


OVERSEAS WORKERS

VERSION No	3	
REVIEWED BY	Mariana Philipova	
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Policy Statement

This policy is intended to set out the values, principles and policies underpinning this organisation's approach to the recruitment of foreign workers. The organisation understands that all foreign nationals, other than European Union (EU) citizens and citizens of certain Commonwealth countries, are subject to immigration control in the UK and will normally require a Sponsorship Licence some may also need an entry visa. Citizens of the EU are (still), more or less free to move from one Member State to another and to find work; the restrictions imposed by the national immigration law of individual Member States do not apply to them.

This organisation also understands that employing foreign nationals who are not permitted to work in the UK is a criminal offence under s.8 of the Asylum and Immigration Act 1996 and can lead to a fine of up to £20 000 per person illegally employed.

The Policy

This organisation is committed to equality of opportunity in its recruitment, selection and employment practices. To prevent discrimination the organisation treats all applicants in the same way and verifies the eligibility of all new staff to work in the UK in accordance with its recruitment policy and apply for the necessary licence if appropriate. In order to comply with the *Asylum and Immigration Act 1996* and the Employers Guides to preventing illegal working October 2013 issue by the Home Office.

- 👉 Never discriminate against any candidate who may “look or sound” foreign
- 👉 Treat all job applicants in the same way and during the recruitment process check documents which prove the individual's entitlement to live and work in the UK, such as:
 - 👉 A current passport from the country of citizenship, with a valid visa if the passport is not from one of the exempt countries (e.g. EU Member States, Gibraltar, Commonwealth countries with right of abode from a grandparent's birth in the UK)
 - 👉 A certificate of registration or naturalisation as a British citizen
 - 👉 A birth certificate issued in the UK, the Republic of Ireland, the Channel Islands or the Isle of Man
 - 👉 A document issued by a previous employer, the Inland Revenue, the Contributions Company, the Employment Service or the Benefits Company which states the National Insurance number of the person named
 - 👉 A valid sponsorship licence
- 👉 Accept only original copies of these documents (as photocopies may be tampered with)
- 👉 Keep copies of all documents with other recruitment files.

The organisation can obtain up-to-date guidance and application forms from the Immigration & Nationality Directorate of the Home Office or from its website at: www.ind.homeoffice.gov.uk. Additionally, the manager, who is also responsible person for Sponsorship Licences receives e-mails with updates from UK Border Agency regularly. The home has A rating on sponsorship.

Annex B. Employers Right to work checklist issued by the Home Office May 2016

www.epm.co.uk/wp-content/uploads/2016/10/An-Employers-Guide-to-Right-to-Work-Checks-July-16.pdf

Immigration Act 2016 Fact sheet – Illegal Working

www.gov.uk/government/uploads/system/uploads/attachment_data/file/537205/Immigration_Act_-_Part_1_-_Illegal_Working.pdf

Training Statement

The government is in the process of implementing changes to the employment of overseas workers and this policy will be amended in line with these changes as they are introduced.

Related Policies

Adult Safeguarding

Recruitment and Selection

Recruitment of Volunteers

Young people and Employment