

Asylum and Immigration Act 1996

Prevention of Illegal Working

Information for prospective employees

Before taking up employment you must produce the required documentation as evidence of your right to work in the United Kingdom. You will be required to produce either:

One of the documents in List 1

Or Two documents from one of the two combinations in List 2

Originals must be produced

List 1

Any one of the documents included below in List 1.

- A passport showing that the holder is a British citizen or has a right of abode in the UK.
- A document showing that the holder is a national of a European Economic Area country, or Switzerland. This must be a national passport or national identity card.
- A residence permit issued by the Home Office to a national from a European Economic Area country or Switzerland.
- 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 a European Economic Area country or Switzerland who is resident in the UK.
- 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.
- 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 they do not have a work permit.
- 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 produced one of these documents you will not be required to provide any further documents contained in List 2.

List 2

This list specifies the combinations of documents which must be produced if you are unable to submit one of the documents in List 1.

Note: Two documents from the first combination or two documents from the second combination are required. One from each will not meet the requirements.

First Combination:

A. A document giving the person's permanent National Insurance Number and name. This could be a P45, P60, National Insurance Card, or a letter from a Government agency.

AND one of the documents listed in 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 in it 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 in it can stay indefinitely in the United Kingdom, 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 in it can stay in the UK, and this allows them to do the type of work offered.

H. An Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the person named in it can stay in the United Kingdom, and this allows them to do the type of work you are offering.

OR

Second Combination:

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

C. A letter issued by the Home Office to the holder confirming that the person named in it is able to stay in the UK and take the work permit employment in question.

Important Information for Applicants

For posts in Schools

Disclosure of Criminal Records

The Police Act 1997, Part V, requires that those applying to work with children or vulnerable adults should be subject to a check by the Criminal Records Bureau (CRB) to ensure that they are suitable for such work. All posts in schools are covered by this requirement.

If you successfully apply for a post in a school you will be required to complete a "Disclosure" application which will be submitted to the CRB. The type of criminal record certificate applied for will depend on the actual post offered and the degree of contact which you would have with children (see overleaf). However, for the purposes of both Standard and Enhanced Disclosure, which are applicable for staff in schools, no conviction is regarded as spent. Therefore, all previous convictions, cautions, reprimands and warnings recorded will be disclosed.

Having a criminal record will not necessarily bar you from employment however, Decisions about the employment of someone with a criminal record will take account of the relevance of the offence to the post in question, the length of time since it occurred and the circumstances surrounding it. The Headteacher of the school at which the post has been offered will be notified of the information disclosed by the CRB and will invite the applicant to discuss the matter before making a decision about whether or not to confirm the offer. If you do have any previous convictions you may wish to discuss these, confidentially, with the Headteacher prior to submitting a Disclosure application. The outcome of all Disclosure applications will be sent in writing to the applicant.

In order that the CRB can be sure that they are checking the record of the right person, applicants will be asked to provide proof of identity. The CRB suggest that two pieces of evidence are provided, one photographic such as a passport or new style driving licence and one showing name and home address such as a utility bill or bank statement. It is recognised that not everyone will be able to provide these items so other forms of proof of identity will be accepted. If shortlisted for the post you will be asked to bring proof of your identity to the interview.

The CRB requires that all bodies registered for Disclosure purposes adhere to their Code of Practice and establish their own policies on fair use and confidential handling of information disclosed, as well as having a written policy on the recruitment of ex-offenders. Bedfordshire County Council and HBS, working in partnership with the County Council, is firmly committed to the proper use of Disclosure information and recognises the sensitivity of such information and the high degree of confidentiality with which it should be handled. Copies of the CRB Code of Practice and Bedfordshire's policies are available, on request, from the Human Resources Services, County Hall, Bedford, MK42 9AP.

Types of Disclosure

Basic Disclosure (BD)

(Criminal conviction certificates under Section 112 of the Act)

These will be issued to individuals on request, subject to confirmation of identity. A BD will contain details of convictions held in central police records which are not spent under the terms of the Rehabilitation of Offenders Act 1974 or will state if there are no such convictions. Any employer will be able to request a potential employee to apply for a BD.

It is expected that the CRB will start to issue BDs during the Summer 2002.

Standard Disclosure (SD)

(criminal record certificates under Section 113 of the Act)

These will be available for employees or volunteers whose duties involve regular contact with children in a regulated position, with the elderly, sick or disabled, or those employed in sensitive areas and professions within the terms of the Exceptions Order under the Rehabilitation of Offenders Act.

A Standard Disclosure will contain details of any spent or unspent convictions as well as cautions, reprimands and earnings recorded by the police centrally. It will also indicate if there are no such matters on record.

If an individual is applying for a position working with children, the SD will also reveal whether they are barred from working with children by virtue of his/her inclusion on lists of those considered unsuitable to work with children maintained by the Department for Education and Employment (List 99) and the Department of Health (POCAL). It is also intended that, by mid 202, a Standard Disclosure will reveal whether they are barred from working with vulnerable adults by virtue of his/her inclusion on lists of those considered unsuitable to work with such people to be held by the Department of Health.

Enhanced Disclosure (ED)

(enhanced criminal record certificate under Section 115 of the Act)

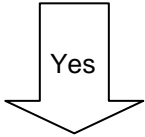
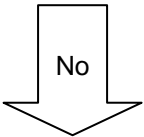
These will apply to a range of posts within the terms of the Exceptions Order under the Rehabilitation of Offenders Act, specifically:

- Those principally involved in regularly caring for, training, supervising or being in sole charge of those aged under 18 or of vulnerable adults; and
- Certain other matters including certain purposes in relation to gaming and lotteries and adoption and fostering.

An Enhanced Disclosure will contain the same details as a Standard Disclosure and may also contain non conviction information from local police which a chief police officer thinks may be relevant in connection with the matter.

Confirming your identity

Your identity needs to be confirmed. You need to provide original documentation (no photocopies). Please use the diagram below to determine which of these documents you need to provide.

Which documents do you need to provide?	
Can you produce any documents from Group 1?	
 Yes	 No
3 documents must be seen	5 documents must be seen
One document from Group 1 plus any two from Groups 1 or 2	Five documents from Group 2

Please note all documents **must** be in your current name. At least one document **must** show your current address and at least one document **must** show your date of birth.

List of Valid Identity Documents

Group 1

- **Passport** any nationality
- **UK Birth Certificate** issued within 12 months of date of birth – full or short form acceptable.
- **UK issued Driving Licence** England/Wales/Scotland/Northern Ireland; either photocard or paper. A photocard is only valid if the individual presents it with the counterpart licence.
- **Biometric Residence Permit (UK)**

List of Valid Identify Documents (continued)

Group 2

- **Marriage/Civil Partnership Certificate**
- **Birth Certificate**
- **Current Driving License (UK)** old style paper version
- **Current Non-UK Photo Driving License** valid for up to 12 months from the date the applicant entered the UK
- **UK P60 Statement** **
- **Fire Arms License**
- **Bank/Building Society Statement** *
- **Bank/Building Society Account Opening Confirmation Letter (UK)**
- **EU National Identity Card**
- **Utility Bill** * electricity, gas, water, telephone – inc. mobile phone contract/bill
- **Financial Statement** e.g. Pension, endowment, ISA (UK) **
- **Credit Card Statement** *
- **Mortgage Statement** **
- **Benefit Statement** Child Allowance or Pension
- **A document from UK Central/Local Government/Government Agency/Local Authority giving entitlement** * for example, from the Benefits Agency, the Employment Service or the Inland Revenue

* documentation must be less than three months old

** documentation must be issued within past 12 months

