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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.



Home Office

3

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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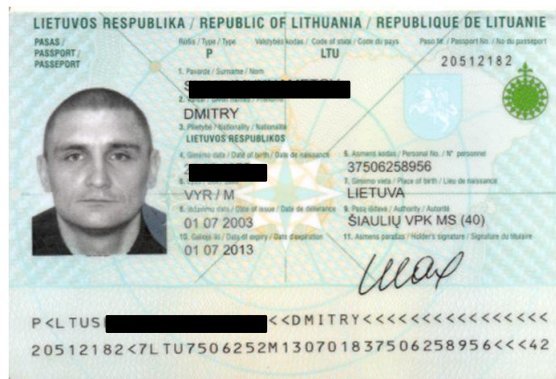
4

FORGERY TRENDS

- Many false identity documents (passports and identity cards) as well supporting documents such as National Insurance Cards, birth certificates and Home Office letters/ residence permits, DBS clearance are employed by immigration offenders.
- Home Office Intelligence units routinely identify immigration offenders with these documents particularly in Care Homes, Construction, Cleaning and Licensing sectors.
- The quality of the false documents varies but typically the quality is not sufficient to allow entry to UK ports of entry. They are utilised to access the labour market and to enable services in the UK, e.g. benefits, housing.
- The following website is a useful source:
<http://www.consilium.europa.eu/prado/en/prado-start-page.html>

EXAMPLES

- False European Union Passports and Identity Cards, particularly from Eastern Europe are frequently encountered.



EXAMPLES

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





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7

EXAMPLES

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





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8

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:

- South London ICE and Lead for Engagement with Care Sector – Jill Smith – 07884 476796 jill.smith@homeoffice.gsi.gov.uk
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