



## RIGHTS TO WORK

The law requires that we must check that a job applicant is allowed to work for us in the UK before we employ them.

We will either:

- check the applicant's original documents
- check the applicant's right to work online, if they've given us share code

**We could face a civil penalty if we employ an illegal worker and have not carried out a correct right to work check.**

We will not discriminate against anyone because of where they're from.

## Employing EU, EEA and Swiss citizens

How we check EU, EEA or Swiss citizens' right to work in the UK has not changed, even though the UK has left the EU. They can still use your passport or National Identity Card until 30 June 2021.

After 30 June 2021, the new immigration rules for recruiting people from outside the UK will apply. us will not need to make retrospective checks for existing employees.

We'll also need a sponsor licence to employ EEA and Swiss citizens coming to the UK to work from 1 January 2021.

## Checking the applicant's original documents

Because of coronavirus (COVID-19) there are temporary changes to the way we can check documents. The guidance about the adjusted



process, including asking for documents digitally, making checks on a video call, and what to do if someone cannot provide any accepted documents.

1. Ask to see the applicant's original documents.
2. Check that the documents are valid with the applicant present.
3. Make and keep copies of the documents and record the date we made the check.

## **What we need to check**

We will need to check that:

- the documents are genuine, original and unchanged and belong to the person who has given them to us
- the dates for the applicant's right to work in the UK have not expired
- photos are the same across all documents and look like the applicant
- dates of birth are the same across all documents
- the applicant has permission to do the type of work we're offering (including any limit on the number of hours they can work)
- for students we must see evidence of your study and vacation times
- if 2 documents give different names, the applicant has supporting documents showing why they're different, such as a marriage certificate or divorce decree



## Follow-up checks

If our employee's right to work is time-limited, we'll need to check their documents again when it's due to expire.

## Taking a copy of the documents

When we copy the documents, we will:

- make a copy that cannot be changed, for example a photo-copy
- make sure the copy is clear enough to read
- for passports, copy any page with the expiry date and applicant's details (for example nationality, date of birth and photograph) including endorsements, for example a work visa
- for biometric residence permits and residence cards (biometric format), copy both sides
- for all other documents we must make a complete copy
- keep copies during the applicant's employment and for 2 years after they stop working for we
- record the date the check was made

We will make sure we follow data protection law.

## If you cannot show your documents

The law requires that we must ask the Home Office to check our employee or potential employee's immigration employment status if one of the following applies:

- we're reasonably satisfied that you cannot show us your documents because of an outstanding appeal, administrative review or application with the Home Office



- you have an Application Registration Card
- you have a Certificate of Application that is less than 6 months old
- you're a Commonwealth citizen who's been living in the UK since before 1988

Application registration cards and certificates of application must state that the work the employer is offering is permitted. Many of these documents do not allow the person to work.

The Home Office will send us a 'Positive Verification Notice' to confirm that the applicant has the right to work and we must keep this document.

Kindly read this policy and agree to it