

## **Immigration, Asylum & Nationality Act 2006 Prevention of Illegal Working**

Under the terms of the Immigration, Asylum & Nationality Act 2006, all employers in the UK are required to make basic checks on everyone they intend to employ. By checking and copying certain original documents belonging to the potential employee, Battling Brook Primary School can ensure a statutory defence against conviction for employing an illegal worker. Where a prospective employee does not have the right to work in the UK without Home Office permission, any offer of employment will be conditional on the receipt of a certificate of sponsorship.

These rules apply to any new employee, whether on salary, wages, fees or any other form of payment and irrespective of the length or duration of the work.

In order to comply with the Act, all candidates are asked to bring to the interview:

**One of the original documents (or two of the documents in the specified combinations) included in List A OR List B - you do not need to produce documents from both List A and List B. Please note that where documents are provided from list B, the originals of appointed candidates must be checked at least every twelve months to comply with legislation.**

### **List A**

This covers documents which can be produced alone (or in the specified combinations) by nationals of the European Economic Area (EEA) and Switzerland to provide the School with statutory defence (ongoing justification):

- A passport – showing that the person named on the passport is a British citizen, or a citizen of the United Kingdom and Colonies having the right of abode in the UK;
- A passport or national identity card showing that person named on the passport or identity card is a national of the European Economic Area (EEA) or Switzerland;
- A residence permit, registration certificate or document certifying permanent residence issued by the Home Office or the UK Border Agency to a national of an EEA country or Switzerland;
- 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 UK, or has no time limit on their stay in the UK;
- A passport or other travel document endorsed to show that the holder is exempt from immigration control, allowed to stay indefinitely in the UK, has the right of abode in the UK or no time limit on their UK stay.

The following documents provide an ongoing justification **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:**

- An Immigration Status Document issued by the Home Office or the Border and Immigration 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;
- A full birth certificate issued in the UK which includes the name(s) of at least one of the holder's parents;
- A full adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents;
- A birth certificate issued in the Channel Islands, the Isle of Man or Ireland;
- An adoption certificate issued in the Channel Islands, the Isle of Man or Ireland;
- A certificate of registration or naturalisation as a British citizen;
- A letter issued by the Home Office or the Border and Immigration Agency to the holder which indicates that the person named in it is allowed to stay indefinitely in the UK.

## **List B**

This covers documents which can be produced alone (or in the specified combinations) by non-EEA and non-Swiss Nationals to provide Battling Brook Primary School with statutory defence for up to 12 months (original documents in this category must be checked at least every twelve months by the employer in order to comply with the current legislation):

- A passport or travel document endorsed to show that the holder is allowed to stay in the UK and is allowed to do the type of work in question, provided that it does not require the issue of a sponsorship certificate;
- 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 UK and is allowed to do the work in question;
- A sponsorship certificate or other approval to take employment issued by the Home Office or the 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 UK and is allowed to do the work in question, or a letter issued by the Home Office or the UK Border Agency to the holder or the employer (or prospective employer) confirming this;
- A certificate of application issued by the Home Office or the UK Border Agency to (or for) a family member of a national of an EEA 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;
- A residence card or document issued by the Home Office or the 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;
- An Application Registration Card issued by the Home Office or the 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;
- An Immigration Status Document issued by the Home Office or the UK Border Agency to the holder with an endorsement indicating that the person named in it can stay in the UK 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;
- A letter issued by the Home Office or the UK Border Agency to the holder or the employer or prospective employer, which indicates that the person named in the document can stay in the UK 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.

### ***Please note that the following documents do not provide suitable evidence and will not be accepted:***

- A Home Office Standard Acknowledgement Letter or Immigration Service Letter (IS96W) which states that an asylum seeker can work in the United Kingdom. (Individuals with these documents should contact the Home Office for information about how they can apply for an Application Registration Card);
- A letter issued by the Home Office stating the holder is a British Citizen;
- A passport describing the holder as a British Dependent Territories Citizen which states that the holder has a connection with Gibraltar;
- A short birth certificate issued in the United Kingdom which does not have details of the holder's parents;
- A card or certificate issued by the Inland Revenue under the Construction Industry Scheme;
- A temporary National Insurance Number (beginning with TN, or any number ending with the letters E to Z inclusive);
- A driving license issued by the Driver and Vehicle Licensing Agency;