



Home Office

Immigration and Care Providers

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IMMIGRATION ENFORCEMENT

- UK Border Agency abolished in March 2013
- New strategy, new tactics within the Home Office
- Encouraging compliance by working with employers to assist them in identifying those individuals who are not entitled to work
- New Immigration Act 2014 reduces the benefits of being in the UK illegally. Removes driving licences, financial services and some NHS treatment. Introduces landlord regulations

ILLEGAL WORKING IN CARE

- Priority area for 2015/16, however not just about arrest numbers. Historically difficult area in which to mount enforcement operations as there are continuity of care considerations and it is largely a dispersed workforce so easier to evade detection.
- Often counterfeit or forged documents, which equally questions qualifications and represents a safeguarding problem.
- Work in partnership with CQC, local authorities (as care commissioners) and care providers to:
 - Educate and assist – forgery training;
 - Prevent illegal working – compliance visits;
 - Use arrest activity as a last resort, to drive compliance and deter others.
- Want to reduce the effect on providers who work with us:
 - Arrange visits with management consent – check records and help to educate;
 - Conduct arrests at staff homes rather than place of work, if possible;
 - Use small teams of staff and enter care homes in covert wear rather than branded uniforms so as not to cause distress to residents;
 - Home Office continuity of care.



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EMPLOYER RESPONSIBILITIES

Right to Work Checks:

OBTAIN / CHECK / COPY

1. Obtain original versions of acceptable documents
2. Check the document's validity
3. Copy – make and retain a copy of the documents and the date check was made
4. Make additional checks if permission to work is time limited.

Assistance available through :

Employer Checking Service; via <https://www.gov.uk/employee-immigration-employment-status>

Provision of Forgery Training can be arranged.

Section 15 of Immigration, Asylum and Nationality Act 2006 (as amended) - penalty up to £20,000 per employee

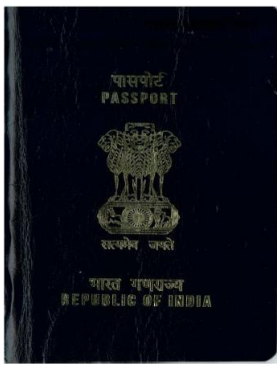


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EXAMPLES

- Indian passports, either entirely counterfeit or with counterfeit UK endorsements are frequently seen

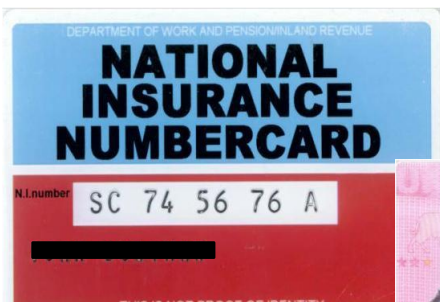


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EXAMPLES

- False National Insurance cards are widespread and counterfeit British Residence cards are becoming a regular occurrence.



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CASE STUDY - South London operation

- Croydon Care Home visited by Intelligence Officers in January 2015 to educate employer on responsibilities and check documents for their current employees.
- Checks show that a Belgian passport presented is counterfeit and there is no trace of the holder on Home Office databases.
- An enforcement operation is authorised with the cooperation and knowledge of the care home manager and the team enter the care home with employer consent on 20 February 2015.
- The Ghanaian target offender is arrested and identified as an illegal entrant. She has been working in various care homes since 2008 using this false document.
- Replacement care is arranged by Home Manager to ensure residents are not placed at risk.
- The subject's original passport can't be located so her true identity can't be confirmed
- Subject is arrested and charged with 3 criminal offences related to ID abuse and fraud. She is currently in prison awaiting trial
- Due to the level of cooperation displayed by the employer, local managers issue a "no action notice" and waive a potential £20 000 penalty.

JOINT WORKING

Seven Immigration Compliance and Enforcement teams in London and South East:

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