

drb Ignite Multi Academy Trust

RIGHT TO WORK POLICY

Vision

The drb Ignite Multi Academy Trust has been established through a shared belief that lives can be transformed by what goes on in schools. We believe that the process of teaching and learning shapes futures. To this end our vision is to provide every child with learning experiences that excite them and give them the power to begin to shape their own lives.

all pupils achieve the highest standard of educational outcomes regardless of circumstances or background.

Guidance

This guidance should be followed by all Trust schools.

- All staff employed by the drb Ignite Trust must have a R2W check (this does not include agency staff if they are employed by the agency).
- This includes staff who transfer to drb Ignite Trust following an academy conversion.
- If agency staff are employed on a Trust school's payroll, they are subject to a R2W check.
- All checks must be carried out before employment starts. Those in List B (time limited) will need follow-up checks in line with the Home Office Employers Guidance.

Documents required as proof

1. Only those documents listed on the Home Office checklist are acceptable – <https://www.gov.uk/government/publications/right-to-work-checklist>
2. The Home Office checklist should be used as the top sheet for all R2W checks
3. All documents used to verify R2W must be genuine, original, unchanged and photos carefully checked against the individual with the individual present. Trust schools should check:
 - the dates for the applicant's right to work in the UK have not expired.

- photographs are the same across all documents and look like the applicant.
 - dates of birth are the same across all documents.
 - the individual has permission to undertake the type of work on offer (including any limit on restricted hours working).
 - If separate documents give different names, the individual has supporting documentation showing why they are different, e.g. marriage certificate or divorce decree.
4. Documents should be copied (these must be clear and legible) signed, dated and verified by the person delegated this function.

Schools should copy and retain:

- **Passports** – any copied page with the document expiry date, the holder's nationality, date of birth, signature, leave expiry date, biometric details, photograph and any page indicating the holder has an entitlement to enter or remain in the UK and undertake the work in question (the front cover does not need to be copied)
 - **All other documents** – the document in full, including both sides of a Biometric Residence Permit and a Residence Card (biometric format)
5. Each document should be verified with the date the check was carried out. This date may be written on the document copy as follows: ***the date on which this right to work check was made (insert date)***
6. R2W documents should be kept separate from DBS documents even if the same document has been used. This is because the R2W documents must not be destroyed.

If a job applicant is unable to show their documents

The Home Office should be asked to check the employee or potential employee's immigration employment status if one of the following applies:

- the school is reasonably satisfied that the individual is unable to show their documents because of an outstanding appeal, administrative review or application with the Home Office.

- the individual has an Application Registration Card.
- the individual has a Certificate of Application that is less than 6 months old.

Application Registration Cards and Certificates of Application must state that the work the employer is offering is permitted.

The Home Office will send a 'Positive Verification Notice' to confirm that the individual has the right to work. The school must keep this document.

Extra Information if the Employee is a Student

If the person the school is employing is a student who has limited permission to work during term-time, the school must also obtain, copy and retain details of their academic term and vacation times covering the duration of their period of study in the UK for which they will be employed. This evidence can be a printout from the education provider's website (as long as the website has been checked to ensure the link is genuine); a copy of a letter or email addressed to the student from their education provider confirming term time dates for the course or a letter addressed to drb Ignite Trust from the education provider confirming the same.

Record keeping

Schools should ensure:

1. R2W documentation is kept securely for not less than two years after the employment period has ended
2. R2W documents are easily located in the relevant personnel file.
3. a note is retained of those staff with a restriction and this is kept under review – (remind them 3 months before the expiry date).
4. the EPM portal is kept completely up to date – either 'no restriction' if documents are from the Home Office checklist (List A) or 'Valid Documentation in place' if from List B.
5. they notify drb Ignite Trust's Operations Manager if they employ a member of staff with a work restriction in order that the Trust's central register can be updated.

Queries

Schools should pass specific queries to the Trust's Operations Manager. Also, if required schools can access the Home Office helpline.


Home Office: Sponsorship, Employer and Education helpline

- Telephone:0300 123 4699

- Monday to Thursday, 9.00 – 5.00
- Friday 9.00 – 4.30

A current copy of the Home Office Right to Work checklist is available from the GOV.UK website.

Review

| | |
|-----------------------------------|---|
| Monitoring and review | The Trust Board will review this guidance annually or following any Home Office changes to R2W conditions. |
| Links | https://www.gov.uk/government/publications/right-to-work-checklist |
| Staff responsible | Trust Board Headteachers |
| Committee responsible | Trust Board |
| Date approved | November 2018 |
| Reviewed | November 2018 |
| Next review | November 2019 |
| Sign off by Chair of Trust |  Date: November 2018 |

*Please note that should there be any changes/further national guidance issued relevant to this policy, it will be updated accordingly prior to the review date shown above and referred to the next Trust Board meeting.

Change Management

| Issue No.: | Change date: | Change description: |
|------------|--------------|---|
| 1.0 | Dec'16 | Initial release |
| 2.0 | Nov'18 | Rebranded, updated and signed off for release |
| | | |