eeCHECK

Philippines Background Checks

Process & Employer Compliance Guide

Legal Framework, Verification Practices
& Screening Considerations

Prepared for Employers Operating in the Philippines

Compliance

Verification

Privacy

Screening

2026 EDITION

Executive Summary & At a Glance

Executive Summary

1. Screening is widely practised but requires careful programme design

2. Principal legal framework: Data Privacy Act of 2012

3. Screening is lawful with proper consent, clear purpose, proportionate scope

4. Distinguish between official NBI Clearance and court record searches

5. Employer remains accountable even when outsourcing screening

At a Glance

Category	Philippines Position
Legal Framework	Data Privacy Act of 2012
Consent Required	Yes – explicit and informed
Criminal Record	Candidate-applied NBI Clearance
Employment Verification	Widely practised
Education Verification	Common, institution-dependent
Credit Check	Role-dependent
Cross-Border Transfer	Permitted with safeguards
Standard Coverage	5–7 years typical
Typical Turnaround	3–10 business days

Legal Framework & Consent Requirements

1. Legal Framework

Governed by the Data Privacy Act of 2012 (Republic Act No. 10173) and National Privacy Commission issuances.

1. Supported by valid consent
2. Limited to legitimate hiring purposes
3. Proportionate to the role
4. Governed through data protection controls

2. Consent Requirements

Consent is the cornerstone of compliant screening. It must be specific, informed and tied to the hiring purpose.

Checks Conducted	Types of checks being performed
Purpose	Why information is required
Data Collected	What personal data will be processed
Cross-Border	Whether data may leave the Philippines
Retention	How long data will be retained

Background Check Process Flow

01	02	03	04	05	06	07	08
Role Risk Classification	Consent Collection	Document Submission	Verification Initiation	Institutional Outreach	Discrepancy Review	Report Issuance	Hiring Decision
Employer	Candidate	Candidate	Provider	Provider	HR / Compliance	Provider	Employer

Core Screening Services (I)

ID

4.1 Identity Verification

First stage of screening. Confirms the candidate is who they claim to be.

- Government ID review
- Passport verification
- Address consistency checks
- Biographical consistency checks

EV

4.2 Employment Verification

Confirms stated work history for professional and trust-sensitive roles.

- Employment dates
- Job title
- Nature of employment
- Separation status

Turnaround: 5–10 business days

PR

4.3 Performance Reference

Qualitative insight for mid-senior, regulated and leadership roles.

- Conduct
- Integrity
- Professional performance
- Reason for departure

Core Screening Services (II)

ED 4.4 Education Verification

Confirms academic qualifications are authentic and accurately represented.

- Degree authenticity
- Institution confirmation
- Graduation details
- Accreditation validation

CR 4.5 Criminal & Court Records

Employers must distinguish between official clearance and alternative public-record searches.

Method	Candidate Involvement	Use
NBI Clearance	Yes	Highest official assurance
Court Record Search	No	Faster pre-employment
Combined	Partial	High-risk / regulated roles

Core Screening Services (III)

4.6 Professional Licence

Confirms current and valid licence to perform the role. The Professional Regulation Commission (PRC) is the key reference point.

- Licence status
- Registration standing
- Eligibility to practise

4.7 Credit & Financial

Reserved for roles where financial integrity is genuinely relevant. Must be clearly justified and proportionate.

- Finance-sensitive roles
- Treasury and accounting
- Fiduciary responsibilities
- Senior financial authority

4.8 Litigation & Public Records

Additional context for senior or regulated roles. Findings must be relevant and assessed fairly.

- Civil litigation records
- Bankruptcy-related info
- Public adverse information

Check Sensitivity & Turnaround Times

5. Sensitivity of Screening Checks

Check Type	Sensitivity	Legal Review?
Identity	Moderate	No
Employment	Low–Moderate	No
Education	Low	No
Criminal / Clearance	High	Yes
Credit	High	Yes
Professional Licence	Moderate	Role-dependent
Social Media	High	Yes

6. Turnaround Time Summary

Check Type	Estimated Time
Identity	1–3 business days
Employment	5–10 business days
Reference	3–7 business days
Education	3–10 business days
Criminal / Clearance	3–10 business days
Professional Licence	1–5 business days
Credit	3–5 business days

Data Protection & Compliance Risks

7. Data Protection & Governance

Purpose Limitation	Collect data only for defined hiring purposes
Data Minimisation	Only information necessary for the role
Security	Secure storage and restricted access
Retention	Define and document retention periods
Cross-Border	Lawful, transparent transfer controls
Privacy Governance	Formal policies and documentation

8. Common Compliance Risks

Generic or unclear consent
Data privacy non-compliance
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Over-screening junior roles
Proportionality risk
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Poor retention control
Privacy exposure
!

Weak documentation
Audit and defensibility risk
!

Improper handling of sensitive IDs
Regulatory exposure
!

Executive Oversight & Strategic Takeaway

9. Executive Oversight Checklist

- ✓ Is consent explicit and well documented?
- ✓ Is the screening scope proportionate to the role?
- ✓ Are official verifications used where needed?
- ✓ Are data protection controls documented and implemented?
- ✓ Are cross-border transfers disclosed and governed?
- ✓ Are discrepancies reviewed and documented consistently?

Final Strategic Takeaway

Employment background screening should be treated as part of enterprise risk management — not simply a recruitment exercise. Combine local regulatory knowledge with internationally recognised practices for informed, compliant hiring decisions.