aspx?sourcedoc=%7B4A13D130-8CD5-4E76-9314-4E652F372D37%7D&file=Principles%20of%20Managing%20Casual%20Workers.docx&action=default&mobileredirect=true)

Managers who engage workers via a third party (e.g. recruitment agency) must ensure that they see evidence of identity and that they have confirmation from the agency / service provider that the required checks (which will depend on the job) have been made. Most agency hire arrangements are covered by the Council’s agreement with Matrix. For details of how screening is carried out by Matrix prior to their supplying a temporary worker, please refer to the [Principles of Managing Agency Workers](https://enfield365.sharepoint.com/:w:/r/sites/intranethr/_layouts/15/Doc.aspx?sourcedoc=%7BA319FF67-0936-4434-A971-DA79CEC54C50%7D&file=Principles%20of%20managing%20agency%20workers.docx&action=default&mobileredirect=true)

Managers must also ensure that the responsibilities that contractors have for screening their workers is stipulated in the contract / service level agreement and that contractors are clear that they may not subcontract work without prior express consent (this should be covered in the contract / service level agreement).

**English Language Requirement for Public Sector Workers**: Managers must ensure they are satisfied via assessing the candidate’s application and interview. If a role is customer facing, the candidate must have a command of spoken English which is sufficient to enable the effective performance of their role. Further information on the English Language requirements for Public Sector Workers Code of Practice can be found by clicking [here](https://enfield365.sharepoint.com/:w:/r/sites/intranethr/_layouts/15/Doc.aspx?sourcedoc=%7B03371434-7E8C-4CE8-BD51-833CF9A81BB0%7D&file=English%20Language%20Requirement%20for%20Public%20Sector%20Workers.docx&action=default&mobileredirect=true).

**Offers & On-boarding**

**Suitability for employment or engagement**

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

### All offers of employment / engagement:

1. Proof of identity (**Appendix A refers**)
2. Evidence of the legal right to work in the United Kingdom (**Appendix B refers**)
3. References about past performance, conduct and attendance (the section entitled References on page 6 refers).
4. Information about all unspent convictions or cautions that they have or any court cases that are pending. If the position is one that requires a Disclosure & Barring Check, this will also require a declaration of any relevant spent convictions, cautions or pending court cases – please note that the Council is committed to protecting the welfare of children, young people and vulnerable adults – the Commitment to Safeguarding Statement refers. Where the employee has access to government official systems, a Disclosure Barring Service basic check is required to verify unspent convictions.
5. Full work history from leaving secondary school for safeguarding roles
6. Reasonable account of any significant periods (6 months or more in the past 3 years) of time spent abroad.
7. Evidence of professional qualification/s and registration, where applicable
8. Completed Occupational Health Pre-employment Questionnaire
9. Evidence of Driving Licence where applicable (**Appendix D refers**)

### Employees only:

1. Information about other work they may be doing (known as secondary employment)
2. Continuous Service Declaration
3. Confirmation of receipt of Code of Conduct
4. Criteria for sponsorship is met (Applies to sponsoring skilled workers from outside the UK- **Appendix B refers**)

### Other workers only:

1. Signed Confidentiality Agreement which should be completed by agency workers, students, contractors etc. (**Appendix C refers**)

### For further details about the checks listed above, please refer to the next section.

Where the person concerned is being offered employment, the information and evidence that must be obtained (as listed above) is requested in a conditional offer of employment.

Where Managers are responsible for the recruitment exercise (e.g. for casual workers), to ensure compliance with current employment legislation and Council policy any offer of work must be made using the model offer letter. Appendix 1 of the [Principles of Managing Casual Workers](https://enfield365.sharepoint.com/:w:/r/sites/intranethr/_layouts/15/Doc.aspx?sourcedoc=%7B4A13D130-8CD5-4E76-9314-4E652F372D37%7D&file=Principles%20of%20Managing%20Casual%20Workers.docx&action=default&mobileredirect=true) refers.

**Offers & On-boarding**

## Safeguarding Children, Young People & Vulnerable

### Proof of Identity

### All candidates must be able to prove their identity. Appendix A refers to the full list of acceptable documents.

### Evidence of the Right to Work in the UK

### Employers are required to establish that candidates have a legal right to work in the UK. Full details can be found in Appendix B.

### References

**External Candidates -** Where the candidate is employed for less than 5 years in their current/most recent job, the HR Business Support Officer is to obtain two employer references, one of which must be from the current/most recent employer. Otherwise, only one employer reference is required, from the current employer. For those working in safeguarding roles a minimum of two references are always required, this should be the current employer and one other, usually the previous employer. For all posts managers are required to phone referees to pursue any doubts where appropriate. For posts requiring a Baseline Personnel Security Standard check (BPSS), references to cover the past 3 years should be obtained and must be verified by the recruiting manager, please see the section on BPSS checks for further details.

Where the candidate cannot provide a suitable second employer referee, for example, due to short-term periods of employment, the HR Business Support Officer should consider obtaining an External Reference Non-employer. This type of reference would be obtained from an individual 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 a standard reference is submitted (of the type commonly provided by banks, temp agencies etc which only provides basic information, such as confirmation that the person worked for the organisation, the dates and his / her job title), the HR Business Support Officer may try to obtain a supporting reference from the person the candidate worked for (e.g. the manager who hired the agency temp), as a non-employer’s reference. Where the HR Business Support Officer encounters difficulty in obtaining a supporting reference, the recruiting manager should be advised and the options discussed, such as obtaining references from other employers / referees or finding the standard reference satisfactory enough.

In compliance with the Protection of Vulnerable Adults Scheme, additional checks may be required concerning those who are offered employment as care workers in Council homes. Where this applies, the recruiting manager should discuss reference requirements with the HR Business Support Officer.

When completing a reference, referees are asked to state how many days the applicant was absent due to sickness during the previous 12 months, not including absence linked to long-term illness or disability. If the applicant’s sickness absence exceeds 10 days, the Recruiting Manager may wish to investigate this further and should first discuss with the HR Business Support Team Manager or Business Partner Resourcing. If it is decided that it would be appropriate to request further information, the recruiting manager should contact the candidate to discuss.

Depending on the information given, the Recruiting Manager will use their discretion as to whether to proceed with the offer of employment, seek further advice from occupational health or withdraw the offer of employment. Any proposal to withdraw an offer must be discussed with the Business Support Team Manager or Business Partner-Resourcing.

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**Internal Candidates -** Where the candidate is a Council employee, only one reference

from the current line manager is required. The Recruiting Manager should seek a verbal reference from the exporting manager using the online employer reference questionnaire: <https://new.enfield.gov.uk/forms/employers-reference-questionnaire/>

if they wish, returning it to the HR Business Support Officer as soon as completed with the decision as to whether it is satisfactory so that it may be placed on the employee’s file.

Where the appointment is made within the same team and there is no change of line manager a reference is not required.

**Redeployees -** If an employee is offered a job and they are on the Council’s redeployment register for health-related reasons, e.g. employee is unable to do full duties of the current job because of a disability, the recruiting manager should refer the employee to Occupational Health, e.g. for advice about the duties and responsibilities of the job under offer and whether any adjustments need to be made.

Please refer to the [redeployment guide](https://enfield365.sharepoint.com/:w:/r/sites/intranethr/_layouts/15/Doc.aspx?sourcedoc=%7BD9AC2237-EEDE-4000-83AB-A97380A510B3%7D&file=Redeployment%20Guide%20sept%202018.docx&action=default&mobileredirect=true) f’or further information.

**Concerns about the content of a reference -** References should be checked against the application form for any discrepancies. For example, has the candidate overstated their current role, duties and responsibilities? If yes, is there a possibility that the candidate does not have the experience and skills that are required for the job they have been offered? Look for hidden clues or codes which provide a negative assessment of the individual. Where the HR Business Support Officer and/or the manager have concerns about the content of the reference/s advice should be sought from the Business Support Manager or Business Partner- Resourcing. However, the recruiting manager/ panel has the final decision on whether to withdraw. If the decision to withdraw a conditional offer is taken, the recruiting manager should call and advise the candidate, explaining that it is due to unsatisfactory references.

Reference details should not be shared due to references being confidential, please see the section below on **References & Data protection**. Written confirmation will then be sent to the candidate by the HR Business Support Team confirming that the conditional offer has been withdrawn.

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**Offers & On-boarding**

**Offers & Onboarding**

**Offers & On-boarding**

**Authenticating/Verifying References -** The HR Business Support Officer 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, bear the organisation’s logo or stamp and be returned to the HR Business Support Officer by email. This is specified in the Reference Cover Letter. Where a candidate will be working within either the Adoption Service or Fostering Service the manager must also make telephone enquiries of each referee to verify the written references, in accordance with the National Minimum Standards governing staff recruitment.

**References and Data Protection**

References should not be shared with the candidate as a confidential employment reference is exempt from disclosure under Schedule 2, Part 4, Section 24 of the Data Protection Act 2018. It states that a confidential reference given or received for the purposes of prospective or actual education, training or employment of an individual; placement of an individual as a volunteer, appointment of an individual to office; or provision by an individual of any service is exempt from disclosure.

**4. Information about Criminal Records**

**Statement of Commitment to Safeguarding Children & Vulnerable Adults through safer employment practice**

Enfield Council is committed to safeguarding and promoting the welfare of children and vulnerable adults. Safe recruitment of staff is central to this commitment. We will ensure that our recruitment policies and practices are robust, and that our selection procedures prevent unsuitable people from gaining access to children, young people and vulnerable adults. All adults who work with or on behalf of children and young people in these organisations must be competent, confident and safe to do so.

All posts working with Children & Vulnerable Adults should be aware of and share the commitment to safeguard and promote the welfare of children, young people and vulnerable adults when applying for jobs within Enfield Council.

This commitment is expressed through the following requirements:

**Recruitment**:

Failure to adhere to the following requirements means that an applicant will not be employed to work with children, young people or vulnerable adults in Enfield.

* Applicants for all relevant posts which involve work with children and young people or vulnerable adults will be required to undertake a DBS (Disclosure and Barring Service) check if an offer of employment is made and will not be able to take up post until a satisfactory check has been received.
* Applicants are required, when completing an application for a post within these services, to supply full education and employment history since leaving secondary school, with explanations for any gaps.
* An applicant’s personal commitment to safeguarding children, young people, or vulnerable adults will be explored through the interview process.
* Successful applicants must show proof of identity, qualifications, and, if relevant to the post, registration with the Health and Care Professions Council (HCPC), along with various other pre-employment clearances before a firm offer of employment is made.
* Prior to taking up post, applicants will be expected to sign the Council’s Code of Conduct, which commits them to upholding the highest standards in public life, both in the way they undertake their professional duties, and in their personal conduct.

**Employment:**

**Offers & On-boarding**

Failure to adhere to the following requirements may result in summary dismissal.

* To participate in induction processes, professional supervision and annual appraisal, where the employee’s ability to safeguard children, young people or vulnerable adults through professional involvement and personal conduct will be guided and assessed.
* To undertake mandatory training, including child protection or adult protection training, as appropriate to their duties.
* To familiarise themselves with all relevant policies and procedures, produced by the relevant services or by the Enfield Children’s or Adults’ Safeguarding Boards, including procedures for managing allegations against staff.

Further information:

<https://mylife.enfield.gov.uk/enfield-home-page/content/safeguarding/about-safeguarding-adults/>

<https://new.enfield.gov.uk/safeguardingenfield/safeguarding-adults-board/>

<https://www.enfield.gov.uk/safeguardingenfield/>

<https://mylife.enfield.gov.uk/enfield-home-page/content/safeguarding/what-is-safeguarding/>

### Disclosure and Barring

The Council has a duty to ensure that all employees and volunteers recruited to work with vulnerable groups including children in a Regulated Activity are not “barred”. The Council will check the status of successful candidates against the relevant barred list(s) held by the Disclosure and Barring Service (DBS) by conducting an Enhanced

DBS check with children’s and/or adults’ barred list check. Where checks reveal that a candidate is ‘barred’ the individual will not be offered employment with the Council.

It is a criminal offence for a barred individual to seek or undertake work in regulated activity.

This links below provide the recruiting manager with DBS level of check guidance.

The DBS Guide to Eligibility: [https://www.gov.uk/government/publications/dbs-check-](https://www.gov.uk/government/publications/dbs-check-eligible-positions-guidance) [eligible-positions-guidance](https://www.gov.uk/government/publications/dbs-check-eligible-positions-guidance)

Regulated Activity with Children guidance: [https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/550197/](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550197/Regulated_activity_in_relation_to_children.pdf) [Regulated\_activity\_in\_relation\_to\_children.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550197/Regulated_activity_in_relation_to_children.pdf)

Regulated Activity with Adults guidance: [https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/216900/](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/216900/Regulated-Activity-Adults-Dec-2012.pdf) [Regulated-Activity-Adults-Dec-2012.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/216900/Regulated-Activity-Adults-Dec-2012.pdf)

Workforce guidance: [https://www.gov.uk/government/publications/dbs-workforce-](https://www.gov.uk/government/publications/dbs-workforce-guidance) [guidance](https://www.gov.uk/government/publications/dbs-workforce-guidance)

### Disqualification under the Childcare Act 2006 and Childcare Disqualification Regulations 2009

If the role you are recruiting for is listed in the table below, the successful candidate will need to complete the Childcare Disqualification declaration form as part of the clearances for the role, for further information please see below.

Staff are covered by this legislation if they are employed and/or provide early years childcare (this covers the age range from birth until 1 September following a child’s fifth birthday i.e. up to and including reception age) or later years childcare (this covers children above reception age but who have not attained the age of 8).

The table below indicates which staff would be covered.

|  |  |  |
| --- | --- | --- |
| During School Hours | Outside School Hours\* | Inside School Hours |
| Reception age or younger | Covered | Covered |
| Older than Reception age until | Not Covered | Covered |
| age 8 |  |  |
| 8 years or older | Not Covered | Not Covered |

\**Outside school hours does not include school clubs, eg. choir or sports’ teams, or detentions, but does include breakfast clubs or after-school provision.*

**Offers & On-boarding**

**Managers**

Staff who are directly concerned in the management of early or later years provision are covered by the legislation.

### Who is not covered?

Staff such as caretakers, cleaners, drivers, transport escorts, catering and office staff, who are not employed to directly provide childcare, are not covered by the legislation. Similarly most staff who are only occasionally deployed and are not regularly required to work in relevant childcare will not automatically come within the scope of the legislation.

In order to comply with these regulations, the Council needs to carry out additional background checks on employees who fall within the above categories including the potential for disqualification by association.

When commencing any new recruitment process managers are required to indicate on the Authority to Recruit form (ATR) whether the new postholder will be covered by these regulations and therefore requires additional checks to be carried out.

The majority of corporate posts that are likely to fall within the scope of these regulations are currently based in the Early Years’ Service and the Joint Service for Disabled Children, although posts within other areas have also been identified.

To assist managers in identifying relevant posts, Children’s Services DMT have identified a list of posts that are covered or likely to be covered by the regulations. **The list is not exhaustive and you will need to determine whether any particular post falls within the regulations.**

**Early Years’ Service**

|  |  |
| --- | --- |
| Play Development | All Play workers, Senior Playworkers, Deputy Play Worker, Casual Playworkers, Play Access and  Communities Officer |
| Edmonton Children’s Centre | Early Years Practitioners, Day Care Business  Manager, Children’s Centre Deputy Manager, Children’s Centre Housekeeper |
| Quality and Outcomes Service | PVI & Children’s Centre Advisor, Early Years Teacher/Advisor, Early Years’ Consultant |
| Child-minding Development | Child Minding Support & Network Co-ordinator. |
|  | Head of Early Years |

**Joint Service for Disabled Children**

|  |  |
| --- | --- |
| Cheviots | Centre Workers, Senior Centre Workers, Deputy Centre Manager, Centre Manager, Centre Worker Manager, Relief Workers, Playscheme workers, Domestic Carers, Overnight Short Breaks Manager, Children’s Centre  Specialist Outreach Worker, Home Sitters, (Casual staff in any of these posts) |
| Learning Difficulties | Learning Support Assistants, Specialist Support Assitants |
| Pre- School Support Service | Nursery Nurse, Classroom Teachers, Key Worker, children’s Centre Link Support. Assistant Headteacher. |
|  | Head of Joint Service for Disabled Childrern |

**Education**

|  |  |
| --- | --- |
| Behaviour Support | Headteacher, Classroom Teacher, Behaviour Support Worker, Senior Behaviour Support Workers, Learning Mentors, Teaching Assistants. Learning Support Assistants, Alternative Provision  Co-ordinator |
| School Improvement Service | Learning Consultants and Managers, ICT  Technical Support, ICT Manager, Head of SIS, Deputy Head of SIS. |
| Physical Education Team | Classroom Teachers, Swimming Instructors. |
| Enfield Music Service | Head of Enfield Music Service, Classroom Teachers – Support Assistants. |

**For employees that will access official government information, the Government’s Baseline Security Standards (BPSS) must be followed.**

A BPSS check will be required if staff access official government data. Detailed information of the [Government Baseline Personnel Security Standard can be found here.](https://www.gov.uk/government/publications/government-baseline-personnel-security-standard) It will be the manager’s responsibility to understand if these checks apply to their service, please see the [Authority to Recruit Form](https://enfield365.sharepoint.com/:w:/r/sites/intranethr/_layouts/15/Doc.aspx?sourcedoc=%7BE2F90339-9B7B-4176-B63E-A566B555411F%7D&file=ATR%20OCT%202019.docx&action=default&mobileredirect=true) for more details of what systems this check applies to. The check involves the following:

* 1. Reference verification covering 3 years
  2. An identity check (The full list of acceptable documents can be found in Appendix A)
  3. Verification of Criminal Record. Candidates will need to complete a Basic Disclosure Check that will validate unspent convictions.

**Offers & On-boarding**

* 1. To give a reasonable account of any significant periods (6 months or more in the past 3 years) of time spent abroad.

For posts requiring a BPSS check, references to cover the past 3 years are to be obtained by the HR Business Support Team. These must then be verified by the recruiting manager and the recruiting manager must complete the [Verification Form](https://enfield365.sharepoint.com/:w:/r/sites/intranethr/_layouts/15/Doc.aspx?sourcedoc=%7BA70D940F-A8CD-4E76-A14E-22B5BA80B682%7D&file=Recruiting%20Manager%20verifying%20references%20to%20comply%20with%20the%20BPSS%20Nov%2018.docx&action=default&mobileredirect=true). As part of this, to ensure verification of employment history, the recruiting manager must:

* 1. Where the reference has been provided by post- telephone the author of the reference to confirm they provided the reference. The telephone number should be ascertained independently. A telephone number supplied by the individual being checked should not be relied upon.
  2. Check the existence of the employer (e.g that it appears in a relevant business directory).
  3. Where the reference is emailed- email addresses should be ascertained independently. An e-mail address supplied by the individual being checked should not be relied upon. The telephone can be used to check details already provided (eg in writing or by email), but it is not recommended as an initial or sole means of verifying employment history unless it is clear that the person on the other end is who they claim to be. Where telephone continues to be used for this purpose, the details should still be recorded.

For those employed by the Council for less than 3 years, that are moving into a post requiring a BPSS check, references obtained prior to joining the Council, to cover the 3-year period, should also be verified to fully comply with BPSS requirements. If the recruiting manager decides not to verify previous references they should risk assess the situation and provide evidence of this risk assessment to the HR Business Support team to retain on the employees file.

1. **Further Information about Criminal Records**

Candidates who have been offered work that will ***not*** entail a Disclosure and Barring Service check are required to complete a form entitled Declaration of Unspent Criminal Offences. They must declare details of any criminal convictions, cautions, reprimands, final warnings and any court cases that are pending. Note that candidates with a criminal record who are asked whether they have any previous convictions can lawfully answer 'no' if, under the Rehabilitation of Offenders Act 1974, the convictions are regarded as ‘spent’.

**Offers & On-boarding**

The Disclosure & Barring Service website holds a list of all the professions, offices, employments, work and occupations that are known as exceptions to the Rehabilitation of Offenders Act 1974. . The list is updated occasionally. To access a copy of the current list of positions for which a DBS check is appropriate, please refer to the DBS website, [www.gov.uk/dbs](https://www.gov.uk/government/organisations/disclosure-and-barring-service) under Eligible Positions Guidance.

### [Criminal](http://www.crb.gov.uk/PDF/CRB_DIP003-Disclosure-Access-Category-Codes_Eng.pdf) Records Information – Candidates whose position is an exception under the Rehabilitation of Offenders Act 1974

The following clearances are required for candidates whose position is an exception under the Rehabilitation of Offenders Act 1974. This includes employees and volunteers recruited to work with vulnerable groups including children in a Regulated Activity

* 1. Declaration of all unspent & all relevant spent Criminal Offences (candidates **must** declare on this form **all** offences, cautions, reprimands, warnings and cases pending)
  2. Relevant level of Disclosure & Barring Service (DBS) check and where applicable the Council will check the status of successful candidates against the relevant barred list(s) held by the DBS by conducting an Enhanced
  3. DBS check with children’s and/or adults’ barred list check – To obtain this, the candidate completes an on-line application form.
  4. Candidates are required to present relevant identification documents to the HR Business Support Officer (or the Recruitng Manager for a casual/

volunteer etc) [Click here to view the list of acceptable identification documents](https://www.gov.uk/government/publications/dbs-identity-checking-guidelines/id-checking-guidelines-for-dbs-check-applications-from-3-september-2018#group-1-primary-identity-documents)

* 1. Human Resources check the form (or the Manager does where HR are not leading the recruitment e.g Casual Workers, Volunteers etc), authorise it and submit electronically to DBS.
  2. Note that the Council does **not** recognise or accept DBS Disclosures obtained by other organisations at this current time.
  3. The Business Support Team in Human Resources manage the process of obtaining, and retaining Disclosure information, in accordance with the DBS’s Code of Practice and the Police Act 1997. If any information about offences is recorded on a Disclosure, the Team provide advice on what steps a manager should take. For further information, please refer to your HR Business Support Officer.
  4. Evidence of registration with the Commission for Social Care Inspection – This applies to managers of certain services and establishments, such as Home Care Managers and managers of care homes that provide personal and / or nursing care

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 can be found here.](https://www.gov.uk/guidance/rehabilitation-periods) 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 them because of a ‘spent’ conviction, unless the position applied for is an exception listed in the Act.

**Offers & On-boarding**

1. **Full Work History**

For all safeguarding roles in the Council, candidates must provide full work history

since leaving secondary school together with a written explanation of any gaps of employment or non-employment. This must also include dates of employment (actual or approximated month and year) and reasons for leaving. [Further details can be found here.](https://www.cqc.org.uk/sites/default/files/fid2932547-employment-requirements-regulation-19.pdf)

1. **Reasonable Account of Time Spent Abroad**

Candidates must be able to provide a reasonable account of any significant periods (6 months or more in the past 3 years) of time spent abroad. For safeguarding positions and for some positions where the Council are sponsoring them to work, this may mean that the candidate needs to provide an [Overseas Criminal Records Check](https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants) from the county/countries that they spent that time in.

### 7. 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 (transcript of training can be accepted if qualification certificate is outstanding) and registration. With regard to:

**Occupational Therapist Registration** - The candidate must provide their registration number with the Health & Care Professions Council (HCPC). The Business Support Officer will complete the online check of this professional registration at<https://www.hcpc-uk.org/>

**Social Worker Registration-** The candidate must provide their registration number with Social Care England. The Business Support Officer will complete the online check of this professional registration at <https://www.socialworkengland.org.uk/>

**Offers & On-boarding**

**8. Occupational Health Pre-employment Questionnaire**

All successful candidates will need to complete the pre-employment screening process that is managed by our occupational health provider Medigold Health, please refer to HR Business Support Team for details.

The Occupational Health Service advises the Council whether the candidate is medically fit for the job concerned and whether any reasonable adjustments need to be made.

The information supplied by the candidate is confidential. Occupational Health Service (OHS) will contact the candidate directly if any further information is needed and arrange an appointment with the OHS nurse or doctor, where necessary.

1. **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. (Further details can be found in **Appendix D**)

1. **Secondary Employment**

All candidates are required to declare whether they are doing any work – known as secondary employment. This is to ensure that the candidate’s working hours (when added to the working hours of the post under offer) do not exceed an average of 48 hours (in the interests of their wellbeing and in accordance with [Working Time Regulations](https://enfield365.sharepoint.com/:w:/r/sites/intranethr/_layouts/15/Doc.aspx?sourcedoc=%7BAFBF4019-7F6A-4A5F-8E77-84CCC7248DC5%7D&file=Working%20Time%20FAQs.docx&action=default&mobileredirect=true)

1. **Continuous Service Declaration**

All candidates are asked whether they have any previous service, such as service with other local authorities, as this could affect their entitlement to annual leave (e.g. entitled to additional days), occupational sick pay and occupational maternity pay.

The HR Business Support Officer obtains confirmation of this in writing from the organisations concerned, either by completion of a Transfer of Employment Form or from a reference (where the dates of employment stated on the reference agree with the employee’s declaration).

1. **Employee Code of Conduct**

All new employees will be sent a copy of the [Employee Code of Conduct](https://enfield365.sharepoint.com/sites/intranethr/Shared%20Documents/Forms/AllItems.aspx?id=%2Fsites%2Fintranethr%2FShared%20Documents%2FHR%20Advisory%2FMisconduct%2FEmployee%20Code%20of%20Conduct%28APRIL%20219%29%2Epdf&parent=%2Fsites%2Fintranethr%2FShared%20Documents%2FHR%20Advisory%2FMisconduct&RootFolder=%2Fsites%2Fintranethr%2FShared%20Documents%2FHR%20Advisory%2FMisconduct&FolderCTID=0x0120001734A25B0934EE4AAC0381E0362D3A1E)

Managers who engage agency workers or any other types of workers should advise them of the standards of behaviour that are expected (e.g. timekeeping, dealing with customers, use of the internet and equality at work).

1. **Certificate of Sponsorship**

All candidates from outside the UK will need to be sponsored to work for the Council using the points-based immigration system. Full details can be found in **Appendix B**.

1. **Confidentiality Agreement**

This Confidentiality Agreement is for completion by agency workers, students, consultants and external secondees etc who will have access to sensitive data. **Appendix C** refers.

**Withdrawing a conditional offer of employment**

All initial offers are conditional on satisfactory clearances being obtained. Any proposal to withdraw an offer due to unsatisfactory clearances must firstly be discussed with the Business Support Team Manager or Business Partner-Resourcing, however the recruiting manager/ panel has the final decision. If the decision to withdraw a conditional offer is taken, the recruiting manager should call and advise the candidate, explaining the reason why (please first refer to the section on references if that is the reason for the withdrawal as only limited reference information should be shared). Written confirmation will then be sent to the candidate by the HR Business Support Team confirming that the conditional offer has been withdrawn.

**Offers & On-boarding**

[**Offers**](http://enfieldeye/downloads/file/5691/working_time_regulations_policy-faq) **& On-boarding**

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**Offers & On-boarding**

**Appendix A - Identity Documents for verification**

Candidates must show 3 ORIGINAL documents and at least one of the documents must show their current address. At least one document from Group 1 and two further documents from either Group 1, Group 2a or 2b must be provided:

|  |
| --- |
| **Group 1- Primary Trusted Identity Credentials** |
| Any current and valid passport |
| Biometric residence permit (UK) |
| Current valid photocard driving licence -full or provisional (UK/Isle of Man/Channel Islands) |
| Birth certificate issued within 12 months of birth (UK/Isle of Man/Channel Islands- including those issued by UK authorities overseas |
| Adoption certificate (UK and Channel Islands) |
| **Group 2a- Trusted government documents** |
| Current valid driving licence photocard – full or provisional (all other countries) |
| Current valid driving licence – full or provisional- paper version (if issued before 1998)- (UK/Isle of Man/Channel Islands) |
| Birth certificate – issued after time of birth (UK/Isle of Man/Channel Islands) |
| Marriage/Civil Partnership certificate (UK and Channel Islands) |
| Immigration document, visa or work permit- issued by a country outside the UK. Valid only for roles whereby the applicant is living and working outside of the UK. Visa/permit must relate to the country outside the UK where the role is based. |
| HM Forces identity card (UK) |
| Current firearms certificate (UK/Isle of Man/Channel Islands) |
| **Group 2b- Financial and social history documents** |
| Mortgage statement – UK (issued in the last 12 months) |
| Bank/building society statement -UK and Channel Islands- (issued in the last 3 months) |
| Bank/building society statement -countries outside the UK- (issued in the last 3 months= branch must be in the country where the applicant lives and works) |
| Bank/building society account opening confirmation letter – UK (issued in the last 3 momths) |
| Utility bill (not mobile telephone bill) – UK (issued in the last 3 months) |
| Council tax statement – UK and Channel Islands (issued in the last 12 months) |
| Credit card statement – UK (issued in the last 3 months) |
| Financial statement eg pension or endowment- UK (issued in the last 12 months) |
| Benefit statement eg Child Benefit or Pension- UK and Channel Islands (issued in the last 3 months) |
| P45 or P60 statement – UK and Channel Islands (issued in the last 12 months) |

|  |
| --- |
| **Group 2b- continued** |
| Valid letter of sponsorship from future employment provider- Non-UK only- valid only for applicants residing outside of the UK at the time of application |
| Central or local government, government agency, or local council document giving entitlement, for example from the Department for Work and Pensions, the Employment Service, HMRC UK and Channel Islands (issued in the last 3 months) |
| Valid Irish Passport card – cannot be used with an Irish passport |
| Valid cards carrying the PASS accreditation logo - UK/Isle of Man/Channel Islands |
| Letter from head teacher or college principal- UK For 16-19 year olds in full time education- only used in exceptional circumstances if other documents cannot be provided |
|  |

**Offers & On-boarding**

**Offers & On-boarding**

# Appendix B - Right to work in the United Kingdom

Employers are required to establish that candidates have a legal right to work in the UK. The law on preventing illegal working is set out in sections 15 to 25 of the [Immigration, Asylum and Nationality Act 2006](https://www.legislation.gov.uk/ukpga/2006/13/contents) (the 2006 Act), section 24B of the Immigration Act 1971, and Schedule 6 of the Immigration Act 2016.

The 2006 Act replaced section 8 of the Asylum and Immigration Act 1996 (the 1996 Act) in respect of employment commencing on or after 29 February 2008. The civil penalty provisions in the 2006 Act do not apply to continuous employment with the same employer that commenced before 29 February 2008, for which a statutory excuse is, therefore, not required. Under section 15 of the 2006 Act, an employer may be liable for a civil penalty if they employ someone who does not have the right to undertake the work in question if that person commenced employment on or after 29 February 2008.

The information that follows explains the actions that must be taken and the documents that must be produced. This should be read in conjunction with [The Home Office: An Employer's Guide To Right To Work Checks](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/946589/An_employer_s_guide_to_right_to_work_checks.pdf)

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 Council is offering.

### Penalties for employing illegal workers

You can be sent to jail for 5 years and pay an unlimited fine if you are found guilty of employing someone who you knew or had “reasonable cause to believe” did not have the right to work in the UK.

This includes, for example, if you had any reason to believe that:

* They did not have leave (permission) to enter or remain in the UK
* Their leave had expired
* They were not allowed to do certain types of work
* Their papers were incorrect or false

A civil penalty can be imposed of up to £20,000 per illegal worker for employing someone who does not have the right to work and incorrect or improper checks were carried out.

### 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 Council employees they are on the Council’s payroll and the UK Visas and Immigration and Border Force would hold the Council responsible for any failure to carry out right to work checks.

**Performing the check**

Checking and copying (in a format that cannot be later altered, such as a scan or a photocopy) certain original documents provides:

* Verification of the identity of the candidate, and
* Protects the Council 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 check will need to be conducted to meet the following requirements:

1. The documents that can be accepted are [prescribed by the Home Office](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/774286/Right_to_Work_Checklist.pdf). Verification can also be performed [on-line](https://www.gov.uk/prove-right-to-work) in limited circumstances.

**Offers & On-boarding**

1. The validity of the document must be checked with the candidate present.
2. Colour copies of the documents must be made and the date of the check recorded.

### Please note: There are additional checks to be made if a candidate states or produces documents to state that they are seeking asylum (applying for refugee status). Further details on Asylum Status can be found further on in this document.

**Please note if a person has a restriction on the type of work they can do and, or, the amount of hours they can work, then you should make sure that you do not employ them in breach of these work conditions e.g a candidate with a student visa**. **Further details on Students can be found further on in this document**

When checking documents, reasonable steps must be taken to confirm that the candidate is the rightful holder of any documents that they present. Also check whether there are limitations on the work that the employee is allowed to do, which may preclude them from doing the type of work that is being offered.

**Right to work documents**

Right to work in the UK can be validated through sight of original documents or online. The online tool is currently only available to those who hold a biometric residence card or have secured status through the EU Settlement Scheme (EUSS). From 1 January 2021, this will also include Europeans who have secured status under the new points-based system.

Where relying on original documents, these must be from the [list of acceptable documents prescribed by the Home Office](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/774286/Right_to_Work_Checklist.pdf)

Where conducting an online right-to-work check, the candidate will provide a share code inviting the employer to view their status online. An employer should download the information presented, noting by whom and when the check was completed. The employer will also need to confirm that the employee presenting themselves for work is indeed the individual presented through the portal.

**Checking the documents are valid**

A document validity check means ensuring that:

• the documents are genuine, original and unchanged, and belong to the person who

has given them to you

• the dates for the applicant’s right to work in the UK haven’t expired

• photos are the same across all documents and look like the applicant’s dates of birth are the same across all documents

• the applicant has permission to do the type of work you’re offering (including any limit

on the number of hours they can work)

• for students, that you see evidence of their study and vacation times, and

• if two documents give different names, the applicant has supporting documents

showing why they’re different, for example, a marriage certificate or divorce decree.

Historically, documents from Europeans have been particularly difficult to verify as they may not be accompanied by a UK visa or other immigration document. You can verify documents of the European Union, of its member states, and of the other countries participating at the EU’s [Public Register of Authentic Travel and Identity Documents Online](https://www.consilium.europa.eu/prado/en/prado-start-page.html) website. From 1 July 2021, unless exceptional circumstances apply, employers will be able to complete online right-to-work checks for all EEA nationals. In most cases, status will either be held under the EUSS or the points-based system.

**Offers & On-boarding**

If in any doubt about any right to work documents, please consult Human Resources, Business Support Team or contact the Home Office Employer Enquiry Helpline on **0300 790 6268**

### Checking Documents

**All** those who have been offered employment with the Council **must** produce appropriate **original** documents as evidence of their right to work in the UK before they commence work.. The exceptions are for:

* Council employees whose employment commenced prior to 27 January 1997, which is before the provisions of the Asylum and Immigration Act 1996 took effect
* Council 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 Council. (Note that where an employee’s employment is subject to a work permit1 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 work permit was granted, consent from the Home Office will be required to change or extend employment.)

**Offers & On-boarding**

**Offers & On-boarding**

**Right to work for Europeans**

Please check the [List of Acceptable Documents for Manual Right To Work Checks From 1 July 2021](https://new.enfield.gov.uk/services/jobs-and-careers/lists-of-acceptable-documents-for-right-to-work-checks-1st-july-2021-careers.pdf).

**Employer Checking Service (ECS)**

**Offers & On-boarding**

The Employer Checking Service (ECS) should be used to verify that an individual has a continuing right to work, if:

(a) the individual has an outstanding appeal, or

(b) the individual has an application pending with the Home Office (including a renewal).

(c) they have a Certificate of Application that’s less than 6 months old

(d) They’re a Commonwealth citizen who started living in the IK before 1988

After contacting the Home Office, you will receive a Positive Verification Notice or a Negative Verification Notice. This normally takes five to ten days.

A Positive Verification Notice will confirm that an individual has a right to work in the UK and provides an employer with a six month statutory defence against liability for a civil penalty should it be established they no longer have the right to work during this period. A Negative Verification Notice confirms that an individual does not have a right to work in the UK and does not provide a statutory defence against liability for a civil penalty.

In all these cases prospective employers must receive positive confirmation of a person’s right to work from the Home Office Employer Checking Service before they are employed. Copies of the documents relating to the check and the confirmation of right to work letter received from the Home Office must be kept in order to have an excuse for up to 12 months from the date of the confirmation letter.

To keep the excuse repeat confirmation checks must be carried out using the Home Office checking service, the date this happens depends on the document presented and on receiving positive confirmation of the person’s continued right to work. This will be for up to the point of expiry.

There is an extension of the statutory excuse for a maximum of 28 days

beyond the expiry date of permission to work where the employer is reasonably satisfied that an employee has submitted an application to the Home Office or has an appeal pending against a decision on an application. During this period, an employer must contact the Employer Checking Service to verify that the employee continues to have the right to do the work in question whilst their application or appeal is being determined. If a Positive Verification Notice is received confirming that the employee has permission to do the work in question, the excuse will last for a further 6 months from the date specified in the notice. If a Negative Verification Notice is received confirming that the employee does not have permission to do the work in question, the statutory excuse will end and the employer should not employ or no longer employ the person.

**Offers & On-boarding**

To request confirmation of a person’s right to work, prospective employers should complete the online form which can be found on the UKBA website at <https://www.gov.uk/employee-immigration-employment-status>

**The candidate or employee’s permission must be sought before making this check.**

**Recording right to work**

Employers will need to hold copies of their right-to-work checks to evidence that they were properly completed. When copying the documents:

• Make a copy that cannot be changed, such as a photocopy or a screen shot (if verified online).

• Copies should be in colour.

• For passports, copy any page with the expiry date and applicant’s details (for example, nationality, date of birth and photograph) including endorsements, such as a work visa

• For biometric residence permits and residence cards (biometric format), copy both sides.

• For all other documents, a complete copy must be made.

• Keep copies during the applicant’s employment and thereafter in line with the Council’s retention policies.

• Record the date the check was made

**Right-to-work adjustments during COVID-19**

The Home Office has temporarily adjusted the right-to-work process due to restrictions placed on employers in light of COVID-19. Right-to-work checks remain a mandatory process to complete prior to any employee commencing employment in the UK. Instead of an in-person check, employers are permitted to view original documentation online in the presence of its owner.

To complete a compliant check within these temporary guidelines, employers must:

(a) request a scanned copy or photograph of the original right-to work documents

(b) arrange a video call with the individual to validate the original document against digital copies provided

(c) record the date of check, detailing the following wording on the copy ‘adjusted check undertaken on [insert date] due to COVID-19’.

It is important to note employers will be required to conduct a retrospective check (within eight weeks after COVID-19 measures end) for those individuals who:

* commenced employment during the COVID-19 pandemic, or
* required a follow-up right-to-work check during the pandemic.

Any follow-up right-to-work check must be marked ‘the individual’s contract commenced on [insert date]. The prescribed right-to-work check was undertaken on [insert date] due to COVID-19.’

**National Insurance number**

In accordance with the Immigration, Asylum and Nationality Act 2006 and Council

Policy it is a Council audit requirement that **all** candidates who are offered

employment produce:

* A document issuedby a previous employer or Government Agency with the person’s name and National Insurance Number. This could be a P45, P46, National Insurance Card, or a letter from a Government Agency such as the Inland Revenue, the Department for Work and Pensions' Jobcentre Plus, HMRC or the Northern Ireland Social Security Agency. The document must show a permanent National Insurance number, rather than a temporary one. A temporary number is a National Insurance number beginning with TN, or ending with a letter between E and Z. Please note that a card or certificate issued by the Inland Revenue under the Construction Industry Scheme is not acceptable. A person can apply for a National Insurance Number [on-line here](https://www.gov.uk/government/organisations/hm-revenue-customs/contact/national-insurance-numbers) or [on-line here](https://www.gov.uk/apply-national-insurance-number) dependent on their circumstances. They can also apply at their local Jobcentre Plus office.

**Offers & On-boarding**

Payslips are not accepted for proof of National Insurance number.

**Offers & On-boarding**

**Recruiting people from outside the UK**

Freedom of movement between the UK and EU has ended and the UK has introduced an immigration system that treats all applicants equally, regardless of where they come from.

Anyone being employed from outside the UK, excluding Irish citizens, need to meet certain requirements and apply for permission to work first. They need to be sponsored by the employer under a points based system.

The new system does not apply to EEA or Swiss citizens you already employ in the UK. EEA and Swiss citizens who were living in the UK by 31 December 2020, and their family members, can apply to the [EU Settlement Scheme](https://www.gov.uk/settled-status-eu-citizens-families). They have until 30 June 2021 to apply.

**Skilled Workers (replaces Tier 2 general visa)**

Anyone you recruit from outside the UK for the Skilled Worker route needs to demonstrate that:

* they have a job offer from a Home Office licensed sponsor
* they speak English at the required level
* the job offer is at the required skill level of RQF3 or above (equivalent to A level)
* they’ll be paid at least £25,600 or the ‘going rate’ for the job offer, whichever is higher.

If the job will pay less than this - but no less than £20,480 – the applicant may still be able to apply by ‘trading’ points on specific characteristics against their salary. For example, if they have a job offer in a [shortage occupation](https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-k-shortage-occupation-list) or have a PhD relevant to the job.

There are different salary rules for workers in some health or education jobs, and for “new entrants” at the start of their careers.

Further information on which occupations are at the required skill level and the salaries for these occupations can be found in Annex E of the [UK points-based immigration system: further details statement](https://www.gov.uk/government/publications/uk-points-based-immigration-system-further-details-statement).

There is no general route for employers to recruit from outside the UK for jobs offering a salary below £20,480 or jobs at a skill level below RQF3.

**Health and Care Visa**

The Health and Care Visa is part of the Skilled Worker route. It enables individuals to come to the UK to work if they are working in eligible health occupations, with a job offer from the NHS, social care sector or organisations that provide services to the NHS.

**Frontier workers**

A [frontier worker](https://www.gov.uk/guidance/frontier-workers-in-the-uk-rights-and-status) is someone from the EU who is employed, or self-employed in the UK, but lives elsewhere. Anyone frontier working in the UK by 31 December 2020 will be able to keep their status, but they will need to [apply for a permit](https://www.gov.uk/frontier-worker-permit/apply). Irish citizens who are frontier working into the UK do not need to apply for a permit, but they can if they want to.

Enfield Council are an A rated licenced sponsor. Full details of the requirements and responsibilities of [Sponsoring a Skilled Worker can be found here](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/946065/2020-12-17_Sponsor-a-Skilled-Worker_12-20_v1.0.pdf) It is important to note that there are ongoing management responsibilities of sponsoring a skilled worker in terms of monitoring attendance, contact details and immigration status.

**Immigration skills charge**

The Immigration Skills Charge is a fee paid by a UK employer for each skilled migrant worker they employ through the Skilled Worker route. You will need to pay the charge when sponsoring both EU and non-EU migrant workers. Employers must pay £1,000 per skilled worker for the first 12 months, with an additional £500 charge for each subsequent six-month period.

**Offers & On-boarding**

**Asylum Seekers**

The term ‘Asylum Seeker’ refers to an individual who has applied for refugee status.

An Asylum Seeker has no right to work unless the Home Office has given them specific permission to do so. Only small numbers are permitted to work whilst their refugee status is being investigated (which could take years).

Those who are granted permission to work will be given a Home Office Application Registration Card (ARC) stating “work permitted shortage OCC”. Since July 2017, new upgraded Application Registration Cards (ARC) have been issued to new asylum claimants through a gradual rollout. The ARC is the card used by asylum claimants to demonstrate they have made an asylum claim. The new ARC closely resembles the Biometric Residence Permit. It includes extra security features, a biometric facial image and an expiry date. Whilst the earlier version of the ARC is no longer being issued, the cards already in circulation will continue to be acceptable until they expire.

This is not, however, sufficient evidence of the right to work. Anyone considering offering any type of work to an asylum seeker **must** verify the individual’s right to work with the Home Office using the Employer’s Checking Service.

You may accept a new biometric style or an old-style ARC as an evidence of a right to work provided you verify the right to work and any work restrictions by obtaining a Positive Verification Notice issued by our Employers Checking Service. This excuse will expire 6 months from the date of the Positive Verification Notice when a further check must be undertaken if the statutory excuse is to be retained

If you receive a Negative Verification Notice from the Employer Checking Service, which informs you that the individual does not have the right to work, and you employ this person, you will not have a statutory excuse and may be liable for a civil penalty or be committing a criminal offence. Further information about employing asylum seekers may be found [here](https://www.gov.uk/government/publications/working-whilst-an-asylum-claim-is-considered/working-in-the-uk-whilst-an-asylum-case-is-considered)

It is important, to ensure that you are following current Home Office requirements, that you refer to the latest guidance. This provides details of how to contact the Home Office to obtain verification of an asylum seeker’s right to work in the UK and

what the registration card – ARC – looks like. Refer to the Home Office website for more details: <https://www.gov.uk/government/publications/right-to-work-checks-employers-guide>

**Students**

Not all international students are entitled to work while they are in the UK, but some are allowed to take limited employment if the conditions of their permission to study permit this.

A student who has been granted permission to be in the UK and is permitted to work will have a clear endorsement in their passport or Biometric Residence Permit, which states that they are permitted to work and the number of hours of work permitted during term time e.g. 10 hours or 20 hours a week. A student may also have a digital record if their immigration status that you can check through the GOV.UK employer checking service. A week is considered in this context to run from Monday to Sunday. If permission to work is not stated in one of these documents, the student is not permitted to work. Students who have the right to work are permitted to work full-time before their course starts, during vacations or after they have competed their course. Students are not permitted to fill a permanent full-time vacancy unless they are applying to switch into the Tier 2 route following the completion of degree-level study in the UK, or they have permission under the Doctorate Extension Scheme. Students are not permitted to work as an entertainer or professional sportsperson.

**Offers & On-boarding**

**Offers & On-boarding**

Short-term students on an English language course are not permitted to work or undertake a work placement.

Visitors studying a course of up to 6 months in the UK are not permitted to work or to do a work placement.

More information about student work entitlements is available in the [Student route caseworker guidance](https://www.gov.uk/government/publications/points-based-system-student-route)

**Work placements**

Work placements are intended to enable the student to gain specific experience of working in the field for which they are studying. Work placements are distinct from any employment that a student may (if permitted) take while they are following a course of study.

Students, including child students aged 16 or over, are allowed to undertake work placements where they are integral and related to the course and are assessed as part of the course. Where their student sponsor is a Probationary Sponsor, such courses must be at least RQF level 6 or SCQF level 9. Activity as part of a course-related work placement is restricted to no more than one third of the total length of the course undertaken in the UK unless:

• the student is following a course at degree level or above and is sponsored by a Higher Education Provider (HEP) with a track record of compliance or by an overseas HEI to undertake a short-term Study Abroad Programme in the UK, in which case the work placement is restricted to no more than 50 per cent of the total length of the course; or

• the student is a child student aged 16 or over, in which case the work placement can form no more than 50 per cent of the total length of the course; or

• there is a statutory requirement for the course to include a specific period of work placement which exceeds this limit.

Student sponsors should provide a letter addressed to you as the work placement provider confirming that the work placement forms an integral and assessed part of the course and does not, by itself or in combination with other periods of work placement, breach the above restrictions. The letter must also include the terms and conditions of the work placement, including the work that the student will be expected to do, and how and when they will be assessed. You are strongly advised to obtain and retain such a letter as evidence of the work placement and that the work placement restrictions have not been breached as you may be liable for a civil penalty if your student employee does not comply with their immigration conditions.

While your student employee is undertaking a work placement as required by their course, this period of placement does not count towards the period of term time employment permitted by their immigration conditions.

Further information on Students, including work placements, is available [here](https://www.gov.uk/student-visa)

The Student route replaced Tier 4 on 5 October 2020. Where a student holds Tier 4 leave, they will be considered to hold the same work rights as someone who holds Student leave.

**Impact of a change in circumstances on a student’s right to work**

1. The student has made an application to the Home Office to vary their leave – If the student is in the UK and has made a valid in-time immigration application (one made before their existing leave expired), their existing conditions of leave and work entitlements continue until their application is decided. If the application is approved, their leave will be varied and they will get new conditions of leave. If the application is refused, their existing conditions of leave continue to apply until their leave expires.

2. The student has stopped studying or their sponsor has lost its licence – If there has been a significant change in the student’s circumstances which means they no longer qualify for their grant of Student leave, the Home Office will curtail the leave. Any permission to work will expire on the new date that the student’s leave will expire following curtailment. Curtailment can be with immediate effect or take effect 60 days from the date the student was notified that their leave was curtailed.

3. Employer checking service - If there has been a change in the student’s circumstances, or you are unsure whether they have a right to work, you should contact the [Employer Checking Service](https://www.gov.uk/employee-immigration-employment-status)

**Offers & On-boarding**

**Offers & On-boarding**

**Offers & On-boarding**



I, acknowledge that during the course of my engagement I may have access to information of a sensitive or confidential nature relating to the Enfield Council.

I accept that careless or improper use of any sensitive or confidential information may be recognised as a breach of confidence and a breach of this agreement and may also constitute a criminal offence. As a result, Enfield Council may terminate my engagement and may take other action against me.

**Offers & On-boarding**

By signing this agreement, I UNDERTAKE:

1. Not to disclose confidential/sensitive information to any third parties at any time during the term of my engagement or at any time following termination of the engagement, except for the purposes of carrying out the terms of my engagement.
2. To return all sensitive/confidential information in my possession upon the termination of my engagement or when requested to do so.

3 Not to make any copies, drawings, notes, pictures, sketches or other reproductions/images of the sensitive/confidential information in my possession without express written authority.

CONFIDENTIAL INFORMATION, shall include, but shall not be limited to the following:

All information identifying a person or persons subject to the Data Protection Act 1998, text, financial data, systems information and know-how, processes, procedures, flow charts, quality manuals, spread sheets, graphs, drawings, diagrams, testing procedures, security systems, software specification, images or sound embodied or carried in any electronic tangible or intangible medium.

I understand that breach of any of the above undertakings could result in the termination of my engagement and could further result in legal action being taken against me.

NAME: SIGNED: DATE:

**Offers & On-boarding**



To drive a particular type of Council vehicle, candidates need an ‘entitlement’ for that category on their driving licence. [The full list of driving licence categories can be found here](https://www.gov.uk/driving-licence-categories). The type of vehicle they can drive will depend on their age and their driving licence.

**Validity of lorry, minibus and bus licences**

A licence to drive lorries, minibuses or buses is usually valid until aged 45. After 45, the driver must renew their licence every 5 years until they’re 65.

After 65, the driver must renew their licence every year.

All licences issued after 19 January 2013 are valid for 5 years, up to age 65.

Some drivers may also need to use a [tachograph](https://www.gov.uk/tachographs) to record their journey- managers must be aware of what types of vehicle require this. There is also a requirement for drivers of some Council vehicles to also hold a [Driver Certificate of Professional Competence (CPC)](https://www.gov.uk/become-lorry-bus-driver) Further information on tachographs and CPC can be found further on in this document.

There may be restriction codes on the driving licence. [A full list of restriction codes can be found here.](https://www.gov.uk/driving-licence-codes)

[Employers can check a candidate's driving licence information on-line here](https://www.gov.uk/check-driving-information). Permission must be gained from the candidate to carry out this check. They will need to provide the last 8 characters of their driving licence and a check code that they obtain [from here](https://www.gov.uk/view-driving-licence). The check code will be valid for 21 days.

Managers should be aware/make HR aware of what type of Council vehicle the candidate will be driving at the beginning of the recruitment campaign.

[Driving licence categories changed in January 2013](https://www.gov.uk/changes-to-the-driving-licence-and-categories) and also several times before that. Before June 1990, the types of vehicles you could drive were known as ‘groups’. These are now known as ‘categories’.

If the full driving licence was issued before January 2013, you can find the equivalent new category and check what types of vehicles you can drive [here](https://www.gov.uk/old-driving-licence-categories)

It is important to ensure employee Driving Licences are checked correctly before they have access to council vehicles. Checks must be undertaken annually (or more frequent for vocational drivers). This guide will show line managers the different sections of the Photocard Driving Licence and what each section means to help ensure each one is checked properly. A table of licence categories and the relevant entitlement (Table 1) is below. The diagram below shows the different sections of information that are found on a UK Driving Licence.

**Appendix D- Driving Licence Categories**

**Offers & On-boarding**

**Offers & On-boarding**

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**Offers & On-boarding**

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**Offers & On-boarding**



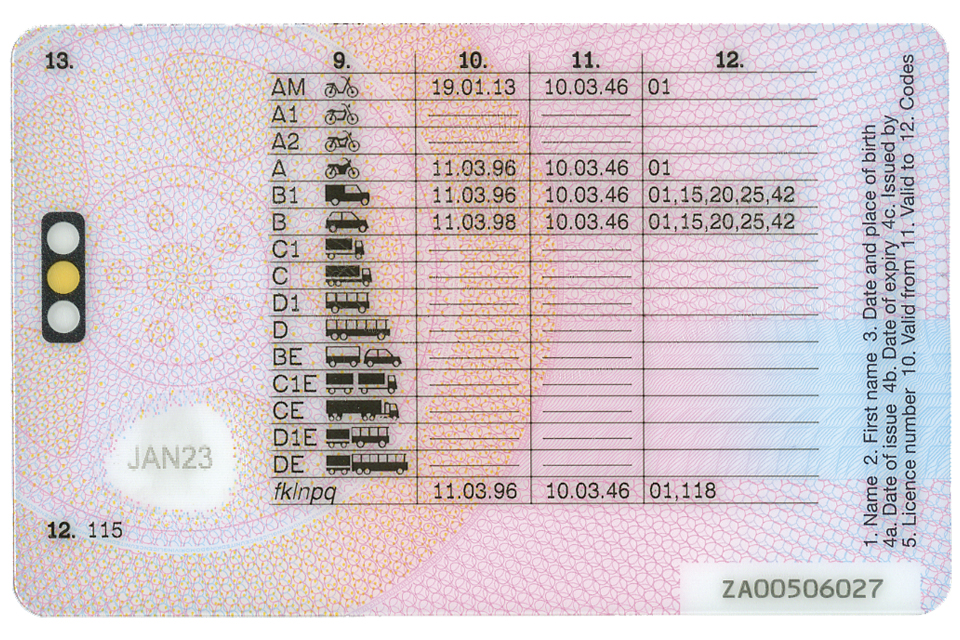
**Table 1**

|  |  |
| --- | --- |
| Section | What the section represents |
| 1 | Surname |
| 2 | First name(s) |
| 3 | Date & place of birth |
| 4(a) | The date the photo is valid from |
| 4(b) | This can either be the date the photo is valid to (ten years from first issue) or the date entitlement expires; this is usually medically restricted or for over 70’s |
| 4(c) | The authority that issued the licence |
| 5 | This is the unique driver number |
| 6 | Driver’s photograph |
| 7 | Driver’s signature |
| 8 | Driver’s address |
| 9 | Entitlement categories the driver is permitted to drive. [The full list of driving licence categories can be found here](https://www.gov.uk/driving-licence-categories) |
| 10 | Holographic feature |
| 11(a) | This is a security feature in the image of a blue road sign that changes to a black triangle when tilted. |
| 11(b) | This is a security feature personalised according to the data on the card. The characters change depending on how it is tilted. |

**Offers & On-boarding**



**Back of Photocard**



|  |  |
| --- | --- |
| **Section** | **What the section represents** |
| 9 | Entitlement categories the driver is permitted to drive . [The full list of driving licence categories can be found here](https://www.gov.uk/driving-licence-categories) |
| 10 & 11 | The dates that your entitlement is valid from (10) & to (11). |
| 12 | Any restrictions the driver may hold to driving the vehicle category shown. [A full list of restriction codes can be found here.](https://www.gov.uk/driving-licence-codes) |
| 13 | Not used. |
| 14 | A small legend detailing what each section represents. |

**Paper Counterpart**

Please note, DVLA no longer issue paper counterparts to the Photocard Driving Licence.

**Driving a Council vehicle**

Managers of all employees driving a Council vehicle are required to complete annual driving licence checks.

**Offers & On-boarding**



**Tachographs**

Some drivers of Council vehicles need to record their journeys on tachographs to ensure they follow the rules on [drivers hours](https://www.gov.uk/drivers-hours). Currently these vehicles are 7.5 tonnes and over including Large Goods Vehicles (LGV).

Candidates will need to present their tachograph card in addition to their valid driving licence.

[Further information about tachographs can be found here](https://www.gov.uk/tachographs)

**Driver Certificate of Professional Competence (CPC)**

Drivers of Council vehicles of 7.5 tonnes and over including Large Goods Vehicles (LGV) will need to evidence their Driver Certificate of Professional Competence in addition to their current valid driving licence and their tachograph card. This is by way of a Driver CPC card sometimes known as a driver qualification card or DQC.

Every 5 years, drivers must take 35 hours of Driver CPC training to keep driving professionally and renew their licence, this includes a health check known as a D4 medical check. Drivers aged 65 or over must renew their lorry or bus driving licence every year.

[How many hours of training a driver has done](https://www.gov.uk/check-your-driver-cpc-periodic-training-hours/) in the last 5 years can be checked. They’ll need to provide a temporary password to access their records.

All driving licence/additional document requirements for different types of Council vehicles and re-checks of these can be found in the following Fleet Services Council policies:

[Vehicle and Drivers Policy Part 1: The safe use of motor vehicles on Council business- Minibuses](https://enfield365.sharepoint.com/:w:/r/sites/intranethealth/_layouts/15/Doc.aspx?sourcedoc=%7B18EE3B16-B113-41E7-B556-2A9BB85C14AF%7D&file=Vehicle%20%26%20Driving%20Policy%20part%201%20-%20Minibuses.doc&action=default&mobileredirect=true)

[Vehicles and Drivers Policy Part 2: The safe use of motor vehicles on Council business- vehicles up to 3.5 tonnes](https://enfield365.sharepoint.com/:w:/r/sites/intranethealth/_layouts/15/Doc.aspx?sourcedoc=%7B07B67AF5-4118-49DA-8A74-052D363262AE%7D&file=Vehicle%20%26%20Driving%20Policy%20part%202%20-%20up%20to%203.5%20tonnes.doc&action=default&mobileredirect=true)

[Vehicles and Drivers Policy Part 3: the safe use of motor vehicles on Council business- Large Goods Vehicles](https://enfield365.sharepoint.com/:w:/r/sites/intranethealth/_layouts/15/Doc.aspx?sourcedoc=%7B17C4B35A-3D46-4F1F-898F-5085259953CD%7D&file=Vehicle%20%26%20Driving%20Policy%20part%203%20-%20Large%20Goods%20Vehicles.doc&action=default&mobileredirect=true)

[Vehicle and Drivers Policy Part 4: The safe use of motor vehicles on Council business- use of personal vehicles](https://enfield365.sharepoint.com/:w:/r/sites/intranethealth/_layouts/15/Doc.aspx?sourcedoc=%7B3FED46F5-4C7D-4397-A426-0F8505051B87%7D&file=Vehicle%20%26%20Driving%20Policy%20part%204%20-%20Private%20Vehicles.doc&action=default&mobileredirect=true)

**Offers & On-boarding**



**Adjustments in driving licence renewals during Covid-19**

**Extension for driving licences that expired between 1 February and 31 December 2020**

If your photocard driving licence or your entitlement to drive expired between 1 February 2020 and 31 December 2020, you have an 11-month extension from the date of expiry. This means that you will not need to renew your photocard or entitlement to drive until 11 months after your original expiry date. You do not need to do anything as this extension is automatic.

The extension only applies to full GB driving licence holders. It does not apply to provisional driving licence entitlement.

If you’ve already applied to renew your photocard or entitlement you can continue to drive while we are processing your application providing you have not been told by your doctor or optician that you should not drive. For further information about this, see the guidance leaflet [‘Can I drive while my application is with DVLA?’](https://www.gov.uk/government/publications/inf1886-can-i-drive-while-my-application-is-with-dvla)

**Bus and lorry drivers – D4 medical updates**

The government has made temporary arrangements for bus and lorry drivers aged 45 and over to forego the need for a D4 medical to renew their driving entitlement. These changes are temporary and will only apply where the licence has not expired before 1 January 2020.

The licence will only be valid for 1 year instead of 5 years and the driver will need to submit a completed D4 when the licence is due for renewal in 12 months. Drivers with health issues will still need to declare these, and those with health issues that prevent them from driving safely will not have their licence renewed. All drivers must ensure they are medically fit to drive.

**Applying to renew a driving licence if you have a medical condition**

If you have a health condition requiring further information or examinations, there are currently delays before NHS doctors, consultants or opticians are able to provide us with the information we need to be able to make a licensing decision.

Providing you have a current driving licence and you have not been told by your doctor or optician that you should not drive, you will be able to drive while DVLA is considering your application and waiting for a response from NHS professionals.

Road safety is our top priority and by law, all drivers must meet certain minimum medical standards and must make sure they are medically fit to drive. All drivers must tell DVLA about the onset or worsening of a medical condition. [Check if a health condition affects your driving](https://www.gov.uk/health-conditions-and-driving)

**Offers & On-boarding**