

ANNEX A

EMPLOYERS RIGHT TO WORK CHECKLIST

Name of person:

Date of check:

- Type of check:
- First check before employment
- Repeat check on an employee

STEP 1: ASK FOR ACCEPTABLE DOCUMENTS SHOWING RIGHT TO WORK

- You must be provided with one of the documents or combinations of documents in List A or List B below as proof that someone is allowed to work in the UK.
- You must only accept originals documents.

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 that 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 residence permit, registration certificate or document certifying or indicating permanent residence issued by the Home Office, the Border and Immigration Agency, or the UK Border Agency to a national of a European Economic Area country or Switzerland
4. A permanent residence card or document issued by the Home Office, the Border and Immigration Agency, or the UK Border Agency to the family member of a national of a European Economic Area country or Switzerland
5. A Biometric Residence Permit issued by the UK Border Agency to the holder which indicates that the person named in it is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK
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 UK, has the right of abode in the UK, or has no time limit on their stay in the UK
7. An Immigration Status Document issued by the Home Office, the Border and Immigration Agency, or the UK Border Agency to the holder with an endorsement indicating that the person named in it is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK **together with** an official document issued by a previous employer or Government agency with the person's name and National Insurance number (a P45, P46, National Insurance card, or letter from a Government agency)

8. A **full birth or** adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents **together with** an official document issued by a previous employer or Government agency with the person's name and National Insurance number (a P45, P46, National Insurance card, or letter from a Government agency)
9. A birth **or** adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **together with** an official document issued by a previous employer or Government agency with the person's name and National Insurance number (a P45, P46, National Insurance card, or letter from a Government agency)
10. A certificate of registration or naturalization as a British citizen **together with** an official document issued by a previous employer or Government agency with the person's name and National Insurance number (a P45, P46, National Insurance card, or letter from a Government agency)
11. A letter issued by the Home Office, the Border and Immigration Agency, or the UK Border Agency to the holder which indicates that the person named in it is allowed to stay indefinitely in the UK **together with** an official document issued by a previous employer or Government agency with the person's name and National Insurance number (a P45, P46, National Insurance card, or letter from a Government agency)

List B

1. A passport or other travel document endorsed to show that the holder is allowed to stay in the UK and is allowed to do the type of work you are offering
2. A Biometric Residence Permit issued by the UK Border Agency to the holder which indicates that the person named in it can stay in the UK and is allowed to do the type of work you are offering
3. A residence card or document issued by the Home Office, the Border and Immigration Agency, or the UK Border Agency to a family member of a national of a European Economic Area country or Switzerland
4. A work permit or other approval or other approval to take employment issued by the Home Office, the Border and Immigration Agency or the UK Border Agency **together with either** a passport or travel document endorsed to show the holder is allowed to stay in the UK and is allowed to do the work you are offering **or** a letter issued by the Home Office, the Border and Immigration Agency or the UK Border Agency to the holder or to you confirming the same
5. A Certificate of Application which is **less than 6 months old** issued by the Home Office, the Border and Immigration Agency or the UK Border Agency to or for the family member of a national of a European Economic Area country or Switzerland stating the holder is allowed to take employment **together with** a positive verification letter from the UK Border Agency's Employer Checking Service
6. An Application Registration Card (ARC) issued by the Home Office, the Border and Immigration Agency stating that the holder is 'ALLOWED TO WORK' or 'EMPLOYMENT PERMITTED' **together with** a positive verification letter from the UK Border Agency's Employer Checking Service
7. An Immigration Status Document issued by the Home Office, the Border and Immigration Agency or the UK Border Agency to the holder with an endorsement indicating that the person named on it can stay in the UK and is allowed to do the type of work you are offering **together with** an official document issued by a previous employer or Government agency with the person's name and National Insurance number (a P45, P46, National Insurance card, or letter from a Government agency)

8. A letter issued by the Home Office, the Border and Immigration Agency or the UK Border Agency to the holder or to you as the potential employer or employer, which indicates that the person named in it can stay in the UK and is allowed to do the type of work you are offering **together with** an official document issued by a previous employer or Government agency with the person's name and National Insurance number (a P45, P46, National Insurance card, or letter from a Government agency)

STEP 2: CHECK THE VALIDITY OF THE DOCUMENTS

- You must satisfy yourself that the documents are genuine and that the person presenting the documents is both the rightful holder and allowed to do the type of work you are offering.

1. Are photographs consistent with the appearance of the person? Yes No N/A
2. Are the dates of birth listed consistent both across documents and with the appearance of the person? Yes No N/A
3. Are expiry dates for limited leave to enter or remain in the UK in the future i.e. they have not passed? Yes No N/A
4. Do the endorsements (stamps, visas etc) show the person is able to do the type of work you are offering? Yes No N/A
5. Are you satisfied that the documents are genuine, have not been tampered with and belong to the holder? Yes No N/A
6. Have you asked for further documents to explain why you have been given documents with different names? Yes No N/A

STEP 3: TAKE A COPY OF THE DOCUMENTS

- You must take a copy of the documents in a format which cannot later be altered.

Is the document or one of the documents a passport or travel document? Yes No

If **Yes** then you must photocopy or scan:

- the front cover and any pages providing the holder's personal details; their nationality; photograph; date of birth; signature; date of expiry and biometric details; and
- any pages containing UK Government endorsements' showing the person is allowed to work in the UK and carry out the work you are offering.

All other documents should be copied in full, including both sides of a Biometric Residence Permit.

STEP 4: KNOW THE TYPE OF EXCUSE YOU HAVE

If you have correctly carried out the above 3 steps you will have an excuse against payment of a civil penalty if the UK Border Agency find the above named person working for you illegally.

However, you need to be aware of the type of excuse you have as this determines how long it is valid for.

Are the documents that you have checked and copied from List A or List B?

List A

- You have an excuse for the full duration of the person's employment with you.
- You are not required to carry out any repeat right to work checks on this person.

List B

- You have an excuse for **up to 12 months** from the date on which you carried out this check.
- To keep your excuse you **must carry out a repeat check** on this person **within 12 months**.
- If the person's leave expires within a 12 month period you should carry out your repeat check at that point to find out if they continue to have the right to work.

Date repeat check required:

Date leave/right to work expires: