

Right To Work Process- Managers

Introduction

All employers in the UK have a responsibility to prevent illegal working. We do this by conducting simple right to work checks before employing, to ensure the individual is not disqualified from carrying out the work in question by reason of their immigration status.

Legislation

The law on preventing illegal working is set out in sections 15 to 25 of the Immigration, Asylum and Nationality Act 2006 (the 2006 Act), section 24B of the Immigration Act 1971, and Schedule 6 of the Immigration Act 2016.

Under section 15 of the 2006 Act, an employer may be liable for a civil penalty if they employ someone who does not have the right to undertake the work in question if that person commenced employment on or after 29 February 2008.

Recruiting Manager Responsibilities – obtaining correct Right to Work (RTW) documents

At verbal offer stage the Recruiting Managers must ensure they have determined whether the candidate is a UK or Irish National holding a valid (in date) UK or Irish passport, a UK or Irish National not holding a valid (in date) passport or is non UK or Irish National – this determines which RTW process we follow (as per the below).

The Recruiting Manager also needs to obtain the candidates' National Insurance Number and Date of Birth at verbal offer stage as these details are essential with regard to our legal obligations to conduct the necessary RTW checks.

In addition, providing these details enables the People Team to progress the onboarding process without delay. Without this we would not be able to submit the new hire information to payroll or complete the appropriate pre-employment checks – meaning the candidate is unable to commence their employment with EV Cargo.

RTW Categories:

UK and Irish National – Passport Holders only (valid – in date)

The RTW check will be managed by a third-party provider, Credence, who will contact the candidate via email, inviting them to complete the necessary information online. This will include:

1. The candidate confirming they hold either a biometric or Irish passport card
2. The candidate uploading the evidence of either a biometric or Irish passport card
3. The candidate uploading a selfie of themselves

Once the above has been captured, the validation process will begin in accordance with the Home Office Digital System requirements.

For Driver Recruiters ONLY: We recognise that the turnaround time between offer and start date for Driver positions can be extremely tight, therefore you should continue to perform the manual RTW checks as you currently do, and then send the documentation over to EVCUK.Resourcing@evcargo.com – they will then follow the above process at offer stage and arrange for Credence to contact the candidate to perform the online digital RTW check.

UK and Irish National – out of date or non-passport holders only

Recruiting Managers will need to obtain RTW documents for the candidate and this needs to be in person and once obtained should be forwarded to the Resourcing Team.

A list of acceptable RTW Documents can be found at the end of this document – Appendix A.

Non-UK and Irish Nationals

The gov.uk share code has been created with the aim to speed up the process of validating an overseas employee's rights to UK employers. To enable non-UK and Irish Nationals to demonstrate their RTW in the UK they need to provide this share code at verbal offer stage to the Recruiting Manager and/or the Resourcing Team.

For your information, the candidate will need to follow these steps to generate the Share Code:

1. To start the process the candidate will need to gather either their biometric residence permit number, biometric residence card number or their passport or national identity card.
2. The Individual then logs into their gov.uk account with the ID they used for their initial visa application. A 6-digit code is then sent to their phone or email address.
3. Once they've logged in, they will be able to view their immigration status and generate a code – this is their share code – a nine-digital alphanumeric code, which they will need to provide to the Recruiting Manager
4. The Recruiting Managers will need to add this share code to the Offer details in the Candidate Notes on EV People or send it to the Resourcing Team at evcuk.resourcing@evcargo.com who will then be able complete the right-to-work checks.

Once the Share Code has been checked by the Resourcing Team, the candidate's identity will need to be verified by the Recruiting Manager. The Resourcing Team will send the Recruiting Manager the RTW information as provided by gov.uk and ask you confirm their identity in order to continue with the onboarding process.

Should you have any queries then please contact the Resourcing Team at EVCUK.Resourcing@evcargo.com or call the People Team on 0203 880 7933.

Once RTW details have been confirmed, the Recruiting Manager can progress to the next stage within EVP:

Offer Stage

As the Recruiting Manager, within EVP you will be prompted to provide details of the offer and candidate, as set out below:

Start date:

If Fixed Term, please advise of FTC end date.

Pay Group:

Job Title:

Grade:

Reports to (include Line Manager's job title):

Salary: Please confirm if hourly, weekly, or annual rate of pay

Car Allowance:

Additional Payments:

Days of work:

Hours per week:

Candidate Date of Birth:

Candidate NI Number:

Candidate Home Address:

Candidate Email:

Candidate Phone Number:

Cost Centre:

Right to Work (RTW) details:

Does the candidate hold a valid (in date) UK or Irish Passport:

- If **yes**, the RTW check will be managed by a third-party provider, Credence
- If **no**, the Recruiting manager has to obtain the RTW documentation as per the acceptable right to work list (shown below)
- If the candidate is a **non UK or Irish National** - the Recruiting Manager will need to obtain a share code from the candidate (details below)

Was this candidate referred by a current colleague: Yes/No If yes what is the colleagues' name?

Additional information, if applicable: (e.g., Meal Allowance, Shift or On-Call Allowance for Drivers. If Driver role, please ensure that Tachograph Number is included in this section)

For Global Forwarding only: Is a CAA Background check required for this role:

Yes/No

If **yes** can the new hire start before the background/CAA is complete: Yes/No

Where IT equipment and IT accounts are needed, please notify IT by completing the Starter Notification: [New EV Cargo User Account Request \(office.com\)](#)

Appendix A

If the candidate is a British or Irish National with a passport (in date or expired) - this is sufficient to prove their RTW.

If they don't have a passport then they need to provide 2 documents as follows:

The first document **must** show their name and National Insurance Number – it must be from the Government or their previous employer – wage slip, P45, letter from the Department of Work and Pensions

The second document can be either a:

Birth or adoption certificate issued in the UK or a birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland

Or

Certificate of registration of naturalisation, if they became a British Citizen by applying for it

This list is not exhaustive so please see full list of acceptable documentation - Employer's guide to right to work checks (publishing.service.gov.uk) or contact the Resourcing Team