



## Providing Evidence of the Right to Work in the UK

Before anyone commences employment with Orkney Islands Council we have a legal obligation to confirm a person's right to be in and / or work in the United Kingdom. In order to comply we require that you provide evidence to demonstrate this.

Should you be successful in appointment we will request that you produce the required evidence (listed below), in person, to a member of the HR and Performance team or other authorised Council employee who will take copies and verify that the documents are valid and original. Please do not supply photocopies.

**Please note** where you are not resident in Orkney you will be required to post the original documents to HR and arrangements will be made to verify this with you via live video link i.e. skype, facetime etc.

**One only** of the following original documents is acceptable as evidence to live and work in the UK:

### List A:

- A passport showing that the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the United Kingdom and Colonies having the right of abode in the UK.
- A passport or national identity card showing that the holder, or a person named in the passport as the child of the holder, is a national of the European Economic Area (EEA) country or Switzerland.
- A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A permanent residence card issued by the Home Office to the family member of a national of an EEA country or Switzerland.
- A current biometric immigration document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the person named in it is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- 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.

If you are unable to provide any of the above, the following documents will be accepted as proof of eligibility to work in the UK when produced in combination with an official document giving the person's permanent National Insurance Number and

their name issued by a Government agency or a previous employer, for example, a P60, P45, letter from Department of Work and Pensions.

- A current Immigration Status Document issued by the Home Office or UK Border Agency to the holder with an endorsement indicating that the person named in it is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK.
- 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.
- A birth certificate or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland.
- A certificate of registration or naturalisation as a British Citizen.

## **List B Group 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.
- 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.
- 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.
- 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.

## **List B Group 2**

- 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.
- 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.
- 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.

Certain documents will show that leave to enter or remain in the UK is time-limited. Should this be the case the Council will be required to undertake repeat checks of the same kind in the following year(s).

In the interest of equality and fairness this documentation requires to be provided by **all** prospective employees regardless of race, colour or ethnic origin. It does not form

part of the selection process but is a final check to ensure that the Council has acted within the law in making an appointment to a successful applicant.