

# **This publication is withdrawn**

This publication is no longer in use.

## Section 4 – Documents to Support

### SS 01 Background and General Information

#### Background and General Information

##### Identity Standards

1. In all NINo applications, the applicant must prove their identity before consideration can be given to allocate a NINo.
2. The responsibility for providing those documents as evidence rests with **the applicant**.
3. At least one primary document, see Appendix 4, should be provided by the applicant. Wherever possible, other documentary evidence should also be used to enable the applicant to prove their identity.
4. There are many documents that can be produced to help to establish identity, some of which can be used to also prove an applicant's RTW. See Appendix 1.
5. Questions can also be asked to establish a more complete picture of the applicant's circumstances, in support of them proving their identity.
6. All documents must be linked to the applicant providing them and support the information obtained during the EOI interview. As with all documents, they must be checked to confirm their authenticity.
7. A person's identity can be confirmed by:
  - examining the documentary evidence to ensure it is:
    - genuine, **and**
    - relevant to that person.
  - gathering information regarding the person's circumstances and background to build up a picture of them. This, together with any documentary evidence produced to support their story, can help to establish identity.
8. The extent and detail of questioning should depend on the individual's person's circumstances with emphasis on:
  - relevant areas of their background, and
  - information that can be checked and corroborated.
9. It should be possible to make a decision using the information gained, documents produced and the corroboration undertaken to determine whether identity has been fully established.
10. The DWP Common Standards for Identity Verification (CSIV) provides further guidance on the standards for conducting identity verification.
11. If the applicant has documentary evidence but does not provide it at the EOI interview, they should be given an opportunity to provide the evidence **before** the application is passed on to the NINo Centre (NC).

##### Acceptable supporting documents for identity verification

12. Some documents are regarded as more secure than others because checks and controls are in place before they are issued. The documents may also have in-built security features, for example, fluorescence, which

can be checked under ultra-violet light. These documents are referred to as 'Primary' documents. See Appendix 4.

### **No documentary evidence available**

13. There could be some applicants who may not be able to produce any form of documentary evidence e.g:
  - homeless;
  - of no fixed abode;
  - travellers;
  - victims of disaster, or
  - fleeing domestic violence.
14. It should be noted that if an applicant cannot provide primary identification documents, their identity may still be verified.
15. An EOI interview must still take place and once the reason has been identified, ensure all information is recorded on the 'Other Information' page at Part 4 of the CA5400.
16. A holistic approach should be taken in these circumstances and a decision made based on the information provided.

### **Right to Work (RTW)**

17. In 07/07/2006 the RTW test for individuals requiring a NINo was introduced. This requires an individual to provide evidence that they have the right to work in the UK before a NINo can be allocated.
18. The responsibility for providing evidence rests with the **applicant**.
19. If the applicant has documentary evidence but does not provide it at the interview they should be given an opportunity to provide the evidence **before** the application is passed on to the NINo Centre (NC).
20. Nationals from European Union (EU), European Economic Area (EEA) countries and Switzerland can enter and work in the UK without restrictions just like British citizens. See Appendix 2.
21. The same is also the case for the family member of a named national from the EEA or Switzerland who is resident in the UK.
22. From 01/01/2014, Bulgarian and Romanian nationals (known as A2s) will no longer have employment restrictions placed on them and are free to work or seek work on the same basis as any other EU national.
23. Croatia, formally known as 'The Republic of Croatia' joined the EU on 01/07/2013, however Croatian nationals are subject to employment restrictions - see Croatian nationals.
24. Individuals should be asked to produce proof of their nationality and if appropriate, their status in the United Kingdom.

### **Documents which prove RTW**

25. Appendix 1 provides a comprehensive list of the most common documents which can be presented as proof of RTW.
26. Following an amendment to Regulations, DWP Policy was amended to ensure that NINo Allocation policy for RTW NINo applications continued to mirror Home Office migration-related policy.

## **Exemptions to providing RTW documentation**

27. There are some exemptions, where a Croatian national is not required to obtain a Purple Accession Worker Registration Certificate as evidence showing they have the right to work in the UK.
28. They would however still have to satisfy the normal NINo allocation criteria and provide evidence of their RTW exemption, see Appendix 1a.
29. Those exempt from worker authorisation requirements will be able to obtain a Blue Accession Registration Certificate confirming their exemption status, but are not required to do so.

## **Zambrano Judgement**

30. This judgement creates a right to reside and work for a sole carer of a dependent British citizen when that carer has no other right of residence in the UK and removing the carer from the UK would mean the British citizen would have to leave the EU.
31. NINo applications need to be accompanied with evidence of a legal entitlement to work in the UK.
32. Where the Home Office documentation presented is a Certificate of Application, a verification check must be made with the Evidence and Enquiry Unit at the Home Office on the standard spreadsheet emailed to:xxxxxxxxxxxxxxxxxxxxxxxxxxxxx as per DCI100 instructions.
33. A decision on a NINo will then be made based upon the documents presented and the check being returned from Home Office with the correct information included.

## **Destitute because of Domestic Violence (DDV) Concession cases**

34. From 01/04/2012, the Home Office have allowed people who are in the UK under a family visa and who would otherwise be destitute because of domestic violence, exceptional leave to remain for a period of 3 months to allow them to have recourse to public funds while they are applying for a settlement visa. This means that they will be entitled to a NINo and benefits for three months.
35. The Home Office issue two letters to the applicant:
  - the Appendix 1 letter is issued to the applicant to confirm that they are eligible under the DDV Concession scheme and have been granted leave to remain for a period of 3 months.
  - the Appendix 2 letter is designed to confirm to DWP or a Womens Refuge, for example:
    - the type and terms of leave the claimant has been granted;
    - that the leave they have been granted permits access to public funds and confirms that they are entitled to apply for financial help, or
    - the claimant is not subject to immigration control and is treated as habitually resident.
36. Although the letter at Appendix 2 is designed for DWP purposes, either letter is acceptable as evidence:
  - that they have been granted limited leave to remain in the UK, and
  - of the start and end dates of their permission to remain.

37. A verification check of the letter(s) must be made with the Home Office on form DC1100. When emailing the DC1100, mark the subject line "URGENT - DDV". This will ensure the case is dealt with as quickly as possible.
38. A copy of the Home Office notification must be taken and retained with the claim papers for the decision maker's use at any stage of the evidence gathering process.

## SS 02 Official Certificates

### Official Certificates

#### Original birth/adoption certificates

39. A full birth certificate issued in the UK specifies the names of the holder's parents. A birth certificate can also be issued in the Channel Islands, the Isle of Man or Ireland.
40. A full adoption certificate issued in the UK contains details of the adoption. An adoption certificate can also be issued in the Channel Islands, the Isle of Man or Ireland.
41. Birth Certificates can be used to verify an applicant's date of birth and nationality.
42. They are produced in long and short versions.
43. Versions of overseas birth certificates that have been translated by a recognised official or body can also be accepted.

### Birth Certificate Checks

#### UK birth certificate

44. When examining a UK birth certificate xxxxx xxxx xxx xxxxxxxx xx xxx xxxxxxxx xx xx xx xxxxxxx xx, xxxxxxxxxxxxxxxx xx xxxxx xxxxxxx xxx xxxxxxxxxxx. x xxxxxxxx xxxxxxxxxxx xxxxx xxxxxxxx xxxxxxx xx xxxxx.
  45. xxxxx xx xxx xx xxxxx xx xxxxxxxx xx xxxxxxxxxxxxxxx xxxxx xxx xxx xxx-xxxx xxxxx. xxxxxxx xxxxxxxxxxxxxxx xxx xxx xxx x xxx. xxxxxxxxxxx xxxxxx xxx xxxxxxx xxx xxx xxx xxxxxxxxxxxxxxx xx xxx xxx xxxxx xxxxxxx xx xx xx xxxxx xxx xxxxxxxxxxxxxxx xx xxx xxxxxxx xx xxxxxxx xxxxxxxxxxxxxxx.
  46. xxxxx xxxxx xx x xxxxxxxxxxx xxx xxx xxxxxxx xxx xxx xx xxxxx xxx xxx xxxxxxxxxxx xxx xxx xxxxx xxx xx xxxxx xx xxxxxxxxxxx, x.x. xxxxxxxxxxx.
  47. xxxxx xx xxx xxxxxxxxxxx xxx xxxxxx xx xx xxx xx xxx xxx xx xxxxx, xx xxxxxxxxxxx xxxxxxx xx xxxxxxx xxx xxxxx xxx xxxxx xx xxxxx xx xxxxxx, x.x. xxx xxxxxxx xxxxx xxx xxxxx xxx xxxxx xxx xxx xxx x xxxxxxx, x.x. xxx-xxxxxxxx xxxxxxx xxx xxxxxxxxxxx xxxxxxx.
  48. xxxxx xxx xxxxx xxx xx xxxxxxx xxxxxxx, xxx xxx xxx xx xxxxxx xx xxxxxxx xxxxxxx xxx xxx xxx xxx xxx xx xxxxxxx.
- xxxxxxxxxxx xxxxxx xxxxxx xxx xxx xxx xxx xx xxx/xxxx;
  - xxxxxxxxxxx xxxxxx xxxxxx xxx xxx xxx xxx xx xxx/xxxx;
  - xxxxxxxxxxx xxxxxx xxxxxx xxx xxx xxx xx xxxxxxxxxxx xxxxxx;
  - xxxxxxxxxxx xxxxxx xxxxxx xxx xxx xxx xxx xx xxxxxxx xxxxxx.

## Republic of Ireland birth certificates

49. Check that xxxxxxxx xx xxxxxxxx xxxxx xxxxxxxxxxxxxxxx xxx xxxxxxx xx xxxxx xxxxxxxxxxxxxxxx xxxxxxx xx xxxxxxxx xxxxxxxxxxxxxxxx xxxxxxx. Xxxx xxxxxxxxxxx xxxxx xxxxx xxx xxxxxxxxxxxx xxxxx xx xxxxxxxxxxx xx xxx xxxxxxx xxxxx xxxxx xxxxxxx. xx xx xxx xxxxxxx xxxxx xx x xxxxx xxxxxxx x xxxxxxx. xxxxxxx xxx xxxxxxxxxxxxxxxx xxx xxx xxxxxx "xxxx" xx xxx xxx, xxxxx"xxxxxx xx xxx-xxxxxxxxxxxxxx" xx xxx xxxxxxx.
50. Please note there may be xxxxxxxxxxx xxx xxxxxxx xxxxx xxxxxxxxxxx xxx xxx xxx xx xxxxx.
51. Check that xxx xxxxxxx xxxxxxx xx xxx xxx xxxxxx xxxxx xxxxxxx xxxxxxx xx xxxxxxxxxxx xx xx xx xxxxxxxxxxx x xx x xx xxxxxxx xxxxxxx. Xx xxxxxx xxxxxxx xx xxxxxxxxxxxxx.
52. Check that xxx xxxxxx xxxxxxxxxxx xxx xxxxxxxxxxx xxxxxxx xxxxxxx xx xxxxxxxxxxx xx xxxxxx xxxxxxxxxxx xxxxxx xxxxxxx xxxxx xxxxxxx xxxxxxxxxxx xxxxx xxxxxxx xxxxx xxx xxxxxxx.
53. Check that xxxxx xxx xxxxxxx xx xxxxxx, xxx xxxxxxx xxxxxxx xxx xxxxxxx xxx xxxxxxx xx xxx xxxxx xxxxxxxxxxx xxxxx xxx xxxxxxx xxx xxxxx xxxxx xxx xxxxxxxxxxx xxxxxxxxxxx. xxx xxxxxx xxxxxxx xxxxxx xx xxxxxx xxx xx xxxxxx xxxxx xxxxx xxxxx xxx xxxxxxxxxxx xx xxx xxxxx.
54. Check that xxxxx xxx xxxxxxx xx xxxxxx, xxx xxxxxxxxxxx xxxxx xxxxxxx xxx xxxxxx xx xxx xxxxxxxxxxx xxxxxxxxxxx xxxxxxx xxxxx xxx xxxxxxxxxxx:
- xxx xxxxx 'xxxxxxxxxx xx xxxxx xxxxx xxxxxxxxxxx xxxxx xxx xxxxxxx xx xxx xxxxxxx xx xx xxx-xxxxxxxxxxxxxx';
  - 'xxxxxx xxxxxx xxx xxxxx xx xxxxxx xx xxx-xxxxxxxxxxxxxx';
  - xxx xxxxx xx xxxxxx xxx xxx xxxxxxxxxxx xxx xxx xxxxxxx xxx xxxxxxxxxxx xxx xxxxx xx xxx xxxxxxx.
55. Check that xxxxx xxx xxxxxxx xxxxxxxxxxxxxxxx xxxxxxx xx xxxxxxxxxxxxxxxxx xxxxxxxxxxxxxxx xxxxxxx xxx xxxxxx xxxxxxxxxxxxxxxx xxxxxxx xxxxxxxxxxx xxx xxxxxxxxxxx:
- xx xxx xxx xxxxxxxxxxxxxxx xxxxx x xxxxxx;
  - xx xxxxx xxx xxxxx xx xxxxxxxxxxx xxxxx;
  - x xxxxxxx xxxxxxxxxxx xxx xxxxxxx xxxxxxx xxx xxx xxxxxxx xxxxxx xxx xxxxx xxxxxxx xxx xxxxxxx xxx;
  - there may be xxxxxxxxxxx xxxxxxxxxxx xxxxxxx xxxxxxxxxxx xx xxx xxxxx xx xxxxx;
  - xxx xxxxxx xxxxxxx xxxxxx xxx xxxxxx xxxxxxxxxxx xxxxxxx xxxxxx xxxxxxx xxxxxx xx xxxxxxxxxxx xxxxx xxx xx xxx xxxxxxxxxxxxxxxx;
  - xxxxxx xxx xxxxxx xxxxxxx xxx xxx xxxxxxx x xxxxxxx xxxxxxx xxxxx xxx xxxxxxxxxxx xxxxxxxxxxxxxxx xxxxx xxxxx xxxxxxxxxxx xxxxx x xxxxxxxxx xx xxxxxxx xx xx xxxxxxx';
  - xxx xxxxxxxxxxx xxxxxxx xx xxxxxxx xx xxx (xxxxxxxxxxxxxxxx) xxxxxxxxxxx.
56. Check that xxx xxxxx xxxxxxxxxxxxxxx xxxxxxx xx xxxxxxx xxxxxxxxxxx xxxxxxx xxxxxxx xxx xxxxxxxxxxx:
- xxx xxxxxxx xxxxxxx xx xxx xxx xxxxx xxxxx xxxxxxx xxxxxxx xx xxxxxxxxxxx xx x xxxxxxx xxxxxxx;
  - xx xxx xxx xxxxxx xxxxx xxxxxxx xxx xxx xxxxxx 'xxxxxx x xxxxx x';

- XXXXX XXX XXXXXXXXXXX XXXXXXX XXX XXX XXXXX 'XXXXXXXXXX XX XX X XXXX XXXX XXXXX XXXX XXX XXXXXXXXXXX XXXXXX XX XXXXX XX XXXXX XX XXX-XXXXXXXXXXXX';
- XXX XXXXXXX XXXX XX XXXXXXX XX XXX XXXXXX XXXX XXX XXXXXXX. XX XX XXX XXXXXX XXXXX XX X XXXX XXXXXX X XXXXXX. XXXXXX XXX XXXXXXXXXXXXXXX XXX XXX XXXXX 'XXX' XX XXX XXX XXX 'XXXXX XX XXX-XXXXXXXXXXXX' XX XXX XXXXXX;
- XXXXX X XXXX XXXXX XXXX XX XXX XXXXXX XX XXX XXXXXXXXXXXXXXX XXXXX XXXXXX XX XXX XXXXXXXXXXX XXXXXXXXXXX, XXX XX XXX 'XXXXX' XXX XXX XXXXX XX XXX 'XXXXXXXX'.

57. On xxx xxxxxxxxxxxxxxx xxxxxxx xx xxxxxxxxxxxxxxx xxxxxxxxxxx xxxxxx xxx xxxxx xxxxxxxxxxx xxxxxxx xxxxxx xxxxx:

- X XXXXXX XXXXXXX XXX XXXXXX XXXXXX XX XXX XXX XXXXX XXXX XXXXXXX. XXX XXXXXX XXXXX XXX XXXX XXXXXX XXX XXXXXX XXXX;
- XXXXX XXX XX XXXXX XX XXX XXX XXXXX XXXX XXXXXX;
- XXXXX XXX XXXXXXX XXXXXXX XXX XXX XXXXX 'X XXXXXX XXXXXXX XXXX XXX XXXXXXXXXXX XX X XXXX XXXX XX XXX XXXXX XX...XX XXX XXXXXXXXXXX XXXX XX XXXXXX XX XX XXXXXXX';
- XXX XXXXXXXXXXX XXXXXX XX XXXXXX XX XXX (XXXXXXXXXXXXXXXX) XXXXXXXXXXX XX XXXXXX XXX XXXXXX, XXXXXXX XX, 'XXX XXX XXXXXXX XX...';
- XXX XXXXX XXXXXX XXXXXX XXX XXXXXX XXX.

58. Certificates can also be issued for welfare purposes and are:

- issued by the Superintendent or local Registrar;
- can be long or short;
- run in the series xx xx xxxxx, and
- have the words 'xxxx xx' xx xxx xxx xxxxx xxxx xxxxxx.

## Photocopying documentation

59. Birth, death and marriage certificates issued in the UK are subject to Crown copyright. The photocopying of documents by Departmental staff for business purposes does not infringe Crown copyright.

## SS 03 Passports

### Passports

#### Types of Passport

60. The following bullets provide details of the different types of passport:

- A passport describing the holder as a British citizen or having a right to reside in UK;
- A passport describing the holder as a British Overseas Territories Citizen, providing them with the same status as a British citizen (**NB: Check whether the passport holder has a RTW restriction within the passport**);
- A passport describing the holder as a British National Overseas, e.g. Hong Kong;

- A national passport or national identity card issued by an EU or EEA country or Switzerland which confirms that the holder is a national of an EU or EEA country or Switzerland;
- A passport which has a UK endorsement stating that the holder has a current right of residence in the UK as the family member of a named national from an EU or EEA country or Switzerland who is resident in the UK;
- A passport or other travel document endorsed to show that the holder is exempt from UK immigration control, has indefinite leave to enter or remain in the UK or has no time limit on their stay in the UK;
- A passport or other travel document endorsed to show that the holder has existing leave to enter or remain in the UK and is permitted to take the employment in question, provided that it does not require the issue of a work permit.

## Passport Checks

61. All passports must be checked with the appropriate equipment and immigration stamps must be examined thoroughly.

62. Check that:

- xxx xxxxx xx xxxx xx xxxxxxxxxxx xxxxxxxxxxx xxx xxxxxxxx;
- xxx xxxxxxxxxxx xxxxxxxxxxx xxx xxxxxxx;
- xxx xxxxxxxxxxx xxxxxxxxxxx xxx xxxxxx xx xxx xxxxxx xxxx xxxx xx xxxxxxxxxxx;
- xxx xxxxx xxxxxx xxxxxxxx xxx xxxxx xx xxx xxxxxxxxxxx xxxxxxxxxxxxxxx xxx xxxxxxxxxxx xx xxx xxxxxxxxxxx;
- xxx xxxxxx xxxxxxxx xxxxxxxxxxx xxxxxxx xxx xxxxxxxx xxxx xx xxx xxxx xxxxxxxxxxx xxx xxxxxxxxxxx xxxxxx xxxxxxxxxxxxxxx, xxx xxxx xxx xxxx xxxxxxxxxxxxxxx xxxxxx, xx xx xxxxxxxxxxx xxxxxxxxxxxxxxx xxx xxxx xxxxxxx. xxxxxx xxx xxxxxxx xx xxx xxxxxx xx xxxxxxxxxxx xxx xxxxxx xxx xx xxx xxxxxxx;
- xxx xxxxxxxxxxxxxxx xx xxxxxxx xxxxxx xxx xxxxxxxxxxx. xxxx xx xxxx xx xx xxx xxxxxx xxxxxx xxx xxxxxxxxxxx?
- xxxxxx xxx xx xxxxxxxxxxx xxxxxxxx xx xxx xxxxxxxxxxx;
- xxxxxxxxxxx xxxxxxx xxx xxx xxxxxxx;
- xxx xxxxxxxxxxx xx xxx xxxxxxxxxxx xxxxxxx xxx xxxxxxxxxxx xx xxx xxxxxxxxxxxxxxx xxxx;
- xxx xxxxxxx xxxx xx xxxxxxxxxxx xxxxxxx xxxxxx xxx xxx xxxxxxx;
- xxxxxx xxx xx xxxxxx xx xxxxxxx xxxxxx xxx xxxxxx xxxx;
- xxx xxxxxx xxx xxxxxxxxxxx;
- xxx xxxxxx xxx xxx xxxxxxxxxxx;
- xxx xxxxxxx xx xxxxxx xxxxxx xxx xxxxxxx xxx xxx xxxxxx xxx;
- xxx xxxxxxxxxxx xxxxxxx xx xxx xxxxxx xxxxxxxxxxx xxx xxxxxxxxxxx;
- xxx xxxxxx xxx xxx xxxxxx xxxxxxx xxx xxxxxxx;
- xxxxxxxxxxx xxxxxx xxxxxx xx xxxxxxxxxxxxxxx;
- xxx xxxxxxxxxxx xxxxxxxxxxx xxxxxx xxxxxx xx xxx xxxxxx xxxxxxxxxxx xxx xxxxxxx, x.x. xxx, xxxxxxx xxx;



- xxx xxxxxxxxxxxx xx xxxxxxxxxxxxxx xxxxxxxx xxx xxxxxxxxxxxxxx xx xxx xxxxxxxx;
63. Where there are xxxxx xxxx xxxxx xxxx xx xxx xxx xxx xxxxxxxx xxx xxxxx xxxxx xxxx xx xx xxx xxxxx (xxx xxxx xxxxxxxx xxxx xxxx). xxxx xxxxxxx xxxxx xxx xxxxx xxx xx xxxxxxxxxxxxxx xxxxx xxx xxxxx.
64. xxxxxxxx xxx xx xxxxxxxx xxxxxxxxxxxx xx xxx xxxxxxxx xxxxxx xxx xxxxx xxxxxxx xx xxx xxxxxxxx, xxxxx xxxxx xxx xxx xxxxxx xxxxxxx xxx xxxxxx xxxxxxx xxxxx xxxxxx xxxxx xxxxx xx xxxxxxx xxxxxxxx xx.
65. Check that xxx xxxxxxxxxxxxxx (xx) xxxxxxxxxxxxxx xxx xxxxxxxxxxxxxx xxxxxxxxxxxxxx xxx xxxxxxxx. xxxxx xxxxxxx xx xx xxxxxxx xxxxxxxxxx xxx xx xxxxxxx xxxxx/xxxxx xxxxxxxxxx.
66. xxxxx xxxxx xx x xxxxxxxxxxxxxx xxxxxxx xxxxxx - xxxxxxx xxxxx xxxxxxxxxxxxxx xx xxx xxx xxx xxxxxxx xxx xxxxx xxxxx xxxxx xx xx xxx xxxxx (xxx xxxxx xxxxxxx xxxxx xxxxx) xxx xxxxx xx xx xxx xxxxx xxxxxxx xx xxx xxxxx xxxxx xx xxxxx.

### **Passport not required**

67. Applicants can enter the UK without a passport if they can produce an identity card. See Appendix 3 for list of countries.
68. Applicants from the following areas do not require a passport to enter the United Kingdom (UK) and automatically have the right to work. They may hold a passport but are not required to produce it to enter the UK:
- o Republic of Ireland;
  - o Channel Islands – excluding Sark, and
  - o Isle of Man (IOM).

### **Passport/Identity Card (out of date/expired)**

69. An out of date passport or identity card can be used to help support an applicant's identity as it can confirm details of the applicant's life history.

## **SS 04 Biometric Residence Permit**

### **Biometric Residence Permit**

#### **Biometric Residence Permit**

70. Biometric Residence Permits have been available since November 2008. They replace the vignettes (or stickers) previously placed in passports.
71. They are being rolled out by the UKBA on an incremental basis to those third country foreign nationals granted leave to remain in the UK for more than 6 months. For more information visit the Home Office website.
72. The cards contain the following features:-
- evidence of the holder's nationality, identity and status in the UK;
  - confirmation of right to work and access to public funds and
  - information on the holder's immigration status.

#### **Biometric Residence Permit (Checks)**

73. Check that:
- xxx xxxxxxxxxx xxxxxxx xxxxx xxx xxxxxxx;
  - xxx xxxxx xxxxxxxxxx xxxxxxx xxxxx xxxxx xx xxxxxx xx xxxxxxx xxx xxxxx;

- XXX XXXX XXXXXXXXXXX XXXXXXXX XXX XXXXXXXX XX XXX XXXXXXXX XX XXX XXXX;
- XXX XXXXX XX XXX XXXX XXXXXXX XXX XXXXXXXXXXXXXXX XXXXXXX "X" XXX "X" XXX XXXXXXX XXX
- XXXXXXX XXXXXXX XXXXXXX XXX XXXXXXXXXX XXX XXXXXXXX XX XXXXXXX XXX XXXX (XXXXXXXX XXXXXXX XXXXX XXXX).

## SS 05 Residency Documents

### Residency Documents

#### Residency Documents

74. The following bullets provide details of the different types of Residence documents:

- A United Kingdom Residence Permit, registration certificate or document certifying permanent residence issued to a national of an EU or EEA country or Switzerland;
- A residence document, certificate of application, residence card or permanent residence card or other document issued by the Home Office which has an endorsement stating that the holder has a current right of residence in the UK as the family member of a named national from an EU or EEA country or Switzerland who is resident in the UK.

#### Registration Certificates

75. All EEA and Swiss nationals can **enter** and **live in** the UK without needing to apply for permission, if they can support themselves and their families in the UK without becoming an unreasonable burden on public funds. A2 nationals will no longer be subject to workers restrictions from 01/01/2014.

76. However, Croatian nationals have restrictions on their employment in the UK. Croatian nationals who are exercising their Treaty Right as self-employed, a student or self-sufficient person can obtain a Yellow Accession Registration Certificate from the Home Office as evidence to show they are exercising their Treaty Right at that time. However, it is not mandatory to apply for these certificates. The certificate will only tell you that the applicant was able to confirm to the Home Office that they were exercising their Treaty Right at the time they applied for that certificate.

77. If presented with such a certificate, corroboration action must be taken to confirm the applicant is still exercising their Treaty Right at the time of their NINo application.

78. As well as a Yellow Accession Registration Certificate, a Croatian national may present a Purple Accession Workers Registration Certificate or a Blue Accession Registration Certificate, the subsequent paragraphs indicate what it these are showing you:

#### Purple Accession Worker Registration Certificate

79. If a Croatian national wishes to work in the UK they will need to apply for a work authorisation document, this is usually a Purple Accession Workers Registration Certificate, unless they are exempt from this requirement, see Blue and Yellow Accession Registration Certificate paragraphs below.

80. Those qualifying for a Purple Accession Workers Registration Certificate will generally be skilled workers who meet certain criteria. These applicants will usually apply to the Home Office with a certificate of sponsorship from their employer.

### **Blue Accession Registration Certificate**

81. The holder is a Croatian national and:
- is a highly skilled worker who has applied to the Home Office for the right to work in the UK who is able to work without restriction or
  - is a family member of a Croatian national who is exempt from workers restrictions.

### **Yellow Accession Registration Certificate**

82. The holder is a Croatian national and:
- is self-employed (this will still need to be corroborated);
  - is a student studying at accredited educational establishment or
  - provides evidence that they are living in the UK on a self-sufficient basis.
83. If an applicant has applied for a NINo and shown to be exercising their Treaty Right as a self-sufficient person, caution should be taken with these applications as it is unlikely they would need a NINo.
- For further detail on Registration Certificates, see Home Office guidance

### **Biometric Immigration document**

84. Issued by the Home Office to the holder which indicates that the person named in it is:
- allowed to stay indefinitely in the UK, or has a specified time limit on their stay in the UK, or
  - is allowed to undertake the work in question.

### **Immigration Status Document**

85. Issued by the Home Office to the holder with an endorsement indicating that the person named in it is either:
- allowed to stay indefinitely in the United Kingdom, or
  - has no time limit on their stay in the United Kingdom.

## **Document Checking**

### **UK Residence Permit Checks**

86. Check that the document has:
- X XXXXX;
  - XXXX X XXXXXXXXX:
    - XXXXXXXX XXXXXXXX XX XXX XXXXXXX XXXXXXXXXX XXXXXXXX XXXXXXX;
    - X XXXXXXXXXXX XXXXXXXX XX XXX XXXXXXX XXXXXXXXXX XXXX X XXXXXXX XXX
    - XXX XXXXXXX'X XXXXXXXXXX.
  - XXXX XXXXX XXXXXXXXX:
    - XXXXXXXXXX XXXX XXXXXXX XX XXX XX XXX XXXX;

- XXXX XX XXXXX XXX XXXXXX;
- XXX XXXXXXXXXXXX XX X XXXXXXXXXXXXXXXXXXXX;
- XXX XXXXXXXXXXX XXXXX XXXXXXXXXXXXXXX;
- XXX XXXXXX'X XX XXXXXXX.
- X XXXXXXXXXXX XXXXXX XX XXXXX XXX, XXXXX XXX XXXX, XXX
- XXXXX XX X XXXXX XXXXX XXXXXX XXXX XX XXXXX XXX XXX XXXX.

**Certificate of Application (CoA) for EEA Family Members**

87. If the NINo applicant provides a Certificate of Application (CoA) for a family member of an EEA country national or Switzerland, an e-mail verification check **must** be made by the NC with The Evidence & Enquiry Unit, Home Office, xxxxxxx. The standard spreadsheet format should be used and e-mailed direct to: xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx. This will serve as confirmation of their RTW.
88. The CoA letter issued by Home Office on its own without supporting documentation is not acceptable as Primary documentation.

**CoA and photocopies of primary documents provided**

89. 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 spreadsheet enquiry form must be completed. If confirmed by the Home Office, this will be sufficient to establish the customer's identity and RTW. The CA5400 must contain an explanation of why original Primary documents were not available at the interview.

**CoA provided but no photocopies of primary evidence produced**

90. 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 spreadsheet enquiry result can be used to confirm RTW but some other photographic form of ID must be obtained to enable Evidence of Identity to be satisfied.

**No CoA provided but primary evidence produced**

91. 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 spreadsheet enquiry form must be completed. If confirmed by the Home Office, this will be sufficient to establish the customer's RTW.

**DCI100 Checks**

92. For all other documents provided as proof of RTW requiring verification of the applicant's current immigration status, a DCI100 should be completed by the NC. When complete, the form should be e-mailed by the NC to The Evidence & Enquiry Unit, the Home Office, xxxxxxx at: xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx.
93. The service level agreement states that all written requests will be acknowledged by the receiving department within 5 working days of receipt and answered within 10 working days.

## SS 06 Identity Cards

### Identity cards

#### Types of Identity Cards

94. Identity cards can be issued by a European Union/European Economic Area member states and Switzerland;
95. Identity cards can also be issued in the UK to a foreign national (non-EEA) living in the UK. These are now known as Biometric Residence Permits. These are issued by the Home Office.

#### EEA Identity card checks

96. If the identity card is held in a wallet or holder ask the customer to remove it and check all relevant security features as in the case of passports by ensuring the:

- XXXXXXXX XXXX XXXXXXXXXXXX XXXXXXXXXXX XXX XXXXXXXXXXX XXXXXXXXXXXX XXXXXXXXXXXX;
- XXXX XXXXX XX XXX XXXXXXXXXXX XXXXXXXX XXX XXXX XX XXX XXXXXXXXXXX XXXX;
- XXXXXXXXXXX XXXXXXXX XXXX XX XXX XXXXXXXXXXX XXXXXXXXXXXX XXX XXXXXXXXXXX;
- XXXXXXXXXXX XX XXXXXXXXXXXX XXXXXXXX XXX XXXXXXXXXXXX XX XXX XXXXXXXXXXX XXXX.

## SS 07 Other Documents

### Other Documents

#### Travel documents issued by the Home Office

97. A travel document can be issued by the Home Office in certain special circumstances, see Home Office website for more detail. There are four types of travel document, depending on the applicant's circumstances:
- if the applicant is a refugee, they can apply for a convention travel document;
  - if the applicant is stateless, they can apply for a stateless person's document;
  - if the applicant is a citizen of any country and is currently in the UK, they can apply for a one-way document;
  - if the applicant has been refused a passport by their own country, they can apply for a certificate of travel.

#### Standard Acknowledgement Letter (SAL) issued by the Home Office

98. a SAL is a Home Office acknowledgement of an application for asylum. There are various issues/versions of SALs as they are reviewed frequently for security reasons.
- all SALs should be:
    - valid until the Home Office make a decision on the asylum claim and
    - hold a photograph, which is over-stamped by the Home Office.

- some SALs:
  - may have details of dependants on the reverse.

### **Application Registration Card (ARC) issued by the Home Office**

99. From 31st January 2002, ARCs have been issued to new asylum applicants and dependants, replacing SALs.

- The card contains:
  - a digital image of the holder; and
  - details of the holder's nationality and language.
- The ARC should be handed back to the Home Office when a decision is made to grant asylum or exceptional/indefinite leave to remain or when the asylum claim is refused.

### **Application Registration Card (ARC) Checks**

100. Check the card contains:

- X XXXXXXXX XXXXX XX XXX XXXXXXX;
- XXXXXXXX XX XXX XXXXXXX'X XXXXXXXXXXXXXXX XXX XXXXXXXXXXX;
- X XXXXX XXXX XXXXX XXXXX XXXXXXXXXXXXXXX XXXXX XXX XXXXXXXXXXX;
- X XXXXXXXXXXX XXXXXXXXXXX XXXXXXX XXXXXXXXXXXXXXX XXXX XXXXXXX XXXXXXXXXXX' XX 'XXXXXXXX XX XXXX';
- XXXXXXXXXXX XXXXX-XXXXXX (XX) XXXXXXXXXXX XX XXX XXXXX XXXXXXX X XXX XXXX XX X XXXXXXXXXXX XXXX XXX XXXX XXXXXXX XX XXXXXXXXXXXXXXX XXXXX XXXXXXXXXXX XX XXXXXXXXXXXXXXX XXXXX.
- X XXXXXXX XXXX XXXXXXX XX XXXX XX XXXXXXX XXX XXXXXXX XX XX XXX (XXXXXXXXXXXX XX XXXX XX XXX XXXXXXX XX XXX XXXXXXX XXXXXXX).

### **Form GV3 or EU Uniform Format Form (UFF)**

101. This is a one way travel document issued by United Kingdom (UK) embassies abroad.

### **Full UK driving licence**

102. there are several styles of licence in circulation:
- all green licences introduced in October 1982;
  - all pink licences introduced in January 1986;
  - pink and green licences introduced in June 1990;
  - photocard licences introduced in October 1999.
- all applications for new licence or change of name, after October 1999 required proof of identity.

### **Provisional driving licence**

- including its paper counterpart.

### **British Driving Licence Checks**

103. Always remove the driving licence form the plastic wallet and check that:

- XXX XXXXXXXX XXXXXXXX XXX XXXXXXXXXXX XX XXXX XXXXX;
- XXX XXXXXXXXXXX-XXXXXX XXXXXXXX XX XXX XXXXX XXX XX XXXXXXX XXXXXXX;

- XXX XXXX XX XXX XXXXXXXX XX XXX-XXXXXXXX;
- XX XXX X XXXXXXXXXXX;
- XXXXX XXX XX XXXXXXXXXXXXXXX XXXXX XX XXX XXXX XXX XXXXXXXX;
- XXX XXXXXXXX XXXXXX XXXXXX XXXXXX XXXX XXX 'XXXXX XX' XXXX XXXXXX XX  
XXX XXX XXXXXX XXX XXXXXX'X XXXX XXXXXXXX, XXXXXX XXXX XXX XXXX XX,  
XXXX XXX XXXXXXXX XXXX XX XXXXXXXX XXXXX XXXXX XXXXX;
- the latest version of the pink and green licences includes x 'xxxx' xxx  
'xx' xxxxxxxx xx xxx xxxxxxxx xxxxxxxxxxxxxx xxxx;
- all driving licences have x xxxxxxxxxxxxxx xxxxxxx xxxxxxx xxxxxxx  
xx xxxxxxxx xxxxxxxxxxxxxx xx xxx xxxxxxxx. xxxxxx xxxxxx xxxxxxxx xxx xxx  
xxxx xxxxxxxxxxxxxx xxx xxxxxxx xx xxx xxxxxxxx;
- some driving licences xxxxxxxxxxxxxx xx xxxxxxx xx xxx xxxxxxxxxxxxxx xxx  
xxxx xxxxxxxxxxxxxx.

104. The driver number will read as:

A	B	C	D
DRIVE	515185	YT	9ME
A - xxxxxx xxxx xxxxxxxxxxxxxx xx xxx xxxxxxxx. xx xxx xxxxxxxx xx xxx xxxx xxxx xxxxxxxxxxxxx xxx xxxxxxxx xxx xxxxxxxx xx xxx xxxxxxx x			
B - xxx xxxxx xxx xxxx xxxxxxxx xxx xxx xxxx xx xxxxx. xxx xxxxxxx xxx xxxxx xxxxxxxx xxx xxx xxxxx xx xxxxx. xxx xxxxxxx xxxxxxxx xxxxxxx x xx xxxxx xx xxx xxxxxxx xxxxxx. xxxxx xxxxxx xxx xxxxxxx xxxxxx xx x xx x. xxx xxxxxxx xxx xxxxxx xxxxxxx xxx xxx xxx xx xxx xxxxxx xx xxxxxx			
C - xxx xxxxxx xxx xxxxxxxx xx xxx xxxxxxxxxxxx. xx xxxxxx xx xxxx xxx xxxxxxxx xxx xxxxxxx xxxxxxxxxxxxxx xx x x			
D - xxxxxxxxxxx xxxxxx xxxxxxx			

105. Photocard Licence - check the photocard:

- xxxxxx xx xxxxxxxxxxxxxx xxxxx xx xxx xxxxxxx'x xxxxxxxxxxxxxx xxx xxxxxxxxxxx;
- xxxxxx xxx xxxxxxxxxxxxxx xx xxxxxxxx xxx xxxxxxx xx xxxxxxxxxxx xxxxxxx;
- xxxxxxxxxxxxxx xx xxxx xxxxxx xxxxxx xxxxxxxxxxxxxx xxxxxx;
- xxx xxxxx xxxxx xxxxxx xxxxx xxx xxxxxxxxxxxxxx;
- xxx x xxxxxxxxxxxxxx xxx xxxxxxxx xxxxxx xxxxxxxxxxxxxx xx x xxxxx;
- xxx xxxxxx xxxxxxxx xx xxx xxxxxx xxxxxxxxxxxxxx xxxxxxx xxx x xxxxxxxxxxxxxx;  
xxxxxxxx xx xxx xxxxx xxxxxxxxxxxxxx xxxxxxx xxx x xxxxx xxxxxxxx xx xxx  
xxxxxxxx xxx xxx xxxxx xx xxxxxxx xxxxxxxxxxxxxx.

106. Photocard Licence - check the paper counterpart:

- xxxxxxxxxxxxxx xxxxxx xx xxxxxx xx xxxxx xxxxxx xx xxx xxxxxxxx xxxxxxxx xxx  
xxxxxx xxxxxx xxx xxxxxxx xx xxx xxxxxx;
- xxxxxx x xxxxxx xx xxx xxxxxxxxxxxxxx xxxxxxx xx xx xx xxxxxxxxxxxxxx;
- xxxxxx xxxxxxxx xx xxxxxxxxxxxxxx;
- xxxxxx, xxxxxx xxxxxxxxxxxxxx, xxx xxxxxxxxxxxxxx xxxxxxxxxxxxxx.

107. Both parts of the Licence should be presented together.

## Bank Accounts

108. If the applicant presents a:

- cheque book
- cheque guarantee card, or

- store/credit card

it should be noted as seen and verified on LMS **not photocopied**, see LMS User Guide, Chapter H, Part 5 NINo Allocation.

### **Other documentation**

- Original marriage certificate
- UK Residency Permit issued by UKBA
- Local Authority rent book/card
- Council tax documents
- Life assurance insurance policies
- Mortgage repayment policies
- Recently paid fuel/telephone bills in the applicant's name
- Divorce/annulment papers
- Certificate of employment in Her Majesty's forces
- Certificate of employment under the Crown
- Certificate of employment in the Merchant Navy
- Police registration certificate
- Wage slip from recent employer
- Letter from employer/contract of employment
- Deed poll
- Bank statements
- Trade Union membership card
- Travel pass with photograph affixed
- Apprenticeship indentures
- Vehicle registration/motor insurance documents
- Letters from HMRC about self employment
- Invoices (self-employed)
- Letter from accountant/client (self-employed)
- Stock transfer from (Director)
- Certificate of incorporation (Director)
- Memorandum of association (Director)
- Student ID card (Student)
- NHS Card

### **NASS35 – Termination of Support**

109. This is a letter issued to successful asylum seekers when asylum or exceptional/indefinite leave is granted. One letter is issued to each family unit that has been supported by National Asylum Support Services (NASS) and will include all adult dependants. The letter will contain:

- a photograph of the main applicant, and
- details of the main applicant and all dependants.

110. It will also include details of the period and value of support from NASS including:

- Accommodation;
- emergency vouchers;
- date and type of leave granted, and
- date the 28 day grace period ends.



## **New Photographic Form B79**

111. This is a form used to notify DWP staff that a person has been discharged from prison and has been advised to claim benefit.

## **SS 08 A2 and Croatian Nationals**

### **A2 Nationals**

#### **A2 Nationals**

112. From 1<sup>st</sup> January 2014, Bulgarian and Romanian workers (A2 nationals) will no longer be subject to worker authorisation and will be able to come to work and look for work in the UK on the same basis as other EU nationals, the exception being with Croatian nationals.

### **Croatian Nationals**

#### **Croatian Nationals**

113. On 1<sup>st</sup> July 2013, Croatia, formally known as 'The Republic of Croatia' joined the European Union. This means Croatian nationals have the right to move and reside in the UK. They do not however, have an automatic right to be an employed worker in the UK.

114. Croatian nationals have restrictions on their employment in the UK. This means they must either:

- produce a Purple Accession Worker Registration Certificate showing that they have the right to work in the UK;
- produce a Blue Accession Registration Certificate showing they are exempt from labour market restrictions or
- produce evidence to show that they are exercising their Treaty Right as either a self-employed person, a student or is self-sufficient. This can be confirmed by the production of a Yellow Accession Registration Certificate.

115. Where an applicant presents themselves as exercising a Treaty Right as a self-employed person, they do not need to obtain work authorisation from the Home Office. However, they will need to demonstrate that they are genuinely self-employed.

116. For employment inspired NINo applications for Croatian nationals, we need to ensure that they have the necessary work authorisation document from the Home Office.

117. Any Croatian national who was resident in the UK prior to 01/07/2013 will be required to demonstrate their RTW in the standard way. After 01/07/2013, any existing leave to remain granted prior to that date and which authorises their employment, will count as a Home Office work authorisation document and therefore provide evidence showing that they have right to work in the UK.

118. Croatian nationals who entered the UK on or after the 01/07/2013 will be required to prove authorisation of their employment. This can be provided by a Home Office work authorisation document, ie: a Purple

Accession Worker Registration Certificate and serve as evidence showing that they have right to work in the UK.

### **Croatian Family member/spouse/civil partner of an EU national**

119. Croatian nationals who are a family member/spouse or civil partner of an EU national (inc. UK) are required to provide the appropriate documentary evidence in support of their position, see Appendix 1a, which will then serve as evidence of their exemption to prove RTW.

### **Family member/spouse/civil partner of a Croatian national**

120. Family members, spouses and civil partners of Croatian nationals exercising Treaty Rights and working in accordance with the accession country regime and are no longer restricted by the workers authorisation scheme when the principal family member is in work. These applicants are required to provide appropriate evidence in support of their exemption. Appendix 1a provides further details.

121. Family members of a Croatian national are defined as:

- spouse/civil partner
- children who are under 21 years of age (i.e. step and adopted children) or children aged over 21 who are dependent
- dependent direct relatives in the ascending line (i.e. parents, grandparents).

### **Extended Family**

122. If presented with an extended family member of a Croatian national, ie: niece, nephew, cousin etc, please contact your Gatekeeper in the first instance, who will raise the issue and obtain a steer from PPT.

### **Partner in a 'Durable Relationship'**

123. A 'durable relationship' is a relationship between unmarried partners. Home Office have defined this as a cohabiting couple akin to marriage/civil partnership who have been in this relationship for two years or more. The applicant is still required to provide the same standard of evidence as described in Appendix 1A i.e., their ID and the principal family member's ID. They must also be able to prove, as at Appendix 1A, that the principal family member is continuing to exercise their Treaty Right under which the applicant is making their application.

124. The additional requirements in these cases is for the applicant to also be able to prove that they arrived in the UK with or within six months of the principal family member and that they are indeed in a durable relationship that has lasted for 2 years or more and that they are now both here and intending to live together. Points to consider include:

- how and when did they meet.
- an explanation of time spent apart and contact made during that time.
- an explanation of milestones in the relationship i.e. moving in together, having children and holidays.
- evidence of cohabitation e.g. a joint lease, a letter from the landlord/lady stating that the applicant and principal family member live

at the same address, joint utility bills or independent but at the same address

- boarding cards, port permits, train tickets or other travel documents proving that the applicant and principal family member
  - have travelled together.
  - arrived in the UK and on what dates.

Please note: Would possibly be paid by the principal family member settled in the UK.

### **Family Members who are dependent**

125. This will most commonly apply to ‘family members’ who are children over 21 or direct relatives in the ascending line, i.e. parents and grandparents. Children under 21 are classed as family members and do not need to prove that they are in a dependent relationship.
126. An applicant must rely on their principal family member to meet their essential needs. i.e. providing financial support to ensure that the applicant has enough resources to not become a burden on the state during his/her period of residence. You must ensure that the principal family member remains in work and is carrying out their treaty right legally.
127. The relationship to the principal family member must be determined by the provision of evidence and also the circumstances of the applicant’s dependency on the principal family member. This must be established through an examination of their personal circumstances. Day to day relationships and financial responsibilities must be considered when looking to establish dependency.

### **Croatian national employment rights**

#### **Self-employed**

128. Self-employed Croatian nationals can apply for a Yellow Accession Registration Certificate from the Home Office but it is not mandatory. A Registration Certificate issued on the basis of self-employment does not confirm permission to take paid employment.
129. Where an application is made by an individual on the basis of self-employment, the information provided must be verified. This verification process of corroborating the individual’s self-employment status will then serve as evidence of the applicant demonstrating they are exercising their Treaty Right performing genuine self employment activity.

#### **Leave to enter with no work restrictions**

130. Those who have leave to enter the UK under the immigration Act 1971 and have no restrictions upon the work they undertake when in the UK are exempt from work authorisation requirements.
131. These applicants still have to provide the appropriate documentary evidence (see Appendix 1a) which will then serve as evidence of their RTW status.

### **Continuous working (not including self employment)**

132. Applicants who have been in continuous legal employment for a period of 12 months ending on or after 30/06/2013 are exempt from work authorisation requirements.
133. Visa restrictions applied to a Croatian national prior to 01/07/2013 should be accepted as their current status where it remains valid. Where that leave is no longer valid the accession rules should be applied.
134. Croatian nationals who have leave to remain that places no restriction on their taking employment, or who have been working with permission and without interruption in the UK for a period of 12 months ending on or after 30/06/2013. For example, Croatian nationals who are already in the UK as a work permit holder (certificate of sponsorship), or a student in part time employment continuously for 12 months.
135. If the employment differs from that on the work permit (certificate of sponsorship), a new Purple Accession Worker Registration Certificate will need to be provided. It is highly likely the Croatian nationals in the category will have already been allocated a NINo.

### **Citizenship of Other Countries**

136. Croatian nationals who have citizenship of the UK, another EEA state or Switzerland must provide the appropriate documentary evidence of that citizenship when applying for a NINo. This will then serve as evidence of their RTW status.

### **Diplomat**

137. The member of a diplomatic mission is exempt from Workers Authorisation but is unlikely to need a NINo as they should be employed by Croatia.
138. Croatian nationals who are a member of a diplomatic mission or entitled to diplomatic immunity would have to provide the appropriate documentary evidence in support of their position, which will then serve as evidence of their RTW status.

### **Highly skilled workers**

139. Any Croatian national who has qualified as highly skilled may be issued with a Blue Accession Registration certificate which will confirm that there are no restrictions on them taking employment in the UK. These individuals have to provide the appropriate documentary evidence which will then serve as evidence of their RTW status.
140. If an applicant does not hold such documentation a NINo cannot be allocated.

## SS 09 Students

### Students

#### EEA students (excludes Croatian nationals)

141. Students from within the EEA are allowed free movement of labour due to EEA legislation.

#### Croatian National Students

142. From 01/07/2013, Croatian national students are entitled to work up to 20 hours per week during term-time and full-time during the holidays, provided they have been issued with a Yellow Accession Registration Certificate.

143. In order for a NINo to be allocated they must provide a Yellow Accession Registration Certificate proving their RTW up to 20 hours per week. The applicant does not need to be in actual employment for a NINo to be allocated. A NINo must not be allocated for a Croatian national student if they do not provide this registration certificate.

144. They should not engage in:

- business
- self-employment
- the provision of services as a professional entertainer or sports person  
or
- pursue a career by filling a permanent full-time vacancy.

145. If a Croatian student is working more than the permitted hours as per the Yellow Accession Registration Certificate, a NINo should be allocated if all other criteria is met however NIFU must be notified via a Doubt Notification

146. If a Croatian student is working more than 20 hours per week and provides a Purple Accession Workers Registration Certificate then a NINo should be allocated if all other criteria is met. A referral to NIFU is not required in these circumstances as the Accession Worker Registration Certificate provides the RTW for a specific employer.

147. An individual may present themselves as undertaking vocational training. They are permitted to work full-time as part of their vocational training as long as they hold a Yellow Accession Registration Certificate.

#### Non-EEA students – courses of more than six months duration:

148. Students who are non-EEA nationals who:

- study in the UK
- have a visa or a Biometric Residence Permit stating they cannot work without the consent of the Secretary of State and
- attend courses of more than six months duration.  
are **no longer required** to obtain permission to:
- take spare time or vacation work
- undertake placements which are part of their study, that is sandwich courses or

- undertake internship placements with an employer while studying in the UK.
149. This applies to all non EEA students who are attending courses of more than six months duration whether they are currently working or due to start work. It means that they do not have to apply to the:
- Department for Work and Pensions (DWP)
  - Overseas Labour Service or
  - Work Permits Section of the Training and Employment Agency to undertake work or placements.

### **Non-EEA students – course of less than six months duration**

150. Students who are non-EEA nationals who:
- study in the UK
  - have a visa or BRP stating they cannot work without the consent of the Secretary of State and
  - attend courses of less than six months duration
- are **required** to obtain permission to:
- take spare time or vacation work
  - undertake placements which are part of their study, that is sandwich courses; or
  - undertake internship placements with an employer while studying in the UK.
151. They should not work more than 10 hours per week term-time and full-time during vacations if the student course is below degree level or a course below NQF/QCF 3, 4 or 5, for further information see Home Office website.
152. For further information concerning studying and working in the UK, see Points Based Visa System website at the Home Office.
153. Responsibility for ensuring that these restrictions are adhered to rests with the employer and the Home Office.

### **British University North America Club students**

154. British University North America Club (BUNAC) organises a Government sponsored exchange programme each year. This allows up to 4000 American students aged 18 and over to widen their experiences by:
- coming to the UK and
  - working for up to six months.
155. Applications are processed by BUNAC and students are issued with a blue registration card and OSS1 (BUNAC).
156. Where students are not registered with BUNAC, they should be treated as non-EEA students for the purpose of National Insurance Number registration.
157. There is no restriction on the number of hours a BUNAC student can work for an employer, but self-employment is not allowed.
158. To check if an applicant is registered with BUNAC and for more information contact BUNAC.

## **Student Loans**

159. All NINo enquiries made by students who are planning to but have not yet applied for a student loan must be directed to the Student Loan Company (SLC) by the contact centres. An EOI appointment must not be booked as their application will form part of the Student Loan inspired application process.
160. NINo enquiries made by students who require a NINo for work/benefit purposes and **are not** planning to/have not applied for a student loan should be booked an EOI appointment in the usual way by the JCP contact centre. These students will have to prove their immigration status and identity in the same way as any other applicant.

## **SS 10 Children**

### **Children**

#### **Missed Juveniles**

161. A missed juvenile is a young person under the age of 20 who hasn't had a NINo automatically issued at 15 years and 9 months by HMRC, but they still require one. The types of missed juveniles most commonly seen are:

#### **Children in care**

162. When presented with a young person having been in care they should be able to provide:
- documentation/correspondence from Social Services (eg. details of an allocated Social Worker).
163. They might also be able to provide:
- a passport;
  - a birth certificate;
  - an adoption certificate and
  - paperwork relating to their education.

#### **Children in juvenile detention**

164. When presented with a young person having been in prison they should be able to provide:
- prison discharge papers, and
  - documentation/correspondence from Social Services (eg. details of an allocated Social Worker).
165. They might also be able to provide:
- a passport;
  - a birth certificate;
  - adoption certificate, and
  - paperwork relating to their education.
166. In all cases, if documentary evidence is limited or non-existent, information should be gathered during the interview to obtain a fuller picture of the young person's life history as possible.

## SS 11 Appendices

### Appendices

#### Appendix 1 - Documentation to check Right to Work (RTW)

##### LIST A

1	A passport showing that the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the United Kingdom and Colonies having the right of abode in the United Kingdom.
2	A passport or national identity card showing that the holder, or a person named in the passport as the child of the holder, is a national of the European Economic Area or Switzerland.
3	A residence permit, accession worker registration certificate or document certifying or indicating permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
4	A permanent residence card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
5	A Biometric Immigration Document issued by the Home Office to the holder which indicates that the person named in it is allowed to stay indefinitely in the United Kingdom, or has no time limit on their stay in the United Kingdom.
6	A passport or other travel document endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the United Kingdom, has the right of abode in the United Kingdom, or has no time limit on their stay in the United Kingdom
7	An Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the person named in it is allowed to stay indefinitely in the United Kingdom or has no time limit on their stay in the United Kingdom, when produced with an official document giving the person's name issued by a Government agency or a previous employer.
8	A full birth certificate issued in the United Kingdom which includes the name(s) of at least one of the holder's parents, when produced with an official document giving the person's name issued by a Government agency or a previous employer.
9	A full adoption certificate issued in the United Kingdom which includes the name(s) of at least one of the holder's adoptive parents when produced with an official document giving the person's name issued by a Government agency or a previous employer.
10	A birth certificate issued in the Channel Islands, the Isle of



	Man or Ireland, when produced with an official document giving the person's name issued by a Government agency or a previous employer.
11	An adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, when produced . with an official document giving the person's name issued by a Government agency or a previous employer.
12	A certificate of registration or naturalisation as a British citizen, when produced with an official document giving the person's name issued by a Government agency or a previous employer.
13	A letter issued by the Home Office to the holder which indicates that the person named in it is allowed to stay indefinitely in the United Kingdom when produced with an official document giving the person's name issued by a Government agency or a previous employer.

### LIST B

1	A passport or travel document endorsed to show that the holder is allowed to stay in the United Kingdom and is allowed to do the type of work in question, provided that it does not require the issue of a work permit
2	A Biometric Immigration Document issued by the Home Office to the holder which indicates that the person named in it can stay in the United Kingdom and is allowed to do the work in question.
3	A work permit or other approval to take employment issued by the Home Office when produced in combination with either a passport or another travel document endorsed to show the holder is allowed to stay in the United Kingdom and is allowed to do the work in question, or a letter issued by the Home Office to the holder or the employer or prospective employer confirming the same.
4	A certificate of application issued by the Home Office to or for a family member of a national of a European Economic Area country or Switzerland stating that the holder is permitted to take employment which is less than 6 months old when produced in combination with evidence of verification by the Home Office Employer Checking Service.
5	A residence card or document issued by the Home Office to a family member of a national of a European Economic Area country or Switzerland.
6	An Accession Worker Registration Certificate issued by the Home Office stating that the holder is permitted to take employment, when produced in combination with evidence of verification by the Home Office Employer Checking Service.
7	An Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the person named in it can stay in the United Kingdom, and is allowed to do the type of work in question, when produced with an official document giving the person's name issued by a Government agency or a previous employer.

8	A letter issued by the Home Office to the holder or the employer or prospective employer, which indicates that the person named in it can stay in the United Kingdom and is allowed to do the work in question when produced with an official document giving the person's their name issued by a Government agency or a previous employer
---	--

## Appendix 1a – Croatia - Employment inspired NINo Application Scenarios

Scenario: Croatian Applicants	Documents to prove exemption from Right to Work (RTW)
A self-employed Croatian national.	<ul style="list-style-type: none"> <li>• Croatian passport/ID card</li> <li>• JCP SNAP guidance</li> </ul>
Croatian Student.	<ul style="list-style-type: none"> <li>• Croatian passport/ID card</li> <li>• A Yellow Accession Registration Certificate confirming student status / right to work</li> </ul>
Croatian national who is also a member of the UK, Switzerland or another EEA state	<ul style="list-style-type: none"> <li>• Croatian passport / ID Card</li> <li>• Other EEA state passport / ID Card to prove dual nationality</li> </ul>
Croatian national who has leave to enter the UK under the immigration Act 1971 and that leave does not place any restrictions on employment in the UK.	<ul style="list-style-type: none"> <li>• Croatian passport endorsed to show leave to remain and no work restrictions</li> </ul>
Croatian national who has been in continuous legal employment for the last 12 months, and this period spans 30/06/2013. Includes students who have worked legally whilst studying.	<ul style="list-style-type: none"> <li>• Croatian passport containing a visa that permits employment in the UK</li> <li>• Wage slips covering last 12 months (minimum of 4 months)</li> <li>• Contract(s) of employment for last 12 months</li> <li>• Letters from employer(s) within last 12 months</li> <li>• Corroborative check to prove legitimacy of employer</li> </ul>
Croatian member of a diplomatic mission or anyone entitled to diplomatic immunity.	<ul style="list-style-type: none"> <li>• The diplomatic passport showing immigration / RTW status.</li> <li>• A Purple Accession</li> </ul>

<b>Scenario: Croatian Applicants</b>	<b>Documents to prove exemption from Right to Work (RTW)</b>
	Worker Registration Certificate

<b>Scenario: Spouses / Civil Partners or Family members of Croatian nationals</b>	<b>Documents to prove exemption from Right to Work (RTW)</b>
Spouse, Civil Partner or family members of a Croatian national (principal family member) who has exercised their right to reside in the UK as a self-employed worker.	<ul style="list-style-type: none"> <li>• Principal family member's passport / ID Card.</li> <li>• Marriage, Birth or Civil Partner Certificate (to prove relationship)</li> <li>• Proof of current self employment of the A2 principal family member</li> <li>• Proof of Dependency for children over 21 or dependent direct relatives (ascending line e.g. parents and grandparents)</li> </ul>
Spouse, Civil Partner or family members of a Croatian national who is also a member of the UK, Switzerland or another EEA state.	<ul style="list-style-type: none"> <li>• Principal family member's passport / ID Card for the other EEA state or Switzerland</li> <li>• Marriage, Birth or Civil Partner Certificate (to prove relationship)</li> <li>• Proof that principal family member remains in work.</li> <li>• Proof of Dependency for children over 21 or dependent direct relatives (ascending line e.g. parents and grandparents)</li> </ul>
Spouse, Civil Partner or family members of a Croatian national (principal family member) who has exercised their right to reside in the UK as a student.	<ul style="list-style-type: none"> <li>• Principal family member's passport / ID Card</li> <li>• Marriage, Birth or Civil Partner Certificate ( to prove relationship)</li> <li>• Proof of Dependency for children over 21 or dependent direct relatives (ascending line e.g. parents and grandparents)</li> <li>• Letters / documentation from college or university</li> </ul>

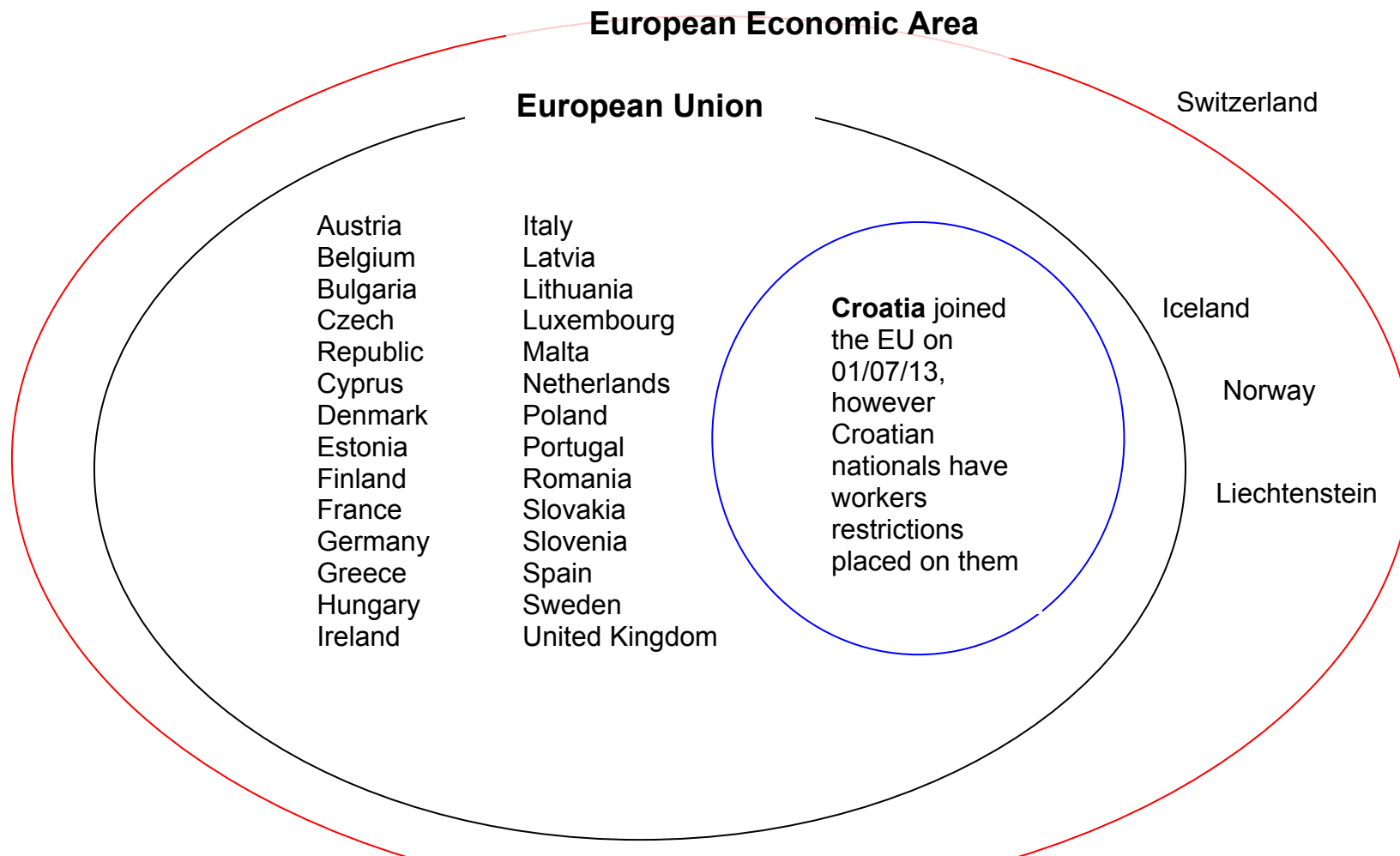
<b>Scenario: Spouses / Civil Partners or Family members of Croatian nationals</b>	<b>Documents to prove exemption from Right to Work (RTW)</b>
	<p>confirming start and end date of course and student status of the Croatian principal family member</p> <ul style="list-style-type: none"> <li>• Proof of Croatian Student's status in the UK</li> </ul>
<p>Spouse, Civil Partner or family members of a Croatian national (principal family member) who has worker's authorisation.</p>	<ul style="list-style-type: none"> <li>• Principal family member's passport / ID Card</li> <li>• Marriage, Birth or Civil Partner Certificate ( to prove relationship)</li> <li>• Proof of Dependency for children over 21 or dependent direct relatives (ascending line e.g. parents and grandparents)</li> <li>• Croatian national principal family member 's permission to work</li> <li>• Proof that principal family member remains in work</li> </ul>
<p>Spouse, Civil Partner or family members of a highly skilled Croatian national principal family member.</p>	<ul style="list-style-type: none"> <li>• Principal family member's passport / ID Card</li> <li>• Marriage, Birth or Civil Partner Certificate (to prove relationship)</li> <li>• Principal family member's proof of permission to work as a highly skilled worker</li> <li>• Proof of Dependency for children over 21 or dependent direct relatives (ascending line e.g. parents and grandparents)</li> </ul>
<p>Spouse, Civil Partner or family members of a Croatian national (principal family member) exempt from registration under the Workers Authorisation Scheme as they have leave to enter under the immigration Act 1971 and that leave does not place any restrictions on taking employment in the UK.</p>	<ul style="list-style-type: none"> <li>• Principal family member's passport / ID Card endorsed to show leave to remain and no work restrictions</li> <li>• Marriage, Birth or Civil Partner Certificate (to prove relationship)</li> <li>• Proof of Dependency for children over 21 or dependent direct relatives</li> </ul>

<b>Scenario: Spouses / Civil Partners or Family members of Croatian nationals</b>	<b>Documents to prove exemption from Right to Work (RTW)</b>
	(ascending line e.g. parents and grandparents)
<p>Spouse, Civil Partner or family members of a Croatian national (principal family member) exempt from registration under the Workers Authorisation Scheme as they have been working with permission and without interruption, in the UK for a period of 12 months ending on or after 30/06/2013. This category can include students.</p>	<ul style="list-style-type: none"> <li>• Principal family member's passport / ID Card.</li> <li>• Marriage, Birth or Civil Partner Certificate (to prove relationship)</li> <li>• Principal family member's permission to work</li> <li>• Principal family member's wage slips covering last 12 months (minimum of 4 months)</li> <li>• Principal family member's contract(s) of employment for last 12 months</li> <li>• Letters from the principal family member's employer(s) within last 12 months</li> <li>• Corroborative check to prove legitimacy of employer</li> <li>• Proof that principal family member remains in work.</li> <li>• Proof of Dependency for children over 21 or dependent direct relatives (ascending line e.g. parents and grandparents)</li> </ul>
<p>Spouse, Civil Partners or family members of a Croatian national (principal family member) who has exercised their right to reside in the UK and is self-sufficient.</p>	<ul style="list-style-type: none"> <li>• Principal family member's passport / ID Card</li> <li>• Marriage, Birth or Civil Partner Certificate (to prove relationship)</li> <li>• Proof of the principal family member's self sufficiency.</li> <li>• Proof of Dependency for children over 21 or dependent direct relatives (ascending line e.g. parents and grandparents)</li> </ul>
<p>Spouse, Civil Partner or family members of a diplomat or the family member of anyone who is entitled to</p>	<ul style="list-style-type: none"> <li>• Passport of diplomat</li> <li>• Marriage, Birth or Civil Partner Certificate (to prove</li> </ul>

<b>Scenario: Spouses / Civil Partners or Family members of Croatian nationals</b>	<b>Documents to prove exemption from Right to Work (RTW)</b>
diplomatic immunity.	<ul style="list-style-type: none"> <li>relationship)</li> <li>• Proof of Dependency for children over 21 or dependent direct relatives (ascending line e.g. parents and grandparents)</li> <li>• Documentation to prove diplomatic immunity</li> </ul>

<b>Scenario: Croatian Spouses / Family members of EU/UK national</b>	<b>Documents to prove exemption from Right to Work (RTW)</b>
Croatian national spouse, Civil Partner or family members of a UK National (Principal family member).	<ul style="list-style-type: none"> <li>• Principal family member's passport</li> <li>• Marriage, Birth or Civil Partner Certificate (to prove relationship)</li> <li>• Proof of Dependency for children over 21 or dependent direct relatives (ascending line e.g. parents and grandparents)</li> </ul>
Croatian national married to or in a civil partnership with an EU national principal family member.	<ul style="list-style-type: none"> <li>• Principal family member's passport / ID Card</li> <li>• Marriage, Birth or Civil Partner Certificate (to prove relationship)</li> </ul>

## **Appendix 2 – Overview of European Economic Area (EEA)**



**NOTE: Nationals from EU, EEA countries and Switzerland can enter and work in the UK without restrictions, just like British Citizens**



### Appendix 3 - Passport not required

Can enter the UK without a passport if they can produce an identity card

Austria	Irish Republic (not compulsory to have ID card)
Belgium	Italy
Bulgaria	Liechtenstein
Croatia	Lithuania
Cyprus	Luxembourg
Czech Republic	Malta
Denmark	Netherlands (Holland)
Estonia	Norway
Finland	Poland
France	Portugal
Germany	Romania
Gibraltar	Slovakia
Greece	Slovenia
Hungary	Spain
Iceland (not compulsory to have ID card)	Sweden

### Appendix 4 - Primary Evidence of Identity

1. Current passport, or travel document issued by the UK, EEA/EU or any other national government.
2. Current identity card issued by an EEA/EU member state or Gibraltar.
3. Registration certificate for EEA Nationals – see Home Office website for further details.
4. Certificate of registration or naturalisation as a British citizen – see Home office website for further details.
5. Biometric residence permit (BRP) – see Home Office website for further details.
6. Residence card – see Home Office website for further details.
7. A travel document issued by the Home office in certain special circumstances – see Home Office website for further details:
  - if the applicant is a refugee, they can apply for a convention travel document
  - if the applicant is stateless, they can apply for a stateless person's document
  - if the applicant is a citizen of any country and is currently in the UK, they can apply for a one-way document
  - if the applicant has been refused a passport by their own country, they can apply for a certificate of travel.

## Appendix 5 – Indicators of Dependency

Indicator	Characteristics	What to think about	Evidence	Corroboration
Income	<p>Where the applicant themselves is paying their own rent and/or utility bills there wouldn't appear to be evidence that they are therefore dependant on the principal family member.</p> <p>Even where the individual is paying their own bills, the level of commitment and risk of those bills not being paid needs to be considered.</p> <p>Where the applicant obtains their money to be able to pay those bills.</p>	<p>There should be evidence to show that the principal family member is responsible for paying bills and expenses. Whether this is in real terms or by providing support direct to the applicant.</p> <p>If the bills didn't get paid, would anyone step in to pay them?</p> <p>Does the applicant receive an allowance or</p>	<p>Rent Book Utility Bills (Gas/Electric/Water and Council Tax) Food Mobile Phone Bill</p> <p>Bank statements with regular and frequent payment transfers from the principal family member to the applicant.</p>	<p>Cross checking names</p> <ul style="list-style-type: none"> <li>➤ Are the payments received from someone of the same name as the principal family member on invoices, statements and receipts?</li> </ul>

	Where the principal family member pays bills and expenses, need to consider if this is a recent arrangement or has been in place a while.	<p>other regular income from the principal family member?</p> <p>Is what the applicant receives enough to cover all living expenses or just simply pay one bill? Sufficient resources should be provided by the principal family member to pay for food and accommodation.</p>		
Accommodation	There should be evidence to show that suitable accommodation has been provided for the applicant by the principal family member.	<p>Where does the applicant live?</p> <p>How long have they lived there?</p> <p>Does anyone</p>	<p>Proof of address.</p> <p>Registration with the local council.</p> <p>Home insurance policy.</p>	<p>Checking Occupancy</p> <ul style="list-style-type: none"> <li>➤ There should be sufficient bedrooms and space in the household. There should be no evidence of</li> </ul>

		<p>else live with the applicant?</p> <p>Who is paying the rent/mortgage?</p>	<p>Rent Book.</p> <p>Letters addressed to the applicant</p>	<p>overcrowding. Consideration should be given to number of children in the household etc.</p> <ul style="list-style-type: none"> <li>➤ CIS address records for principal family member.</li> </ul>
<p>Health and well-being</p>	<p>Understanding of why the relationship is dependent.</p> <p>Health problems that would require consideration. i.e. a mental health illness or physical disability.</p>	<p>The applicant should be able to explain the background of the circumstances that have led to the dependent relationship. The applicant should be able to explain how and why the relationship developed.</p> <p>Does the applicant have any health issues and does the principal</p>	<p>Applicant to be asked questions about their background with the principal family member. The applicant should be able to answer the questions.</p>	<p>Legitimacy</p> <ul style="list-style-type: none"> <li>➤ Cross reference questions with answers previously given. The narrative should be consistent.</li> </ul>

		<p>family member assist them with this.</p> <p>Is the applicant the only person that the principal family member supports?</p>		
Frequency of contact	<p>The applicant should be able to describe their contact with the principal family member.</p> <p>The applicant should be able</p>	<p>How long has the applicant been in the UK and maintained the relationship with the principal family member? Is this a temporary measure whilst the applicant establishes themselves in the UK?</p> <p>Do the applicant</p>	Dates of entry and exit in the UK.	<p>Travel Documents</p> <ul style="list-style-type: none"> <li>➤ Do details on travel documents match? i.e. travelled together on the same date. Tickets bought on the same date?</li> </ul>

	<p>to explain how they have been supported through any periods of time apart from the principal family member.</p>	<p>and the principal family member go shopping together? How often?</p> <p>Does the applicant have other family members in the UK? How frequently does the applicant visit other family members that are not the principal family member?</p>		
--	--	---	--	--

