

ILLEGAL WORKERS POLICY

The purpose of this policy is to support in the prevention of illegal working, Inspectahire Instrument Company Ltd is responsible for gathering and checking documents providing proof of the eligibility to work for prospective employees at the offer of employment stage during our recruitment process.

1) - Document Checking

Administrative personnel must check that a job applicant is legally allowed to work for Inspectahire Instrument Company Ltd in the UK before they can be employed by the company.

You can either:

- [check the applicant's original documents](#)
- [check the applicant's right to work online](#), if they've given you their share code

Is the company employing EU, EEA and Swiss citizens?

European Economic Area Countries: are Austria, Belgium, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, and Sweden.

The European Economic Area (EEA) includes the EU countries listed above plus three countries of the European Free Trade Association (EFTA) these are Iceland, Liechtenstein, and Norway. It allows them to be part of the EU's single market. Switzerland is neither an EU nor EEA member but is part of the single market — this means Swiss nationals have the same rights to live and work in the UK as other EEA nationals. Employees from these countries planning to work for more than one month must register with the Home Office on the Accession State Workers Registration Scheme.

How you 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 their 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](#). You will not need to make retrospective checks for existing employees.

[You'll also need a sponsor licence](#) to employ EEA and Swiss citizens coming to the UK to work from 1 January 2021.

Identity Checking Flowchart

The below flowchart summarises the processes which will ensure Inspectahire Instrument Company Ltd meets the legislative requirements.

Step 1: Requesting proof of eligibility to work in the UK

Prospective employees must be asked to bring in original documents from the following list accepted documents list.

Note the following when checking documents:

1. Photographs are consistent with appearance of potential employee
2. Birth dates are consistent with appearance of potential employee
3. Expiry dates of documents have not passed
4. If documents provided have different names for the potential employee request a different document which concurs with their stated name.
5. For students you see evidence of their study and vacation times.

Accepted Documents

- A passport or other travel document endorsed to show that the holder is exempt from immigration control, can stay indefinitely in the U.K., has the right of abode in the U.K., or has no time limit on his or her stay in the U.K
- A passport, travel document or right to work share code to show that the holder can stay in the U.K. and can do the type of work in question, if it does not require the issue of a work permit.



Step 2: Complete a Right to Work Check

Any prospective employee is to provide original documents for verification, to the Operations Administrator who shall check the authenticity by checking the name, date of birth, the photograph, or other available data on the supplied document.

Once satisfied that the documents are authentic, please go to the government website <https://right-to-work.service.gov.uk/view/share-code> and complete the right to work check with a share code.

OR

With their original documents such as passport or VISA:
<https://www.gov.uk/check-job-applicant-right-to-work>



Step 3: Photocopy and Save Identity Documentation

Once satisfied that the documents are authentic & the individual does have the correct permissions to work in the United Kingdom, photocopy the supplied evidence document(s), and save into the employee's personal information folder.



Step 4: Record Keeping and Retention

You should retain these verified documents within the personal files of the employee, they may be subject to inspection by Immigration authorities. These documents are retained for at least 2 years after the individual has left the employer.

Checking the applicant's original documents:

Because of coronavirus (COVID-19) there are temporary changes to the way you can check documents. Read [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 you made the check.

What to check??

You need to check that:

- the documents are genuine, original and unchanged and belong to the person who has given them to you
- 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 you're offering (including any limit on the number of hours they can work)
- for students you see evidence of their 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

Read the guidance on [how to carry out right to work checks](#) and [what documents you can accept](#).

Follow-up checks

If your employee's right to work is time-limited, you will need to check their documents again when it's due to expire.

When you copy the documents:

- make a copy that cannot be changed, for example a photocopy
- 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 you must make a complete copy
- keep copies during the applicant's employment and for 2 years after they stop working for you
- record the date the check was made

What If the job applicant cannot show their documents?

You must ask the Home Office to check your employee or potential employee's [immigration employment status](#) if one of the following applies:

- you are reasonably satisfied that they cannot show you their documents because of an outstanding appeal, administrative review, or application with the Home Office
- they have an Application Registration Card
- they have a Certificate of Application that is less than 6 months old
- they are 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 you a 'Positive Verification Notice' to confirm that the applicant has the right to work. You must keep this document.

Home Office Employer Enquiry helpline

Telephone: 0300 790 6268

Monday to Thursday, 9am to 4:45pm

Friday, 9am to 4:30pm

For application questions as a business (or representative) or a Tier 1 investor, contact the business helpdesk on businesshelpdesk@homeoffice.gov.uk

Still need more help??

[Read the Right to Work Check guidance](#) if you need more help or clarity on this policy contact the Operations Administrator or Quality Assurance Manager for support.

2) Risk Assessment

Inspectahire Instrument Company Ltd could face a civil penalty if it employs an illegal worker and have not carried out a correct right to work check.

If Inspectahire Instrument Company Ltd is found not to be complying with this legislation by employing illegal migrants, penalties may include unlimited fines and up to five years' imprisonment.

If the company employs an Illegal worker without correctly conducting the right checks it might have to pay a civil penalty (fine) of up to £20,000 for each illegal worker.

Providing Inspectahire Instrument Company Ltd continues to employ best practice and fully complies with all government guidance the risk of employing illegal immigrants will be minimal along with risk of a fine and or imprisonment.

3) Equality Impact Assessment

To avoid discrimination against prospective applicants and staff, (including migrant staff) it is important all members of Inspectahire Instrument Company Ltd are treated equitably. Therefore, Inspectahire Ltd must continue to adhere to our Equal Opportunities Policy and ensure all the necessary eligibility checks are conducted in line with internal company policies, legislation, and best practice.

Authorised By:

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Title: Managing Director

Date: 30/08/2022

(Review period is within 13 months)






Illegal Workers Policy 2022 - 2023

Final Audit Report

2022-08-30

Created:	2022-08-30
By:	Lillian Paterson (lillianpaterson@inspectahire.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAiODDXoCvsvHOhfC06PktWFV-8kWo4FGV

"Illegal Workers Policy 2022 - 2023" History

-  Document created by Lillian Paterson (lillianpaterson@inspectahire.com)
2022-08-30 - 12:26:45 PM GMT- IP address: 120.159.220.43
-  Document emailed to Cailean Forrester (caileanforrester@inspectahire.com) for signature
2022-08-30 - 12:27:21 PM GMT
-  Email viewed by Cailean Forrester (caileanforrester@inspectahire.com)
2022-08-30 - 12:34:30 PM GMT- IP address: 194.73.237.138
-  Document e-signed by Cailean Forrester (caileanforrester@inspectahire.com)
Signature Date: 2022-08-30 - 12:34:48 PM GMT - Time Source: server- IP address: 194.73.237.138
-  Agreement completed.
2022-08-30 - 12:34:48 PM GMT