



Right to Work in the UK Procedure

As an employer we are aware of our legal duty to ensure that all employees are entitled to work in the UK throughout their employment with us.

Prior to employing anyone we conduct right to work checks on all potential employees without discrimination.

This involves us doing the following:

1. Obtaining the applicant's original documents;
2. Checking that the documents are valid with the applicant present;
3. We then make and keep copies of the documents and record the dates we made the check.

The documents we require for someone with a right to work in the UK will be in line with current Home Office guidance but will normally be:

- a valid passport (to show that the holder is allowed to stay in the UK and is currently allowed to do the work in question);
- a national identity card;
- a full birth or adoption certificate issued in the UK along with a National Insurance Number and their name issued by a Government agency or previous employer;
- biometric residence permits (indicates that the named person can currently stay in the UK and is allowed to do the work in question);
- a current Residence Card
- a current Immigration Status Document (issued by the Home Office).

The documents provided must be genuine, original and unchanged and belong to the applicant. The documents must show that the dates for the applicant's right to work in the UK have not expired and that the applicant has permission to do the type of work and hours of work we are offering. For students we require evidence of their study and vacation times.

If an applicant cannot provide us with documents we would ask the Home Office to check their immigration employment status if one of the following is the case:

- we are reasonably satisfied that they can't show their documents because of an outstanding appeal, administrative review or application with the Home Office
- They have an Application Registration Card
- They have a Certificate of Application that is less than 6 months old.

If this is the case, only if the Home Office send us a 'Positive Verification Notice' to confirm that the applicant has a right to work shall we be able to employ this person. We would keep this document on file.

On a practical note, when checking documents we ensure that the photos and dates of birth of the applicant are the same across all documents and that the photos look like the applicant. If the names are different across the documents we require proof as to why this is the case (e.g. marriage certificate).

We would make a photocopy of the documents to keep on file. For passports we would copy the expiry date and applicant's details including endorsements like the work visa. For biometric residence permits and residence cards we would copy both sides and for all other documents which may be given we make a complete copy.

The date these copies and checks were made would be recorded and the copies would remain on our files for the applicant's employment and for 2 years after they stop working for us.

If the Employee has a temporary/ limited right to work in the UK

If someone has a temporary right to work in the UK which lasts for 6 months a Certificate of Application issued by the Home Office will state that the holder is permitted to take employment which is less than 6 months old together with a Positive verification Notice. An Application Registration Card together with a Positive verification Notice, or a Positive Verification Notice alone will also show a right to work which is temporary.

If someone has a time- limited statutory excuse which lasts until the expiry date of leave a current Passport, a Biometric Immigration Document, a current residence Card or a current Immigration Document from the Home Office will show this.

These documents will be checked and copied in the same way and kept on file during the time allowed for employment and for 2 years after employment.

We would diarise the expiry date of any time limited right to work in the UK and terminate or suspend employment if and when this date is reached, unless the employee has obtained an extended right to work in the UK, in which case we would repeat the process outlined above.