

# Right to Work Policy.

Reference:	ALP-HR-POL-0029	Issue No.:	2026-1	Date of Issue	11/02/2026
Originated By:	Tara Pullen	Authorised By:	Colin Christie	Page 1 of 6	

Company Number: 2692108

VAT Number: 438971451

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# 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
- 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

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, regardless of nationality
- Be conducted at the same stage of the recruitment process

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- 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
- 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

## **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.

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**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

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.

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## **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.

## **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**

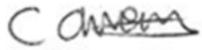
If an employee fails to provide valid evidence of their right to work, or if checks confirm that permission has expired or been refused, the Company may be required to terminate employment in accordance with legal obligations and a fair process.

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.

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## 16. REVIEW OF POLICY

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

A handwritten signature in black ink, appearing to read "C Owens".

**C Owens**  
**Group CEO**  
**Date: 11/02/2026**

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