

Non European Union/European Economic Area Right to Work (RTW) Applications

Background

1. This instruction applies to Non European Union/European Economic Area (EU/EEA) nationals who require an Evidence of Identity (EOI) interview. It does not include the following types of application:
 - Benefit Inspired
 - Student Loan applicants
2. The interviewing officer will complete the EOI interview, confirm the applicant's identity and gather evidence of their right to work (RTW) in the UK. An EOI interview will also need to be completed when documentation has been issued in the UK or if their visa has expired. The applicant may provide the following types of documentation to demonstrate their RTW:
 - Biometric residence permit (BRP)
 - Visa permitting work in the UK
 - Residence permit
 - Passport
 - Certificate of Application with a copy of the applicant's identity document
 - Application Registration Card (ARC) which states that applicant has "Work Restricted – S.O.L."

For further instruction see Documentary Evidence.

3. The decision makers at the National Insurance Number (NINo) Centre (NC) will complete any necessary corroborative checks to establish the applicant's RTW.
4. If at any point before, during or following an EOI interview there are any concerns with regard to the application itself or the circumstances under which the application was made, the concerns should be noted on a NINO Doubt Notification form and attached to the application.

Interviewing site instructions

5. The CA5400 application form must be completed by the interviewing officer, on behalf of the applicant, at the EOI interview.
6. Call applicant, introduce yourself, explain EOI interview and ask for identity and supporting documents. Check photo ID matches applicant.
7. If the photo on the ID provided does not match the applicant, see Impostor instructions before continuing.
8. Identify whether applicant will require an interpreter, if so consider using thebigword or applicant's own interpreter. Explain to the applicant's own interpreter that their name and contact details must be recorded on the CA5400 if they accompany them during the EOI interview.
9. If the applicant is accompanied by their appointee see Appointee instructions before continuing.
10. Complete a wildcard search on LMS to check for duplicate records. Take the following action:

Step	Action
1	Ask the applicant their name and date of birth.
2	Open LMS, click on Client and enter the first three letters of the applicant's surname followed by % (e.g SMI%) and enter their date of birth.
3	Click Search
4	Identify the applicant from the client list and access the record. If a duplicate record is identified see LMS duplicate records
5	Check Conversations for any notes which are relevant to the NINo application.
6	Access NINo Hotspot via NINo/Ref no
7	Check the 'Registration' tab to ensure the interview has been booked as a 'Right to Work' interview. If booked as a Benefit, follow instructions for Benefit Inspired applications
8	Ask the applicant whether this is their first application for a NINo. If No, establish what happened during/after their first application and check LMS for further information (in Conversations or NINo hotspot).
9	Ask the applicant if they have dual nationality? For additional steps refer to Dual Nationality instructions
10	Ask the applicant if they are self-employed? If Yes refer to Self-Employment instructions
11	In the DWP Official Use section at the bottom of page 1 on the CA5400, tick the EOI box and the relevant NINo Centre for processing (Glasgow or Isle of Wight (IOW)).

Conducting a CIS Trace

11. Conduct a CIS trace if it seems that the applicant may have a NINo already. For example, the applicant may have previously worked in UK, lived in the UK as a child and therefore parents may have claimed Child Benefit. Also, their parents may have claimed Child Benefit for them, even though the applicant was not living in the UK at the time.
12. If a NINo or possible NINo is found see Trace Action.
13. If a NINo is traced, record the NINo and details of how the record has been confirmed as relating to the applicant at Part 4 Other information on the CA5400.

Check and copy documents

14. Collect CA5400, examine all documents provided by the applicant using XXX XXXXXXXX and photocopy.

[Information redacted – Section 36 applies: Prejudice to effective conduct of public affairs]

- 15.

Step	Action
1	Ask the applicant for their ID and check that their photo matches the

	<p>applicant. Advise them that you will copy their ID before the interview begins.</p> <p>Note: Non EU/EEA nationals may provide a passport containing a visa or a Biometric Residence Permit as their primary document to prove both their identity and RTW. However, they may have other evidence that will assist the interviewer with establishing the applicant's identity. If this is provided during the EOI interview, it can be noted on Page 8 of the CA5400 such as 'Utility bill seen as proof of address but not copied'. Refer to Documentary Evidence for further details.</p>
2	<p>Examine relevant documents using XXX XXXXXXXX XXX XXXXX XXXXX XXXXX XX XXXXXXXXXXXX XXXXX, XXX X XXX XXXXXXXX, etc) see Examining relevant documents.</p> <p>[Information redacted – Section 36 applies: Prejudice to effective conduct of public affairs]</p>
3	<p>If there are any concerns with the documents provided or they are listed on the Document High Risk List, telephone the Identity Fraud Team on XXXX XXX XXXX for further assistance, and record the IFT reference number. If the document needs to be retained for further examination refer to the Retaining a document instructions.</p> <p>[Information redacted – Section 36 applies: Prejudice to effective conduct of public affairs]</p>
4	<p>Photocopy the ID and relevant evidence. If a biometric residence permit (BRP) is provided, ensure both sides are copied on one page. When photocopying a passport, ensure you have copies of:</p> <ul style="list-style-type: none"> • Photo and personal details page(s) • Bearer's signature (if not on photo page) • The current UK visa • Any observations or amendments recorded in passport <p>The applicant may not have their passport and state that it has been sent to the Home Office. In this case they must provide their acknowledgement letter from the Home Office and a copy of their passport. You will need to photocopy all of these documents as evidence to support their application and provide an explanation at Part 4 – Other Information.</p>
5	<p>Stamp copies of the ID and evidence (triple signature stamp) as a certified copy. If applicant only has a copy of the original, add 'copy of copy' by the stamp.</p>
6	<p>Sign and date the copy.</p>
7	<p>If the photo on the ID provided does not match the applicant refer to Impostor instructions before continuing.</p>

16. Non-EU/EEA nationals must provide proof of their identity and right to work in the UK. However they may have other evidence which may assist the interviewing officer to confirm the applicant's identity such as, proof of their address, letter from their employer, etc. If this is provided during the EOI interview it can be noted on the back page i.e. 'Utility bill seen as

proof of address but not copied' Refer to Documentary Evidence for further details

Completing the CA5400

17. See Completing the CA5400 instructions.

18. Check supporting evidence and applicant information against Intelligence High Risk Lists (IHRL). Take the following action and consider whether to raise a NINo Doubt Notification

Step	Action
1	Open IHRL
2	Ctrl+F
3	Type in search box: <ul style="list-style-type: none"> • Customer address • Employer address • Interpreter address • Customer name • Employer name • Interpreter name
4	Complete Doubt Notification if a match is found.

LMS action

19. Update LMS and correct any errors. Take the following action:

Step	Action
1	Check the applicant's name, address, title, telephone number and date of birth
2	Check the applicant's employment status
3	Check the applicant's status (should be inactive if they are not claiming a DWP benefit)
4	Click on NINo/Ref No:
5	In the NINo Application Summary List available , highlight 'Interview' and click Detail
6	Select the Forms tab
7	Click on Link Form
8	Type in A Number (CA5400 serial number)
9	Click on Link
10	Click on OK
11	Click on the Documents tab and select Amend
12	In the Documents Examined field, enter today's date
13	Enter the applicant's ID or Passport number in the appropriate field
14	Select the applicant's Nationality from the drop down list, click Save and then OK.
15	If the applicant's ID documents have been checked by IFT enter the

	reference number in the 'Notes' box, click 'Close' and 'Close' again.
16	Click on O/S Int hotspot
17	Click on Start, then Yes
18	Select AO Int, then Attended. Select OK and OK.
19	Select Action – record the type of document provided at the EOI interview and select.
20	End Yes, then OK and Close

20. Consider asking further questions if LMS has revealed information other than that already supplied by the applicant. You must record any correspondence on LMS at this time.

Completing the interview

21. Complete the appropriate CA5400 Covering Page with the applicant's name, date of interview, LMS reference number (including prefix EOI office site numeric code where necessary) and CA5400 form reference number. In the 'What happens next' box, insert the earliest date the applicant can contact the NINo Centre, as per local agreement.
22. Give the cover sheet to the applicant and explain what it is and what will happen next.
23. Officers in the EOI site must never annotate the CA5400 as 'ID & RTW confirmed' for applications completed following these instructions. Take the following action:

Step	Action
1	Ask the applicant if they have any questions.
2	Thank the applicant and ask them to take a seat in the waiting area whilst the application is checked.
3	Put the CA5400, supporting documents and photocopies in the tray for countersigning action.

Countersigner

24. Follow Countersigner instructions. It is important to note that in this product line you will not complete step 27 of the step action table within this instruction.

MOU and Xerox

25. The MOU will scan the CA5400 and any supporting evidence which will then be indexed and uploaded into CAMLite/Document Repository System (DRS) by Xerox.

NINo processing team leader

26. Team leaders distribute work to teams through CAMLite.

NINo processing

Access CAMLite and go to cases view, open CA5400 and supporting evidence and view application details

Step	Action
1	Highlight case to be processed and select View Case
2	Copy Customer Reference Number (CRN)
3	View tasks at bottom of screen
4	At top of screen select View Documents
5	Open CA5400 and supporting evidence, check that identity documents and evidence matches details recorded on NINo application
6	Access LMS and click on the Client icon. This opens the Identity Client window. Paste the CRN into the NINo/Ref No box and click on the Srch button. The applicant's LMS record will open.
7	Check Conversations for any notes which are relevant to the NINo application.
8	Check the applicant's Status in LMS. The Status should be Inactive if they are not claiming a DWP benefit.
9	Check details on CA5400 match supporting evidence and details on LMS – Name, Address, Title, Tel and DOB.
10	Continue to check all other details on CA5400
11	Click on NINo/Ref No button, Decision tab, click on Amend and enter receipt date (found on CAMLite) in the Received at CCU box, click on Save.

27. Scrutinise NINo application form and supporting evidence to confirm the identity and RTW of the applicant.

28. For further information regarding initial checks and what to do if information is missing please refer to Rework.

Certificate of Application

29. A Certificate of Application (CoA) letter will be issued by the Home Office to a Non EU/EEA national following receipt of their application to stay in the country as a family member of an EEA national.

30. The CoA letter on its own without supporting documentation is not acceptable as primary documentation. Refer to list of scenarios below:

- CoA and photocopies of primary documents provided:

If the customer states that primary documents are with the Home Office and the customer produces photocopies of these documents with the CoA, then the CoA enquiry form must be completed. If confirmed by the Home Office, this will be sufficient to establish the customer's identity and RTW. An explanation must be given on the CA5400 of why original primary documents were not available at the interview.

- CoA provided but no photocopies of primary evidence produced:

If no primary evidence is available and the customer has not provided photocopies, note the reason at Part 4 of the CA5400. If a reasonable explanation is given and the CoA letter is provided, the enquiry result can be used to confirm RTW but some other photographic form of identification (ID) must be obtained to enable Evidence of Identity to be satisfied such as a driving licence or residence card.

- No CoA provided but primary evidence produced:

Alternatively, if no CoA is produced and the customer is able to confirm their identity with primary ID documents, this should be noted at part 4 of the CA5400. The CoA enquiry form must be completed. If confirmed by the Home Office, this will be sufficient to establish the customer's RTW.

Step	Action
1	Complete and send enquiry form regarding Certificate of Application following agreed local procedures
2	In LMS set BF date (usually bf date is for 2 weeks) and complete BF tab, put in conversations that CoA enquiry has been sent
3	CAMLite, in 'Notes' box put 'CoA Enquiry sent'
4	CAMLite 'Due Date' box insert the BF date
5	Once the form is returned:
6	The email response will state one of the following: <ul style="list-style-type: none"> • Valid CoA 'Y' , RTW 'Y' – Allocate • Valid CoA 'N' , RTW 'Y' - Allocate • Valid CoA 'Y' , RTW 'N' - Refuse • Valid CoA 'N' , RTW 'N' – Refuse
7	The information provided by the Home Office will confirm whether you should Allocate or Refuse a NINo
8	Record details of Home Office decision in 'Information for NIFU' box on Decision Tab in LMS, for example 'CoA spreadsheet received & date, RTW confirmed by Home Office'
9	In LMS client details click on Actns button, click Detail, click Updt, click Comp. This clears the BF date from LMS.

Evidence & Enquiry Request Proforma (EEREQUEST) – formerly known as DCI100

31. If the applicant has not provided proof of their immigration status and/or RTW in the UK or they have provided an Application Registration Card (ARC) stating “Work Restricted – S.O.L.” complete the following action to confirm their status in the UK:

Step	Action
1	Open DCI100, complete Section A with your details such as name, office, phone.
2	Section B, enquiry Type should always be set to 'Standard'
3	Section B 'Justification/Reason' box in this box enter: <ul style="list-style-type: none"> • Does subject have valid leave to remain and the right to work in the UK? • Section 20 of the Immigration and Asylum Act 1999 (IAA)

	and/or Section 122 of the SS Admin Act 1992
4	Section C 'Subject Details' complete this section with applicants details
5	Section D and E will already be completed so do not change any details
6	Open new email and attach completed DCI100, in subject line put 'eerequest, official, DCI100, Customer Surname, Customers DOB, processors name'
7	send email (following agreed local procedures)
8	Close all images in DRS, and close DRS
9	In LMS set BF date (usually bf date is for 2 weeks) and complete BF tab, put in conversations that DCI100 sent
10	CAMLite, in Notes box insert 'DCI100 sent'
11	In Due Date box insert the BF date
12	Once the form is returned:
13	Reply will contain the original DCI100 and a PDF Home Office response
14	Open PDF Home Office response, check that it is correct customer. In PDF it will show 'Current Status', 'Confirmation of Details Provided' and 'Right to Work'
15	Depending on information provided by Home Office either Allocate or Refuse application by normal process. Or seek further information/advice before making decision
16	Record details of Home Office decision in 'Information for NIFU' box on Decision Tab in LMS, copy and paste reply from Home office in this box
17	In LMS client details click on Actns button, click Detail, click Updt, click Comp. This clears the BF date from LMS

32. Conduct CIS trace. If a NINo or possible NINo is found see Tracing Action. Refer to CIS Trace and Allocation guide for further details on tracing action.

To allocate or refuse a NINo

33. To allocate a NINo follow the instructions below. To refuse a NINo, follow the refusal instructions.

Step	Action
1	In CIS, select SA Create New CIS Account
2	Click on Title dropdown, select applicants title from dropdown
3	Enter Forenames of applicant in Forenames box
4	Enter surnames of applicant in Surname box
5	Click on Sex dropdown, select either M or F
6	Enter date of birth in Date of Birth box, format as DD/MM/YYYY
7	Click on Date of Birth Verification dropdown select correct Verification level from dropdown i.e. 'Verified to level 2'
8	Click on NINo Verification dropdown, select 'Verified' from dropdown

9	Click 'Next'
10	If applicant does not have historic name click Next and go to step 17. If applicant has historic name, click on Add Historic Names
11	In 1. Hist Name, enter historic name title from Title dropdown
12	Enter historic forenames in Forenames box
13	Enter historic surname in Surname box
14	Do not overtype the system default name start and end dates If applicant has another historic name, click on Add Historic Names button and repeat the process
15	Click Next
16	Name Type 2 is name being used concurrently, Historic name is name previously known by. Unadopted married names are used for tracing purposes only and should not be recorded in CIS or eNIRS.
17	On the Residential Address dropdown, click Add Address
18	Enter postcode in Postcode box
19	Enter address building number in Building Name/Number box
20	Click Search
21	From Address Details-Search Results click on the hyperlink that corresponds to applicants address (if no/incorrect results found click on Address not listed to input address manually then go to step 23)
22	Enter any more details needed in Address Line 1 box, or leave blank if address is complete
23	Enter Address Start Date from CA5400 application form. If none provided, use today's date.
24	Click Next. If a previous address has been provided repeat steps 17-23 selecting Former Residential Address from the dropdown menu. You need to complete the following fields: Address Notified Start Date – enter today's date Address End Date – enter the date stated on the CA5400 Address Notified End Date – enter today's date Note: Only one former residential address can be recorded in CIS. There must not be a break between the end date of the former residence and the start date of the current residence. For example: Current address from 02/01/2016 Former address from 27/09/2015 – 02/01/2016 If there is a break, the former address will not be recorded in CIS.
25	Click Next. If a correspondence address has been provided repeat steps 17-23 selecting Correspondence Address from the dropdown menu.
26	To add phone contact details click on Add New Contact Detail
27	Click in box for Preferred Method of Contact to add tick
28	Click on Select Contact Type dropdown tab

29	From dropdown tab select relevant phone type
30	Enter phone number in Contact Details tab
	If applicant has additional contact details then repeat steps 25-29 , if no extra contact details go to next step
31	Click Next
32	On Personal Details screen click on Marital/Civil Status dropdown
33	From dropdown tab select relevant marital/civil status of applicant
34	Click on Nationality dropdown
35	From dropdown select applicants nationality
36	Click on Create Account
37	Click OK on pop up if you want to create account, or click Cancel if you no longer want to create an account
38	Created NINo will then show. If needed to access applicants account click on NINo in the 'Account Successfully Created for' box

Update and authorise LMS, print decision letter and send to applicant

Step	Action
1	In LMS, select Decision tab
2	From drop down list select Allocated
3	Enter NINo in NINo field
4	Save and OK
5	Select Print tab
6	Select Allocation letter and Print then click OK
7	Select Not Checked hotspot
8	Select Amend tab
9	Enter today's date in the Authorisation Date field
10	Save and OK (then Hide)
11	Select Amend tab
12	Enter today's date in the Completion Date field
13	Save and OK
14	Close Decision screen
15	Close View Clients Details screen
16	Send NINo Allocation letter to applicant

Register NINo on eNIRS

34. It is important to input as much relevant information as is available. See eNIRS knowledge library for further information.

Step	Action
1	Access eNIRS, enter the Adult Registration Application, then click

	OK
2	Enter NINo in Adult Registration screen and Submit
3	Check Name, DOB, Sex and NINo have pulled through correctly from CIS
4	If OK click registration and move to step 5
	If the wrong person appears, cancel out and check NINo
	If the wrong DOB appears, this can be changed in Adult Registration page
5	Enter Date of Entry, which is the applicant's first ever entry into the UK. Unless date of entry is before 16th birthday, then enter 16th birthday as date of entry
6	Click Complete Registration, then OK and Yes
7	Access Adult Registration Update screen, enter NINo and click OK
	No need to take action in the General Details screen
8	If dealing with a single name case go to step 14 Note: Unadopted married names are used for tracing purposes only and must not be recorded in CIS or eNIRS.
9	Access Name screen and update
10	Click Name tab. For applicants who have used more than one name, the additional names must be entered onto the system on separate days. See second day name action
11	Click on any of the blue hyperlinks
12	Overtyping the name details as appropriate using the oldest historic name held on CIS
13	Click Update and OK
14	Access Address screen and update Country codes are: <ul style="list-style-type: none"> • 114 England • 115 Scotland • 116 Wales • 008 Northern Ireland
15	Click Update and OK
	If no correspondence address, go to step 20
16	Click Insert
17	Change address type to Correspondence – DWP office care of addresses must never be recorded in eNIRS
18	Complete address boxes – the start date is always today's date
19	Click Update and OK
20	If partner/ex-partner NINo is provided on the CA5400, access the marriage/civil partnership screen and enter all details. If partner/ex-partner NINo is not provided, go to step 30.
21	Click Insert
22	Complete Start date of marriage or civil partnership

23	Select appropriate marriage/civil partnership status from dropdown
24	In last box enter the spouse's/civil partner's NINo
25	Click Update
26	Check the spouse's or civil partner's details shown. These must match
27	If they do match click Confirm
28	Click OK
29	If they do not match click Cancel
30	Access Migrant Worker screen
31	In Surname box enter surname at birth
32	If the applicant is a national of one of the 12 EU/EEA specific countries – enter Town/Commune and Province/Department/County of birth (even if this is not an EU/EEA country), then complete the 'Country' box
	If the applicant is not a national of one of the 12 EU/EEA specific countries – complete the Country box with '249 – not yet recorded'
33	Complete the Nationality box with the appropriate nationality. Note: If the customer is Palestinian, use '250', for any other Nationality not on the list, use '249 – not yet recorded'
34	For all nationalities, input the full social security number. If the full social security number is not known, do not complete.
	Maiden name box- Do not complete this box
35	If the applicant is Spanish, also enter their parents names
36	If the applicant is a national of one of the 12 EU/EEA specific countries input their last address in the EU/EEA
37	Click Update and OK
	Liability details for 16th Birthday Cases <ul style="list-style-type: none"> • Where the date of entry is the 16th birthday and there has been a single entry into the UK, then staff must record migrant worker details but no liability dates, regardless of nationality. • Where the date of entry is the 16th birthday and there are multiple UK entry and exit dates after the 16th birthday, then staff must record migrant worker details and all valid liability dates, regardless of nationality.
38	Access Liability Details screen
39	Click on Liability tab
40	Click on Add liability
41	In Liability Details enter the first date that applicant arrived in UK in the End Date box
42	In Office no. box enter 2106 for Isle of Wight NC or 4061 for Glasgow NC
43	Click Submit
44	Click OK and OK. If only one liability date to input, go to Step 46

45	For next liabilities enter Date left UK in the 'start date' box
46	Enter next Date Arrived in UK in 'end date' box
47	In Office no. box enter 2106 for IOW NC or 4061 for Glasgow NC
48	Click OK and OK
49	Repeat until all liabilities are entered
50	Click black cross at top right hand side to close eNIRS
51	Close eNIRS browser

Update DRS and CAMLite

Step	Action
1	Return to DRS screen
2	Tick all documents boxes and select Bulk Update
3	Enter NINo, amend any name errors, click Update and then click Update Metadata
4	Close DRS screen
5	Return to CAMLite
6	Change Status on task to Closed
7	Enter NINo in Notes box
8	In Case Resolution click on dropdown arrow and select Closed.

Customer Information transferred to HMRC National Insurance Pay as You Earn System (NPS) system.