

## **Information for Job Applicants**

### **Asylum and Immigration Act 1996**

The above Act is intended to ensure that only those people legally entitled to live and work in the UK are offered employment under Section 8 of the Asylum and Immigration Act. It is a criminal offence to employ a person aged 16 or over who is subject to immigration control unless:

1. That person has current and valid permission to be in the UK and that permission does not prevent him or her from taking the job in question; or
2. The person comes into a category where such employment is otherwise allowed.

This second category will include:

- Asylum seekers who have been given written permission to work; and
- Certain people who are appealing against a refusal of an application for further permission to stay. They will have letters from the Home Office confirming that they can be legally employed.

### **The Responsibility of Employer**

In order to comply with the Act, as an Employer, Ealing Mencap has introduced arrangements whereby the immigration status of all successful applicants will be checked.

This will be done by checking the original of any one of the following documents:

- A document issued by a previous employer, the Inland Revenue, the Benefits Agency, the Contributions Agency or the Employment Service (or their Northern Ireland equivalents) which states the national insurance number of the person named. This could include a P45, a pay slip, a P6, a NINO card or a letter issued by one of the Government Bodies concerned.

**A document showing only a so-called temporary national insurance number will not be satisfactory.**

- A passport describing the holder as a British citizen or as having the right of abode in or an entitlement to readmission to the United Kingdom.
- A passport containing a Certificate of Entitlement issued by or on behalf of the Government of the UK certifying that the holder has the right of abode in the UK.
- A certificate of Registration or Naturalisation as a British citizen.
- A birth certificate issued in the UK or in the Republic of Ireland.
- A passport or national identity card issued by a State which is a party to the European Economic Area Agreement and which describes the holder as a national of that State.

- A passport or other travel document endorsed to show that the person named is exempt from immigration control, has indefinite leave to enter, or remain in, the UK or has no time limit on his/her stay; or a letter issued by the Home Office confirming that the person has such status.
- A passport or other travel document endorsed to show that the person named has current leave to enter or remain in the UK and is not precluded from taking the employment in question; or a letter issued by the Home Office confirming that this is the case.