

## RIGHT TO WORK IN THE UK – AN UPDATE

Employers need to be aware that under the Government's new Points Based System for immigration, which started to roll out in 2008, businesses need to be licensed as sponsors by the UK Border Agency before they can bring in any skilled foreign workers from outside the EEA. Under the PBS the sponsor will have to keep proper records of the migrants they have sponsored, including their contact details and a copy of their identity card, and supply those to the UK Border Agency on request.

Subject to Parliamentary approval, from 6<sup>th</sup> January 2010 the roll out of identity cards for foreign national's skilled workers, with a UK sponsor, and their dependants successfully applying to extend their stay under Tier 2 of the Points Based System will receive an identity card. Details are available at: <http://www.ukba.homeoffice.gov.uk/managingborders/idcardsforforeignnationals/>

Applications for leave to remain under Tier 2 made prior to the 6<sup>th</sup> January will not require biometric enrolment but, subject to parliamentary approval, applications made on or after the 6<sup>th</sup> January will require biometrics to be enrolled. Updates will be posted on the UK Border Agency website in the coming weeks.

The UK Border Agency has this year increased the options for customers enrolling biometrics and there are now 11 Home Office biometric enrolment centres around the UK where foreign nationals can book an appointment either through the new online booking service or by telephone. The following web link provides details of these centres:

<http://www.ukba.homeoffice.gov.uk/contact/contactspage/biometricenrolment/>

To further improve customer choice, postal applicants living within certain postcodes are now able to enrol their biometrics at a limited number of Crown Post Offices nationwide. This is a walk-in service, with no need to book an appointment, but currently this trial only applies to individuals who have been sent an invitation to enrol their biometrics via the walk-in service.

For applicants wishing to receive a same day decision application at one of the UK Border Agency's seven Public Enquiry Offices, please note that whilst appointments at Croydon are often in high demand appointments are available at other regional offices around the UK (Belfast, Cardiff, Glasgow, Liverpool, Solihull, and Sheffield).

Guidance on checks is available on the UK Border Agency website at:

<http://www.ukba.homeoffice.gov.uk/employers/preventingillegalworking/checking-id-cards/>

This site provides advice to ensure all stakeholders are familiar with its design and security features and recognise the card when it is presented to them. Further information is available to download at:

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/preventingillegalworking/icfn-info-guidance/>

The card is checked visually and physically. The applicant's entitlement to work, study or access public funds is captured in the "remarks" section of the card.

Further information about the [Points Based System](#) is available on the UK Border Agency website.

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