

Factsheet C11: Pre-employment checks

References

Once you have chosen who you want to employ, you may want to obtain references. References obtain information about an employee's employment history, qualifications, experience and/or an assessment of their suitability for the role. Generally references would be from a current or former employer and when obtained should only ask for factual information about the candidate such as absence records, training undertaken and disciplinary records. A personal or character reference can also be asked for.

If you seek references, you need to ensure you obtain these as soon as possible, as if you are not happy with them you may wish to address this with your employee within any probationary (trial) period you included in the role. You can obtain references over the phone or via written request although if you obtain a telephone reference, it is recommended you obtain a written reference if possible too. A blank telephone reference and written reference request is available within this factsheet for you to use to obtain references.

References are most frequently sought after an applicant has been given a 'professional offer', but can also be requested while interviews take place and prior to any offer being made. In any offer letter to a successful applicant, the employer should state this is a 'provisional offer subject to satisfactory references being received by the organisation'. If an employee starts a job before the receipt of their references, the requirement to obtain satisfactory references may no longer be a condition of employment. The employee will



then have the same rights in relation to wrongful dismissal (such as breach of contract), statutory dismissal procedures or any form of discrimination, as with any other employee.

DBS Checks (Formerly CRB)

The Criminal Records Bureau (CRB) was created in 2002 to help employers make safer recruitment decisions when employing people to work with children or vulnerable adults. This is now known as the Disclosure and Barring Service (DBS). Please view our factsheet 'Guide to completing a DBS check' for further information.

Rehabilitation of Offenders Act

You should have a signed Rehabilitation of Offenders Act from your employees' application. If the applicant declared any spent or unspent convictions, these should have been provided to you in a sealed envelope and opened when shortlisted for interview/ at interview, with an assessment made as to whether the person is suitable for the job without pre-judgement prior to interview.

The right to work in the UK

The Asylum and Immigration Act (1996) makes it a criminal offence to employ a person without immigration authorisation to work in the UK. If an employer is found guilty of an offence under this Act, they can be fined for each offence. Before employment begins you will need to see and obtain a photocopy of **one** of the following:

- Passport showing British Citizenship
- Passport or other travel document showing there is right of abode in the UK
- A national passport or national identity card of a European Economic Area (EEA) Country or Switzerland;



- A residence permit issued to a national from a European Economic Area (EEA) country or Switzerland;
- A passport or other document issued by the Home Office with an endorsement stating right of residence in the UK as the family member of a national from a European Economic Area (EEA) country or Switzerland who is a resident in the UK;
- A passport or other travel document endorsed to show that indefinite stay in the UK, or has no time limit on their stay;
- A passport or other travel document endorsed to show that the employee can stay in the UK – and that this endorsement allows the holder to do the type of work you are offering if they do not have a work permit; or
- An application registration card issued by the home office to an asylum seeker stating that they are permitted to take up employment.

You can find out more information, advice, or carry out a right to work in the UK check online at: <https://www.gov.uk/legal-right-to-work-in-the-uk>. Alternatively, you can call the Government helpline on 0300 123 4699.

If you require further information or would like this factsheet in an alternative format you can contact us by calling: 01508 491210, by emailing: info@equallives.org.uk, or by writing to: Equal Lives, 15 Manor Farm Barns, Fox Road, Framingham Pigot, Norfolk, NR14 7PZ.



Telephone Reference Request Form

Employer Name:

Applicant Name:

Job Ref: (If applicable)

Details of referee:

Name:

Company (if applicable):

Telephone number:

This person may be working with vulnerable adults/children, do you know of any reason why they should not be considered for the post?

Would you reemploy them?

Could you confirm your postal address for me please?

Details of any other comments made:

Name of person making call:

Date and time:



Written Reference Request - CONFIDENTIAL

Reference for:

Position applied for:

Job Ref:

Name of Referee:	
Relationship to candidate:	

If previous or current employer, please complete the following:

Dates employed:	
If they have left your employment, why?	
How many days off sick in the last year?	
Did they have any disciplinary action pending?	
Would you re-employ them?	

Please rate the applicant's qualities under each of the following headings:

	Very Good	Good	Average	Poor	Very Poor
Timekeeping					
Trustworthy/Honest					
Reliability					
Attitude to work					
Quality of work					
Ability to work with others					
Attendance					



Please answer the following questions:

<p>Are you aware of any reason why the applicant should not be considered for the post?</p> <p>Yes/No</p> <p>If yes, please state reasons</p>
<p>To your knowledge has the applicant ever been subject to an investigation or disciplinary enquiry in respect of conduct with vulnerable adults or children?</p> <p>Yes/No</p> <p>If yes, can you please supply details where appropriate</p>
<p>Any other comments?</p>

If need to add more information, please continue on a separate piece of paper.

Signed: Date:

Name:

Official stamp (if applicable):

