

Business Immigration Essentials

"How can I be sure?" - Checking for Illegal Workers

Employers face increasing pressure to ensure their workforce is not working illegally. In the last financial year UK Border Agency (UKBA) imposed £7 million in civil fines on businesses employing illegal workers. A visit from the UKBA can result in a £10,000 fine for each illegal worker found, so remaining complacent is not an option.

How can employers prepare?

- For each employee do you have a copy of a document which proves their right to work in the UK?
- Did you take reasonable steps to ensure that the employee is the rightful owner of the document?
- Did you take copies before the employee started work?
- Did you note who took the copies and when?
- Did you note if an employee's permission to work is limited?
- Do you have up to date contact details for employee's requiring work permission?
- Did you diarise to follow up when an employee's work permission ends?
- Do you have systems in place which can identify if and when an employee requiring work permission is no longer in your employ?

The above checklist only addresses prevention of illegal working regulations. Tier 2 or 4 sponsors have additional reporting and record keeping responsibilities, increasing the potential to get it wrong. Typical problems sponsors encounter could be any of the following: not ensuring the employee's salary level meets UKBA requirements, not informing UKBA when an employee leaves, or failing to notify UKBA in time when taking on new staff as a result of a TUPE transfer.

To fully protect yourself, consider arranging for a compliance audit to identify any problems. For more information please contact Natasha Gya Williams.

Immigration Breakfast Seminar- Swindon 23 June, 8:00-9:30am

We will provide a comprehensive update on recent immigration changes affecting sponsors, as well as practical approaches to recruiting and sponsoring non EEA nationals. This session is an opportunity to review sponsor duties as well as trouble-shoot difficult sponsorship issues.

For more details or to register for the seminar, please email immigration@nicholas-moore.co.uk

2011 Tier 2 and 4 Sponsor Fact Cards now available

Our new 2011 Sponsor Fact Cards have arrived - a handy business card sized outline of recent changes to sponsor duties, which can be kept easily to hand as a useful reference tool.

If you would like to receive a 2011 Fact Card (free of charge), please email immigration@nicholas-moore.co.uk confirming:

- your name
- job title
- name of company
- address
- how many Fact Cards you would like for you and your colleagues

NICHOLAS MOORE BUSINESS IMMIGRATION

Providing strategic advice and guidance on employing foreign workers

Email: immigration@nicholas-moore.co.uk

The Essentials:

Potential fines of £10 000 for each illegal worker, so ensure you are ready for a visit from the UKBA- follow our useful checklist

Tier 2 and 4 sponsors have additional reporting and record keeping responsibilities

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NEED TO DISCUSS IMMIGRATION CONCERNS?

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