

Safer Recruitment and Selection in Education Settings

About this chapter

Summary

This chapter describes the Safer Recruitment in Education Settings. Refer to the table of contents, below, for a full list of topics covered.

There is a New Starter Checklist in the [toolkit](#) on the Intranet, which covers all the pre-employment checks you need to make before you can confirm an appointment.

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Related information

The following related documents, templates and forms are available in the [toolkit](#) on the Intranet:

Related documents

- [Recruitment and Selection for Schools](#)
- [Employing Foreign Workers](#)
- [Recruitment of Ex-Offenders](#)
- [CRB Policy](#)

Forms

- Job Description and Person Specification
- Vacancy Checklist
- Application Form
- Shortlisting Grid
- Interview Record Form
- [CRB Risk Assessment Form](#)
- Reference Request Form
- [CRB Consent Form for Release of Information](#)
- Pre-employment Checks Register
- New Starter Checklist

Sample letter templates

- Application Pack Cover Letter
- Reference Request Letter Template
- [Request for CRB Information Template \(fax\)](#)
- Confirmation of Start Date Letter

Version control

The table below shows the history of the document and the changes that were made at each version:

Version	Date	Summary of changes
1.0	November 2008	First published version.
2.0	October 2009	Terminology change 'Single Central Pre-employment Record'.

Distribution

This policy is available on The Learning Trust's [Intranet](#).

1. Introduction

The DCSF has produced recommendations and guidance in order that schools and other education establishments can adopt recruitment and selection procedures, and other Human Resources management processes, that help to deter, reject, or identify people who might abuse children or vulnerable adults, or are otherwise unsuited to work with them.

This guidance is in support of, and in response to the Bichard Report that Headteachers and School Governors should receive training to ensure that the process of appointing staff reflects the importance of safeguarding children and vulnerable adults. The appointment panel of each school must be trained in safer recruitment practices and must keep accurate records of the training received. This guidance will form part of the [Recruitment and Selection Policy](#).

Local Authorities exercising education functions (LAs), the Governing Bodies of Schools (including non-maintained special schools and independent schools) and Further Education (FE) institutions must have regard to this guidance in drawing up arrangements for carrying out their functions with a view to safeguarding and promoting the welfare of children/pupils as required under the Education Act 2002.

In future, OFSTED evaluations will include an assessment of whether an establishment operates recruitment and selection procedures that meet the recommendations in this guidance.

It is therefore important that the school initiates employment checks as part of the recruitment procedure. A New Starter Checklist, covering these checks, is in the [toolkit](#) on the Intranet. It should be noted that schools should not process a contract of employment for a member of staff without the evidence that all these checks have been undertaken.

See *Safeguarding Children and Safer Recruitment in Education 1/1/07*.

2. Scope

The measures described in this guidance should be applied in relation to everyone who works in an education setting, where there are children under 18 years of age or are vulnerable adults, and who is likely to be perceived by the children or vulnerable adults as a safe and trustworthy adult. This includes both people not on the payroll, e.g. contractor staff and unpaid volunteers, and those on the payroll who, although not having direct contact with children or vulnerable adults as a result of their job, are nevertheless seen as safe and trustworthy because of their regular presence in the setting.

3. Contractors

LAs, schools and FE institutions should ensure that the terms of any contract they let, that requires the contractor to employ staff to work with, or provide services for, children or vulnerable adults for whom the establishment is responsible, also requires the contractor to adopt and implement the measures described. This should be confirmed in writing and include the name(s) of the contractor's staff and verification that CRB disclosures have been obtained and are clear.

Note: They should also monitor the contractor's compliance.

4. Volunteers

The guidance takes a four-level approach to the use of volunteers in an education setting:

- When actively seeking volunteers, and considering candidates about whom there is little or no recent knowledge, adopt the same recruitment measures as for paid staff.
- When approaching someone, e.g. a parent, who is well-known to the establishment, to take on a particular role, a streamlined procedure can be adopted – seek references, ensure no concern in the school community, informal interview to gauge attitude and suitability, undertake a list 99 and enhanced CRB check.
- For "one-off" roles, such as accompanying teachers and pupils on a day outing, helping at a school fete, etc., the above measures would be unnecessary, provided that the person is not left alone and unsupervised in charge of children or vulnerable adults. This would form part of the Risk Assessment for the given activity.
- When recruiting volunteers via another organisation, e.g. sports coaches from a local club, assurances must be obtained from that organisation that the person has been cleared through the CRB disclosure checking procedure (see the [CRB Policy](#)). This should be obtained in writing and include the name(s) of the staff being so employed.

5. Elements of Safer Practice

- Advertising that makes clear the organisation's commitment to safeguarding and promoting the welfare of children or vulnerable adults.
- Ensuring the Job Description makes reference to the responsibility for safeguarding and promoting the welfare of children or vulnerable adults.
- Person Specification to include specific reference to the suitability to work with children or vulnerable adults.
- Ensuring that applicants provide comprehensive information and the resolution of any discrepancies and anomalies.
- Independent professional and character references that answer specific questions in respect of working with children or vulnerable adults (there is a sample Reference Request Letter Template and Reference Request Form in the [toolkit](#) on the Intranet)
- Face-to-face interview.
- Verifying successful applicant's identity, address and date of birth.
- Verifying any academic/vocational qualifications claimed.
- Checking previous employment history and experience and particularly any gaps in employment/patterns of repeated changes in employment.
- Verifying that health and physical capacity is appropriate.
- Checking list 99, PoCA and applying for an enhanced Disclosure to the CRB through the HR MIS and CRB Team at The Learning Trust. There is a [CRB Risk Assessment Form](#) in the toolkit on the Intranet, which should be used to consider if any offences disclosed affect any offer of employment.

6. Recruitment and Selection Policy Statement

The employer should have an explicit written Policy Statement and procedures that comply with local and national guidance. The Statement should detail all aspects of the process and should link to the school's Child Protection Policy Statement.

7. Planning and Advertising

- Planning is vital to successful recruitment and it is important to organise the selection process to allow sufficient time between shortlisting and interview to enable references to be obtained before interview. Use the Vacancy Checklist to understand the tasks in the Recruitment process.
- The Job Description and Person Specification must be up-to-date and should reflect the extent of the relationships/contact with children or vulnerable adults and the level of responsibility for children or vulnerable adults that the successful candidate will have.
- When a vacancy is advertised, it should include a statement about the employer's commitment to safeguarding and promoting the welfare of children or vulnerable adults and, where appropriate, reference to the need for the successful applicant to undertake a CRB check.

8. Application Form

- The application form must be used for all appropriate enquiries and CVs should not be accepted in any circumstances.

Scrutinising and shortlisting

- Incomplete applications must not be accepted.
- Any anomalies or discrepancies or gaps in employment evident from the application, should be noted and taken up as part of the shortlisting.
- Patterns of repeated employment changes, without evidence of clear career or salary progression or other substantial reason, need to be explored and verified.

9. References

- Every effort must be made to obtain references for all shortlisted applicants before interview.
- There are occasions when a candidate will request "no contact with current employer unless they are the preferred candidate after interview". Although the recruiting manager may accede to such a request, it is **not recommended as good practice**.
- References should seek objective, verifiable information and not subjective opinion.

There is a sample Reference Request Letter Template and Reference Request Form in the toolkit on the Intranet and further information in *Obtaining Professional and Character References*, on page 14.

10. Invitation to Interview

- Candidates should be advised that their suitability to work with children or vulnerable adults will be explored.
- Candidates' identity will need to be checked thoroughly; consequently, all should be instructed to bring with them proof of ID, that is either a current Driving Licence or Passport including photograph, or a full Birth Certificate, **plus** a document such as a utility bill or financial statement that shows the candidate's current name and address, and, where appropriate, change of name documentation.
- Where educational and/or professional qualifications are essential for the post, candidates should be asked to bring original or certified copies of such documentation. Failing this, written confirmation must be obtained from the awarding body.
- Copies of documents used to verify the successful candidate's ID and qualifications must be retained for personnel/personal files.

11. Training

At least one member of the interview panel should have undertaken the on-line training provided by the National College for School Leadership (www.ncsl.org.uk/saferrecruitment) and will be required to produce their certificate before the selection process takes place. All Headteachers and at least one governor for each school must undertake this training as soon as possible. **The Local Safeguarding Children Board (LSCB) will not consider a selection process to have been safe unless one member of the panel has undertaken this training.**

12. Scope of the Interview

In addition to assessing and evaluating the applicant's suitability for the post, the interview panel should explore:

- The candidate's attitude toward children/young people/vulnerable adults.
- Their ability to support the establishment's agenda for safeguarding and promoting children's or vulnerable adults' welfare.
- Any gaps in candidate's employment history.
- Concerns or discrepancies arising from information provided by a referee and by the candidate should be explored during the interview. An offer of employment will depend on successful references, medical and CRB checks i.e. identity, and professional status.

13. Selection and Pre-employment

There is a New Starter Checklist in the [toolkit](#) on the Intranet, which covers all the pre-employment checks you need to make before you can confirm an appointment.

- It is vital that references are obtained and scrutinised **before** confirming an appointment. References should only be referred to at the conclusion of the interview process and in support of a decision to appoint a candidate. References should not be referred to for each candidate. Any concerns must be explored further with the referee(s) before confirming an appointment.
- Verify candidate's ID and qualifications (if not done at interview) **before** confirming appointment.
- Verify candidate's medical fitness.
- Where appropriate, a satisfactory CRB Disclosure must inform and verify decisions. There is a [CRB Risk Assessment Form](#) in the toolkit on the Intranet, which should be used to consider if any offences disclosed affect any offer of employment.
- Verify candidate's professional status where required, e.g. GTC registration, NPQH.
- Verify successful completion of statutory induction period for teaching posts where QTS obtained after 7th May 1999.
- For support staff posts, verify satisfactory completion of **any probationary period**.

14. Post Appointment Induction

There should be an induction programme for all staff and volunteers newly-appointed in an establishment, (including teaching staff) and regardless of experience.

Insofar as the safeguarding and promoting of children's or vulnerable adults welfare is concerned, the programme should include information about, and written statements of:

- Policies and procedures covering child protection, anti-bullying, anti-racism and drugs, physical intervention/restraint, inclusion, intimate care, internet safety.
- Safe practice and the standards of conduct and behaviour expected of staff and pupils/young people in the establishment.
- How, and with whom, any concerns about those issues should be raised.
- Other relevant procedures, e.g. disciplinary, capability, whistle blowing.
- Attendance at child protection training appropriate to the person's role should also be arranged.

The Human Resources service will be pleased to provide additional advice, guidance and support to ensure that Recruitment and Selection in education settings is monitored, reviewed and, where appropriate, that practices and procedures are modified in ways that will strengthen safeguards for children and vulnerable adults in helping to deter and prevent abuse.

See the [Induction Policy](#) and the [Induction Checklist](#).

15. Record Keeping of Incidents

The *Safeguarding Children and Safer Recruitment in Education* guidelines outline how allegations of abuse of a child against a member of staff or volunteer in education settings is dealt with fairly, quickly, consistently, in a way that provides effective protection for the child, and at the same time supports the person who is the subject of the allegation. Allegations should be reported without delay, normally to the Headteacher or the nominated management representative or the Chair of Governors in cases where the Headteacher is the subject of the allegations.

The DCSF guidelines identify the actions required where a member of staff or volunteer has:

- Behaved in a way that has harmed a child, or may have harmed a child.
- Possibly committed a criminal offence against or related to a child.
- Behaved towards a child or children in a way that indicates they are unsuitable to work with children.

If the Headteacher or the nominated management representative is unsure about whether this is appropriate, advice should be sought from the Local Authority Designated Officer (LADO), the Vulnerable Pupils Team, and Human Resources. A strategy discussion should be convened if the allegation is not demonstrably false or unfounded, and meets the above criteria or there is cause to suspect a child is suffering or is likely to suffer harm.

Where a strategy discussion has been convened, it is important that a clear and comprehensive summary is kept of the details of the allegation(s), how the allegation(s) was followed up and resolved, and a note of any action and decisions reached. This should be kept by the Headteacher on the member of staff's confidential file, and a copy provided to the person concerned. The note should confirm whether the allegation was substantiated, unsubstantiated or malicious. The purpose of the record is to enable accurate information to be given in response to any future request for a reference if the person has moved on. It will provide clarification in cases where a future CRB Disclosure reveals information from the police about an allegation that did not result in a criminal conviction. And it will help prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time. The record should be retained at least until the person has reached normal retirement age or for a period of 10 years from the date of the allegation if that is longer.

The HR Business Partner will advise on the formal disciplinary procedure and whether the matter is to be referred to the DCSF/GTC where the allegation(s) is substantiated following a formal disciplinary hearing. See [Disciplinary Policy](#) for guidance on investigations and the disciplinary process.

Appendix

Possible questions to ask with safeguarding in mind

- What attracted you to teaching/this post/this school? How do you think your own childhood may have influenced your practice with students/pupils?
- Tell us about a teacher that made an impact on you and why do you think that was?
- What motivates you to work with young people?
- Tell us about your interests outside work?
- What do you think are the professional challenges facing teachers today?
- Give an example of where you had to deal with bullying behaviour between pupils. What did you do?
- What made it successful/what could you have done better?
- Young people develop crushes /like physical contact how would/do you deal with this?
- What would you do if you were concerned about a colleague's behaviour towards children?
- Give an example of how you have managed poor pupil behaviour?
- Give an example of when you have had to respond to challenging pupil behaviour?
- How did it affect you? How did you cope with the aftermath?
- When do you think it is appropriate to physically intervene in a situation involving young people?
- What makes a school "safe and caring"?
- What policies are important to support a safe school environment?
- What are staff's responsibilities in protecting children?
- How do you define an appropriate teacher/school secretary/site agent or caretaker/learning support assistant/parent helper/lunchtime supervisor?

Pre-employment Checks

It is important that thorough checks are made on anybody who will be working in a school or centre, both to prevent unsuitable people from gaining access to children/young people or vulnerable adults, and to maintain the integrity of the teaching profession. This part of the guidance details the pre-appointment checks that should be made; some are mandatory in law, while others are strongly recommended as good practice. All the relevant checks should be satisfactorily completed before a person takes up a position.

There is a New Starter Checklist in the [toolkit](#) on the Intranet, which covers all the pre-employment checks you need to make before you can confirm an appointment.

Proof of Identity

It is important to be sure that the person is who he or she says she claims to be. In all cases, the school should ask to see proof of identity such as a birth certificate, photo driving licence or passport. If a teacher or other worker is provided by a third party, such as an employment business or agency, the school should check that the person who comes to them is the person referred by the employment business or agency.

Proof of identity **must** be obtained before a formal offer of appointment is made. A copy should be taken and placed on the appointed candidate's personal file at the school.

Qualifications

All shortlisted applicants for posts where possession of a specified qualification is an essential element of the person specification should be asked to provide a proof of qualification, normally by provision of the original certification.

Academic and Professional Qualifications

The school should always verify that the candidate has actually obtained any academic or professional qualifications claimed in their application by asking to see the relevant certificate or diploma or a letter of confirmation from the awarding institution. If original documents are not available, the school should see a properly certified copy and place it on the appointed candidate's personal file at the school.

Driver's Licence and Insurance

All shortlisted applicants who will be required to drive on school business as part of the job role e.g. minibuss driving, should be asked to provide their driving licence and insurance documents. A copy should be taken and placed on the appointed candidate's personal file. This should be updated annually when a new insurance policy is undertaken.

Internal and external applicants **must** provide evidence of relevant qualifications before they may start work.

Obtaining Professional and Character References

It is essential to take up two references; at least one of these must be a professional reference where ever possible. References should be obtained directly from the referee. There is a sample Reference Request Letter Template and Reference Request Form in the [toolkit](#) on the Intranet. References or testimonials provided by the candidate are not sufficient. One reference should be obtained from the current or most recent employer and the second reference from the previous employer and try to cover 5 years work history. Where the current employment does not involve responsibility for children/young people or vulnerable adults, but past employment has, the previous employer should be contacted for a reference in addition to the current employer. In the case of school leavers, it may be appropriate to ask to see their Record of Achievement.

References must be requested, if the candidate has given permission, before the interview for shortlisted candidates only. Any offer of appointment will be subject to satisfactory references and the normal pre-employment checks.

It is good practice for the referee to be sent a copy of the Person Specification and Job Description. The references should also be checked by a follow-up phone call to the referee. If there are any concerns raised in a reference you may wish to contact the referee to explore these further.

Follow up questions and explore discrepancies during interview and with referees by phone.

Previous Employment History

Schools should always ask for information about previous employment and obtain satisfactory explanations for any gaps in employment. If a candidate for a teaching post is not currently employed as a teacher, it is also advisable to check with the school or Local Authority at which they were most recently employed to confirm details of their employment and their reasons for leaving. The General Teaching Council for England (GTC) may also be able to confirm details of a registered teacher's previous employment history.

Criminal Records Check (CRB)

All applicants for positions in schools which are excepted from the provisions of the Rehabilitations of Offenders Act 1974 should be asked to declare any convictions or bind-overs they have incurred, including any that would be regarded as 'spent' under the Act in other circumstances. The exceptions include all school employees, governors and anyone who is involved in unsupervised contact with children or vulnerable adults.

Where criminal convictions are declared by an applicant or disclosed through a CRB check, schools will be advised by Schools HR and recruitment decisions will have regard for the policy on the [Recruitment of Ex-Offenders](#). There is a [CRB Risk Assessment Form](#) in the toolkit on the Intranet, which should be used to consider whether the offences affect any offer of employment.

If a person who is, or who has been resident in the U.K. is subsequently selected for appointment, the school, will ask them to complete a CRB Enhanced Disclosure form to verify their declaration.

Although Headteachers have discretion to allow an individual to begin work pending receipt of the CRB Disclosure, it is not advisable.

List 99

List 99 is a confidential document, maintained by the DCSF which contains the names, dates of birth, national insurance numbers and teaching reference numbers of people whose employment in relevant employment has been barred or restricted by the Secretary of State. Employers are required by the Education (Restriction of Employment) Regulations 2000 to check the list to ensure that they do not appoint someone to a post from which they have been barred. A person whose employment has been restricted by the Secretary of State may only work in a post which does not contravene the terms of the restriction.

The schools should carry out a check prior to confirming the offer of employment. Schools using other HR providers will need to ensure that their service providers are able to advise.

Health

Employment is subject to medical clearance. This is initiated by the completion of a new employee's declaration of health form. Medical clearance must be obtained for:

- All external applicants.
- For internal applicants where the new role has a change in the nature of duties. Examples may include: change to physical exertion such as lifting and handling; additional mental exertion such as management responsibilities; change to work arrangements such as shift or night working.

The preferred candidate should be issued with a pre-employment health questionnaire. The questionnaire is then sent directly to the Occupational Health Service, who will then assess the candidate's medical suitability to undertake the post to which they are under offer.

Note: Applicants whose offers are made subject to medical clearance may not start work until medical clearance has been obtained.

General Teaching Council (GTC)

As well as those listed above, checks must be carried out with the GTC on people who are selected for appointment to teaching posts. Checks should include that the teacher is qualified to teach and has not been struck off the list. This task is performed by the school with advice from Human Resources.

Registration with the GTC

All teachers working in maintained schools and non-maintained special schools must either have QTS or come with one of the exceptions set out in the Education (Teachers' Qualifications and Health Standards) (England) Regulations 1999, as amended. Those exempted from the requirement to hold QTS are:

- Trainee teachers undertaking teaching practice.
- Teachers working towards QTS through an employment-based programme.
- Teachers trained overseas (outside the European Economic Area).
- Unqualified teachers (e.g. instructors), where the school has been unable to find a qualified teacher with the necessary expertise.

These exceptions do not apply to candidates for Headteacher and Deputy Headteacher posts; they must have QTS. If a candidate has a DCSF reference number this does not necessarily mean that they have QTS.

Induction

Teachers who obtained QTS after 7th May 1999, including those who have followed an employment-based training programme, must have successfully completed a statutory induction period if they are to work in schools.

Checks obtained through the GTC are complementary checks and must not be regarded as a substitute for other pre-appointment checks.

Overseas teachers – The right to work in the UK

The Local Authority and the school need to ensure that all its potential employees actually do have the right to work in the UK. To employ someone without that right is a criminal offence. The school is liable even if recruiting through a recruitment agency.

By applying routine checks to all applications when recruiting we can ensure compliance with the Asylum and Immigration Act 1996; and the Race Relations Act 1976 and the Education (Specified Work and Registration) (England) Regulations 2003.

Citizens within the European Economic Area and Switzerland have the right to move freely within that region and to take employment without restriction.

If a candidate cannot supply any appropriate documentation you should seek advice from your school's HR provider. It may be that they require a work permit. If so, it would be up to the school, as potential employers, to apply on the applicant's behalf.

All external applicants must provide evidence of the right to work in the UK before they may start work. This check is not required for internal applicants.

All overseas trained teachers, whether requiring a work permit or not, are restricted to working as a teacher within the UK for a period of up to four years. This period commences on the day the OTT first works as a teacher in England and expires four years later, regardless of any breaks in teaching and irrespective of his/her immigration status. It is expected that they should obtain QTS during this period. OTTs may not continue teaching after their year period has expired if they have not obtained Qualified Teacher Status (QTS) unless they are undertaking training for the purposes of the employment-based teacher training scheme (the Overseas Trained Teacher Programme or the Graduate Teacher Programme) at the end of their period, with a view to obtaining QTS.

For those requiring a work permit, who wish to undertake training for the purposes of the employment-based teacher training scheme leading to QTS which will not be completed before their period expires may need to apply to Work Permits (UK) for a work permit renewal. In such cases, all applications for renewal must be accompanied by a standard letter from a training provider confirming that the OTT was already undertaking training for the purposes of the employment-based teacher training scheme before the expiry of their period, and also provide details of the course start and end dates.

In November 2008, the government is introducing the first phase of its new points-based system for foreign workers. Employers now require a licence to sponsor foreign workers, who will need to meet specific criteria to build enough points to be granted permission to work in the UK. Foreign workers (from outside the EEA) will also need a 'certificate of sponsorship' issued by the organisation that employs them. This has significant implications for schools in terms of record keeping duties and reporting duties to the Home Office. Please refer to [Employing Foreign Workers](#) for further information.

Single Central Pre-employment Record

The [toolkit](#) on the Intranet contains a checklist for schools to ensure that they have taken the necessary important action to comply with the DCSF regulations on safeguarding recruitment in education settings.

Schools need to:

- **Create a central record of pre employment checks** undertaken to date, of staff employed by the school, including those employed to deliver extended services and governors (see Single Central Pre-employment Record in the [toolkit](#)).
- **Identify any gaps in checks** and ask the individual to provide the record of evidence. If the individual is unable to locate their copy of the CRB Disclosure you may then check with your HR provider (note that List 99 is automatically checked as part of the CRB Disclosure process).

You should not keep any evidence of CRB or List 99 once the central record has been made and you must keep the central record in a secure place, making it only available to those who need to access it under the control of the Headteacher. Schools have been sent a list of names previously where there is no evidence on our records.

As a reminder, you should check that:

- All staff have had **proof of identity checks** to verify name, address and date of birth.(e.g. passport/birth certificate, utility bill/ bank statement).
- All staff recruited before March 2002 have had **List 99 and qualification checks**.
- All staff recruited since March 2002 have **CRB clearance**.
- All staff recruited from 12 May 2006 have an **Enhanced CRB clearance** (This should already be in place as this has been the recommendation since 2004).
- Supply teachers provide a written confirmation **that a check has been** undertaken, the type of check and the date it was carried out.
- Any overseas staff have a **permit to work in the UK**. The expiry dates of each foreign worker's permission to leave to enter/remain in the UK need to be closely monitored and recorded. Please refer to [Employing Foreign Workers](#).
- Overseas staff, who have worked in the UK before, have completed all the checks you would require for UK teachers. For overseas staff who have not worked here before their appointment, you should have sought access to information about their background e.g. certificates of good conduct or similar.