

RIGHT TO WORK CHECKS POLICY

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Carejoy Healthcare Ltd. complete all the pre-employment checks prior to the candidate being considered for any shift via the agency.

It is the responsibility of the Compliance Team to confirm the eligibility to work in the UK for all candidates prior to placing via our agency.

Every member of the Compliance and Sales team at Carejoy Healthcare are enrolled in Right to Work training with the Head of Compliance and given further material to keep and refer to during their induction and prior to placing any candidates.

The NHS Employers website and the Government website are used to adhere to the recommended proofs of identity documents to use and to confirm all the up-to-date standards are in practice.

The legal right of the individual to work in the UK through an agency is checked at the same time as the identity check.

Carejoy Healthcare Ltd will assess the eligibility of an individual's right to work in the UK by verifying the specified documentation from List A and B.

The Home Office defines these as follows:

List A contains the range of documents which you may accept for a person who has a **permanent right to work in the UK**. If you conduct the right to work checks correctly before employment begins, you will establish a continuous statutory excuse for the duration of that person's employment with you. **You do not have to conduct any further checks.**

List B contains a range of documents which may be accepted for a person who has a **temporary right to work in the UK**. If you conduct the right to work checks correctly, you will establish a time-limited statutory excuse. You will be required to conduct a **follow-up check** in order to retain your statutory excuse. This will generally be when the permission to be in the UK comes to an end.

- If a document or combination of documents is provided from List A, there is no need to ask for documents from List B.
- Documents are only required from List B if the individual cannot provide a document or combination of documents from List A. The frequency of any follow-up checks depends on whether the documents presented are from Group 1 or Group 2 in List B, as follows.
 - Group 1 Time-limited Before employment starts and again when permission expires (as indicated within the document presented).
 - Group 2 Time-limited Before employment starts and again after six months, as set out in the Positive Verification Notice.

All interviewed candidates are required to bring satisfactory documentation with them to the face-to-face interview or provide via secure digital methods if interview is on-line. A picture should be taken during the

interview of the applicant together with their ID. Where any documents are sent digitally, CareJoy will require a declaration to confirm that the documents have been sent by the applicant.

Following the interview, and decision to register the candidate with Carejoy Healthcare Ltd, the compliance team will validate right to work documentation, as detailed above, from all prospective workers to ensure they are eligible to work in the UK.

There is multi-step process for validating an individual's right to work will be adopted, namely:

- Obtain original versions of one or more acceptable documents;
- Check the validity of the documents in the presence of the holder;
- Make and retain a clear copy, recording the date the check was made.
- Utilise the TrustID On-line check to confirm.

The manual checks required to validate the documents are listed below and outlined in the Carejoy Healthcare identity checks policy.

The documents or combinations of documents that can be presented and will be checked, in accordance with Home Office and NHS Employers Check guidelines, are detailed within the following guidance NHS Employers Right to Work standard and the Home Office Right to work checks: an employer's guide.

NHS Employers Right to work check standard: <https://www.nhsemployers.org/your-workforce/recruit/employment-checks/right-to-work-checks>

Home Office. Right to work checks: an employer's guide: <https://www.gov.uk/government/publications/right-to-work-checks-employers-guide/an-employers-guide-to-right-to-work-checks-6-april-2022-accessible-version>

The Head of Compliance is responsible for keeping up to date with the Home Office Guidelines and reviews the requirements on an annual basis, or sooner if required, to ensure checks are being performed in accordance with statutory legislation.

Follow up checks:

Work-seekers who have a permanent right to work will be set up on the Carejoy Healthcare Ltd system and will not require follow up.

Work-seekers who have a time-limited right to work will be set up on the Carejoy Healthcare Ltd system and assigned a flag, which will notify the branch team of when to perform a follow up check. The worker will not be placed until this has been completed, in accordance with Home Office guidelines and this policy.

Once Carejoy Healthcare Ltd is satisfied that the candidate has an outstanding application with the Home Office that was made before their previous leave expired or has an outstanding appeal against a Home Office decision, a Positive Verification Notice from the Employer Checking Service will be obtained.

Where necessary Carejoy Healthcare Ltd will ask the Home Office to check a candidate's immigration status. This will usually be when:

- The candidate can't show you their documents e.g. they have an outstanding appeal or application with the Home Office
- The candidate has an Application Registration Card
- The candidate has a Certificate of Application

Where required further advice and guidance is sought from the Home Office:

<https://www.gov.uk/government/publications/right-to-work-checks-employers-guide>

Online Checks

Since 28 January 2019, employers have been in certain circumstances been able to perform an online right to work check; which will provide a statutory excuse. It is not possible to conduct an online right to work check in all circumstances, as not all individuals will have an immigration status that can be checked online.

Currently, the online checking service supports checks in respect of those who hold the following:

- a biometric residence permit;
- a biometric residence card; or
- status issued under the EU Settlement Scheme (alternatively, these individuals continue to be able to demonstrate their right to work by presenting their EU passport or ID card until the end of the planned implementation period).

Government guidance sets out what information needed. In circumstances in which an online check is not possible, Carejoy Healthcare will always conduct the manual check.

This policy does not outline the checks or documentary evidence required to assess a candidate's identity. The checks required to verify an individual's proof of identity are outlined within the Identity Checks Policy.

DOCUMENT CHECKING PROCEDURE

Checking our candidates provide authentic documentation is an integral part of the verification of identity process. No single form of identification can be full guaranteed as genuine and therefore the verification process must be cumulative. Carejoy Healthcare make is clear, and ensure our candidates declare authorisation for any document they provide to be checked for authenticity either manually, through an appropriate body and/or using an electronic scanning device should this be deemed necessary or further checks on an identity documents seem necessary.

For Passport (UK and Overseas):

- The compliance team check the general quality and condition of the passport, looking out for page substitution, incorrect numbering of the pages, damage to the cover or spine of the document and poor paper/print quality
- Check that the print is clear and even – print processes are deliberately complex on genuine documents.
- Check the wording of the document, including issue and expiry dates – the spelling in forged or counterfeit documents are common, especially with stamps and visas. Forgers are known for only altering expiry dates of documents, so it is important to check the issue date corresponds
- Check for damage, accidental damage is often used to conceal tampering of a document, so excessive damage is always treated with caution.
- Check photographs for signs of damage or for excessive glue – this could indicate that the photo has been substituted.
- Check for the embossed stripe embedded into the laminate which will catch a portion of the photograph
- Check watermarks can be clearly seen when holding the document up to the light
- Check the name and country of origin. Unofficial travel documents in the name of a non-existent countries or countries no longer know by their original name are currently in circulation.
- Utilise the TrustID on-line system to confirm status.
- **Biometric Resident Permit Cards are not verified by Trust ID as a form of ID, and can only be used as confirmation of right to work.**

For Visas:

- Check for signs of alteration to the passport number or personal and issue details
- Make sure the details correspond with the information from the individual's passport
- Check security features e.g. watermarks
- Check the image for sign of substitution
- Check for spelling mistakes and wording

For Biometric Residence Permits:

- All candidates Biometric Residence Permit cards are checked and a check is retained on file via the <https://www.gov.uk/prove-right-to-work> website

For Photo-card driving licences:

Nowadays, driving licences contain very similar security features to those present within Passports, however, we check the following:

- Damage or adjustments
- Printed information
- Watermarks and security features are intact

- The photograph will always be in greyscale, so we check this and that it matches the applicants other photo identification
- Check the biographical information matches the information the applicant has provided

For UK Citizen photo-cards:

- Check the card the PASS (Proof of Age Standards Scheme) hologram. This signifies the card is genuine and is recognised as a valid ID under the law.
- The colour photo confirms the person presenting the card is the lawful card holder
- Every citizen card displays UV markings in the form of two “100% proof” logos

For Birth Certificates:

- Birth certificates are not wholly reliable for the purpose of verifying a person’s identity as copies can be easily obtained but certificates that are issued shortly after the time of the birth are more reliable than recently issued duplicates so we do ask our candidates where possible to provide this if they do not have other proof of identification.
- If they do not hold the original, then we will accept a copy if it states “certified copy” from the General Register Office on the certificate.
- The quality of the paper will be of genuine certificate high grade
- There should be a watermark when held up to the light
- The surname only should be entered in upper case not any forenames

We also follow www.gov.uk/government/organisations/identity-and-passport-service for further Birth Certificate advice.

Once the check is complete, the Compliance Team member will store a signed copy of the documentation on Credentilly.io together with the picture taken of applicant and document at interview.

The Applicant is required to confirm in writing that they have submitted the documentation themselves.

STANDARD IDENTIFICATION CHECK PROCESS

A minimum of 2 proofs of their current address dated within the last 3 months and in line with the Government Good Practice Guide

- i. Proof of National Insurance number
- ii. Proof of their right to work in the UK
 - a. Upon receipt of the Right to Work document, the candidate is advised that we will complete the necessary check to confirm authenticity
 - b. Should we feel any discontent with the documents provided we will use our ID Scan machine to create a report based on the numbers, letter, chips and other information within the document
- iii. Photograph
 - a. to be used when the candidate ID Badge is issued for first shift
 - b. also, as another document to validate consistency of identity

Documents are verified using our “Original Sighted” stamp, which includes the following information;

- i. Signature of the person sighting the document
- ii. Printed name of the person sighting the document
- iii. Job Title of the person sighting the document
- iv. Date sighted

All documents are then scanned to the candidate’s profile – which the candidate will have consented to within their application forms – and maintained as per document expiry or on an annual basis e.g.;

- i. Photo Identification will be updated when the document provided expires
- ii. A minimum of 1 of the 2 proofs of address provided will be updated a year from the issue date of the document to clarify the current address remains the same
- iii. Right to work documentation will be updated as per the date on the document
 - a. If the candidate is non-EU, we will also complete an annual Right to Work check every year from the issue date of the right to work document
- iv. Photograph will be updated every 5 years
 - a. Candidate ID Badge will be issued annually

Candidates cannot be deemed ready for selection process until their file has satisfied a full check and been signed off as compliant by the Head of Compliance.

Maintenance of Documents

The maintenance team will contact the candidate to update their Right to Work Checks as per the below timetable, giving the candidate enough time to book into another meeting or post the documents to us ready to copy and update on the file:

PROOF OF IDENTITY	FILE LIFE-SPAN
Passport	As per document
Visa	As per document
Right to Work check – Biometric Cards	Annually from the issue date of the Biometric Card
Right to Work check – ECS	Annually from issue date of initial check
Proofs of address	At least 1 up to date proof requested annually
NI	N/A

Driving Licence	As per document
Birth Certificate	N/A
Proof of name change	As per candidate life event

Carejoy Healthcare Ltd follows a stringent process for conducting pre-employment checks of all potential candidates. This policy should be read and applied in conjunction with the policies for the following: Identity checks, professional registration and qualification checks, employment history and reference checks, criminal record checks, work health assessments.

Where the maintenance process identifies a change in the workers' Right to Work status, namely that the worker is no longer able to work or has limitations placed on their working hours, the Compliance immediately notify the Head of Compliance and the CareJoy Managing Director, and the Worker and Employer are notified straight away. The Worker will be removed from post where their Right to Work is no longer valid pending, full investigation.

COVID19

During COVID19 we have been following the Government, APSCo & REC recommendations for the sighting of original documentation whilst face to face interviews and registrations are not possible.

The use of Zoom/Microsoft Teams and other video call applications are utilised to ensure that we are speaking to the correct candidate, and they show us their documents on video then scan or send a clear photograph of the document for their file or they are able to upload their documents directly to Credentially.io profile following their video call.

Further detailed guidance:

The Conduct of Employment Agencies and Employment Businesses Regulations 2003:

<http://www.legislation.gov.uk/ukxi/2003/3319/contents/made>

NHS Employers Right to work check standard: <https://www.nhsemployers.org/your-workforce/recruit/employment-checks/right-to-work-checks>

Home Office. Right to work checks: an employer's guide:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/773780/An_employer_s_guide_to_right_to_work_checks_-_January_2019.pdf