



Candidate Unsuitability Policy

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Candidate Unsuitability Policy

Regulation 20 of The Conduct of Employment Agencies and Employment Businesses Regulations 2003 places agencies and employment businesses under an obligation to act if they find out a work seeker is unsuitable. This obligation is slightly different for employment agencies (introducers of permanent candidates) and employment businesses (suppliers of temporary workers). The obligations are set out below:

Unsuitability of Permanent Candidates

If, within three months from the date of introduction of a work seeker to a hirer (probably the date the work seeker starts working for the client) you receive or obtain information which indicates that the work seeker is or may be unsuitable for that position you must inform the hirer without delay, i.e. on the same day or the next business day if that is not reasonably practicable, and terminate the contract. For example, if you take up a reference or otherwise hear of information that would make the candidate unsuitable you should inform the hirer.

Unsuitability of Temporary Workers

Where you receive or obtain information during the course of an assignment that gives you reasonable grounds to believe that a worker supplied to a hirer is unsuitable (see above) you must inform the hirer without delay and end the assignment.

If the information only indicates that the work seeker may be unsuitable but is insufficient to give you reasonable grounds to believe that s/he is in fact unsuitable you should commence such further 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 you have reasonable grounds to believe s/he is unsuitable you must then without delay inform the hirer and end the assignment.

Unsuitability and the 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; qualifications found to be false; or a medical condition that means the worker may either be at risk by performing the work or s/he may be placing others at risk. It should be information that would mean you would not have put the work seeker forward in the first place and must be more than just gossip.

Signed: 

Date: April 2026

Chris Coyle, Director