

Right to Work Policy

Under United Kingdom immigration rules, it is a criminal offence to employ a person who is subject to immigration control and who has not been granted leave to enter or remain in the UK, or does not have permission to remain in the UK.

Coniston Limited (the Company) has a legal obligation to carry out document checks to ensure that all employees have a right to work in the UK. It is also a requirement that the Company retains copies of the relevant documents.

To avoid potential unlawful discrimination claims the Company will carry out appropriate checks on all candidates.

Right to work checks

The HR department will carry out the checks on behalf of the Company and will not rely on checks carried out by third parties. All checks will be carried out either before employment commences or on the employee's first day of employment.

Documentary right to work checks

When carrying out manual documentary checks, the Company will be required to check at least one of a range of documents verifying the individual's right to work in the UK. The Company must check that the documents are genuine and that the person presenting them is the prospective employee or employee, the rightful holder and allowed to do the type of work the Company is offering.

The documents that the Company may accept are set out in two lists – List A and List B, the details of which can be found on the UK Visas and Immigration (UKVI) website.

List A contains the range of documents that the Company may accept for a person who has a permanent right to work in the UK. If the Company conducts the right to work checks properly before employment begins it will establish a continuous statutory excuse for the duration of the person's employment and it will not be necessary 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. Providing the Company carries out the checks correctly it will establish a time-limited statutory excuse and will be required to conduct follow up checks in order to retain the statutory excuse.

Where an employee has only limited permission to remain or work in the UK, the Company is required to note the expiry date of the documentation and put a reminder system in place to check the documents again prior to expiry.

Should the Company be presented with documents indicating that an individual is a student with a limited right to work in the UK during term time, it will also check and copy evidence of their academic term dates.

The Company will check, as far as is reasonably apparent, that the verifying documents are originals and that the candidate is the rightful owner of any document he or she presents.

Online right to work checks

Where the immigration status of the individuals is compatible, the Company can carry out an online check using the Home Office's Checking Service.

In order to carry out an online right to work check, the Company will require the individual's date of birth and an 'employee share code' to be provided by the individual. When this information is inputted into the service, the Company will receive a confirmation page stating whether the individual has the right to work in the UK.

Where the online service confirms the individual has the right to work in the UK, the Company will maintain a record of this confirmation page, which includes the date the check was carried out, in an uneditable format. If the service confirms there is a time limited right to remain in the UK, the Company will be required to carry out a further right to work check in advance of the date of expiry.

Home Office verification checks

When conducting checks to verify that someone has the right to work in the UK, the Company is required to contact the Home Office to establish or retain the statutory excuse in the following circumstances:

- if presented with a Certificate of Application which is less than 6 months old and which indicates that work is permitted
- if presented with an Application Registration Card stating that the holder is permitted to undertake the work in question
- where the Company is satisfied that it has not been provided with any acceptable documents because the person in question has an outstanding application with the Home Office which was made before their previous permission time expired or has an appeal or administrative review pending against a Home Office decision and therefore cannot provide evidence of their right to work.

Withdrawal of offer of employment

An offer of employment will be withdrawn in circumstances where the candidate cannot provide evidence of their right to work in the UK, and where all other reasonable enquiries to obtain such evidence have been exhausted.

Post termination of employment

After leaving our employment, an employee's right to work documents are retained on file for a minimum of 2 years.

This policy will be reviewed at least annually or at other intervals deemed appropriate by statutory changes Any alterations to this policy will be recorded below.

Revision	Date	Owner	Changes Made
0.1	01/10/2022	Ravinder Clair	Draft
1.0	01/10/2022	Ravinder Clair	Approved and published
2.0	01/09/2023	Ravinder Clair	Updated – online check procedure included
2.0	01/09/2024	Ravinder Clair	Reviewed – no changes
2.0	01/09/2025	Ravinder Clair	Reviewed – no changes