

RIGHT TO WORK CHECKLIST

Name of Person Being Checked:	
Date:	
Type of Check (Tick One):	First Check Before Employment <input type="checkbox"/> Repeat Check For Employee <input type="checkbox"/>
Name of checker:	
Job Title of Checker:	

As an employer, we have a duty to prevent illegal working. We should 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 Sodexo to ensure that we only employ people who have permission to do the work in question. If we cannot provide evidence of our right to work checks then we could face a financial penalty of up to **£20,000**.

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 (group 1 or 2) below as proof that someone is allowed to work in the UK.**

You must only accept originals documents.

List A		
Acceptable documents to establish a continuous statutory excuse		
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 a national of a European Economic Area country or Switzerland.	
3	A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to 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	
5	A current 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 current 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 current 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, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.	
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 or adoptive parents, together with 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, together with 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 naturalisation as a British citizen, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.	

List B		
Group 1 – Documents where a time-limited statutory excuse lasts until the expiry date of leave		
1	A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question . Please note if the Residence Permit is for a student only able to work 10 or 20 hours during term time that you obtain in writing confirmation of the term times from their educational establishment.	
2	A current 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. Please note if the Residence Permit is for a student only able to work 10 or 20 hours during term time that you obtain in writing confirmation of the term times from their educational establishment.	
3	A current 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 a European Economic Area country or Switzerland or who has a derivative right of residence.	
4	A current 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, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.	
Group 2 – Documents where a time-limited statutory excuse lasts for 6 months		
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 less than 6 months old together with a Positive Verification Notice from the Home Office Employer Checking Service.	
2	An Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, together with a Positive Verification Notice from the Home Office Employer Checking Service.	
3	A Positive Verification Notice 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.	

Our statutory excuse will continue from the expiry date of the employee's permission for a further period of up to 28 days to enable Sodexo to obtain a positive verification from the Employer Checking Service.

This 'grace period' of 28 days does not apply where the right to work check is taking place before employment commences. In such circumstances, employment would be delayed until Sodexo have received a Positive Verification Notice from the Employers' Checking Service.

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.

	YES	NO	N/A
The applicant has permission to do the type of work you're offering (including any limit on the number of hours they can work) Please contact PeopleCentre Compliance Team if you have any queries – 0845 603 3644 option 1			
Are photographs consistent with the appearance of the person?			
Are the dates of birth listed consistent both across documents and with the appearance of the person?			
Are expiry dates for limited leave to enter or remain in the UK in the future i.e. they have not passed?			
Do the endorsements (stamps, visas etc) show the person is able to do the type of work you offering?			
Are you satisfied that the documents are genuine, have not been tampered with and belong to the holder?			
Have you asked for further documents to explain why you have been given documents with different names?			

STEP 3: TAKE A COPY OF THE DOCUMENTS

You must make a **clear copy** of each document in a format which cannot later be altered e.g. photocopy/scan (not a photograph) and retain the copy securely: electronically or in hardcopy. **The copy must be signed, dated and endorsed to state that the original documents have been verified.**

You must ensure that you record the right to work details on the Site Central RTW Log and monitor this on a monthly basis.

You must keep the copies securely for the duration of the person's employment and for a further **two years** after they stop working for Sodexo. You should also be able to produce these document copies quickly in the event that you are requested to show them to demonstrate that you have performed a right to work check and retain a statutory excuse.

You must copy and retain:

1) Passports: any page with the document expiry date, the holder's nationality, date of birth, signature, leave expiry date, biometric details, photograph and any page containing information indicating the holder has an entitlement to enter or remain in the UK and undertake the work in question **(the front cover no longer has to be copied).**

2) All other documents: the document in full, including both sides of a Biometric Residence Permit.

STEP 4: FOLLOW UP RIGHT TO WORK CHECKS

Document Type	Excuse Type	
List A	Continuous	Before employment starts only
List B – Group 1	Time-limited	Before employment starts, annual check (12 months after original) and again when permission (as set out in the document checked) expires
List B – Group 2	Time-limited	Before employment starts and again after six months (as set out in the Positive Verification Notice).

Is a repeat check required?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Date leave/right to work expires:		
Date Repeat check required:		

EEA Countries

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

***Nationals of Switzerland** may also work without restrictions

***Croatian Nationals** – as EU nationals can move and reside freely in any EEA member state however the UK has applied transitional restrictions on their access to the labour market. This means that since 1 July 2013, a Croatian national will only be able to work in the UK if they hold a valid accession worker authorisation document.

If you have any queries regarding Right to Work please contact the Compliance Team at PeopleCentre on 0845 603 3644 option 1 or PeopleCentre.UK@sodexo.com