

POLICY

Illegal Workers

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REV	Date	Status / Description of Changes
01	11/06/2021	Created Policy to be up to date with what Gradewell currently does to meet the UK regulation Immigration, Asylum and Nationality Act 2006
02	14/08/2020	Updated Template Minor changes
03	07/12/2020	Minor adjustment to template
04	01/11/2021	Minor adjustment to template, laws/regulations checked

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Introduction

Gradewell is committed to support the fair employment of migrant workers and the prevention of illegal workers to be in line with UK Government Legislation, namely the Immigration, Asylum and Nationality Act 2006.

Glossary

Asylum and Nationality Act 2006 - The aim of this policy 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. This policy applies equally to all employees of the Company including agency workers who may be recruited by organisation. The organisation has a responsibility to ensure fair treatment processes are adhered to in line with current recruitment procedures. The Immigration, Asylum and Nationality Act 2006 is adhered to including the engagement of migrant workers obtaining the relevant permissions prior to work commencing or in case of Migrant Worker Status within one month of engagement, checking of information related to recruitment, changes in circumstances, annual checking etc. Ensuring that fair and transparent recruitment procedures are adhered to at all times allowing for the fair employment of migrant workers and the prevention of illegal working.

Responsibilities

Gradewell has recognised that it has responsibilities towards migrant workers under the current Health and Safety Legislation and will ensure that the following guidelines are followed:-

- Make sure overseas workers have the necessary knowledge and skills to do the work for which they have been employed, competently and safely;
- Make sure workers understand that the employer and employment agency/business or other labour provider (e.g. gang master) have responsibilities for their health and safety.
- Carry out a risk assessment of the tasks the worker will be expected to undertake;
- Ensure the control measures identified in the assessment are effective, are in place and are maintained;
- Pass relevant information on to the worker.
- Review basic competencies, e.g. literacy, numeracy, physical attributes, general health, relevant work experience
- Check whether their vocational qualifications are compatible with those in GB;
- Ensure that assessments are regularly reviewed to ensure they keep up to date with any changes to processes or working practices.
- Provide essential induction training and any necessary job-related/vocational training;
- Provide relevant information about the risks to which they may be exposed and the precautions they will need to take to avoid those risks;
- Consider the needs of workers who may not speak English well, if at all, and whether you need translation services;
- Make sure workers have received and understood the information, instruction and training they need to work safely and consider how to ensure it is acted upon;
- Make sure workers are adequately supervised and can communicate with their supervisors.

This Policy Statement has to be read in conjunction with The Home Office Guidelines 'Securing our Border - Controlling Immigration. Prevention of Illegal Working - Immigration, Asylum & Nationality Act 2006'

Procedure

List A - Documents which show an ongoing right to work - any of the documents or specified combination of documents, described in List A demonstrate that the holder is entitled to work in the UK and will provide employers with an excuse from liability to pay civil penalty if the employer follows the UK Border Guidelines.

1. 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 United Kingdom.
2. 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 a European Economic Area country or Switzerland.
3. A residence permit, registration certificate or document certifying or indicating permanent residence issued by the Home Office, the Border and Immigration Agency, or the UK Border Agency to a national of a European Economic Area country or Switzerland.
4. A permanent residence card or document issued by the Home Office, the Border and Immigration Agency, or the UK Border Agency to the family member of a national of a European Economic Area country or Switzerland.
5. A passport or other travel document endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the United Kingdom, has the right of abode in the United Kingdom, or has no time limit on their stay in the United Kingdom.
6. An Immigration Status Document issued by the Home Office, the Border and Immigration Agency, or the UK Border Agency to the holder with an endorsement indicating that the person named in it is allowed to stay indefinitely in the United Kingdom or has no time limit on their stay in the United Kingdom.
7. A full birth certificate issued in the United Kingdom which includes the name(s) of at least one of the holder's parents.
8. A full adoption certificate issued in the United Kingdom which includes the name(s) of at least one of the holder's adoptive parents.
9. A birth certificate issued in the Channel Islands, the Isle of Man or Ireland.
10. An adoption certificate issued in the Channel Islands, the Isle of Man or Ireland.
11. A certificate of registration or naturalisation as a British Citizen.
12. A letter issued by the Home Office, the Border and Immigration Agency, or the UK Border Agency to the holder which indicates that the person named in it is allowed to stay indefinitely in the United Kingdom.

List B - Documents which show a right to work for up to 12 months. Any of the documents, or specified combination of documents, in List B, can demonstrate that a person is entitled to work in the UK for a limited period.

1. A passport or travel document endorsed to show that the holder is allowed to stay in the United Kingdom and is allowed to do the type of work in question.
2. A Biometric Residence Permit issued by the UK Border Agency to the holder which indicates that the person named in it can stay in the United Kingdom and is allowed to do the work in question.

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3. A residence card or document issued by the Home Office, the Border and Immigration Agency, or the UK Border Agency to a family member of a national of a European Economic Area country or Switzerland.
4. A work permit or other approval to take employment issued by the Home Office, the Border and Immigration Agency, or the UK Border Agency.

Thomas Barrett – Director

A handwritten signature in black ink that reads "Thomas Barrett". The signature is written in a cursive style with a large, stylized initial 'T'.