



RIGHT TO WORK IN THE UK POLICY

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PERMISSION TO WORK IN THE UK

JRH Support will be in breach of asylum and immigration legislation if it employs those who are subject to immigration control and have no entitlement to live and work in the UK, or if there is reasonable cause to believe the individual does not have the right to work in the UK. It is also essential that, in ensuring compliance with the legislation, JRH Support does not discriminate against people because of their race, colour or ethnic or national origin. Therefore the same checking procedures are applied equally to all.

PROCESS

To comply with legislation and also to ensure JRH Support does not discriminate against people because of their race, colour, ethnic or national origin, the HR department will ensure that all applicants, irrespective of their national or racial origin, produce one of the documents (or specified combinations of documents) included in **List A** or **List B** below before commencing employment. Alternatively, JRH Support may carry out an online check using the Home Office's online checking service. The HR department will conduct the necessary checks during the recruitment process and if/when a renewal is required.

Those involved in the recruitment of the organisation's employees will ensure job applicants are aware of the need to evidence their eligibility to work in the UK at interview stage; and will ensure that these checks are made.

REQUIRED DOCUMENTATION FOR MANUAL CHECKS

If the documents checked are from **List A** (shown below), the Company will establish a continuous statutory excuse i.e. the person's eligibility need never be checked again.

If the documents checked are from **Group 1 of List B** (shown below) and annual renewal checks are required, the HR department should contact the individual one month prior to the expiry date of their permission to work in the UK to remind them that they will be required to re-apply for permission.

Once the expiry date has been reached, the employee **must** provide evidence that they have an outstanding renewal application in place. This will enable us to extend their permission to work in the UK for a further 28 days. This evidence should be uploaded to People Planner as a 'Right to work in UK' event. The individual will **not** be allowed to work until this evidence has been provided and uploaded.

If we receive a negative verification notice, the individual **is not** permitted to continue with their employment. If verification has not been received within the 28 days extension, the individual will **not** be able to continue work until we receive a positive verification notice.

If we receive a negative verification notice, an application for renewal has not been made following the expiry date, or we have not received a positive verification notice within the 28 days extension, the General Manager **must** be notified.

If the documents checked are from **Group 2 of List B**, or the individual is not able to present an acceptable document because of an outstanding application, our HR department will contact the Employer Checking Service to receive a Positive Verification Notice to preserve the statutory excuse. The statutory excuse will last for 6 months, upon which a further check is required.

If in doubt, the General Manager will contact UK Visas and Immigration for further advice (UKVI).

These procedures may be subject to review in accordance with amendments to immigration legislation.

TUPE TRANSFERS

Where employees are transferred to the Company in accordance with the legislation on the transfer of undertakings, the General manager will ensure we carry out the required checks of all the transferring employees within 60 day

STUDENTS

The Company will obtain a copy of academic and holiday times covering the duration of the period of study in the UK for which they will be employed for all students who have time-limited permission to work during term-time.

The HR department will also satisfy themselves that the employee/prospective employee is enlisted with the college/university/place of study.

USING A SHARE CODE

If an individual has a share code to evidence their right to work in the UK, the HR department can complete an online check by visiting <https://www.gov.uk/view-right-to-work>. A copy of the online evidence should be uploaded to People Planner once the check has been completed, and a note made of the actual date the check was completed.

MANUAL CHECK

Step 1 – Obtain

List A.

1. A passport (current or expired) showing the holder is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.
2. A passport or passport card (in either case, whether current or expired) showing that the holder is an Irish citizen.
3. A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted unlimited leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules,

Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.

4. A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
5. A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.
6. A birth or adoption certificate (short or long) issued in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.
7. A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.
8. A certificate of registration or naturalisation as a British citizen, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.

List B group 1

1. A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.
2. A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted limited leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.
3. A current Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK, and is allowed to do the type of work in question, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.

List B group 2

1. A document issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules (known as the EU Settlement Scheme) on or before 30 June 2021 together with a Positive Verification Notice from the Home Office Employer Checking Service.

2. A Certificate of Application (non-digital) issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules (known as the EU Settlement Scheme), on or after 1 July 2021, together with a Positive Verification Notice from the Home Office Employer Checking Service.
3. A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man showing that the holder has made an application for leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules or Appendix EU to the Immigration Rules (Bailiwick of Guernsey) Rules 2008, or Appendix EU to the Isle of Man Immigration Rules together with a Positive Verification Notice from the Home Office Employer Checking Service.
4. An Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, together with a Positive Verification Notice from the Home Office Employer Checking Service.
5. A Positive Verification Notice issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question.

Step 2 – Check

The HR department will check that the documents are genuine and that the individual presenting them is the prospective employee or employee, the rightful holder and allowed to do the type of work you are offering:

- Are photographs consistent across documents and with the person presenting themselves for work?
- Are dates of birth correct and consistent across documents?
- Are expiry dates for time-limited permission to be in the UK in the future i.e. they have not passed (if applicable)?
- Have you checked work restrictions to determine if the person is able to work for you and do the type of work you are offering? (For students who have limited permission to work during term time, you must also obtain, copy and retain details of their academic term and vacation times covering the duration of their period of study in the UK for which they will be employed.)
- Have you taken all reasonable steps to check that the document is genuine, has not been tampered with and belongs to the holder?
- Have you checked the reasons for any different names across documents (e.g. marriage certificate, divorce decree, deed poll)? (Supporting documents should also be photocopied and a copy retained.)

Step 3 – Copy

The HR department will make a clear copy of each document in a format which cannot manually be altered and retain the copy securely on People Planner with a record of the date on which the check was made.

The following must be copied and retained:

- Passports: any page with the document expiry date, the holder's nationality, date of birth, signature, immigration permission, expiry date, biometric details, photograph and any page containing information indicating the holder has an entitlement to enter or remain in the UK (visa or entry stamp) and undertake the work in question (the front cover no longer has to be copied)
- All other documents: the document in full, both sides of an immigration status document and an Application Registration Card

All copies of documents taken should be kept securely for the duration of the worker's employment and for two years afterwards. The copy must then be securely destroyed.

