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Immigration & Licensing

Institute of Licensing National Training Conference
November 2022

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Agenda

- Introductions
- Right to Licence Checks update
- Identity Document Verification Technology (IDVT)
- Ukraine Schemes information
- Endorsements in expired passports
- EEA & Swiss citizens
- Incorrect immigration status information



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Immigration Enforcement




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Right to Licence Checks - Updates






Right to Licence updates: Covid-19 adjusted checks

From 30 March 2020 until 30 September 2022 (inclusive), due to the COVID-19 pandemic adjustments to the right to licence checks were in place.


You do not need to carry out retrospective checks on applicants for a licence who had a COVID-19 adjusted check between 30 March 2020 and 30 September 2022 (inclusive).



Right to Licence updates: BRP holders

Biometric Residence Permit (BRP) and **Biometric Residence Card (BRC)** holders are only able to evidence their right to work using the Home Office online service.

This means you cannot accept or check a physical BRC or BRP as proof of right to work.




Right to Licence updates: online service

Who can use the Right to Work online service?

- ☐ A current biometric residence permit holder
- ☐ A current biometric residence card holder
- ☐ Status issued digitally under the EU Settlement Scheme
- ☐ Status issued digitally under the points-based immigration system
- ☐ British National Overseas (BNO) visa
- ☐ Frontier workers permit

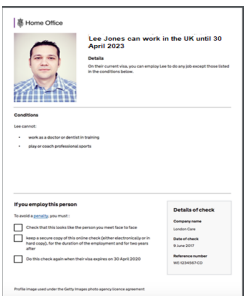
Keeping a record of the check:


- Retain either a paper or electronic copy of the Right to Work check.



Right to Licence Updates: Online service


[View a job applicant's right to work details](#)





Right to Licence updates: SVEC service

- Letter or email confirming application to the EU Settlement Scheme before 30 June 2021.
- Digital Certificate of Application or letter or email confirming application to EUSS after 1 July 2021.
- To confirm an outstanding, in-time application for permission to remain (and therefore no documents are available).
- You have not been provided with any acceptable documents, but the person presents other information indicating they are a long-term resident of the UK who arrived in the UK before 1988.




All speakers views are their own and not necessarily the views of the IoL

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Do I need to see original documents?


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Identity Document Validation Technology (IDVT)




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Identity Document Validation Technology (IDVT)

- Since 6 April 2022, licensing authorities can use **Identity Document Validation Technology (IDVT)** via the services of an IDSP to complete the digital identity verification element of right to work checks for British and Irish citizens who hold a valid passport (including Irish passport cards).
- Digital identity verification conducted by IDSPs is the process of obtaining evidence of the applicant's identity, checking that it is valid and belongs to the person who is claiming it.



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IDVT - Further information


For the purposes of verifying identity for RTW checks through IDVT, only the following specified documents can be accepted:

- valid British passports
- valid Irish passports
- valid Irish passport cards

The responsibility for the check remains with the employer, and they must ensure the IDSP they select to complete the **identity verification element of the check** carries out a prescribed check prior to the commencement of employment.



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IDVT – Basic steps to conduct Right to Work check

- Use an IDSP that is a certified provider
- Provide appropriate training and guidance to staff
- Satisfy yourself that the photograph and biographic details on the output from the IDVT check are consistent with the individual applying for a licence
- You must retain a clear copy of the IDVT identity check together with the licence application documents


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Ukraine Visa Schemes



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Ukraine Visa Schemes

The **Ukraine Family Scheme** allows immediate and extended family members of British Nationals and people settled in the UK to come to the country.

The **Homes for Ukraine Scheme** enables Ukrainian Nationals (with immediate family members who can be non-Ukrainian nationals), to be sponsored by UK residents.

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Ukraine Extension Scheme

- Permission to be in the UK on or between 18 March 2022 and 16 May 2023
- Previously held permission to be in the UK and that permission expired on or after 1 January 2022

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Ukraine Schemes: Documents



Entry Clearance Vignette



Immigration Officer's Date Stamp

Leave to enter the United Kingdom is hereby given for/until

Code 1A Stamp

Leave to enter for/until

No recourse to public funds

Code 1 Stamp




FAV
(Form for Affixing the Visa)



Endorsements in expired documents




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Indefinite Leave to Remain endorsements in expired passports

Individuals with indefinite leave to enter or remain can make a No Time Limit application to have their existing UK immigration status confirmed on a BRP if:

- they have an old-style immigration document
- their document containing their status or endorsement has been lost, stolen or has expired**
- they do not have any documentary evidence confirming they have Indefinite leave to enter or remain
- they need to amend the details on their evidence of status, for example the name on their immigration document




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EEA & Swiss citizens



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Right to licence checks for EEA & Swiss citizens

Since 1 July 2021, EEA citizens and their family members are required to have immigration status in the UK. They can no longer rely on an EEA passport or national identity card, which only confirms their nationality, to prove their right to work. They are required to provide evidence of lawful immigration status in the UK, in the same way as other foreign nationals.

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EEA and Swiss citizens

EEA and Swiss citizens with no confirmed immigration status


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Incorrect immigration status information




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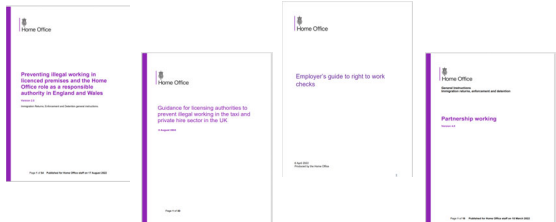
Incorrect immigration status information held by the Home Office

You can contact the Home Office about your immigration status if your access to work, benefits or services has been affected, and you believe this is because the immigration status held by the Home Office may be incorrect.


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Home Office Guidance Products




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Useful Links

- Licensing authority guide to right to work checks - GOV.UK (www.gov.uk) (Taxi Licensing)
- Preventing illegal working in licenced premises and the Home Office role as a responsible authority in England and Wales (publishing.service.gov.uk) (Personal & Premises Licensing)
- Digital identity certification for right to work, right to rent and criminal record checks - GOV.UK (www.gov.uk) IDVT & Certified IDSPs
- An employer's guide to right to work checks (publishing.service.gov.uk) (Annex A) – List of prescribed documents for a manual check, Annex D – Digital Identity Verification.
- Online checking service: View a job applicant's right to work details - GOV.UK (www.gov.uk)
- Ukrainian nationals and right to work checks (accessible version) - GOV.UK (www.gov.uk)
- Apply to stay in the UK under the Ukraine Extension Scheme - GOV.UK (www.gov.uk)
- Apply to the EU Settlement Scheme (settled and pre-settled status) - GOV.UK (www.gov.uk)
- Reasonable grounds for missing the EUSS deadline: Apply to the EU Settlement Scheme (settled and pre-settled status): Who can apply - GOV.UK (www.gov.uk)
- Windrush Scheme: get a document showing your right to be in the UK: Windrush helpline - GOV.UK (www.gov.uk)
- Fee removed for No Time Limit applications - GOV.UK (www.gov.uk)
- Guidance on examining identity documents - GOV.UK (www.gov.uk)
- Ask the Home Office to check your immigration status is correct - GOV.UK (www.gov.uk)

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Contact details
Contact the Local Partnership Manager for your area:
ISDLPMsupportteam@homeoffice.gov.uk

Contact the Immigration Enforcement Alcohol & LNR Team:
Alcohol@homeoffice.gov.uk

Enquiries relating to license applications or ongoing reviews -
IE.Alcoholenquiries@homeoffice.gov.uk

For reviews to be considered or initiated along with hearing dates -
IE.Alcoholreviews@homeoffice.gov.uk

Status Verification, Enquiries & Checking Service:
ICESSEVCWorkflow@homeoffice.gov.uk

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Questions

