



ASYLUM & IMMIGRATION POLICY

Updated September 2017
Approved by the Principal

This policy links to and should be read in conjunction with the following policies:

- Safer Recruitment Policy

- 1.1 With effect from 1 May 2004 all potential employees must provide certain original documents to comply with the Asylum & Immigration Act 1996.
- 1.2 Section 8 of the Asylum & Immigration Act 1996 imposes an onus on employers to ensure that employees are not in breach of Immigration Rules. It also imposes sanctions on employees to conform to the Immigration Rules – there is a £5000 fine for each employee in breach.
- 1.3 It is an offence to employ a person who is not permitted to work in the UK. For each employee, the employer is liable to a fine of £5000. In the event of the employer being a company, the person responsible for overall management may face prosecution.
- 1.4 In accordance with the Academy's Safer Recruitment Policy employees MUST provide one of the original documents from List 1 OR a combination of two original documents specified in List 2. Should the documents requested fail to be provided, the Job Offer will be withdrawn.

LIST 1

1. A passport showing that the holder is a British Citizen, or has a right of abode in the UK.
2. A document showing that the holder is a national of a European Economic Area (EEA) country or Switzerland. This must be a national passport or a national identity card.
3. A residence permit issued by the Home Office to a national from an EEA country or Switzerland.
4. A passport or other document issued by the Home Office which has an endorsement stating that the holder has a current right of residence in the UK as the family member of a national from an EEA country or Switzerland, who is a resident of the UK.
5. A passport or other travel document endorsed to show that the holder can stay indefinitely in the UK, or has no time limit on their stay.
6. A passport or other travel document endorsed to show that the holder can stay in the UK and that this endorsement allows the holder to do the type of work offered if a work permit is not available.
7. An Application Registration Card issued by the Home Office to an asylum seeker stating that the holder is permitted to take employment.

If you have provided one of the above items, there is no need to provide any further documents contained in List 2.

LIST 2

FIRST COMBINATION

- A** A document giving the National Insurance number and name. This could be a P45, P60, National Insurance card or a letter from a Government agency.

Along with one of the above documents showing an NI number, you must also provide one of the following documents listed in sections B-H.

- B** A full birth certificate issued in the UK, which includes the names of the holder's parents; OR
- C** A birth certificate issued in the Channel Islands, the Isle of Man or Ireland; OR
- D** A certificate of registration or naturalisation stating that the holder is a British Citizen; OR
- E** A letter issued by the Home Office to the holder which indicates that the person named can stay indefinitely in the UK, or has no time limit on their stay; OR
- F** An Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the person named can stay indefinitely in the UK or has no time limit on their stay; OR
- G** A letter issued by the Home Office to the holder which indicates that the person named can stay in the UK, and this allows them to do the type of work you are offering; OR
- H** An Immigration Status document issued by the Home Office to the holder with an endorsement indicating that the person named can stay in the UK, and this allows them to do the type of work you are offering.

LIST 2

SECOND COMBINATION

- A** A work permit or other approval to take employment that has been issued by Work Permits UK.

Along with a document issued by Work Permits UK, you must also provide one of the following documents listed at B-C.

- B** A passport or other travel document endorsed to show that the holder is able to stay in the UK and can take the work permit employment in question; OR
- C** A letter issued by the Home Office to the holder confirming that the person named is able to stay in the UK and can take the work permit employment in question.