

RIGHT TO WORK POLICY

Introduction

As an employer, we have a responsibility to prevent illegal working. The ability to work illegally is a key driver of illegal migration and leaves people vulnerable to exploitation and results in unscrupulous employers undercutting compliant businesses. It can also negatively impact on the wages of lawful workers and is linked to other labour market abuse such as tax evasion, breach of the national minimum wage and exploitative working conditions, including modern slavery in the most serious cases.

Under the Immigration, Asylum and Nationality Act 2006, the Company is liable to payment of a civil financial penalty if we employ a person who is subject to immigration control and who has no permission to work in the UK, or who is in breach of their conditions of stay in the UK. There is an unlimited fine and a jail sentence of up to 5 years for employing someone who we knew or had reasonable cause to believe did not have the right to work in the UK. The Company can also be penalised if we do not carry out the right to work checks either at all, or properly.

The purpose of this policy is to ensure that all the FLI companies' employment practices are robust and to ensure all employees and any labour employed on our sites hold current and valid permission to work in the UK and that we cover our responsibilities under the Act.

Responsibilities for Employees

- The HR department is responsible for undertaking a right to work check on all employees to ensure the individual is legally allowed to work in the UK.

A 'manual check' must be undertaken. This will consist of 3 steps:

1. Obtain original versions of one or more of a list of acceptable documents (see below);
 - a. 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.
 - b. 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.
 - c. A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
 - d. A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
 - e. 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.

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- f. 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.
 - g. 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.
 - h. A birth or adoption 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.
 - i. A birth (short or long) 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.
 - j. 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.
2. Check the document's validity in the presence of the holder; checking
 - a. the documents are genuine, original and unchanged and belong to the person who has given them to you.
 - b. the dates for the person's right to work in the UK have not expired.
 - c. photos are the same across all documents and look like the person.
 - d. dates of birth are the same across all documents.
 - e. the person has permission to do the type of work you're offering (including any limit on the number of hours they can work).
 - f. if 2 documents give different names, the applicant has supporting documents showing why they're different, such as a marriage certificate or divorce decree.
 3. Make and retain a clear copy and record the date the check was made (on the copy).

The check must ensure that:

- Photographs and dates of birth are consistent across documents and with the person's appearance in order to detect impersonation.
- Expiry dates for permission to be in the UK have not passed.
- Any work restrictions in place are noted.
- That documents are genuine, not been tampered with and belong to the holder.
- Reasons for any difference in name across documents can be explained by providing evidence (e.g., birth certificate, marriage certificate etc).

In undertaking these checks, we will ensure that we do not unlawfully discriminate against individuals on racial or ethnic grounds or in respect of any other protected characteristic under equality legislation.

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Any employee who fails to comply with the correct procedures as set out above may be subject to disciplinary action.

Retention of Data

The HR Manager will retain copies for the duration of the person's employment and for 2 years afterwards on Cezanne HR.

The 'Site Manager' will retain copies for the duration of the works and for 2 years afterwards in securely stored site induction documentation.

Suppliers/ Subcontractors

We have a zero-tolerance policy to illegal workers, modern slavery and human trafficking. We expect all in our supply chain and sub-contractors to comply with our policy and undertake their own Right to Work checks. We retain the right to undertake random checks on our supply chain to ensure this policy is adhered to.

Signed on behalf of FLI Water Limited



Trevor Snell, Group Managing Director
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