

Vietnam

Background

Checks

Employer Guide & Verification Challenges

5–12

BUSINESS DAYS

Turnaround

3–5

YEARS

Standard Coverage

PDPD

PRIMARY DATA

Protection Regime

Vietnam screening at a glance

Vietnam's employment market is growing quickly with rising emphasis on structured hiring, verification reliability, and data-protection compliance. Background screening requires a careful, adaptive approach.

5-12 BUSINESS DAYS TURNAROUND

3-5 YEARS STANDARD COVERAGE

Structured consent, role-based scope, careful documentation, and reliable verification methods are essential.

LEGAL FRAMEWORK

Cybersecurity Law + PDPD

CONSENT

Explicit & informed

CRIMINAL RECORDS

Candidate-applied (JRC)

EMPLOYMENT VERIFICATION

Possible but variable

DATA LOCALIZATION

Increasing emphasis

STANDARD COVERAGE

Typically 3-5 years

Regulations governing background screening



Law on Cybersecurity

Governs network security, data storage requirements, and obligations for in-country operators handling personal data.



Personal Data Protection Decree (PDPD)

Establishes consent, purpose limitation, data security, and cross-border transfer expectations for personal data.

EMPLOYER COMPLIANCE AREAS

Consent

Explicit, informed, role-relevant

Purpose Limitation

Linked to legitimate hiring use

Data Security

Controlled access & safeguards

Cross-Border Transfer

Carefully assessed

PDPD

Personal Data
Protection
Decree

Vietnam's primary data
protection regulation
governing employer
screening practices.

Consent is the foundation of lawful screening

Consent should be explicit, informed, specific to the screening scope, and clearly linked to hiring purposes.

KEY PRINCIPLE · Generic, blanket consent should be avoided

1

Explicit & Informed

Candidates should understand what checks are being conducted and why.

2

Specific to Scope

Generic consent may create compliance risk, particularly for sensitive checks.

3

Linked to Hiring Purpose

Screening should be connected to employment assessment and role requirements.

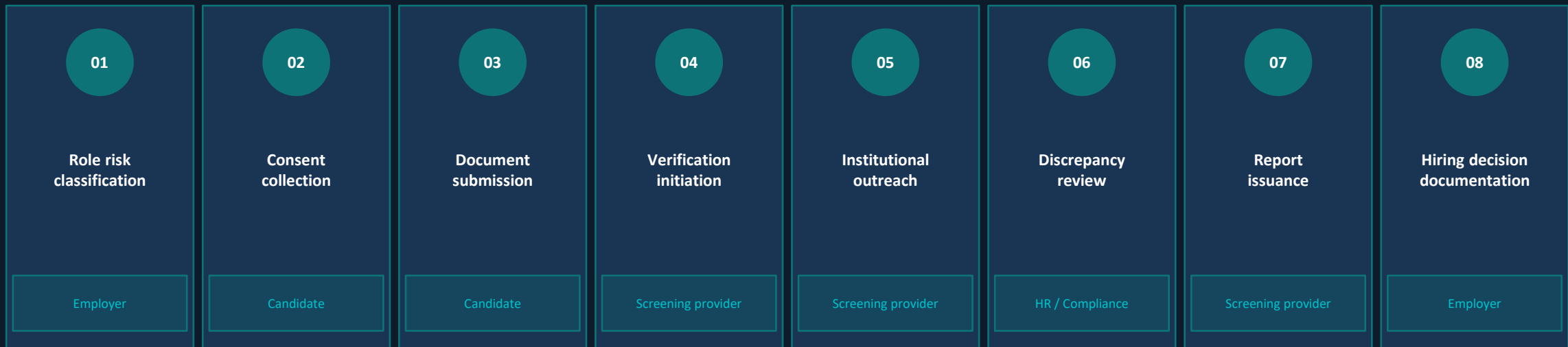
4

Cross-Border Disclosure

Where data may be processed overseas, this should be clearly disclosed.

An 8-step screening workflow

A structured workflow helps employers manage operational complexity and reduce compliance risk.



Common Vietnam background checks

Identity Verification

National ID, passport, work authorization.

Employment Verification

Tenure, position, organization confirmation.

Performance References

Qualitative feedback from referees.

Education Verification

Degree authenticity & graduation details.

Criminal Record Check

Judicial Record Certificate (candidate-applied).

Credit & Financial

Limited; role-justified, consent-backed.

Litigation Records

Civil litigation and public records.

Directorship Checks

Company involvement & corporate roles.

Judicial Record Certificate process

Judicial Record Certificate (JRC)

Official criminal record document issued by Vietnamese authorities. Typically applied for by the candidate; employers cannot directly request or obtain the certificate.

Official Route Judicial Record Certificate from Vietnamese authorities

Candidate Involvement Required — certificate is generally candidate-applied

Employer Use Must be role-relevant, proportionate, consent-backed

Alternative Searches Public dataset searches are NOT equivalent to JRC



Use official government channels only.

Unofficial criminal databases create compliance and accuracy risks.

Only the JRC from Vietnamese judicial authorities is an official source

Candidate involvement is mandatory — employers cannot bypass this process

Screening scope must be role-relevant and proportionate

Unofficial databases create both compliance and accuracy risks

Risk levels & when to involve legal review

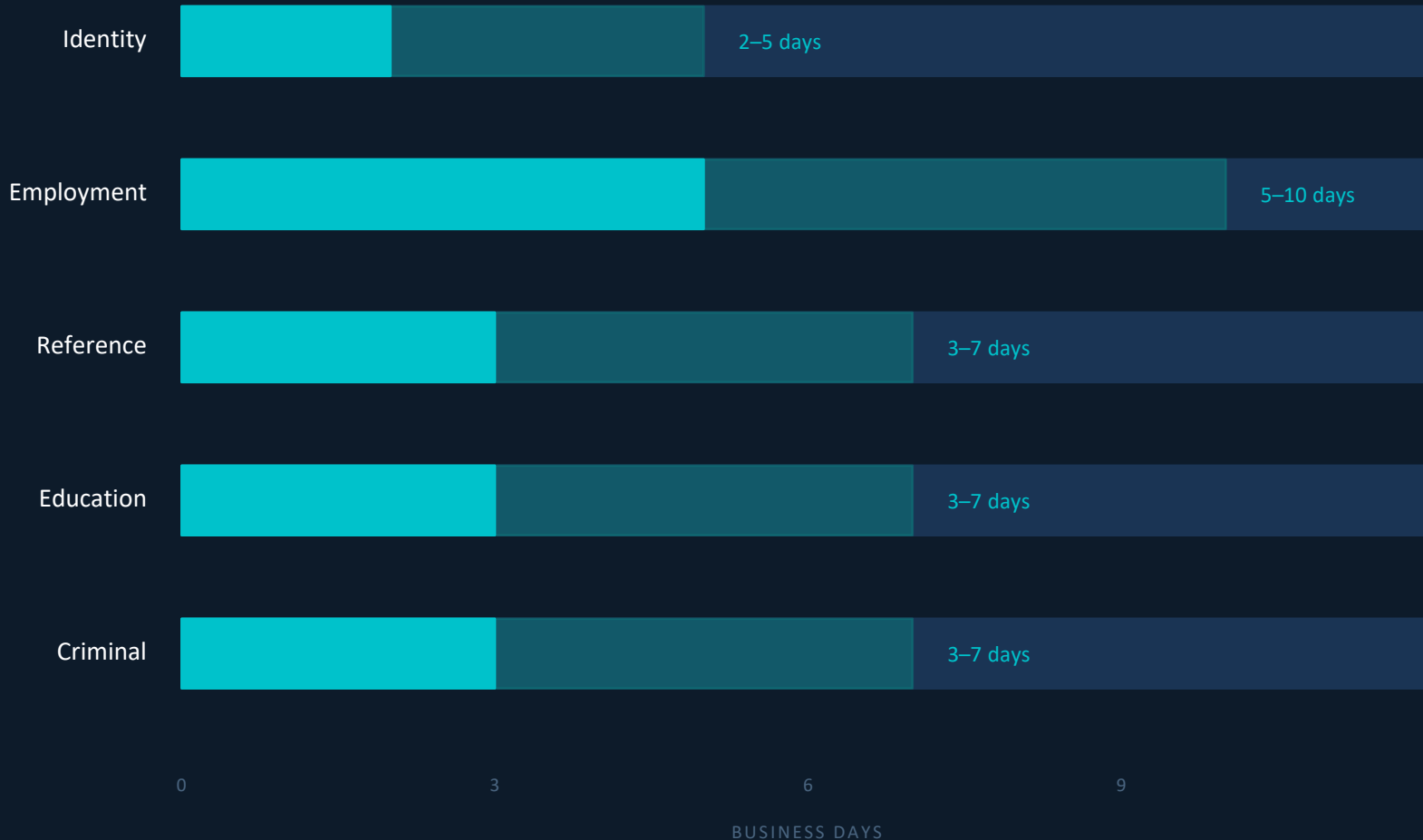
Not all background checks carry the same legal or privacy sensitivity. Apply a proportionate approach.

Avoid over-screening. Each check should be clearly linked to the role.

CHECK TYPE	SENSITIVITY	LEGAL REVIEW
Identity	Moderate	No
Employment	Moderate	No
Education	Low	No
Criminal	High	Yes ✓
Credit	High	Yes ✓
Litigation	Moderate	Role-dep.
Social Media	High	Yes ✓

How long Vietnam checks typically take

Turnaround depends on institutional responsiveness, documentation completeness, and candidate cooperation.



FAST ≠ ACCURATE

In Asia-Pacific, verification quality often depends on direct institutional responses and document completeness — speed without verification depth creates risk.

Cross-border transfer & data handling

Vietnam's data protection environment is evolving. Organizations should adopt a conservative compliance approach across the screening lifecycle.

Consent & Disclosure

Clearly explain the screening scope, purpose, and data handling approach to candidates.

Secure Data Handling

Limit access to candidate information and apply appropriate technical and organizational safeguards.

Retention Policies

Define how long screening data will be retained and when it should be securely deleted.

Cross-Border Transfer

Assess whether candidate data may be transferred or accessed outside Vietnam.

NOTE · Conservative compliance practices reduce regulatory and audit exposure

NOTE

Conservative compliance practices reduce regulatory and audit exposure

Vietnam's PDPD is actively evolving. Monitor regulatory developments and apply conservative data practices throughout the screening lifecycle.

Operational hurdles employers should expect

Vietnam screening involves operational inconsistency and local verification challenges. Plan for these issues before initiating checks.

01 Institutional Inconsistency
Schools, employers, and institutions respond differently — affecting consistency and turnaround.

03 Variable Employer Responsiveness
Verification timelines may be affected by delays from previous employers.

05 Limited Public Records
Public record availability may be incomplete or inconsistent across sources.

07 Multi-Language Documentation
Vietnamese and English documents require careful review to avoid naming or translation issues.

02 Candidate-Applied Criminal Process
Official criminal record checks require candidate involvement through JRC procedures.

04 Informal Employment Structures
Work histories with limited or informal documentation may be harder to verify.

06 Cross-Border Data Issues
Carefully assess whether candidate data may be processed or accessed outside Vietnam.

08 Evolving Privacy Rules
The regulatory environment is developing — monitor changes and maintain conservative practices.

Common risks and their potential impact






Manage Vietnam screening carefully to avoid compliance, accuracy, and audit risks.

RISK	POTENTIAL IMPACT
Inadequate Consent	Regulatory exposure and candidate complaints
Over-Reliance on Informal Data	Accuracy risk and inconsistent hiring decisions
Poor Documentation	Audit risk and difficulty defending decisions
Over-Screening	Proportionality concerns; unnecessary privacy exposure
Cross-Border Data Issues	Potential legal exposure where transfer rules ignored

Defensible hiring decisions depend on consent, documentation, and proportionate scope.

Governance questions senior leaders should ask

Senior management should ensure Vietnam screening is properly governed, documented, and aligned with legal and operational requirements.

	Is consent properly structured?	Consent is a core requirement for lawful and transparent screening.
	Is screening scope proportionate?	Checks should be aligned with role sensitivity and hiring risk.
	Are verification methods reliable?	Verification quality may vary depending on source and institution.
	Is documentation sufficient?	Good documentation supports audit readiness and defensible decisions.
	Are cross-border requirements addressed?	Cross-border processing can create additional compliance obligations.

FINAL TAKEAWAY

Structured. Risk-based. Compliance- focused.

Vietnam background screening is developing, operationally variable, and increasingly regulated. Treating it as a simple administrative process creates real risk.

FIVE PRINCIPLES FOR DEFENSIBLE SCREENING

1 Structure consent clearly and specifically

2 Apply role-based, proportionate screening scope

3 Validate via reliable, official sources

4 Maintain documentation discipline for audit readiness

5 Monitor regulatory developments continuously