Appendix B: Right to Work Documents

List A: Documents that show an ongoing right to work in the UK

Any of the documents, or combination of documents, described in List A below show that the holder has an ongoing right to work in the UK. They will provide you with an excuse for the duration of that person’s employment with you if you correctly follow the Three-Step Check set out in Appendix A.

| 1 | A passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK. |

A person with the right of abode in the UK has the right to live and work here without restriction. A passport stating that the holder is a ‘citizen of the United Kingdom and Colonies’ will only be acceptable if it includes the words: ‘holder has the right of abode in the United Kingdom.’

Only the following passports are acceptable as proof of this:
Other Proof of Right to Abode

Some people may use a foreign passport but still be entitled to right of abode in the UK. You can check whether someone has the right of abode by looking for the stickers below in their national passport. From 24th June 2008, the document below right has been issued to those people who apply for a Certificate of Entitlement to the Right of Abode in the UK. Please note that the Certificate of Entitlement of Right of Abode must be in a valid passport.

2. A passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.

   The majority of nationals from EEA countries and Switzerland are free to live and work in the UK. However, special controls on access to the UK labour market apply to Croatian nationals.

3. A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to a national of a European Economic Area country or Switzerland.

   For nationals from EEA countries, this document consists of a blue permit carrying a photograph and personal details of the holder. Nationals from EEA countries can obtain a residence permit from us. Swiss nationals receive a similar document in the form of a pink residence permit. Examples are shown below.
4. **A Permanent Residence Card** issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.

When nationals from EEA countries and Switzerland reside in the UK, their immediate family members from outside the EEA or Switzerland may gain the same rights to enter or remain, and work here freely. However, the EEA national in question must be lawfully residing in the UK for their family member to have and maintain these rights.

5. **A current Biometric Immigration Document (Biometric Residence Permit)** issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.

You must not accept an expired Biometric Residence Permit as evidence of right to work. These documents have a maximum validity of 10 years for over 16 year olds, and 5 years for under 16’s.

6. **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.
A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, 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.

A valid Immigration Status Document contains a UK Residence Permit endorsement. It also has a section providing further details of the holder’s status and personal details. You should note that these have been replaced by Biometric Residence Permits since 2012 and they will be issued within the UK to anyone from outside the EEA granted leave for more than six months. There will however still be Immigration Status Documents in circulation.
A short or a long UK birth certificate issued in the UK, 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.

You must only accept the original of a full UK birth or adoption certificate, which must include the names of the holder and at least one of their parents. In some cases, a full birth certificate will only provide details of one of the holder’s parents, and this will also be acceptable as part of your excuse. Short birth certificates which do not have details of either of the holder’s parents will not give you this part of your excuse.
A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, 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.

Nationals from the Channel Islands, the Isle of Man and Ireland (the Common Travel Area) have no immigration restrictions placed on the type of employment they can take in the UK.
A certificate of registration or naturalisation as a British citizen, 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.

You should check that the A4 certificates describe the holder as a British citizen as indicated below.
List B, Group 1:
Documents where a Time-Limited Statutory Excuse Lasts until the Expiry Date of Leave

Any of the documents or combination of documents in List B (Group 1) below show that a person is allowed to work in the UK for a limited period of time. They will provide you with an excuse until the expiry of the date of leave if you correctly follow the 3 step process as set out in Appendix A. Repeat checks are necessary when the document expires if you are to retain your excuse against a penalty.

<table>
<thead>
<tr>
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<th>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.</th>
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<tr>
<td>1</td>
<td>Nationals from outside the European Economic Area (the EEA) who are subject to immigration control and who have been given current leave to work here will be able to prove this by producing a UK Government stamp or endorsement in their national passport or travel document. When we grant a person limited leave to enter or remain we may place restrictions on the type of work a person can do here, and, or the hours they can work for, depending to their immigration status.</td>
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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.

The Biometric Residence Permit (BRP) is a residence permit which holds a migrant’s biographic details (name, date and place of birth) and biometric information (facial image and fingerprints), and shows their immigration status and entitlements while they remain in the UK. BRPs issued to those with Limited Leave to Remain clearly show whether there are any work conditions or restrictions.

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
Example images are shown below.

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.

The document contains a UK Residence Permit endorsement which clearly states what permission to remain in the UK the holder has, whether the individual is free to work in the UK and whether their right to work is subject to any conditions. Immigration Status. Documents have been replaced by Biometric Residence Permits since 2012 and are issued within the UK to anyone from outside the EEA granted leave for more than six months. There are, however, still Immigration Status Documents in circulation.
List B, Group 2 Documents where a time-limited statutory excuse lasts for 6 months

A Certificate of Application which is less than 6 months old issued by the Home Office to or for a family member of a national of an EEA country or Switzerland stating that the holder is allowed to take employment together with a positive verification letter from the Home Office’s Employer Checking Service.

Family members of nationals from EEA countries and Switzerland may apply for residence documents, such as a residence card, which show right to work in the UK. Under European law, many are also allowed to work whilst these applications are under consideration and before residence documents have been issued by us. We will provide such applicants with an initial letter of acknowledgment. A Certificate of Application will only give you an excuse if less than 6 months old and you carry out a check with our Employer Checking Service and receive positive confirmation of the person’s right to work in response. Example images are below.
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.

You should be aware that some asylum seekers or failed asylum seekers may have restrictions on the type of work they can carry out and, or the amount of hours they can work. If an asylum seeker gives you an ARC stating that work is restricted then you should make sure that you do not employ them in breach of these restrictions as you may be liable for a civil penalty. You can find out more in the section on ‘Employing asylum seekers, refugees and those granted humanitarian protection’. An ARC will only give you an excuse if you carry out a check with our Employer Checking Service and receive positive confirmation of the person’s right to work in response. Example images are below.

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.

HR to send a verification request to the Employer Checking Service.
Official Documents Issued by a Previous Employer or Government Agency

A P45, P60, National Insurance number card, or a letter from a Government agency are acceptable evidence of a person’s National Insurance number. A Government agency could include, for example, HM Revenue and Customs, the Department for Work and Pensions, or the Jobcentre Plus.

From 2011, the Department for Work and Pensions stopped issuing National Insurance cards, which have been replaced by a letter. However, National Insurance cards issued prior to 2011 have been issued and are acceptable evidence of National Insurance.

You should note that the requirement for a properly documented National Insurance number will only provide a statutory excuse when given to you in combination with one of the acceptable documents specified in List A or List B.

You should not accept a National Insurance number on its own in any format as this does not provide acceptable evidence of right to work in the UK.
UK Immigration Documents, Stamps, and Endorsements

This section explains and provides images of the immigration stamps and endorsements that UK Visas and Immigration place in a person’s passport or travel document when they are from outside the European Economic Area (EEA). Biometric Residence Permits are now issued to all non-EEA nationals in the UK for more than six months. Some older documents, however, may still be in circulation and this section of the guide will help you understand what you need to check to ensure that the person in question is allowed to do the type of work you are offering.

Immigration officers working at points of entry into the UK do continue to use a variety of wet ink endorsements, examples of which are provided below.

Any non-EEA national who has the following endorsements in their passport is not allowed to work in the UK. You may be required to pay a civil penalty and may commit the criminal offence of having reasonable belief of or knowingly employing an illegal worker if you employ a person on the basis of any of the pictured stamps in their passports.
UK Residence Permit (replaced by Biometric Residence Permit)

The UK Residence Permit was a form of endorsement introduced in 2003 that has been replaced by the Biometric Residence Permit. It was used to endorse passports and other travel documents belonging to nationals from outside the EEA, and also placed on Home Office Immigration Status Documents to show that a person has been granted leave to
enter or remain in the UK. The UK Residence Permit replaced most of the ink stamps used, however, you may still find ink stamps in documents in circulation.

The UK Residence Permit was issued to nationals not intending to stay in the UK for longer than six months. It was not issued to any non-EEA nationals who were required to obtain a visa or entry clearance to enter the UK before they travel here.

The UK Residence Permit contains a number of security features, which are highlighted below to help you recognise and identify what they look like.
Indefinite Leave to Enter or Remain, or no Time Limit on a Person’s Stay in the UK

Any individual who is granted Indefinite Leave to Enter or Remain in the UK, or who has no time limit on their stay here, may stay and work in the UK for as long as they like. There are no immigration restrictions placed on the type of work they can do.

The UK began endorsing passports, or Immigration Status Documents with the UK Residence Permit from December 2003 to show that the holder has Indefinite Leave to Enter or Remain.

You may also see the following endorsements that show a person has this status. These endorsements are being phased out, but when checked, will still give you an excuse if they are given to you in a passport by the holder.

The holders of travel documents who have been granted Indefinite Leave to Enter or Remain here may have a green vignette in their original passport, or a printed endorsement in their current travel document stating ‘There is no time limit on the holder’s stay in the United Kingdom’.
**Limited Leave to Remain Granted with No Restrictions on Employment**

Qualified people and their dependents who meet certain immigration requirements can be granted leave to enter or remain in the UK for a limited period of time without being subject to work conditions. You will be able to employ anyone with this status if the date shown on their passport endorsement or stamp has not expired. There are no immigration restrictions placed on the type of work they can do. You should still carry out the appropriate document checks to have the excuse.

**Visas and Entry Clearance Certificates**

Nationals from certain countries are required to obtain a visa or entry clearance certificate from a British embassy prior to travelling to the UK.