

## **PREVENTION OF ILLEGAL WORKING POLICY**

The Company has developed this Policy to support the fair employment of migrant workers and the prevention of illegal working in line with UK Government Legislation namely the Immigration, Asylum and Nationality Act 2006.

Its aim is to ensure fair recruitment of employees from outside the EU or support those from the accession states within the EU who have employment requirements placed on them by the UK Government.

The policy applies equally to all employees of the company including agency workers who may be recruited by the organisation.

All staff authorised to offer employment and engage employees in any form of employment must make basic checks on everyone they intend to employ. By checking and copying certain original documents belonging to the potential employee, Exploration & Testing Associates can ensure a statutory defence against conviction for employing an illegal worker.

Employment for office and non-site workers is offered to all UK and non UK residents provided they comply with the provisions of the Immigration, Asylum & Nationality Act 2006.

In order to comply with the Act, UK Nationals are asked to provide one of the original documents from the following list:-

- A passport - showing that the person named on the passport is a British citizen, or a citizen of the United Kingdom and Colonies having the right of abode in the UK (not including British Citizenship specifically excluded by the Home Office).
- A copy of original birth certificate together with the name of at least one parent.

Non-UK Nationals who do not possess a UK Passport are required to produce:-

- A Certificate of Registration or Naturalisation as a British Citizen and
- An official letter or document from a government (e.g. HM Revenue and Customs, or Department for Work and Pensions) or previous employer, showing their name and National Insurance number valid.

Non-UK Nationals to whom the above does not apply are required to produce a Biometric Residence Permit which will be checked for validity as follows:-

- The Permit is checked - to confirm it is clean and in good condition.
- The Permit Number is checked - this is displayed on the front of the permit in the top right hand corner. The number should begin with

two letters followed by seven numbers. The number should not be raised.

- The Holder's Image is checked - this should always be in grey-scale. As always, employers should check the photograph to ensure that it is consistent with the appearance of the individual.
- The Tactile Feature (on the back of the BRP) is checked - the back of the BRP should have a raised design, which incorporates the four national flowers of the UK. This can be seen by shining a light across the permit and / or by running a finger over the design.
- It is appropriate to feel the Permit - it should be thicker than a photo card driving licence, it will make a distinctive sound when flicked and should not be folded or bent.
- The Biographical Details are checked - to confirm that the name, date of birth and photographs are consistent with the individual present.
- The Immigration Conditions are checked - these are shown on the front and back of the permit. Common conditions confirm the number of hours an individual is permitted to work or that they must report to the police.

As applicable the following may be required to be produced by Non UK Residents:

- A passport or national identity card showing that the person be named on the passport or identity card is a national of the EEA or Switzerland.
- A residence permit, registration certificate or document certifying permanent residence issued by the Home Office or the UK Border Agency to a national of an EEA country or Switzerland.
- A passport or other travel document endorsed to show that the holder is exempt from immigration control, allowed to stay indefinitely in the UK, as the right of abode in the UK or no time limit on their UK stay.

### **Records**

A copy of the appropriate verified document(s) is retained in personnel records together with the date inspected for a minimum of two years after the individual has left the company.

### **Breach of Policy**

Any breach of this policy or unacceptable conduct may lead to disciplinary action.



**K O Marsh**  
**Chairman**