

Right to Work Policy

Youth Start Limited

Company Number: 16864238

Registered Office: 370 Osmaston Park Road, Derby, DE24 8FB

Effective Date

1 January 2026

Next Review Date

1 January 2027

Introduction and Purpose

Youth Start Limited is committed to complying with UK immigration law and preventing illegal working. This Right to Work Policy explains how we verify that all candidates placed with employers have the legal right to work in the United Kingdom, in accordance with the Immigration, Asylum and Nationality Act 2006 and subsequent immigration legislation.

Employers in the United Kingdom have a legal duty to prevent illegal working by conducting right to work checks on all employees before they start work. As a recruitment and mentorship organisation, Youth Start supervises and supports employers in conducting these checks and maintains our own records to ensure compliance.

This policy sets out our procedures for conducting right to work checks, the documents we accept as evidence of right to work, how we verify and store right to work documentation, and our responsibilities under immigration law.

This policy applies to all candidates who apply for placements through Youth Start Limited, all employers who engage candidates through Youth Start, and all staff members involved in recruitment and placement activities.

Scope

This Right to Work Policy applies to:

- All candidates aged 18-24 who apply for warehouse placements through Youth Start Limited
- All employers who engage candidates through Youth Start Limited
- All staff members, volunteers, and contractors involved in recruitment and placement activities
- All right to work checks conducted by Youth Start Limited or supervised by Youth Start on behalf of employers

This policy does not apply to:

- Volunteers who are not engaged in paid employment
 - Self-employed contractors (although employers may choose to conduct right to work checks on contractors)
 - Individuals who are not placed through Youth Start Limited
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Legal Framework

Right to work checks are required under the following legislation:

Immigration, Asylum and Nationality Act 2006:

Employers must conduct right to work checks on all employees to establish a statutory excuse against civil penalties for employing illegal workers.

Immigration Act 2014 and Immigration Act 2016:

These Acts strengthen the requirements for right to work checks and increase penalties for employers who employ illegal workers.

Immigration (Restrictions on Employment) Order 2007:

This Order sets out the documents that employers must check to establish a statutory excuse.

UK Visas and Immigration Guidance:

The Home Office publishes guidance on conducting right to work checks, which is updated regularly to reflect changes in immigration law and acceptable documents.

Youth Start's Role

Youth Start Limited supervises and supports employers in conducting right to work checks on candidates placed through our mentorship programme. Our role includes:

Pre-Placement Verification:

We conduct initial right to work checks on all candidates before they are matched with employers, to ensure that candidates have the legal right to work in the United Kingdom.

Employer Support:

We provide guidance and support to employers on conducting their own right to work checks, to ensure compliance with immigration law.

Record Keeping:

We maintain records of all right to work checks conducted, including copies of right to work documentation, verification dates, and follow-up checks (where required).

Compliance Monitoring:

We monitor employer compliance with right to work requirements and provide advice where employers need additional support.

Important Note:

While Youth Start conducts initial right to work checks and supervises employer compliance, the legal responsibility for conducting right to work checks rests with the employer who engages the candidate. Employers must conduct their own checks and maintain their own records to establish a statutory excuse against civil penalties.

Right to Work Categories

Individuals in the United Kingdom fall into the following right to work categories:

British Citizens:

British citizens have an unrestricted right to work in the United Kingdom. They can provide a British passport or birth certificate (with evidence of National Insurance number) as proof of right to work.

Irish Citizens:

Irish citizens have an unrestricted right to work in the United Kingdom under the Common Travel Area agreement. They can provide an Irish passport or passport card as proof of right to work.

Settled Status (Indefinite Leave to Remain):

Individuals with settled status under the EU Settlement Scheme or indefinite leave to remain have an unrestricted right to work in the United Kingdom. They can provide a share code from the Home Office online service or a biometric residence permit as proof of right to work.

Pre-Settled Status:

Individuals with pre-settled status under the EU Settlement Scheme have a time-limited right to work in the United Kingdom (usually 5 years). They must provide a share code from the Home Office online service as proof of right to work. Follow-up checks are required before the status expires.

Work Visa (Skilled Worker, Temporary Worker, etc.):

Individuals with a work visa have a time-limited right to work in the United Kingdom, subject to conditions specified in their visa. They must provide a share code from the Home Office online service or a biometric residence permit as proof of right to work. Follow-up checks are required before the visa expires.

Student Visa:

Individuals with a student visa have a restricted right to work in the United Kingdom (usually limited to 20 hours per week during term time and full-time during holidays). They must provide a share code from the Home Office online service or a biometric residence permit as proof of right to work.

No Right to Work:

Individuals who do not have the legal right to work in the United Kingdom include those with visitor visas, asylum seekers (unless they have been granted permission to work), and individuals who have overstayed their visa. These individuals cannot be placed in employment.

Acceptable Right to Work Documents

The following documents are acceptable as proof of right to work in the United Kingdom:

List A Documents (Unrestricted Right to Work)

List A documents provide evidence of an unrestricted right to work in the United Kingdom. No follow-up checks are required.

British Passport:

A current or expired British passport showing the holder is a British citizen or has the right of abode in the United Kingdom.

Irish Passport or Passport Card:

A current or expired Irish passport or Irish passport card showing the holder is an Irish citizen.

Current Biometric Residence Permit (BRP):

A current BRP showing the holder has indefinite leave to remain or no time limit on their stay in the United Kingdom.

Current Immigration Status Document:

A current document issued by the Home Office showing the holder has indefinite leave to remain or no time limit on their stay.

Certificate of Registration or Naturalisation:

A certificate of registration or naturalisation as a British citizen, together with an official document showing the holder's National Insurance number (such as a P45, P60, or payslip).

Birth or Adoption Certificate:

A birth or adoption certificate issued in the United Kingdom, together with an official document showing the holder's National Insurance number (such as a P45, P60, or payslip).

List B Documents (Time-Limited Right to Work)

List B documents provide evidence of a time-limited right to work in the United Kingdom. Follow-up checks are required before the right to work expires.

Share Code from Home Office Online Service:

A share code obtained from the Home Office online service (www.gov.uk/prove-right-to-work), which allows employers to view the holder's right to work status online. This is the most common method for individuals with pre-settled status, work visas, or student visas.

Current Biometric Residence Permit (BRP):

A current BRP showing the holder has time-limited leave to remain in the United Kingdom.

Current Immigration Status Document:

A current document issued by the Home Office showing the holder has time-limited leave to remain in the United Kingdom.

Current Passport with Visa or Entry Stamp:

A current passport endorsed with a visa or entry stamp showing the holder has time-limited leave to remain in the United Kingdom.

Right to Work Check Procedures

Youth Start conducts right to work checks using the following procedures:

Step 1: Request Right to Work Documentation

Initial Request:

We request right to work documentation from all candidates at the application stage, before any interviews or assessments are conducted.

Information Provided:

We explain to candidates why we need to conduct right to work checks, what documents are acceptable, and how we will verify and store their documentation.

Candidate Cooperation:

Candidates must provide right to work documentation within 5 working days of our request. Failure to provide documentation may result in the candidate being unable to proceed with the application.

Step 2: Verify Documentation

Manual Verification:

For candidates who provide physical documents (such as passports or birth certificates), we conduct manual verification by: - Checking the document in the presence of the candidate (in person or via video call) - Verifying that the document appears genuine and has not been tampered with - Checking that the photograph and date of birth match the candidate - Checking that the document is valid and has not expired (for time-limited documents) - Recording the document reference number, expiry date (if applicable), and verification date

Digital Verification (Home Office Online Service):

For candidates who provide a share code, we conduct digital verification by: - Entering the share code and the candidate's date of birth into the Home Office online service (www.gov.uk/view-right-to-work) - Verifying the candidate's right to work status, including any restrictions or conditions - Recording the verification date and the details shown on the online service - Saving a copy of the online verification result

Identity Verification:

We verify the candidate's identity by checking that the name and date of birth on the right to work documentation match the information provided in the application form. Where there are discrepancies, we request additional documentation (such as a marriage certificate or deed poll) to explain the difference.

Step 3: Copy and Store Documentation

Copying:

We make clear, legible copies of all right to work documentation, including: - The full page showing the candidate's photograph, name, and date of birth - The page showing the document expiry date (if applicable) - The page showing any visa or immigration endorsement - The online verification result (for share codes)

Storage:

We store copies of right to work documentation securely in our CRM system (ZohoCRM) and on a password-protected USB backup drive. Access to right to work documentation is restricted to authorised staff members only.

Retention:

We retain copies of right to work documentation for 2 years after the candidate's placement ends, in accordance with immigration law requirements. After this period, documentation is securely deleted.

Step 4: Record Verification Details

Verification Record:

We maintain a record of all right to work checks conducted, including: - Candidate name and date of birth - Type of document checked (passport, BRP, share code, etc.) - Document reference number (if applicable) - Verification date - Name of the staff member who conducted the check - Expiry date of right to work (if applicable) - Any restrictions or conditions on the right to work - Follow-up check required (yes/no) - Date of follow-up check (if applicable)

Verification Confirmation:

We provide written confirmation to the candidate that their right to work has been verified and that they are eligible for placement.

Step 5: Follow-Up Checks (for Time-Limited Right to Work)

Follow-Up Requirement:

For candidates with time-limited right to work (such as pre-settled status, work visas, or student visas), we conduct follow-up checks before the right to work expires.

Follow-Up Timeline:

We conduct follow-up checks: - 30 days before the right to work expires (to allow time for the candidate to renew their status if necessary) - Immediately if we receive information that the candidate's right to work may have changed

Follow-Up Procedure:

Follow-up checks follow the same procedure as initial checks (Steps 1-4 above). We request updated documentation from the candidate, verify the documentation, copy and store the documentation, and record the verification details.

Expired Right to Work:

If a candidate's right to work expires and they do not provide evidence of renewed status, we immediately notify the employer and suspend the candidate's placement until their right to work is renewed. If the candidate cannot renew their right to work, the placement must be terminated.

Employer Responsibilities

While Youth Start conducts initial right to work checks and supervises employer compliance, employers have the following legal responsibilities:

Conduct Own Checks:

Employers must conduct their own right to work checks on all candidates before they start work, to establish a statutory excuse against civil penalties. Employers cannot rely solely on Youth Start's checks.

Maintain Own Records:

Employers must maintain their own copies of right to work documentation and verification records, in accordance with immigration law requirements.

Conduct Follow-Up Checks:

Employers must conduct follow-up checks on candidates with time-limited right to work, before the right to work expires.

Report Illegal Working:

Employers must report any suspected illegal working to the Home Office and to Youth Start immediately.

Comply with Immigration Law:

Employers must comply with all immigration law requirements, including not employing individuals who do not have the right to work in the United Kingdom.

Youth Start's Support to Employers

Youth Start provides the following support to employers to ensure compliance with right to work requirements:

Guidance:

We provide guidance on conducting right to work checks, including what documents to accept, how to verify documents, and how to store documentation.

Training:

We provide training to employers on immigration law requirements and right to work procedures.

Verification Assistance:

We assist employers with verifying right to work documentation, including using the Home Office online service.



Compliance Monitoring:

We monitor employer compliance with right to work requirements and provide advice where employers need additional support.

Follow-Up Reminders:

We remind employers when follow-up checks are due for candidates with time-limited right to work.

Restrictions and Conditions

Some candidates may have restrictions or conditions on their right to work, including:

Hours Restrictions:

Student visa holders are usually restricted to 20 hours per week during term time and full-time during holidays. Employers must ensure that candidates do not exceed these hours.

Type of Work Restrictions:

Some visa holders are restricted to specific types of work (such as work related to their studies or work for a specific sponsor). Employers must ensure that the work offered is permitted under the candidate's visa.

Employer Restrictions:

Some visa holders are restricted to working for a specific employer (such as Skilled Worker visa holders). These candidates cannot be placed with other employers without applying for a new visa.

No Recourse to Public Funds:

Some visa holders have no recourse to public funds, meaning they cannot claim benefits or access certain public services. This does not affect their right to work, but employers should be aware of this restriction.

Youth Start will inform employers of any restrictions or conditions on a candidate's right to work before the placement begins.

Preventing Discrimination

Right to work checks must be conducted fairly and without discrimination. Youth Start and employers must:

Check All Candidates:

Right to work checks must be conducted on all candidates, regardless of their nationality, ethnicity, or appearance. Checking only candidates who appear to be foreign nationals is discriminatory and unlawful.

Accept All Valid Documents:

We must accept all documents that are valid under immigration law, regardless of the candidate's nationality or immigration status.



Do Not Make Assumptions:

We must not make assumptions about a candidate's right to work based on their name, accent, appearance, or nationality. All candidates must be given the opportunity to provide evidence of their right to work.

Treat All Candidates Fairly:

We must treat all candidates fairly and consistently throughout the right to work verification process.

Comply with Equality Law:

Right to work checks must comply with the Equality Act 2010 and must not discriminate on the basis of protected characteristics (such as race, nationality, religion, or age).

Suspected Illegal Working

If Youth Start or an employer suspects that a candidate does not have the right to work in the United Kingdom, the following steps must be taken:

Immediate Suspension:

The candidate's placement must be suspended immediately, pending investigation.

Investigation:

Youth Start will investigate the suspected illegal working, including reviewing right to work documentation and contacting the Home Office if necessary.

Notification:

If illegal working is confirmed, Youth Start will notify the employer and the Home Office immediately.

Termination:

If illegal working is confirmed, the candidate's placement must be terminated immediately, and the candidate must be informed in writing.

Record Keeping:

All suspected illegal working incidents must be documented and retained for 3 years.

Responsibilities

Data Protection Lead:

Nick Calin (contact@youthstart.co.uk, 07470435603) is responsible for overseeing right to work checks, ensuring compliance with this policy, maintaining records of right to work documentation, conducting follow-up checks, and providing guidance to employers.

Recruitment Staff:

Recruitment staff are responsible for requesting right to work documentation from candidates, verifying documentation, copying and storing documentation, recording verification details, and notifying the Data Protection Lead of any issues.

Employers:

Employers are responsible for conducting their own right to work checks, maintaining their own records, conducting follow-up checks, reporting suspected illegal working, and complying with immigration law.

Candidates:

Candidates are responsible for providing valid right to work documentation, notifying Youth Start and the employer if their right to work changes, and renewing their immigration status before it expires.

Record Keeping

We maintain records of all right to work checks conducted, including:

- Candidate name and date of birth
- Type of document checked
- Document reference number
- Verification date
- Name of staff member who conducted the check
- Expiry date of right to work (if applicable)
- Restrictions or conditions on right to work
- Follow-up check required (yes/no)
- Date of follow-up check (if applicable)
- Copies of right to work documentation

These records are retained for 2 years after the candidate's placement ends, in accordance with immigration law requirements.

Changes to This Policy

We may update this Right to Work Policy from time to time to reflect changes in immigration law or our recruitment practices. We will notify relevant staff members and employers of material changes and provide updated guidance as necessary.

Relevant Legislation

This Right to Work Policy is based on the following legislation:

- Immigration, Asylum and Nationality Act 2006
 - Immigration Act 2014
 - Immigration Act 2016
 - Immigration (Restrictions on Employment) Order 2007
 - Equality Act 2010
 - UK Visas and Immigration Guidance (Home Office)
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Contact Information

If you have questions about right to work checks or this policy, please contact:

Data Protection Lead:

Nick Calin

Email: contact@youthstart.co.uk

Telephone: 07470435603

Youth Start Limited

Registered Office: 370 Osmaston Park Road, Derby, DE24 8FB

Home Office (for right to work queries):

Website: www.gov.uk/prove-right-to-work

Employer Helpline: 0300 123 4699

