

Equality Impact Assessment Template

1) Name of Policy Change:

The Social Security (National Insurance Numbers) Amendment Regulations 2008. These Regulations amend the list of documents that can be used to prove that an individual has the right to work in the UK. This is a requirement that has to be met for all adult employment-related NINO applications.

2) Responsible Officer:

The Equality Impact Assessment has been conducted by:

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3) Purpose and aim(s) of the proposal or change:

In order to be allocated a National Insurance number (NINO) for employment purposes an individual must be able to provide proof that they have the right to work in the UK. To do this they must provide a document currently listed in Part 1 or Part 2 of the Schedule to the Immigration (Restrictions on Employment) Order 2004. These lists form part of the guidance produced by the Home Office to help employers check that an employee is legally entitled to work in the UK.

The Home Office are introducing a number of initiatives to make it easier for employers to satisfy themselves that an individual is legally entitled to be working in the UK. One of these measures is that employers will have a continuing responsibility to check an individual's immigration status if it is time-limited. This has resulted in a new list of documents which can be used to provide proof of right to work in the UK. These documents are incorporated in Schedule 1 of the Immigration (Restrictions on Employment) Order 2007.

DWP Regulations have to be amended to include reference to Schedule 1 of the 2007 Order. This will ensure that DWP NINO Allocation policy for employment-related NINO applications continues to mirror Home Office provisions.

4) Who will benefit mainly from this proposal or change?

The Regulation change applies to all employment-related NINO applications, including any UK and EEA national applications to a NINO via the adult NINO allocation process. It therefore does not target any specific individuals or groups.

It provides consistency for the individual in that the documents that can be used to prove Right To Work when applying for a National Insurance number are the same as the ones they will need to provide an employer with prior to commencing employment. Therefore, those eligible to work in the UK will have to have these forms of documentary evidence in any event. DWP is not asking for any additional documentary evidence for its adult NINO Allocation purposes.

There will be no change to the existing provisions which provide for the allocation of NINOs to benefit or tax credit claimants.

5) What information and/or data (evidence) has been obtained to impact assess this proposal or change?

Not appropriate. The nature of the change is purely to mirror changes being made to Home Office Immigration Order in terms of the type of documentary evidence by which an individual can prove their right to work in the UK. The proposed changes will have no additional impacts upon proof of right to work requirements already in place for adult employment-related NINO applicants.

6) Has a negative impact been identified on any group?

No. The impact does not have any adverse impact upon any specific individuals or groups; by amending DWP Regulations to reflect the new lists it means that both DWP and employers are using the same list of documentary evidence to determine an individual's right to work in the UK, ensuring consistency in both Home Office and DWP legislation. This commonality of documentary evidence requirements is also of benefit to the customer as it avoids confusion.

7) Conclusion:

The change to Regulations is purely to reflect a change in the documentary evidence requirements that are required to prove right to work in the UK. It maintains the existing consistent link between DWP and Home Office immigration policy. The change ensures that the individual applicant will not have to provide any other documentary evidence than they have to provide to prove their right to work to an employer when taking up employment.

The impact of the changes (in terms of volumes) will be monitored by Jobcentre Plus who are responsible for the implementation of the operational change.

Review: GARRY M GIBSON

Signed: _____

Date: 20th December 2007