

IDENTIFICATION AND ELIGIBILITY TO WORK IN THE UK

Q. Why do you need to see proof of my identification and eligibility to work in the UK?

A. There are two reasons why we need to see proof of your identification and eligibility to work in the UK;

- 1) Under sections 15 to 26 of the Immigration, Asylum and Nationality 2006 ("The Act"), it is a criminal offence to knowingly employ a person aged 16 or over who is subject to immigration control and who has no permission to work in the United Kingdom, or who works for us in breach of their conditions of stay in the United Kingdom.
- 2) Under The Conduct of Employment Agencies and Employment Businesses Regulations 2003 ("The Conduct Regulations"); Regulation 19 states that an Employment Agency or Employment Business must not introduce or supply a Work Seeker to a Client unless it has obtained confirmation of the Identity of the Work - Seeker. This means that we require proof of your identification and eligibility to work in the UK prior to placement.

As an Employment Agency and Employment Business, legislation states we have responsibility for checking those who we supply to Clients are who they say they are, and that they are entitled to live and work in this country prior to placement.

For those of you who have opted out of The Conduct Regulations this is no longer a requirement (under point 2 above), however in accordance with our Limited Company Contractor Terms & Conditions (Clause 15), our obligation to our Clients means that we still require to see this information from you.

Please note that both identification and eligibility to work is requested from everyone regardless of their entitlement to live and work in the UK.

Q. How should I present my identification and eligibility to work to you?

A. Regardless of the type of work you are looking for, we will require seeing proof of your identification and eligibility to work in the UK. It is a necessity that the original documents are seen, either by us or by the Client, prior to placement. There are separate procedures for viewing these documents based on the type of work you are looking for;

- 1) If you are looking for a permanent position, we require that you provide us with proof (either a photocopy or the original). This allows us to notify the Client about something that they may need to know about or arrange, such as a Work Permit. It should be noted however that you will be asked to present your original ID and Eligibility to Work to all potential new Employers either when going for interview or once placed. It is advisable to take it with you to interviews just in case.
- 2) For those of you who are looking for Temporary Work, the following procedure should be followed;
 - We will arrange with you to visit our offices to present the original copies of your identification and your eligibility to work in the UK. Alternatively your original copies will be presented to your consultant in your initial candidate meeting.
 - In the event that you are unable attend our office, please provide a clear photocopy (via e-mail or post) of your original documents. Should you find a temporary position, this photocopy will be forwarded to the Client and you will be required to present the original documents to the Client on the first day of your Assignment. The Client will then verify that the photocopy and original documents are one in the same. If photographic evidence is supplied, the Client will verify that the image is of a true likeness to the Candidate being supplied. The photocopy will then be signed and dated by the Client and returned to us.

Important; Please Note that failure to provide your original documents may result in the termination of the Assignment.

Q. What proof can or should I provide?

- A.** There are several documents that you can provide in order to prove your identification and eligibility to work in the UK. The easiest to provide is your Passport (with Visa/Work/Residence Permit if applicable) as this document will cover both elements of your identification and eligibility.

Below is an insert from the guidance on the Prevention of Illegal Working for Employers document from the UK Border Agency. This full document can be viewed at;

<http://www.ukba.homeoffice.gov.uk>

If you are unsure of what documents you can and cannot provide, please call the office on 01786 446651.

LIST A - DOCUMENTS WHICH PROVIDE AN ONGOING EXCUSE

1. A passport showing that the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the United Kingdom and Colonies having the right of abode in the United Kingdom.
2. A passport or national identity card showing that the holder, or a person named in the passport as the child of the holder, is a national of the European Economic Area or Switzerland.
3. A residence permit, registration certificate or document certifying or indicating permanent residence issued by the Home Office, Border and Immigration Agency or UK Border Agency to a national of a European Economic Area country or Switzerland.
4. A permanent residence card issued by the Home Office, Border and Immigration Agency or UK Border Agency to the family member of a national of a European Economic Area country or Switzerland.
5. A Biometric Immigration Document issued by the UK Border Agency to the holder which indicates that the person named in it is allowed to stay indefinitely in the United Kingdom, or has no time limit on their stay in the United Kingdom.
6. A passport or other travel document endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the United Kingdom, has the right of abode in the United Kingdom, or has no time limit on their stay in the United Kingdom.
7. An Immigration Status Document issued by the Home Office, Border and Immigration Agency or UK Border Agency to the holder with an endorsement indicating that the person named in it is allowed to stay indefinitely in the United Kingdom or has no time limit on their stay in the United Kingdom, **when produced in combination 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 full birth certificate issued in the United Kingdom which includes the name(s) of at least one of the holder's parents, **when produced in combination with** an official document giving the person's permanent National Insurance Number and their name issued by a Government agency or a previous employer.
9. A full adoption certificate issued in the United Kingdom which includes the name(s) of at least one of the holder's adoptive parents **when produced in combination with** an official document giving the person's permanent National Insurance Number and their name issued by a Government agency or a previous employer.
10. A birth certificate issued in the Channel Islands, the Isle of Man or Ireland, **when produced in combination with** an official document giving the person's permanent National Insurance Number and their name issued by a Government agency or a previous employer.
11. An adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, **when produced in combination with** an official document giving the person's permanent National Insurance Number and their name issued by a Government agency or a previous employer.
12. A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance Number and their name issued by a Government agency or a previous employer.
13. A letter issued by the Home Office, Border and Immigration Agency or UK Border Agency to the holder which indicates that the person named in it is allowed to stay indefinitely in the United Kingdom **when produced in combination 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 - DOCUMENTS WHICH PROVIDE AN EXCUSE FOR UP TO 12 MONTHS

1. A passport or travel document endorsed to show that the holder is allowed to stay in the United Kingdom and is allowed to do the type of work in question, provided that it does not require the issue of a work permit.
2. A Biometric Immigration Document issued by the UK Border Agency to the holder which indicates that the person named in it can stay in the United Kingdom and is allowed to do the work in question.
3. A work permit or other approval to take employment issued by the Home Office, Border and Immigration Agency or UK Border Agency **when produced in combination with** either a passport or another travel document endorsed to show the holder is allowed to stay in the United Kingdom and is allowed to do the work in question, or a letter issued by the Home Office, Border and Immigration Agency or UK Border Agency to the holder or the employer or prospective employer confirming the same.
4. A certificate of application issued by the Home Office, Border and Immigration Agency or UK Border Agency to or for 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 **when produced in combination with** evidence of verification by the UK Border Agency Employer Checking Service.
5. A residence card or document issued by the Home Office, Border and Immigration Agency or UK Border Agency to a family member of a national of a European Economic Area country or Switzerland.
6. An Application Registration Card issued by the Home Office, Border and Immigration Agency or UK Border Agency stating that the holder is permitted to take employment, **when produced in combination with** evidence of verification by the UK Border Agency Employer Checking Service.
7. An Immigration Status Document issued by the Home Office, Border and Immigration Agency or UK Border Agency to the holder with an endorsement indicating that the person named in it can stay in the United Kingdom, and is allowed to do the type of work in question, **when produced in combination 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 letter issued by the Home Office, Border and Immigration Agency or UK Border Agency to the holder or the employer or prospective employer, which indicates that the person named in it can stay in the United Kingdom and is allowed to do the work in question **when produced in combination with** an official document giving the person's permanent National Insurance Number and their name issued by a Government agency or a previous employer.

DOCUMENTS THAT DO NOT PROVIDE YOU WITH AN EXCUSE

The following documents will not provide a statutory excuse under section 15 of the 2006 Act: a Home Office Standard Acknowledgement Letter or Immigration Service Letter (IS96W) which states that an asylum seeker can work in the UK. If you are presented with these documents then you should advise the applicant to call the UK Border Agency on **0151 237 6375** for information about how they can apply for an Application Registration Card; a temporary National Insurance Number beginning with TN, or any number which ends with the letters from E to Z inclusive; a permanent National Insurance number when presented in isolation;

- a driving licence issued by the Driver and Vehicle Licensing Agency;
- a bill issued by a financial institution or a utility company;
- a passport describing the holder as a British Dependent Territories Citizen which states that the holder has a connection with Gibraltar;
- a short (abbreviated) birth certificate issued in the UK which does not have details of at least one of the holder's parents;
- a licence provided by the Security Industry Authority;
- a document check by the Criminal Records Bureau;
- a card or certificate issued by the Inland Revenue under the Construction Industry Scheme.