

RIGHT TO WORK DOCUMENTS

Why are you being asked to bring evidence of your right to work to interview?

The new Immigration, Asylum and Nationality Act 2006 came into effect on 29 February 2008. This strengthened the requirement for employers to check documents to establish a person's eligibility to work in the UK and compliance with any restrictions. New civil penalties were introduced with fines up to £10,000 for each illegally employed worker and unlimited fines and imprisonment of up to 2 years for knowingly employing illegal workers.

Under the Act we are required to check your eligibility to work in the UK **before** you start work. We are therefore asking all candidates to bring proof of their right to work to interview and a copy will be taken. If you do not currently have the right to work, and need to apply for a work permit (before Nov 08) or a certificate of sponsorship (after Nov 08) please note this on your application form and raise at interview.

If you are successful at interview this documentation will be kept on your personnel file. If you are not successful the documentation will be shredded and securely disposed of. If you forget to bring this documentation you will be asked to provide the original before a job offer can be made.

What is Proof?

Official Documentation

LIST A

Single documentation:

- A passport showing that the holder is a British citizen or a citizen of the United Kingdom and Colonies having the right of abode in the United Kingdom.
- A passport or national identity card showing that the holder is a European Economic Area (EEA) or Swiss national.
- Residence permit, registration certificate or Home Office or Border Agency document indicating rights of permanent residence to an EEA or Swiss national or family member
- A passport, biometric 10 card or other travel documents indicating the holder is exempt from immigration control, is allowed to stay indefinitely in the country or has no time limit on their stay.

Combination documentation:

1. P45, P60, NI number card or letter from an approved Government agency. (Please note that a National Insurance number does not automatically indicate that the individual is eligible to work, and is not sufficient evidence), plus:
 - Immigration Status Document (ISD) with indefinite leave to remain, or
 - Full UK, Channel Islands, Isle of Man or Irish birth certificate, or
 - Full UK, Channel Islands, Isle of Man or Irish adoption certificate, or
 - Certificate of registration or naturalisation as a British citizen, or
 - Letter issued by the Home Office or UK Border Agency indicating indefinite leave to remain

LIST B

Single documentation:

- Passport or travel document endorsed for specific types of work, provided a CoS is not required
- Biometric Immigration document indicating the person is permitted to stay in the UK and do the work in question
- A residence card or document issued to a family member of a EEA or Swiss national

Combination documentation:

(you must provide one of the following three combination options)

1. **A certificate of sponsorship **plus** passport, ISD or other travel document indicating entry clearance / leave to remain

2. Certificate of application for a family member of a national of a EEA country or Switzerland stating that the holder is permitted to take employment which is less than 6 months old (this must be checked by the Border Agency Employer checking service), **or**

An Application Registration Card issued by the Home Office or the Border Agency stating that the holder is permitted to take employment (applies to a limited number of asylum seekers). This must be checked by the Border Agency Employer checking service.

3. P45, P60, NI number card or letter from an approved Government agency **plus** ISD giving limited leave to remain or Letter from the Home Office or Border Agency confirming limited leave to remain

** This cannot be checked at interview. If you need a work permit/ certificate of sponsorship please flag this up on your application form and at interview. See below

CERTIFICATES OF SPONSORSHIP (Previously Work Permits)

If you do not have automatic permission to work in the UK you may still be able to apply for a certificate of sponsorship under the new points based immigration system. This replaces the previous system of applying for a work permit from November 2008.

If you meet the following criteria, the company may offer you a certificate of sponsorship (CoS). This, along with confirmation of your competence in English and maintenance requirements will be considered by the UK Border Agency when considering your entry clearance/leave to remain in the UK.

Criteria for issuing a CoS:

- The job is in a 'designated shortage' occupation
- It passes the Resident Labour Market Test (RLMT)
- The job is at S/NVQ3 level or above
- Minimum salary levels

For more detailed information about working in the UK please go to the UK Border Agency website

<http://www.ind.homeoffice.gov.uk/workingintheuk/>.

Workers from EU Accession States

You can move and live freely in any European Union (EU) member state as a European Economic Area (EEA) national. You do not need permission to enter or remain to live in the United Kingdom. You will normally have to register under the Worker Registration Scheme if you wish to work for an employer in the United Kingdom for more than one month and are a citizen of:

- Czech Republic;
- Estonia;
- Hungary;
- Latvia;
- Lithuania;
- Poland;
- Slovakia; or
- Slovenia.

You must register within one month of starting work. Once you have been working in the United Kingdom legally for 12 months without a break in employment, you will no longer have to register on the Worker Registration Scheme. You can then obtain a residence permit confirming your right to live and work in the United Kingdom.

For further information, including any exemptions go the website

<http://www.ukba.homeoffice.gov.uk/workingintheuk/eea/wrs/>

Bulgarian and Romanian Nationals

You can move and live freely in any European Union (EU) member state as a European Economic Area (EEA) national. You do not need permission to enter or remain to live in the United Kingdom. If you want to work in the United Kingdom you will need to apply for an accession worker card, and we will have to apply for a work permit / certificate of sponsorship.

If you are a Bulgarian or Romanian national please flag this up on your application form and at interview.

For further information, including any exemptions go to the website <http://www.ukba.homeoffice.gov.uk/workingintheuk/eea/bulgariaromania/>