



Right To Work Policy

Reference:	CHA-HR-POL-0016	Issue No.:	2026-1	Date of Issue	07/08/2026
Originated By:	Tracey Ashworth Golden	Authorised By:	Claire Owens	Page 1 of 6	

RIGHT TO WORK POLICY

1. PURPOSE OF THE POLICY

The purpose of this policy is to ensure that the Company complies with its legal obligations under the Immigration, Asylum and Nationality Act 2006 and related legislation by preventing illegal working.

The Company is committed to:

- Carrying out compliant right to work checks on all employees before employment commences
- Ensure right to work checks are completed for all subcontract employees before commencement on site
- Maintaining a statutory excuse against civil penalties
- Ensuring that no unlawful discrimination occurs on the grounds of race, nationality, ethnic or national origin

This policy applies equally to all prospective and existing employees, regardless of nationality.

2. LEGAL FRAMEWORK

It is a criminal offence for an employer to knowingly employ a person who does not have the right to work in the UK. The Company may also be liable for a civil penalty if it employs someone without carrying out the correct right to work checks.

A statutory excuse against liability is established only where right to work checks are carried out correctly, in line with Home Office guidance, and records are retained appropriately.

3. RESPONSIBILITY

Overall responsibility for compliance with this policy rests with the Directors.

Managers involved in recruitment must:

- Ensure right to work checks are conducted before employment starts
- Not allow any individual to commence work until checks are complete
- Escalate any concerns immediately

For subcontract workers:

Check Point One:

The procurement departments will be responsible for:

- Requesting confirmation that checks are completed by the subcontract employer at onboarding stage
- Where unconfirmed with viable reasoning, each subcontractor employer will be asked to supply one of the following for each of their employees prior to commencement of any work:

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a. **Certificate of Application' (CoA)**

This is a digital, or 'non-digital', document which individuals can rely on to demonstrate their eligibility to work, rent, and access to benefits and services. This document is issued when a valid application is made to the EU Settlement Scheme.

b. **Digital Verification**

Provided by the Digital Verification Service' (DVS), which is a service that enables people to digitally prove who they are, information about themselves or their eligibility to do something. Digital verification services can be used by employers to conduct digital right to work checks on holders of valid British and Irish passports (or Irish passport cards).

Check Point Two:

Where the options above are not supplied at onboarding stage with viable reasoning, the project management team (site supervisor or project engineer) will be responsible for completing checks using one of the accepted documents from **List A** below.

(Paper documents must be original. Confirmation of checks will be recorded via the company automated reporting system against everyone's profile).

HR (or the designated compliance lead) is responsible for maintaining right to work procedures, monitoring follow-up checks, retaining records, and ensuring compliance with Home Office guidance.

4. NON-DISCRIMINATION

The Company will not discriminate on the basis of race, colour, nationality, ethnic or national origin.

Right to work checks will:

- Be carried out for all candidates, and subcontract employees regardless of nationality
- Be conducted at the same stage of the recruitment/onboarding/induction process
- Follow the same procedure for everyone

The Company will comply with the Equality Act 2010 and will not make assumptions about an individual's right to work based on appearance, accent, nationality or ethnicity.

5. WHEN RIGHT TO WORK CHECKS ARE CARRIED OUT

Right to work checks must be completed:

- Before employment commences or individuals are set to work
- On the first day of employment (where required to re-check originals)
- Before permission expires, where an employee has time-limited permission to work
- Within 60 days of a TUPE transfer

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6. TYPES OF RIGHT TO WORK CHECKS

The Company may carry out one of the following checks:

- Manual Right to Work Checks
- Manual checks will be carried out in person, unless alternative methods are permitted by Home Office guidance (for example, via an approved Identity Service Provider where applicable).
- Online Right to Work Checks
- Where an individual holds digital immigration status (including EU Settlement Scheme status or a Biometric Residence Permit), the Company will use the Home Office online right to work service.

7. ACCEPTABLE DOCUMENTS

List A: Continuous Right to Work

Documents from List A establish a continuous statutory excuse and do not require follow-up checks.

Examples include:

- British or Irish passport (current or expired)
- A UK birth or adoption certificate, together with an official document issued by a government agency or previous employer confirming the individual's permanent National Insurance number and name
- Evidence of indefinite leave to remain
- Status under the EU Settlement Scheme showing settled status

Acceptable documents are defined by Home Office guidance in force at the time of the check. The Company will follow the most up-to-date Home Office lists.

List B: Time-Limited Right to Work

Documents from List B establish a time-limited statutory excuse and require follow-up checks.

- Group 1: Follow-up check required before permission expires
- Group 2: Statutory excuse lasts for six months and requires verification via the Employer Checking Service (ECS)

The Company will diarise and conduct all required follow-up checks in advance of expiry dates.

8. EU SETTLEMENT SCHEME (EUSS)

EU, EEA and Swiss citizens who were resident in the UK by 31 December 2020 were required to apply under the EU Settlement Scheme.

- Settled status provides an indefinite right to work
- Pre-settled status provides a time-limited right to work

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Employees with pre-settled status must provide evidence of updated status when required.

Where an individual has an outstanding EUSS application, the Company will use the Employer Checking Service to obtain a Positive Verification Notice (PVN), which provides a statutory excuse for six months.

If a follow-up check confirms that an application has been refused and no further right to work exists, the Company will take steps to end employment following a fair process and in accordance with employment law.

9. POINTS-BASED IMMIGRATION SYSTEM

Non-UK and non-Irish nationals who do not have another form of right to work must have appropriate permission under the UK Points-Based Immigration System.

Where the Company holds a sponsor licence, it will comply with all reporting, record-keeping and monitoring duties required by the Home Office.

10. EMPLOYER CHECKING SERVICE (ECS)

The Employer Checking Service will be used where:

- An individual has an outstanding application or appeal
- An individual cannot provide acceptable documents
- Confirmation of status is required

A Positive Verification Notice provides a statutory excuse for six months. Follow-up checks must be completed before expiry.

11. CONDUCTING CHECKS

When carrying out right to work checks, the Company will verify that:

- Photographs and dates of birth are consistent with the individual
- Documents are genuine and untampered
- Permission has not expired
- The individual is permitted to carry out the role offered
- Any name differences are supported by official evidence

12. STUDENTS

Where employing students with restricted working hours, the Company will:

- Obtain evidence of academic term and vacation dates
- Ensure working hours comply with visa conditions
- Retain evidence on file

Managers must monitor working hours to ensure ongoing compliance with visa conditions.

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13. TUPE TRANSFERS

Where employees transfer under TUPE, right to work checks will be completed within 60 days of the transfer date in accordance with legislation.

14. RECORD KEEPING

The Company will:

- Retain copies of right to work checks securely
- Record the date checks were completed
- Retain records for the duration of employment and for at least two years after employment ends

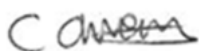
15. FAILURE TO PROVIDE EVIDENCE

If an employee fails to provide valid evidence of their right to work, or if checks confirm that permission has expired or been refused, the Company may be required to terminate employment in accordance with legal obligations and a fair process.

Before any decision to terminate employment, the Company will consider the individual's circumstances, any evidence provided, and whether further checks or ECS verification are appropriate.

16. REVIEW OF POLICY

This policy will be reviewed regularly and updated in line with changes to immigration legislation and Home Office guidance.



C Owens
Group CEO
Date: 07/08/2026

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