

Right to Work Policy

Total Piling Ltd do not employ many people but should we need to consider a person who is not a British citizen we would follow the following procedure.

Procedure

A worker is eligible to work in the UK, and therefore doesn't need to obtain a work permit, if they are a:

- British citizen
- European Economic Area (EEA) citizen (check the countries this applies to [here](#))
- Swiss national

In order to check that one of the above applies to your worker, ask for and check the following documents.

Passport OR National Identity Card

Check if they are a British Citizen, Citizen of the United Kingdom and Colonies, have a right to reside in the United Kingdom or are a national of the European Economic Area or Switzerland.

Document proving either their permanent UK residence OR that of a relative

This could be a residence permit, registration, certificate or permanent residence card issued by the Home Office, Border and Immigration Agency or UK Border Agency. It must also indicate that they are a national of a European Economic Area (EEA) country or Switzerland.

Biometric Immigration Document

This is issued by the UK Border Agency and must indicate that the person named in it, is permitted to stay indefinitely or has no time limit on their stay in the UK.

Other travel document

This endorsed document will show that the holder is exempt from immigration control, is permitted to stay indefinitely in the UK, has the right to reside in the UK or has no time limit on their stay in the UK.

Immigration Status Document

Check that this is issued by the Home Office, Border and Immigration Agency or UK Border Agency to the worker in question and states that they are permitted to stay indefinitely in the UK, have the right to reside in the UK or have no time limit on their stay in the UK. Also ask for their name and National Insurance number as issued by a Government agency or previous employer.

Certificate of Birth OR Adoption

Their birth certificate should include the name of at least one parent and have been issued either in the UK or Channel Islands. Again, ask for a document listing their name and National Insurance number as issued by a Government agency or previous employer as well.

Certificate of registration OR naturalism

Check that the worker in question is listed as a British Citizen. Once again, this must be provided with a document that states their name and National Insurance number as issued by a Government agency or previous employer.

Official Letter

Alternatively your worker may have been issued with a letter by the Home Office, Border and Immigration Agency or UK Border Agency that grants permission for them to stay indefinitely in the UK. And – you guessed it – they need to provide a document listing their name and National Insurance number as issued by a Government agency or previous employer with this.

What if they don't have the right to work in the UK?

If your worker is not a British citizen, EEA citizen or Swiss national, none of the above is provided or is invalid, your worker will need to obtain a visa and/or work permit before being employed by you in the UK.

What is a visa?

A visa is an endorsement on a passport indicating that the holder is allowed to enter, leave, or stay for a specified period of time in a country.

The worker should be able to apply for a visa via a British Overseas Mission in their own country, or through the British Embassy. For more information specific to their country, visit <https://www.gov.uk/government/world/organisations>. And for a full list of the visas available visit <https://www.gov.uk/visas-immigration>.

A visa alone may not be sufficient and they may also need a work permit in order to begin working.

What is a work permit?

A work permit is an official document providing the permit holder with permission to take a job in a named country (in this case, the UK).

If your worker doesn't have a visa, or they do but it prohibits them from working, they may need to obtain a work permit. They cannot apply for a work permit directly. As the employer, you will need to apply for this on their behalf.

Will I need to sponsor them?

Yes. The work permit application process is led by the employer who is responsible for issuing the applicant with a Certificate of Sponsorship.

In order to apply for most [work visas](#), the applicant usually needs to gain a job offer with sponsorship from you as their UK employer first. But if they meet all of the [eligibility requirements](#), they can apply for a Tier 5 (Youth Mobility Scheme) visa without sponsorship.

In order to apply for most [work visas](#), your worker must satisfy the following work permit requirements:

- They must have received a confirmed offer of employment from a licensed UK employer who will act as their sponsor
- Be in possession of a Certificate of Sponsorship issued by the sponsoring employer
- Pass the points-based assessment, outlined on the following category specific work permit pages:
 - [Tier 2 General – Skilled Worker](#)
 - [Tier 2 Intra-Company Transfer](#)
 - [Tier 2 Sportsperson Visa](#)

Signed: 

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Date: 06.01.26