STANDARD OPERATING PROCEDURE FOR CHECKING IMMIGRATION DOCUMENTS

You must check that an employee is allowed to work for us in the UK before you employ them.

1. You must see the applicant’s original documents.
2. You must check that the documents are valid with the applicant present.
3. You must make and keep copies of the documents and record the date you made the check.

You could face a civil penalty if you employ an illegal worker and haven’t carried out a correct right to work check.

The 3-Step Check

Step 1 OBTAIN

You must obtain original documents from either List A or List B of acceptable documents. See lists on Page 2 and 3.

Step 2 CHECK

You must check that they are genuine and that the person presenting them is the prospective employee or employee, the rightful holder and allowed to do the type of work you are offering. You must check:

1. Photographs and dates of birth are consistent across documents and with the person’s appearance in order to detect impersonation;
2. Expiry dates for permission to be in the UK have not passed;
3. Any work restrictions to determine if they are allowed to do the type of work on offer (for students who have limited permission to work during term-times, 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);
4. The documents are genuine, have not been tampered with and belong to the holder; and
5. The reasons for any difference in names across documents (e.g. original marriage certificate, divorce decree absolute, deed poll). The supporting documents should also be photocopied and a copy retained.

Step 3 COPY

You must make a clear colour copy of each document in a format which cannot later be altered, and retain the copy securely: electronically or in hardcopy. You must also retain a secure record of the date on which you made the check. Agreed wording: “On DATE, at TIME, I NAME conducted a right to work check against the original copy of this document in the presence of the holder.

You must copy and retain:
1. Passports: any page with the document expiry date, the holder’s nationality, name of birth, signature, leave expiry date, biometric details, photograph and any page containing information indicating the holder has an entitlement to enter or remain in the UK and undertake in question (the front copy no longer has to be copied).
2. All other documents: the document in full, including both sides of a Biometric Passport, Identity Card and a Residence Card (biometric format).

LIST A and B – acceptable documents

If individuals have a permanent right to work in the UK they should provide a document or combination of documents from List A.

If individuals have a temporary right to work in the UK they must provide a document or combination of documents from either List B Group 1 or List B Group 2.

List A
1. A passport showing the holder, or a person named in the passport as the child of 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 national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
3. A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
4. A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
5. A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
6. 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.

List B
1. 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.
2. A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to do the work in question.
3. A current Residence Card (including an Accession Residence Card or a Derivative Residence Card) issued by the Home Office to a non-European Economic Area national who is a family member of a national of a European Economic Area country or Switzerland or who has a derivative right of residence.
4. 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.

Group 2 - documents where time-limited permission lasts for 6 months

1. A Certificate of Application issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a family member of a national of a European Economic Area country or Switzerland stating that the holder is permitted to take employment which is less than 6 months old together with a Positive Verification Notice from the Home Office Employer Checking Service.
2. 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.
3. 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.

DOCUMENTS REQUIRED BY STUDENTS WITH TIME LIMITED PERMISSION UNDERTAKING WORK

Evidence of the student’s academic institution’s term time dates in one of the following formats:

(i) A printout from their institution’s website or other material published setting out the term time dates for their course; or
(ii) A copy of a letter or email addressed to either the student or the recruiter from their institution confirming the term time dates for their course.

If the student is at the end of their course, they must also provide written evidence that they have completed all the academic requirements of the course (i.e. submitted the dissertation, attended the viva and completed corrections or taken the resit exams) and that there is no further work outstanding.
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