

# Pre-engagement Check Policy

At NFER, we are committed to fulfilling our legal responsibilities, ensuring the safety and security of children, and protecting our reputation. Given the nature of our work and that of our clients, thorough pre-engagement screening is essential. This policy outlines our commitment to complying with legal obligations by engaging individuals who are entitled to work in the UK and demonstrate the necessary honesty, integrity and values.

---

## Introduction

### Definition

Regulated activity applies when a role goes into a school more than 3 times in 30 days. NFER also applies this when the majority of working time will be spent in schools.

### Applicable to

This policy applies to NFER's workforce. This includes employees, Associates, self-employed, consultants and agency workers working from the UK. This policy does not form part of an engagement. We reserve the right to amend or remove this policy at any time. NFER will use this policy flexibly alongside other policies that might also be relevant to the issues presented.

## Overview

NFER's pre-engagement checks are in line with the government's [Baseline Personnel Security Standard](#) (BPSS). Ongoing criminal record checks are in accordance with the [Safeguarding Vulnerable Groups Act \(2006\)](#) through the Disclosure and Barring Service (DBS) or country equivalent for all roles that go into schools.

All prospective staff must undergo pre-engagement checks, including:

- Identification
- Eligibility to work in the UK
- References covering the past three years (including any periods abroad of six months or more)

- Criminal record check appropriate to the role, no more than three years old

## Pre-engagement Checks

### Identification

Prospective employees and Associates must provide documents showing their full name, date of birth, and permanent address which have been verified either by HR or using our digital check partner.

### Eligibility to work in the UK

All UK-based employees and Associates must prove their eligibility to work. Checks are conducted before engagement, using online, manual, or digital methods. Follow-up checks are made for those with time-limited work eligibility.

## References

Prospective employees and Associates must provide suitable contacts for references for the past three years. HR will verify these and ensure any gaps over 6 months are explained. Education or personal references are acceptable for those new to the workforce.

## Criminal record check

Enhanced criminal record checks are required for roles that involve visits to schools, disclosing all convictions, cautions, warnings, and relevant police information. Enhanced checks should be no more than three years old.

Enhanced criminal record checks with the children's barring list are required when work involves regulated activity in schools, disclosing all convictions plus additional police check, cautions, warnings, and relevant police information.

Basic criminal record checks are required for all other roles unless there is minimal risk to the business.

Employees will need to undertake new criminal record checks, whereas Associates can provide a criminal record check that has been conducted within the past three years.

## Ongoing responsibilities

Employees and Associates must inform HR if their immigration status or criminal record changes, with failure to do so potentially leading to dismissal or the termination of their worker agreement. A change in criminal record will not automatically lead to a dismissal. It will be managed under the procedure 'Engagement of People with Criminal Records', as set out below.

Enhanced criminal record checks are mandatory for all roles entering schools, and those in relevant roles in England are encouraged to join the DBS Update Service.

Refusal to provide any of the required information will result in an offer being withdrawn. Where there is an engagement in place, refusal to undertake or renew a relevant criminal record check will be treated as a disciplinary matter or

cause for concern and may result in a dismissal or termination of the Framework Agreement.

DBS Level check requires	Type of role
Basic level	The role does not involve visiting schools.
Enhanced level	The role involves visiting schools but does not include regulated activity.
Enhanced with Children's Barred List	The role involves regulated activity with children.

## Special considerations

For non-UK based employees entering the UK to work, a criminal reference from the country of origin will be required. These checks may also be required for Associates based outside of the UK.

For Agency Workers, the self-employed and consultants who have unsupervised access to NFER assets, similar vetting processes are required. Costs for checks for Associates, the self-employed and consultants typically fall on the individual or third party, with some exceptions.

# Engagement of People with Criminal Records

## Disclosure of criminal record

Individuals will be asked to provide details of their criminal record during the application stage of the recruitment process or before deployment. NFER guarantees that this information will be treated confidentially and only accessed by those who need to see it.

Suitable applicants will not be rejected because of offences that are not relevant to the role applied for. Each case is judged on its own merits, and NFER does not discriminate against any applicant based on criminal record information disclosed to us.

## Transparency in recruitment

For positions requiring a criminal record check, all application forms, job adverts, and recruitment briefs will make clear what level of check will be submitted or required on the individual being offered the position.

We only ask applicants to provide details of convictions and cautions that we are legally entitled to know about. For roles covered by the Rehabilitation of Offenders Act, applicants must disclose unspent convictions only. Spent convictions do not need to be disclosed.

For positions exempt from the Rehabilitation of Offenders Act 1974, such as roles that go into schools, applicants must disclose any convictions, cautions, reprimands, or final warnings not currently filtered by the Disclosure and Barring Service in England, or country-equivalent outside of England. For guidance, applicants can visit the Unlock site, which provides useful information on filtering.

For motoring offences, only drink-driving and dishonesty offences need to be disclosed.

## Individual assessment

For any disclosed information, cases are assessed individually, considering:

- Whether it's information we are legally allowed to consider
- Whether the offence is relevant to the position/Assignment applied for
- The age at the time of the offence(s)
- The length of time since the offence(s)
- The circumstances surrounding the offence(s), and what has changed since

Any disclosed information is treated in the strictest confidence and considered before confirming an offer of employment or Associate Assignment. If necessary, a face-to-face discussion with the applicant may be arranged to obtain further details. Failure to disclose relevant information when requested could result in disciplinary proceedings or dismissal/termination of the Framework Agreement.

## Decision making

Any matters revealed in a criminal record check will be discussed with the individual before making a final decision regarding the conditional offer of deployment.

All those involved in the recruitment process receive appropriate guidance and training in the legislation and practice of recruiting/deploying people with criminal records. Those making suitability decisions based on an applicant's criminal record are trained to do so.

A criminal record or other disclosed information will not automatically disqualify an individual from employment or deployment unless the panel deems the conviction renders the individual unsuitable for the role.

Version: 5 Date: August 2024 Last Updated By: Louise Wiseman

If you have any questions regarding this policy, please email [hr@nfer.ac.uk](mailto:hr@nfer.ac.uk)