



EdStaff Ltd – Unsuitability Worker Policy

EdStaff Limited is a member of the Recruitment and Employment Confederation (REC) and adheres to their Code of Professional Practice. Under the Conduct Regulations no. 20 it places agencies and employment businesses (herein after called “the company”) under an obligation to act if they find out a worker is unsuitable.

At EdStaff Limited (“the Company”) we are the introducers of permanent candidates as an employment agency and supply temporary workers as an employment business.

Unsuitability of Permanent Candidates (Employment Agency)

If, within three months from the date of introduction of a work seeker to a hirer (the date the work seeker starts work for the client) the company receive or obtain information which indicates that the work seeker is or may be unsuitable for that position we will inform the hirer without delay i.e. on the same day or the next business day if that is not reasonably practicable. This can relate to reference or other information that would make the candidate unsuitable.

Unsuitability of Temporary Workers (Employment Business)

Where the Company obtains information during the course of an assignment which gives reasonable grounds to believe a worker supplied to the hirer is unsuitable, EdStaff Limited will, without delay, end the assignment.

If the information only indicates that the work seeker may be unsuitable but is insufficient to give reasonable grounds to believe that the worker is unsuitable, the Company will commence such enquiries as are reasonably practicable and inform the hirer of the information received and the enquiries being made. If as a result of those enquiries the Company have reasonable grounds to believe the worker is unsuitable then without delay will inform the hirer and end the assignment.

Unsuitability and Data Protection Act

The sort of information that might indicate a worker is unsuitable will depend on the circumstances but may be a relevant criminal conviction that should have been disclosed; qualification found to be false; a medical condition that means the worker may either be at risk by performing the work or may be placing others at risk.

It is likely that ‘processing’ of data under Regulation 20 will be an exception to the Data Protection Act requirements where “it is necessary for the purposes of exercising or performance any right or obligation which is conferred or imposed by law on the data controller in connection with employment” or it is “necessary to protect the vital interests of the data subject or another person in a case where consent cannot be given... or the data controller cannot reasonably be expected to obtain the consent of the data subject (Schedule 3 Data Protection Act 1998). The Company will carefully check the accuracy of any information received. The Company will therefore ensure that if a situation arises that not to disclose more information to the client than is necessary.

How to Contact us:

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