

## 1. What is a right to work check?

A right to work check means that documents are checked which the Home Office say is acceptable for showing permission to work. This is carried out in the presence of the holder of the document to ensure they are legally allowed to do the work they are going to be employed for. Liftec is also required to conduct a follow-up check on persons who have time-limited permission to work in the UK

Liftec will carry out 3 key steps in checking a person's documents to determine if they have the right to carry out the type of work it is offering:

1. Obtain the person's original documents;
2. Check them in the holder; and
3. Make and retain a clear copy, and make a record of the date of check.

Liftec is responsible for conducting a visual inspection of the documents presented. If required, Liftec will work with the Home Office Checking Service.

## 2. Why does Liftec need to do checks?

As an employer it is our legal duty to prevent illegal working. We are required to conduct document checks to make it harder for people with no right to work in the UK to unlawfully obtain or stay in employment, and to make it easier for us to ensure that we only employ people who have permission to do the work in question.

## 3. Who do Liftec conduct checks on?

Liftec will conduct right to work checks on ALL potential employees. This means that we will ask all people who we are employing to provide their documents to us. To ensure that Liftec does not discriminate against anyone, we will treat all job applicants in the same way at each stage of our recruitment processes. Liftec will follow the Code of practice for employers as set out by the Home Office, May 2014. Liftec is legally obliged to report incidents of any fraudulent documents presented during checks.

## 4. Retaining evidence

Liftec will keep a record of every document that has been copied. This could be a hardcopy or a scanned and unalterable copy, such as a .jpeg or .pdf document. Liftec will keep the copies securely for the duration of the person's employment and for a further two years after they stop working for the Company.

## 5. Acceptable Documents

The documents that we will accept from a person to prove their right to work are set out in two lists – List A and List B in this document.

**List A** contains the range of documents which Liftec may accept for a person who has permanent right to work in the UK.

**List B** contains a range of documents which may be accepted for a person who has temporary right to work in the UK. Liftec will be required to conduct a follow-up check in order to comply with its legal obligations.

**LISTS OF ACCEPTABLE DOCUMENTS FOR RIGHT TO WORK CHECKS**

| <b>LIST A</b> |  |
|---------------|--|
| 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 national of a European Economic Area country or Switzerland.   |
| 3.            | A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to the family member of 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 <b>current</b> 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 <b>current</b> 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.  |
| 7.            | A <b>current</b> 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, <b>together with</b> an official document giving the person's permanent National Insurance number and their name issued by a Government agency or previous employer. |
| 8.            | A <b>full</b> birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, <b>together with</b> 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 birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, <b>together with</b> 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 certificate of registration or naturalization as a British citizen, <b>together with</b> an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.   |

| <b>LIST B</b>  |  |
|--|--|
| <b>Group 1 – Documents where a time-limited statutory excuse lasts until the expiry date of leave.</b> |  |
| 1.   | A <b>current</b> passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to the type of work in question.  |
| 2.   | A <b>current</b> 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 <b>current</b> 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 European Economic Area country or Switzerland or who has a derivative right of residence.  |
| 4.   | A <b>current</b> 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, <b>together with</b> an official document giving the person's permanent National Insurance number and their name issued by a Government agency or previous employer.                           |
| <b>Group 2 – Documents where a time-limited statutory excuse lasts for 6 months</b>                    |  |
| 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 <b>less than 6 months</b> old <b>together with a Positive Verification Notice</b> from the Home Office Employer Checking Service. |
| 2.   | An Application Registration Card issued by the Home Office stating the holder is permitted to take the employment in question, <b>together with a Positive Verification Notice</b> from the Home Office Employer Checking Service.   |
| 3.   | A <b>Positive Verification Notice</b> 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.   |

## 6. Employing of specific categories of workers.

### EEA Nationals who may work without restriction:

|                  |                 |
|------------------|-----------------|
| • Austria        | • Latvia        |
| • Belgium        | • Liechtenstein |
| • Bulgaria       | • Lithuania     |
| • Cyprus         | • Luxembourg    |
| • Czech Republic | • Malta         |
| • Denmark        | • Netherlands   |
| • Estonia        | • Norway        |
| • Finland        | • Poland        |
| • France         | • Portugal      |
| • Germany        | • Romania       |
| • Greece         | • Slovakia      |
| • Hungary        | • Slovenia      |
| • Iceland        | • Spain         |
| • Ireland        | • Sweden        |
| • Italy          |                 |

Nationals of Switzerland may also work without restriction.

### Croatian Nationals

Under the applied UK transitional restrictions Croatian Nationals must obtain an accession worker authorisation document (permission to work) before starting any employment.

### NON-EEA Nationals with a Derivative Right of Residence

Some non-EEA nationals have what is called a 'derivative right of residence' in the UK based on their relationship with an EEA (or Swiss) national. These rights have been established by the Court of Justice of the European Union in cases where this is necessary in order to enable another EEA national to live here. For example, the non-EEA parent of an EEA child may meet the requirements. These rights only arise in a limited range of circumstance and only where the specific conditions are met. Derivative Residence Cards are issued by the Home Office to non-EEA nationals who have right of residence in the UK on the basis of their relationship with an EEZ or British national.