



GUILDFORD  
BOROUGH

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**Tom Horwood**  
Joint Chief Executive  
of Guildford and Waverley  
Borough Councils

Contact Officer:

Sophie Butcher,  
Democratic Services Officer

6 October 2023

Dear Councillor

Your attendance is requested at a meeting of the **LICENSING SUB COMMITTEE** to be held in the Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on **MONDAY 16 OCTOBER 2023** at **2.00 pm**.

Yours faithfully

Tom Horwood  
Joint Chief Executive

**MEMBERS OF THE LICENSING SUB COMMITTEE**

Councillor Amanda Creese (Chairman)  
Councillor Catherine Houston  
Councillor Dominique Williams

**QUORUM 3**



## **THE COUNCIL'S STRATEGIC FRAMEWORK (2021- 2025)**

### **Our Vision:**

A green, thriving town and villages where people have the homes they need, access to quality employment, with strong and safe communities that come together to support those needing help.

### **Our Mission:**

A trusted, efficient, innovative, and transparent Council that listens and responds quickly to the needs of our community.

### **Our Values:**

- We will put the interests of our community first.
- We will listen to the views of residents and be open and accountable in our decision-making.
- We will deliver excellent customer service.
- We will spend money carefully and deliver good value for money services.
- We will put the environment at the heart of our actions and decisions to deliver on our commitment to the climate change emergency.
- We will support the most vulnerable members of our community as we believe that every person matters.
- We will support our local economy.
- We will work constructively with other councils, partners, businesses, and communities to achieve the best outcomes for all.
- We will ensure that our councillors and staff uphold the highest standards of conduct.

### **Our strategic priorities:**

#### Homes and Jobs

- Revive Guildford town centre to unlock its full potential
- Provide and facilitate housing that people can afford
- Create employment opportunities through regeneration
- Support high quality development of strategic sites
- Support our business community and attract new inward investment
- Maximise opportunities for digital infrastructure improvements and smart places technology

## Environment

- Provide leadership in our own operations by reducing carbon emissions, energy consumption and waste
- Engage with residents and businesses to encourage them to act in more environmentally sustainable ways through their waste, travel, and energy choices
- Work with partners to make travel more sustainable and reduce congestion
- Make every effort to protect and enhance our biodiversity and natural environment.

## Community

- Tackling inequality in our communities
- Work with communities to support those in need
- Support the unemployed back into the workplace and facilitate opportunities for residents to enhance their skills
- Prevent homelessness and rough-sleeping in the borough

## **A G E N D A**

**ITEM  
NO.**

**1        LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS**

In accordance with the local Code of Conduct, a councillor is required to disclose at the meeting any disclosable pecuniary interest (DPI) that they may have in respect of any matter for consideration on this agenda. Any councillor with a DPI must not participate in any discussion or vote regarding that matter and that they must also withdraw from the meeting immediately before consideration of the matter.

If that DPI has not been registered, you must notify the Monitoring Officer of the details of the DPI within 28 days of the date of the meeting.

Councillors are further invited to disclose any non-pecuniary interest which may be relevant to any matter on this agenda, in the interests of transparency, and to confirm that it will not affect their objectivity in relation to that matter.

**2        APPLICATION FOR THE REVIEW OF A PREMISES LICENCE FOR THE  
GUILDFORD MANOR HOTEL (Pages 5 - 162)**

**Please contact us to request this document in an  
alternative format**

**LICENSING SUB-COMMITTEE**

<b>Application. Type:</b>	Application for a Review of a Premises Licence	
<b>Ward:</b>	Tillingbourne	Ward Councillors: Councillor Bob Hughes Councillor Danielle Newson
<b>Applicant:</b>	Immigration Officer Caroline LAIRD Home Office South Central Immigration Enforcement	
<b>Premises:</b>	The Guildford Manor Hotel, Newlands Corner, Guildford, Surrey, GU4 8SE	

**1. SITE LOCATION AND HISTORY**

- 1.1 The Guildford Manor Hotel is an independent hotel, restaurant, spa, wedding and event venue situated in the Newlands Corner area of the Surrey Hills.
- 1.2 The Licence has been in effect since conversion in November 2005 and is held by Nahid Residential Ltd, having been transferred in January 2015. The Designated Premises Supervisor (DPS) is a Mr Andrew McNeil. A copy of the current premises licence is included at Appendix 1.
- 1.3 The Licence authorises the following licensable activities:
  - Sale of Alcohol
  - Late Night Refreshment
  - Plays
  - Films
  - Live Music
  - Recorded Music
  - Performance of Dance
  - Anything of a similar description to that falling within live music, recorded music or performance of dance

**2. APPLICATION FOR A REVIEW**

- 2.1 The application at Appendix 2 is for a Review of the Premises Licence called by the Home Office Immigration team as a Responsible Authority.
- 2.2 The Review has been called on the grounds of the prevention of crime and disorder following the discovery of illegal workers at the premises on 31

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May 2023. This is the second occasion of illegal working at the premises following a previous visit on 24 November 2021.

- 2.3 The application seeks the Revocation of the Premises Licence on the grounds that all operators are expected to take steps to promote the licensing objectives, with the Home Office (Immigration Enforcement) believing Nahid Residential Ltd by employing illegal workers are not preventing crime and disorder and therefore should no longer be allowed to hold a premises licence.

The application continues that Nahid Residential Ltd are using the Hotel businesses to employ illegal workers which is strictly prohibited under the Licensing Act 2003 and Immigration Act 1971(aa). Employing illegal workers in the UK has the following impact on the community and society as a whole:-

1. It deprives HMRC and the Government of revenue by non-payment of tax and national insurance.
2. It exploits the undocumented by paying them less than the minimum wage and provides no employment or income protection.
3. It encourages other overstayers / illegals to seek similar work.
4. It allows a business to unfairly undercut other businesses by employing cheap labour.
5. Illegal workers are often housed in cramped and unsatisfactory conditions by the employer as part of their working arrangement.

- 2.4 The following information is also provided in support of the application:

On 31st May 2023 Immigration Officers from the South-Central Immigration Enforcement team alongside Officers from Surrey Police attended the address after receiving allegations of Modern Day Slavery and Illegal Working taking place at the address.

Entry was gained at the premises at 08:03 with a warrant issued under Section 8 of PACE.

Seven (7) people who were identified as being employees at the address were spoken to by Immigration and Police Officers. Home Office checks were conducted and five (5) of the 7 people were all identified as having the right to work.

The other two (2) were found to be working illegally. Both were fully interviewed by Immigration Officers and admitted to working at the establishment.

Mr MCNEIL – the DPS and Manager was also interviewed in regard to these 2 employees. A Civil Penalty Notice was served to Mr MCNEIL and is currently being considered.

One of the employees with no right to work stated that he showed his BRP in order to start working for Guildford Manor Hotel & Spa, this clearly states his work restriction of 20 hours per week.

Mr MCNEIL stated that the other he believed was waiting for his documents, and confirmed he has not seen any documents.

It appears to be that Guildford Manor Hotel & Spa are still not conducting the correct right to work checks before employees are given employment despite the previous visit in 2021 where similar offences were identified.

A previous visit which took place on the 24th November 2021 in which South Central ICE (Eaton House and Portsmouth), accompanied by Officers from West London ICE, South East ICE (Kent & Sussex), Eaton House ROM, Norman House ROM and Surrey Fire and Rescue were in attendance again identified 2 employees working with no right to do so.

A Civil Penalty for £20,000 was issued and Home Office checks show that this has been paid.

## 2.5 Consultation period and advertisement of the application

The application was accepted as valid on 18 August 2023, with the consultation period running until 15 September. The application was advertised by means of notices at the premises in accordance with the regulations.

## **3. RELEVANT REPRESENTATIONS RECEIVED DURING CONSULTATION PERIOD**

### 3.1 Representations from responsible authorities:

The only representation received from responsible Authorities is further supporting information received from the Home Office (the applicant) on 5 September. The Home Office have collated a Licence Review Pack setting out the relevant framework and information collected during their interventions in the form of interview records, time sheets and rotas. This has been redacted and is included as Appendix 3.

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### 3.2 Representations from other persons.

No further representations have been received from other persons.

### 3.3 Representations from the Licence holder

On 15 September the Licence holder's legal advisor provided a submission and a number of supporting statements. These are included as Appendix 4-9.

## 4. LICENSING POLICY

4.1 The Licensing Act 2003 requires the Licensing Authority to carry out its licensing functions to promote the licensing objectives. Guildford Borough Council as the Licensing Authority takes its responsibilities under the Licensing Act seriously and will use all available powers to promote the four licensing objectives.

The Council has adopted a Statement of Licensing Policy setting out how it will discharge its functions, with the following sections of the Council's Licensing Policy being relevant:

### **Section 4: Fundamental Principles**

Paragraph 4.3 and 4.4: Licensing is about the control of licensed premises, qualifying clubs, temporary events and individuals within the terms of the 2003 Act. Any conditions or restrictions attached to a premises licence or club premises certificate will be focused on matters which are within the control of individual licensees.

These matters centre on the premises and places being used for licensable activities and any impact of those activities in the vicinity of those premises and places. The Licensing Authority will primarily focus on the direct impact of the activities taking place at the licensed premises, on members of the public living, working or engaged in normal activity in the area concerned.

### **Section 12: Promoting the four licensing objectives**

Paragraph 12.5: The Licensing Authority considers the effective and responsible management of the premises, including instruction, training and supervision of staff and the adoption of best practice to be amongst the most essential control measures for the achievement of the licensing objectives.



Paragraph 12.1.1: Licensed premises of any description, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people can be a source of crime and disorder. The Licensing Authority expect operating schedules to satisfactorily address these and any other potential issues, from the design of the premises through to the daily operation of the business.

Paragraph 12.1.13: In addition to the requirement for the Licensing Authority to promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough.

### **Section 20: Reviews**

Paragraph 20.1 and 20.2: Following the grant of a premises licence or a club premises certificate, a responsible authority or any other person may ask the Licensing Authority to review it due to a matter arising in connection with any of the four licensing objectives.

Full details of the review process can be provided by contacting a Council Licensing Compliance Officer or may be found in Chapter 11 of the Section 182 Licensing Act 2003 Revised Guidance on the Home Office website.

## **5. NATIONAL GUIDANCE**

- 5.1 Section 182 of the Licensing Act provides that the Secretary of State must issue guidance to licensing authorities on the discharge of their functions. The guidance also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public.
- 5.2 Section 4 of the Licensing Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by under section 182 which is therefore binding on all licensing authorities to that extent.
- 5.3 The following sections of the Section 182 Guidance (issued August 2023) are relevant to this application:

### **Section 2: The licensing objectives**

Paragraph 2.6: The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal

working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that evidence of a right to work check, either physical or digital (e.g. a copy of any document checked as part of a right to work check or a clear copy of the online right to work check) are retained at the licensed premises.

### **Section 9: Determining Applications**

Paragraph 9.25: The Immigration Act 2016 made the Secretary of State a responsible authority in respect of premises licensed to sell alcohol or late night refreshment with effect from 6 April 2017. In effect this conveys the role of responsible authority to Home Office Immigration Enforcement who exercises the powers on the Secretary of State's behalf. When Immigration Enforcement exercises its powers as a responsible authority it will do so in respect of the prevention of crime and disorder licensing objective because it is concerned with the prevention of illegal working or immigration offences more broadly.

Paragraph 9.38: In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives
- the representations (including supporting information) presented by all the parties
- the s.182 Guidance
- its own statement of licensing policy

### **Section 11: Reviews**

Paragraph 11.26: The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

Paragraph 11.27: There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises for employing a person who is disqualified from that work by reason of their immigration status in the UK.

Paragraph 11.28: It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being

undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Paragraphs 9.42 – 9.44 (Determining actions that are appropriate for the promotion of the licensing objectives): Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that any condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

## **6. REVIEWS OF PREMISES LICENCES**

- 6.1 The proceedings set out in the Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.

- 6.2 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.
- 6.3 The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.
- 6.4 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker.
- 6.5 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:
- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
  - exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption)
  - remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
  - suspend the licence for a period not exceeding three months;
  - revoke the licence.
- 6.6 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

## **7. RECOMMENDATION:**

7.1 The Sub-Committee are requested to consider the application for the Review of the premises licence on its merits.

7.2 Having regard to the Application, any relevant representations made during the consultation period, and the submission of the Licence holder, the Sub-Committee must take such steps (if any) as it considers appropriate for the promotion of the licensing objectives.

The steps are:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption)
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

## **8. CONSULTATION**

Report agreed by:

Executive Head of Regulatory Services: 19/09/2023

Legal Services: 03/10/2023

## **9. BACKGROUND PAPERS**

[The Licensing Act 2003](#)

[Guildford Borough Council Statement of Licensing Policy effective 7 January 2021](#)

[Revised Guidance issued under section 182 of the Licensing Act 2003 effective August 2023](#)

[Preventing illegal working in licenced premises and the Home Office role as a responsible authority in England and Wales](#)

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**Appendices:**

Appendix 1 – Premises Licence Ref: GUPLA0193

Appendix 2 – Application for a Review

Appendix 3 – Further information received from Home Office

Appendix 4-9 – Submission from Licence Holder

**Originator:**

Mike Smith

Senior Specialist for Licensing and Community Safety

Regulatory Services

Tel: (01483) 444387

E-Mail: [mike.smith@guildford.gov.uk](mailto:mike.smith@guildford.gov.uk)

## Licensing Act 2003 Premises Licence

### NAME OF LICENSED PREMISES

**Manor House Hotel**

### ADDRESS OF LICENSED PREMISES

The Manor House Hotel, Newlands Corner, Guildford, Surrey, GU4 8SE

### ORIGINAL LICENCE COMMENCEMENT DATE

24/11/2005

### EXPIRY DATE, IF TIME LIMITED

N/A

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- Sale of Alcohol
- Late Night Refreshment
- Plays
- Films
- Live Music
- Recorded Music
- Performance of Dance
- Anything of a similar description to that falling within live music, recorded music or performance of dance

### Sale of Alcohol Both on and off the premises

Day	Start Time	End Time
Monday	08:00	00:00
Tuesday	08:00	00:00
Wednesday	08:00	00:00
Thursday	08:00	00:00
Friday	08:00	01:00
Saturday	08:00	01:00
Sunday	08:00	00:00

**Seasonal Variations:** New Year's Eve 8:00 till 01:00 New Year's Day. 14th February 8:00 till 01:00 15th February.



Mike Smith  
Licensing Team Leader  
Guildford Borough Council

## Licensing Act 2003 Premises Licence

### Late Night Refreshment Indoors

Day	Start Time	End Time
Monday	23:00	05:00
Tuesday	23:00	05:00
Wednesday	23:00	05:00
Thursday	23:00	05:00
Friday	23:00	05:00
Saturday	23:00	05:00
Sunday	23:00	05:00

**Seasonal Variations:** New Year's Eve 8:00 till 01:00 New Year's Day. 14th February 8:00 till 01:00 15th February.

### Plays Indoors

Day	Start Time	End Time
Monday	08:00	00:00
Tuesday	08:00	00:00
Wednesday	08:00	00:00
Thursday	08:00	00:00
Friday	08:00	01:00
Saturday	08:00	01:00
Sunday	08:00	00:00

**Seasonal Variations:** New Year's Eve 8:00 till 01:00 New Year's Day. 14th February 8:00 till 01:00 15th February.

### Films Indoors

Day	Start Time	End Time
Monday	08:00	00:00
Tuesday	08:00	00:00
Wednesday	08:00	00:00
Thursday	08:00	00:00
Friday	08:00	01:00
Saturday	08:00	01:00
Sunday	08:00	00:00

**Seasonal Variations:** New Year's Eve 8:00 till 01:00 New Year's Day. 14th February 8:00 till 01:00 15th February.



Mike Smith  
Licensing Team Leader  
Guildford Borough Council



## Licensing Act 2003 Premises Licence

### Live Music Both indoors and outdoors

Day	Start Time	End Time
Monday	08:00	00:00
Tuesday	08:00	00:00
Wednesday	08:00	00:00
Thursday	08:00	00:00
Friday	08:00	01:00
Saturday	08:00	01:00
Sunday	08:00	00:00

**Seasonal Variations:** New Year's Eve 8:00 till 01:00 New Year's Day. 14th February 8:00 till 01:00 15th February.

### Recorded Music Indoors

Day	Start Time	End Time
Monday	08:00	00:00
Tuesday	08:00	00:00
Wednesday	08:00	00:00
Thursday	08:00	00:00
Friday	08:00	01:00
Saturday	08:00	01:00
Sunday	08:00	00:00

**Seasonal Variations:** New Year's Eve 8:00 till 01:00 New Year's Day. 14th February 8:00 till 01:00 15th February.

### Performance of Dance Indoors

Day	Start Time	End Time
Monday	08:00	00:00
Tuesday	08:00	00:00
Wednesday	08:00	00:00
Thursday	08:00	00:00
Friday	08:00	01:00
Saturday	08:00	01:00
Sunday	08:00	00:00

**Seasonal Variations:** New Year's Eve 8:00 till 01:00 New Year's Day. 14th February 8:00 till 01:00 15th February.



Mike Smith  
Licensing Team Leader  
Guildford Borough Council

## Licensing Act 2003 Premises Licence

Anything of a similar description to that falling within live music, recorded music or performance of dance  
Both indoors and outdoors

Day	Start Time	End Time
Monday	08:00	00:00
Tuesday	08:00	00:00
Wednesday	08:00	00:00
Thursday	08:00	00:00
Friday	08:00	01:00
Saturday	08:00	01:00
Sunday	08:00	00:00

**Seasonal Variations:** New Year's Eve 8:00 till 01:00 New Year's Day, 14th February 8:00 till 01:00 15th February.

### Opening Hours

Day	Start Time	End Time
Monday	00:00	00:00
Tuesday	00:00	00:00
Wednesday	00:00	00:00
Thursday	00:00	00:00
Friday	00:00	00:00
Saturday	00:00	00:00
Sunday	00:00	00:00

**Seasonal Variations:** New Year's Eve 8:00 till 01:00 New Year's Day, 14th February 8:00 till 01:00 15th February.

### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF SUPPLIES

ON/OFF

### NAME, REGISTERED ADDRESS OF HOLDER OF PREMISES LICENCE

Nahid Residential Limited  
2 The Paddock, Guildford, GU1 2RQ

### REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Company Number: 08868452



Mike Smith  
Licensing Team Leader  
Guildford Borough Council

## Licensing Act 2003 Premises Licence

### DETAILS OF DESIGNATED PREMISES SUPERVISOR

Name:	Mr Andrew McNeil
Address:	[REDACTED]
Telephone:	[REDACTED]
Licence Number:	GUPA1502
Licensed By:	Guildford



Mike Smith  
Licensing Team Leader  
Guildford Borough Council



## Licensing Act 2003 Premises Licence

### Mandatory condition - Sales of alcohol

1. No supply of alcohol may be made under the premises licence –
  - a. at a time when there is no designated premises supervisor in respect of the premises licence, or
  - b. at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

### Mandatory condition - Age verification policy

1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
  - a. a holographic mark, or
  - b. an ultraviolet feature.

### Mandatory condition - Irresponsible promotions

1. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
  - a. games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - ii. drink as much alcohol as possible (whether within a time limit or otherwise);
  - b. provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - c. provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - d. selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - e. dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

### Mandatory condition - Free potable water

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

### Mandatory condition - Smaller measures

The responsible person must ensure that—

- a. where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
  - i. beer or cider: ½ pint;
  - ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - iii. still wine in a glass: 125 ml;
- b. these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

A handwritten signature in black ink, appearing to read 'Mike Smith'.

Mike Smith  
Licensing Team Leader  
Guildford Borough Council

## Licensing Act 2003 Premises Licence

- c. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

### Mandatory condition - Permitted price for alcohol

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
  - a. "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  - b. "permitted price" is the price found by applying the formula  $P=D+(D \times V)$ , where—
    - i. P is the permitted price,
    - ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - c. "relevant person" means, in relation to premises in respect of which there is in force a premises licence—
    - i. the holder of the premises licence,
    - ii. the designated premises supervisor (if any) in respect of such a licence, or
    - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - d. "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - e. "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.  
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### Mandatory condition - Film exhibitions

- a) Subject to subsection (b) below, the admission of children to the exhibition of films on the premises shall be restricted in accordance with any recommendation made by the British Board of Film Classification (BBFC)
- b) If the licensing authority does not agree with the category of any film as recommended by the BBFC, it may alter the category of the film. On notice of alteration of category being given by the licensing authority to the holder of the licence, the film shall thereafter be treated as being in the altered category and admission of children to the exhibition of the film shall be restricted accordingly

### FURTHER CONDITIONS

#### Additional conditions as laid out in the application operating schedule dated 02 August 2005

1. Ensure staff are aware and receive appropriate training relating to the licensing objectives.
2. Ensure a member of management is on duty during permitted hours to enforce the licensing objectives
3. Only operate events where guests partake of a substantial meal.
4. No promotion of binge drinking.
5. Ensure sufficient seating for all guests
6. To participate in any appropriate police schemes to reduce crime and disorder.
7. Capabilities' to be as per existing fire certificate
8. Regular inspections of emergency equipment.
9. Regular practice evacuations
10. Regularly updated risk assessments
11. Reduce volume and tempo of music towards end of evening.
12. Announcement at end of evening to vacate premises quietly.



Mike Smith  
Licensing Team Leader  
Guildford Borough Council



## Licensing Act 2003 Premises Licence

13. Adequate staff supervision for departing guests bar to close 15 minutes prior to end of permitted hours.
14. Staff to receive regular and adequate training on the law and practice relating to age restricted sales.
15. Children not allowed in corporate events when adult entertainment may be taking place.

Mike Smith  
Licensing Team Leader  
Guildford Borough Council

## Licensing Act 2003 Premises Licence Summary

### NAME OF LICENSED PREMISES

**Manor House Hotel**

### ADDRESS OF LICENSED PREMISES

The Manor House Hotel, Newlands Corner, Guildford, Surrey, GU4 8SE

### ORIGINAL LICENCE COMMENCEMENT DATE

24/11/2005

### EXPIRY DATE, IF TIME LIMITED

N/A

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- Sale of Alcohol
- Late Night Refreshment
- Plays
- Films
- Live Music
- Recorded Music
- Performance of Dance
- Anything of a similar description to that falling within live music, recorded music or performance of dance

### Sale of Alcohol Both on and off the premises

Day	Start Time	End Time
Monday	08:00	00:00
Tuesday	08:00	00:00
Wednesday	08:00	00:00
Thursday	08:00	00:00
Friday	08:00	01:00
Saturday	08:00	01:00
Sunday	08:00	00:00

**Seasonal Variations:** New Year's Eve 8:00 till 01:00 New Year's Day. 14th February 8:00 till 01:00 15th February.



Mike Smith  
Licensing Team Leader  
Guildford Borough Council



## Licensing Act 2003 Premises Licence Summary

### Late Night Refreshment Indoors

Day	Start Time	End Time
Monday	23:00	05:00
Tuesday	23:00	05:00
Wednesday	23:00	05:00
Thursday	23:00	05:00
Friday	23:00	05:00
Saturday	23:00	05:00
Sunday	23:00	05:00

**Seasonal Variations:** New Year's Eve 8:00 till 01:00 New Year's Day. 14th February 8:00 till 01:00 15th February.

### Plays Indoors

Day	Start Time	End Time
Monday	08:00	00:00
Tuesday	08:00	00:00
Wednesday	08:00	00:00
Thursday	08:00	00:00
Friday	08:00	01:00
Saturday	08:00	01:00
Sunday	08:00	00:00

**Seasonal Variations:** New Year's Eve 8:00 till 01:00 New Year's Day. 14th February 8:00 till 01:00 15th February.

### Films Indoors

Day	Start Time	End Time
Monday	08:00	00:00
Tuesday	08:00	00:00
Wednesday	08:00	00:00
Thursday	08:00	00:00
Friday	08:00	01:00
Saturday	08:00	01:00
Sunday	08:00	00:00

**Seasonal Variations:** New Year's Eve 8:00 till 01:00 New Year's Day. 14th February 8:00 till 01:00 15th February.

Mike Smith  
Licensing Team Leader  
Guildford Borough Council



## Licensing Act 2003 Premises Licence Summary

### Live Music Both indoors and outdoors

Day	Start Time	End Time
Monday	08:00	00:00
Tuesday	08:00	00:00
Wednesday	08:00	00:00
Thursday	08:00	00:00
Friday	08:00	01:00
Saturday	08:00	01:00
Sunday	08:00	00:00

**Seasonal Variations:** New Year's Eve 8:00 till 01:00 New Year's Day. 14th February 8:00 till 01:00 15th February.

### Recorded Music Indoors

Day	Start Time	End Time
Monday	08:00	00:00
Tuesday	08:00	00:00
Wednesday	08:00	00:00
Thursday	08:00	00:00
Friday	08:00	01:00
Saturday	08:00	01:00
Sunday	08:00	00:00

**Seasonal Variations:** New Year's Eve 8:00 till 01:00 New Year's Day. 14th February 8:00 till 01:00 15th February.

### Performance of Dance Indoors

Day	Start Time	End Time
Monday	08:00	00:00
Tuesday	08:00	00:00
Wednesday	08:00	00:00
Thursday	08:00	00:00
Friday	08:00	01:00
Saturday	08:00	01:00
Sunday	08:00	00:00

**Seasonal Variations:** New Year's Eve 8:00 till 01:00 New Year's Day. 14th February 8:00 till 01:00 15th February.



Mike Smith  
Licensing Team Leader  
Guildford Borough Council

## Licensing Act 2003 Premises Licence Summary

Anything of a similar description to that falling within live music, recorded music or performance of dance  
Both indoors and outdoors

Day	Start Time	End Time
Monday	08:00	00:00
Tuesday	08:00	00:00
Wednesday	08:00	00:00
Thursday	08:00	00:00
Friday	08:00	01:00
Saturday	08:00	01:00
Sunday	08:00	00:00

**Seasonal Variations:** New Year's Eve 8:00 till 01:00 New Year's Day. 14th February 8:00 till 01:00 15th February.

### Opening Hours

Day	Start Time	End Time
Monday	00:00	00:00
Tuesday	00:00	00:00
Wednesday	00:00	00:00
Thursday	00:00	00:00
Friday	00:00	00:00
Saturday	00:00	00:00
Sunday	00:00	00:00

**Seasonal Variations:** New Year's Eve 8:00 till 01:00 New Year's Day. 14th February 8:00 till 01:00 15th February.

### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF SUPPLIES

ON/OFF

### NAME, REGISTERED ADDRESS OF HOLDER OF PREMISES LICENCE

Nahid Residential Limited  
2 The Paddock, Guildford, GU1 2RQ

### REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Company Number: 08868452



Mike Smith  
Licensing Team Leader  
Guildford Borough Council

## Licensing Act 2003 Premises Licence Summary

### DESIGNATED PREMISES SUPERVISOR

Mr Andrew McNeil

### STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Children not allowed in corporate events when adult entertainment may be taking place.



Mike Smith  
Licensing Team Leader  
Guildford Borough Council

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*[Insert name and address of relevant licensing authority and its reference number (optional)]*

**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I **[REDACTED]**

*(Insert name of applicant)*

**Apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Guildford Manor Hotel & Spa  Newlands Corner  Albury	
<b>Post town</b> Guildford	<b>Post code (if known)</b> GU4 8SE

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>  Mr Andrew MCNEIL
---

<b>Number of premises licence or club premises certificate (if known)</b>  GUPLA0193
--

**Part 2 - Applicant details**

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

Agenda item number: 2  
Appendix 2

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Please tick ✓ yes

Mr  Mrs  Miss  Ms  Other title  
(for example, Rev)

**Surname**

**First names**

**I am 18 years old or over**

Please tick ✓ yes

**Current postal  
address if  
different from  
premises  
address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address  
(optional)**

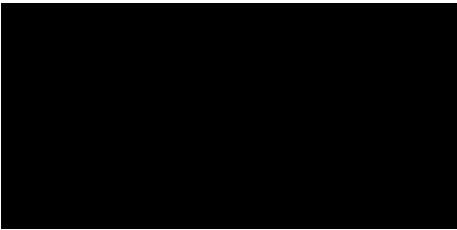

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address 
Telephone number (if any)
E-mail address (optional) 

**This application to review relates to the following licensing objective(s)**

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

- 
- 
- 
-

**Please state the ground(s) for review (please read guidance note 2)**

One of the licensing objectives which underpins the Licensing Act 2003 is the prevention of crime and disorder and all operators are expected to take steps to promote the licensing objectives.

Home Office (Immigration Enforcement) believe Nahid Residential Ltd is not preventing crime and disorder and therefore should no longer be allowed to hold a premises licence.

Nahid Residential Ltd (Andrew MCNEIL) is using his Hotel businesses to employ illegal workers which is strictly prohibited under the Licensing Act 2003 and Immigration Act 1971(aa).

Employing illegal workers in the UK has the following impact on the community and society as a whole:-

1. It deprives HMRC and the Government of revenue by non-payment of tax and national insurance.
2. It exploits the undocumented by paying them less than the minimum wage and provides no employment or income protection.
3. It encourages other overstayers / illegals to seek similar work.
4. It allows a business to unfairly undercut other businesses by employing cheap labour.
5. Illegal workers are often housed in cramped and unsatisfactory conditions by the employer as part of their working arrangement.



**Please provide as much information as possible to support the application** (please read guidance note 3)

Guildford Manor Hotel & Spa is in the town of Guildford, Surrey.

The premises has a licence to sell Alcohol between the hours of 0800-0000 Sunday – Thursday and 0800-0100 Friday and Saturday.

There is also a hot food licence which allows them to serve hot food between the hours of 2300-0500 7 days a week.

On 31<sup>st</sup> May 2023 Immigration Officers from the South Central Immigration Enforcement team alongside Officers from Surrey Police attended the address after receiving allegations of Modern Day Slavery and Illegal Working taking place at the address.

Entry was gained at the premises at 08:03 with a warrant issued under Section 8 of PACE.

7 people who were identified as being employees at the address were spoken to by Immigration and Police Officers. Home Office checks were conducted and 5 of the 7 people were all identified as having the right to work.

The other 2 were found to be working illegally. Both were fully interviewed by Immigration Officers and admitted to working at the establishment.

Mr MCNEIL – the DPS and Manager was also interviewed in regard to these 2 employees. A Civil Penalty Notice was served to Mr MCNEIL and is currently being considered.

1 of the employees with no right to work stated that he showed his BRP in order to start working for Guildford Manor Hotel & Spa, this clearly states his work restriction of 20 hours per week.

Mr MCNEIL stated that the other he believed was waiting for his documents, and confirmed he has not seen any documents.

It appears to be that Guildford Manor Hotel & Spa are still not conducting the correct right to work checks before employees are given employment despite the previous visit in 2021 where similar offences were identified.

A previous visit which took place on the 24<sup>th</sup> November 2021 in which South Central ICE (Eaton House and Portsmouth), accompanied by Officers from West London ICE, South East ICE (Kent & Sussex), Eaton House ROM, Norman House ROM and Surrey Fire and Rescue were in attendance again identified 2 employees working with no right to do so.

A Civil Penalty for £20,000 was issued and Home Office checks show that this has been paid.

Revised Home Office guidance issued under section 182 of the Licensing Act 2003 – December 2022 states:

*11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.*

*11.27 There is certain criminal activity that may arise in connection with licensed premises which*

*should be treated particularly seriously. These are the use of the licensed premises:*

- for employing a person who is disqualified from that work by reason of their immigration status in the UK;*

*11.28 It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.*

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

**If you have made representations before relating to the premises please state what they were and when you made them**

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

[Redacted Signature]

Date 17.08.2023

Capacity

[Redacted Capacity]

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

**Notes for Guidance**

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.



Home Office

## Premises Licence Review

Guildford Manor Hotel & Spa

Newlands Corner

Albury

Guildford

GU4 8SE

# Contents

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## Case Summary

On Wednesday 31 May 2023, immigration officers from the South-Central ICE team carried out an illegal working visit to Guildford Manor Hotel & Spa. Intelligence had been received stating that there were people employed with no right to work in the UK, as well as concerns relating to Modern Day Slavery.

This visit was conducted with police officers from Surrey Modern Slavery & Organised Immigration Crime Unit as well as police constables from Surrey Police.

The team entered the hotel at 08:03, entry was gained with a warrant obtained by the police under Section 8 of PACE and Immigration Enforcement were included on this warrant.

7 members of staff were at the premises both working in the hotel, and in the staff accommodation which is located within the hotel grounds. All had an immigration check run to determine their status in the UK.

2 workers were found to have no right to work in the UK.

All police and immigration officers had left the hotel by 12:15.

An enforcement visit was also carried out on the 24 November 2021 where 2 people were found to have no right to be working in the UK. A civil penalty fine of £20,000 was issued and was paid using the faster payment method. This reduced the fine to £14,000.



## Licenced Premises History

The Premises Licence Number is 18624 and is held by Nahid Residential Limited.

The designated premises supervisor is Mr Andrew MCNEIL. The personal licence was issued by Guildford Borough Council.

A copy of the license, including the licence activity times can be found on:  
[https://mylicencegbc.guildford.gov.uk/registers/index.html?fa=licence\\_register&licence\\_id=18624&council\\_id=1](https://mylicencegbc.guildford.gov.uk/registers/index.html?fa=licence_register&licence_id=18624&council_id=1)

The business is registered as, Nahid Residential Limited, company number 08868452. Registered office address: 2 The Paddock, Guildford, Surrey, England, GU1 2RQ. Mr Andrew MCNEIL is listed as a director along with two others (Charles MCNEIL and Nahid MCNEIL).



██████████ was fully interviewed by immigration officers using an Nepali interpreter, ██████████ confirmed that he understood the interpreter. During the interview ██████████ stated –

‘I am not working, I am helping out with the gardening the manager asked me to come down’.

He was asked whether he receives any payment for his work and he said –

‘I don’t know, they said come and stay I don’t know about that’.

The immigration officer asked how he supports himself if he is not working, ██████████ answered:

‘sometimes I get food and money from the hotel as I help them with gardening and cleaning and I have money from before’

Immigration officer: ‘How often do you have to help out?’

‘About 2 to 4 hours per day and I get some money, it varies sometimes £100 sometimes £70 and I get some chicken and food from the hotel’

Immigration officer: ‘When you help out who tells you what tasks to do?’

‘My friend, the one who told me to come here, he is the manager of the hotel. Its an old lady, she speaks English.’

██████████ confirmed that he knows he is not allowed to work with his status in the UK.

## Employer interview – Andrew MCNEIL

Immigration officers spoke with Andrew MCNEIL who identified himself as a manager. Mr MCNEIL thought that ██████████ had worked at the hotel for over a year and that he was on a student visa – although he didn’t check it himself. Mr MCNEIL didn’t know how many hours ██████████ was permitted to work, the days he works or his rate of pay. When asked how much ██████████ pays for accommodation, Mr MCNEIL said: I don't know maybe £150 per month. It must be noted that ██████████ had stated that he gets free accommodation.

Mr MCNEIL was then questioned about ██████████, the exchange is recorded below:

How long has ██████████ worked here? I think he's been here a week maybe 2 weeks

What documents did he show you for the right to work in the UK? I have not seen any documents my understanding is he is waiting for documents

What is his position here?	I don't think he's employed by the company yet
How much is he paid?	I don't think he is paid
Does he live in the staff quarters accommodation?	Yes
How much rent does he pay for the accommodation?	Doesn't pay rent
For the last 1 or 2 weeks of him working here what does he get?	I don't think he gets anything
Does he receive food and water?	He can get as much water as he needs and if there is food left over that gets taken to staff accommodation

████████ stated that he 'helped out' at the hotel doing gardening or cleaning. He is paid on an ad-hoc basis which varies from £70 to £100. He was also found in the staff accommodation yet stays there for free which is consistent with other employees. In addition, right to work checks are to be conducted prior to employing an individual. While Mr MCNEIL states that ██████████ isn't employed, it is clear that ██████████ is living at the hotel rent-free and receiving money in exchange for gardening and cleaning. It is considered that ██████████ was being employed at the premises.

## Enforcement Visit dated: 24 November 2021

Immigration Enforcement officers and Surrey Fire and Rescue, carried out an enforcement visit to the Guildford Manor Hotel & Spa, Newlands Corner, Guildford, Surrey, GU4 8SE.

Entry was gained via a Schedule 2 Paragraph 17(2) warrant obtained from South East Region Magistrates Court. Entry was gained at 10:40. The warrant was initially handed to the receptionist and the officer in charge (OIC) spoke to the owner, Nahid MCNEIL over the phone at the time of serving the warrant. It was explained to Mrs MCNEIL that the officers were carrying out an enforcement visit on the basis of intelligence received that illegal workers were being employed.

Mrs MCNEIL enquired how long officers would be speaking to her staff and asked whether she needed to attend. She was advised that her attendance was not mandatory.

2 arrests were made during the visit and both individuals were interviewed fully regarding illegal working and their duties at the hotel.

### Georgia

██████████ was located in the staff accommodation. Home Office checks showed that he entered the UK illegally, he was served with the requisite paperwork for illegal entry. ██████████ had no right to work in the UK. A Russian interpreter was used to conduct an illegal working interview. ██████████ confirmed that he understood the interpreter and also confirmed that his answers to the questions were accurate.

██████████ worked as a gardener and tools for the role were found in his room. He admitted to have started working there '3 years ago'. He confirmed that he is employed by 'Douglas and Andy McNeil'. Officers asked what days he worked, and he said 'Tuesday to Sunday, I have Mondays off'. He said he does not have a uniform and wears his own clothes, he is also paid in cash.

██████████ was asked whether Andy knows he is not allowed to work in the UK. He answered 'No he doesn't know' and then when asked if he showed his passport, he replied 'No, I just told him I need a job'.

### Georgia

██████████, ██████████ was found in the kitchen area washing dishes. Immigration Officers introduced themselves and ██████████ confirmed that he was working. Home Office checks showed that ██████████ had entered the UK illegally and was not entitled to be working.

██████████ admitted to working at the hotel for about 1 year as a kitchen porter. He was working between 8-10 hours per day, 'doing the dirty jobs', 'from Monday to Saturday 0900-1400 and 1800-2300'.

When asked who tells him when to work he said 'someone called Nahid who is a female I think she is manager'.

He was also asked how he was paid to which he answered 'only cash in hand, I wanted them to send me money through bank account but they didn't want to'.

He confirmed to the immigration officer that he showed Nahid a Latvian ID card (in the identity of ██████████). He didn't think that the employer did any checks to see whether he was allowed to be working in the UK.

## Reasons for Review

Section 36 and Schedule 4 of the Immigration Act 2016 amended the Licensing Act 2003 to introduce immigration safeguards in respect of licensing applications made in England and Wales on or after 06 April 2017. The intention is to prevent illegal working in premises licensed for the sale of alcohol or late-night refreshment.

The license holder, Nahid Residential Limited has deliberately overlooked the rules and laws in place to prevent crime and disorder.

There were two illegal workers encountered at the premises in 2023 and two illegal workers previously in 2021 for which a £20,000 civil penalty fine was issued. The premises did not challenge the fine and chose to pay it in full on 11 February 2022. A faster payment option was applied which brought the fine down to £14,000. It is considered that the premises was sanctioned and did not improve their practises, they continued to employ illegal workers and therefore their license should be reviewed.

It is an offence to work when a person is disqualified to do so, and such an offence can only be committed with the co-operation of a premises licence holder or its agents.

Section 182 guidance at point 11.27 states that certain activity should be treated particularly seriously, and this includes employing someone who is disqualified from that work by reason of their immigration status in the UK. 11.28 of the guidance states that it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Immigration Enforcement submits that for commercial reasons those engaged in the management of the premises employed illegal workers and a warning or other activity falling short of a review is inappropriate; therefore, Immigration Enforcement has proceeded straight to review.

## Outcome Sought

The objective of the Licensing Act 2003 (the Act) is to provide a clear, transparent framework for making decisions about applications by individuals or businesses wishing to sell or supply alcohol or provide certain types of regulated entertainment and late-night refreshment.

There are four licensing objectives which underpin the Act, and which need to be taken into account and promoted throughout the licensing process.

The licensing objectives are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance and
- the protection of children from harm

The Guildford Manor Hotel and Spa under the control of Nahid Residential Limited has been found employing illegal workers on two separate occasions. This business has clearly failed to meet the prevention of crime and disorder objective.

The first visit in November 2021 resulted in a civil penalty fine for employing illegal workers. The premises paid this fine for failing to conduct the proper checks on their staff.

The premises was re-visited 18 months later, and they have clearly failed to rectify their practices as two further illegal workers were found.

The hotel employs several staff across various disciplines including reception, the restaurant and kitchen. 3 out of 4 workers encountered in both visits have been employed as gardeners. The premise has legally employed staff who work in customer facing roles and seemingly ignore the right to work checks for staff who work in non-public facing roles in the grounds. In addition, it is clear from interviews with those encountered that the gardeners are being paid in cash while ██████ was paid on the books.

The premises has demonstrated an inconsistent approach to ensuring the correct checks are made before employing staff. The license holder would have been aware of their responsibilities to uphold the licensing objectives as they are clearly defined as part of the premises license application, ie. the right to work checks and keeping records for audit purposes.

Immigration Enforcement has submitted that the license holder clearly knew the rules and responsibilities of employing people. Conducting these checks is a simple task and should be part of their business-as-usual practices. Guidance is available online and the Home Office have published "[Right to work checks: an employer's guide](#)" which can be found on the .Gov website. Additional information on how to conduct these checks is readily available online, this includes the Home Office's official YouTube page which gives a step-by-step video on how to conduct the checks. The



information is readily available; however, the license holder has deliberately overlooked the rules and laws in place to prevent crime and disorder.

The use of illegal labour provides an unfair competitive edge and deprives the UK economy of tax revenue. Illegal workers are often paid below the minimum wage (itself an offence) and National Insurance payments are not paid. The main draw for illegal immigration is work and low-skilled migrants are increasingly vulnerable to exploitation by criminal enterprises; finding themselves in appalling accommodation and toiling in poor working conditions for long hours for little remuneration.

A firm response to this criminal behaviour is required to ensure that the licence holder and/or its agents are not allowed to repeat the exercise and in particular, in the interests of the wider community to support responsible businesses and the jobs of both UK citizens and lawful migrants. It is also required to act as a deterrent to others who would otherwise seek to seek an unfair competitive advantage, exploit workers and deny work to the local community, evade the payment of income tax and (unlawfully) inflate their profits to the expense of others.

Merely remedying the existing situation (for instance by the imposition of additional conditions or a suspension) is insufficient to act as a deterrent to the licence holder and other premises' licence holders from engaging in criminal activity by employing illegal workers and facilitating disqualified immigrants to work illegally. Immigration Enforcement asks that the premises licence is revoked.

This submission and appended documents provide the licensing subcommittee with background arguments and information pertinent to that contention. These provide the sub-committee with a sound and defensible rationale as to why it should revoke the licence.

## Annex A – officer records

Freetext\_Encountered\_Pakistani\_male\_with\_a\_student\_visa.\_He\_stated\_he\_only\_w  
ork\_20\_hours\_a\_week,\_ho

Illegal\_Working-Employee\_ [REDACTED]  
Illegal\_Working-Employee\_ [REDACTED]  
Illegal\_Working-Employee\_ [REDACTED]  
[REDACTED]

Illegal\_Working-Employer\_ [REDACTED]  
Illegal\_Working-Employer\_ [REDACTED]  
Illegal\_Working-Employer\_ [REDACTED]

[REDACTED]  
[REDACTED]  
Freetext\_Sign\_time\_sheet\_(EV19-880,211)-Completed  
Freetext\_Staff\_Rotas\_(EV19-880,211)-Completed  
Encounter\_ [REDACTED] (EV19-880,211)-Complete  
Encounter\_ [REDACTED] (EV19-880,211)-Complete  
Encounter\_ [REDACTED] (EV19-808,567)

[REDACTED] (EV19-808,567)  
QA\_ [REDACTED] (EV19-808,567)(1)  
QA\_ [REDACTED] (EV19-808,567)  
QA\_ [REDACTED] (EV19-808,567)

### Photographs:

Freetext Sign time sheet 01  
Freetext Sign time sheet 02  
Freetext Sign time sheet 03  
Freetext Sign time sheet 04  
Freetext Sign time sheet 05



Home Office

## Premises Licence Review

Guildford Manor Hotel & Spa

Newlands Corner

Albury

Guildford

GU4 8SE

# Contents

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## Case Summary

On Wednesday 31 May 2023, immigration officers from the South-Central ICE team carried out an illegal working visit to Guildford Manor Hotel & Spa. Intelligence had been received stating that there were people employed with no right to work in the UK, as well as concerns relating to Modern Day Slavery.

This visit was conducted with police officers from Surrey Modern Slavery & Organised Immigration Crime Unit as well as police constables from Surrey Police.

The team entered the hotel at 08:03, entry was gained with a warrant obtained by the police under Section 8 of PACE and Immigration Enforcement were included on this warrant.

7 members of staff were at the premises both working in the hotel, and in the staff accommodation which is located within the hotel grounds. All had an immigration check run to determine their status in the UK.

2 workers were found to have no right to work in the UK.

All police and immigration officers had left the hotel by 12:15.

An enforcement visit was also carried out on the 24 November 2021 where 2 people were found to have no right to be working in the UK. A civil penalty fine of £20,000 was issued and was paid using the faster payment method. This reduced the fine to £14,000.

## Licenced Premises History

The Premises Licence Number is 18624 and is held by Nahid Residential Limited.

The designated premises supervisor is Mr [REDACTED]. The personal licence was issued by Guildford Borough Council.

A copy of the license, including the licence activity times can be found on:  
[https://mylicencegbc.guildford.gov.uk/registers/index.html?fa=licence\\_register&licence\\_id=18624&council\\_id=1](https://mylicencegbc.guildford.gov.uk/registers/index.html?fa=licence_register&licence_id=18624&council_id=1)

The business is registered as, Nahid Residential Limited, company number 08868452. Registered office address: [REDACTED]. Mr [REDACTED] is listed as a director along with two others ([REDACTED] and [REDACTED]).

## Enforcement Visit dated: 31 May 2023

Entry was gained at the premises at 08:03 with a warrant issued under Section 8 of PACE.

Upon entry to the premises the following workers were encountered and interviewed thoroughly regarding their position at the hotel.

### [REDACTED], Pakistan

[REDACTED] was hiding in one of the hotel rooms. He only made himself known to officers after police had advised Mr [REDACTED] that they would be opening all rooms to locate him after another resident in the staff accommodation had confirmed [REDACTED] was currently at work inside the hotel.

Home Office checks showed [REDACTED] was issued with a student visa valid from 15 January 2022 until 06 September 2023. This visa was issued with the condition that employment is only permitted up to a maximum of 20 hours per week during term time only.

Time sheets and duty lists were found in [REDACTED] bedroom in the staff accommodation. These evidenced that [REDACTED] was consistently working more than 20 hours per week, on average [REDACTED] worked 40 hours per week. The duty lists were from December 2022 to April 2023 (document "Freetext Sign time sheet 04" shows pay for December). This demonstrated that the employer is showing no regard to complying with the visa restrictions.

[REDACTED] told immigration officers that he works 20 hours per week as a cleaner, first stating that he only works Monday and Tuesday but did not want to say what times he worked, he then said he works 4 days a week when asked further questions regarding his employment.

[REDACTED] stated to officers that he had been working at the address for 'about a year'. He confirmed that he is employed by [REDACTED]

[REDACTED] was found to be working in breach of his visa conditions and therefore was working illegally at the hotel.

### [REDACTED], Nepal

[REDACTED] was in staff accommodation at the hotel. Home Office checks conducted showed that [REDACTED] had entered the UK on a temporary work (seasonal work) migrant visa. This was valid between 05 September 2022 to 03 March 2023. Crucially, it must be noted that [REDACTED] made a claim for leave to remain on 21 January 2023. Making this claim removed any previous right to work. As of 21 January 2023, [REDACTED] had no right to work in the UK.

██████████ was fully interviewed by immigration officers using an Nepali interpreter, confirmed that he understood the interpreter. During the interview ██████████ stated –

‘I am not working, I am helping out with the gardening the manager asked me to come down’.

He was asked whether he receives any payment for his work and he said –

‘I don’t know, they said come and stay I don’t know about that’.

The immigration officer asked how he supports himself if he is not working, ██████████ answered:

‘sometimes I get food and money from the hotel as I help them with gardening and cleaning and I have money from before’

Immigration officer: ‘How often do you have to help out?’

‘About 2 to 4 hours per day and I get some money, it varies sometimes £100 sometimes £70 and I get some chicken and food from the hotel’

Immigration officer: ‘When you help out who tells you what tasks to do?’

‘My friend, the one who told me to come here, he is the manager of the hotel. Its an old lady, she speaks English.’

██████████ confirmed that he knows he is not allowed to work with his status in the UK.

## Employer interview – ██████████

Immigration officers spoke with ██████████ who identified himself as a manager. Mr ██████████ thought that ██████████ had worked at the hotel for over a year and that he was on a student visa – although he didn’t check it himself. Mr ██████████ didn’t know how many hours ██████████ was permitted to work, the days he works or his rate of pay. When asked how much ██████████ pays for accommodation, Mr ██████████ said: I don’t know maybe £150 per month. It must be noted that ██████████ had stated that he gets free accommodation.

Mr ██████████ was then questioned about ██████████, the exchange is recorded below:

How long has ██████████ worked here? I think he's been here a week maybe 2 weeks

What documents did he show you for the right to work in the UK? I have not seen any documents my understanding is he is waiting for documents



What is his position here?	I don't think he's employed by the company yet
How much is he paid?	I don't think he is paid
Does he live in the staff quarters accommodation?	Yes
How much rent does he pay for the accommodation?	Doesn't pay rent
For the last 1 or 2 weeks of him working here what does he get?	I don't think he gets anything
Does he receive food and water?	He can get as much water as he needs and if there is food left over that gets taken to staff accommodation

████████ stated that he 'helped out' at the hotel doing gardening or cleaning. He is paid on an ad-hoc basis which varies from £70 to £100. He was also found in the staff accommodation yet stays there for free which is consistent with other employees. In addition, right to work checks are to be conducted prior to employing an individual. While Mr ██████████ states that ██████████ isn't employed, it is clear that ██████████ is living at the hotel rent-free and receiving money in exchange for gardening and cleaning. It is considered that ██████████ ██████████ was being employed at the premises.

## Enforcement Visit dated: 24 November 2021

Immigration Enforcement officers and Surrey Fire and Rescue, carried out an enforcement visit to the Guildford Manor Hotel & Spa, Newlands Corner, Guildford, Surrey, GU4 8SE.

Entry was gained via a Schedule 2 Paragraph 17(2) warrant obtained from South East Region Magistrates Court. Entry was gained at 10:40. The warrant was initially handed to the receptionist and the officer in charge (OIC) spoke to the owner, [REDACTED] over the phone at the time of serving the warrant. It was explained to Mrs [REDACTED] that the officers were carrying out an enforcement visit on the basis of intelligence received that illegal workers were being employed.

Mrs [REDACTED] enquired how long officers would be speaking to her staff and asked whether she needed to attend. She was advised that her attendance was not mandatory.

2 arrests were made during the visit and both individuals were interviewed fully regarding illegal working and their duties at the hotel.

[REDACTED], Georgia

[REDACTED] was located in the staff accommodation. Home Office checks showed that he entered the UK illegally, he was served with the requisite paperwork for illegal entry. [REDACTED] had no right to work in the UK. A Russian interpreter was used to conduct an illegal working interview. [REDACTED] confirmed that he understood the interpreter and also confirmed that his answers to the questions were accurate.

[REDACTED] worked as a gardener and tools for the role were found in his room. He admitted to have started working there '3 years ago'. He confirmed that he is employed by [REDACTED] and [REDACTED]. Officers asked what days he worked, and he said 'Tuesday to Sunday, I have Mondays off'. He said he does not have a uniform and wears his own clothes, he is also paid in cash.

[REDACTED] was asked whether Andy knows he is not allowed to work in the UK. He answered 'No he doesn't know' and then when asked if he showed his passport, he replied 'No, I just told him I need a job'.

[REDACTED], Georgia

[REDACTED] was found in the kitchen area washing dishes. Immigration Officers introduced themselves and [REDACTED] confirmed that he was working. Home Office checks showed that [REDACTED] had entered the UK illegally and was not entitled to be working.



## Reasons for Review

Section 36 and Schedule 4 of the Immigration Act 2016 amended the Licensing Act 2003 to introduce immigration safeguards in respect of licensing applications made in England and Wales on or after 06 April 2017. The intention is to prevent illegal working in premises licensed for the sale of alcohol or late-night refreshment.

The license holder, Nahid Residential Limited has deliberately overlooked the rules and laws in place to prevent crime and disorder.

There were two illegal workers encountered at the premises in 2023 and two illegal workers previously in 2021 for which a £20,000 civil penalty fine was issued. The premises did not challenge the fine and chose to pay it in full on 11 February 2022. A faster payment option was applied which brought the fine down to £14,000. It is considered that the premises was sanctioned and did not improve their practises, they continued to employ illegal workers and therefore their license should be reviewed.

It is an offence to work when a person is disqualified to do so, and such an offence can only be committed with the co-operation of a premises licence holder or its agents.

Section 182 guidance at point 11.27 states that certain activity should be treated particularly seriously, and this includes employing someone who is disqualified from that work by reason of their immigration status in the UK. 11.28 of the guidance states that it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Immigration Enforcement submits that for commercial reasons those engaged in the management of the premises employed illegal workers and a warning or other activity falling short of a review is inappropriate; therefore, Immigration Enforcement has proceeded straight to review.

## Outcome Sought

The objective of the Licensing Act 2003 (the Act) is to provide a clear, transparent framework for making decisions about applications by individuals or businesses wishing to sell or supply alcohol or provide certain types of regulated entertainment and late-night refreshment.

There are four licensing objectives which underpin the Act, and which need to be taken into account and promoted throughout the licensing process.

The licensing objectives are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance and
- the protection of children from harm

The Guildford Manor Hotel and Spa under the control of Nahid Residential Limited [REDACTED] has been found employing illegal workers on two separate occasions. This business has clearly failed to meet the prevention of crime and disorder objective.

The first visit in November 2021 resulted in a civil penalty fine for employing illegal workers. The premises paid this fine for failing to conduct the proper checks on their staff.

The premises was re-visited 18 months later, and they have clearly failed to rectify their practices as two further illegal workers were found.

The hotel employs several staff across various disciplines including reception, the restaurant and kitchen. 3 out of 4 workers encountered in both visits have been employed as gardeners. The premise has legally employed staff who work in customer facing roles and seemingly ignore the right to work checks for staff who work in non-public facing roles in the grounds. In addition, it is clear from interviews with those encountered that the gardeners are being paid in cash while [REDACTED] was paid on the books.

The premises has demonstrated an inconsistent approach to ensuring the correct checks are made before employing staff. The license holder would have been aware of their responsibilities to uphold the licensing objectives as they are clearly defined as part of the premises license application, ie. the right to work checks and keeping records for audit purposes.

Immigration Enforcement has submitted that the license holder clearly knew the rules and responsibilities of employing people. Conducting these checks is a simple task and should be part of their business-as-usual practices. Guidance is available online and the Home Office have published "[Right to work checks: an employer's guide](#)" which can be found on the .Gov website. Additional information on how to conduct these checks is readily available online, this includes the Home Office's official YouTube page which gives a step-by-step video on how to conduct the checks. The

information is readily available; however, the license holder has deliberately overlooked the rules and laws in place to prevent crime and disorder.

The use of illegal labour provides an unfair competitive edge and deprives the UK economy of tax revenue. Illegal workers are often paid below the minimum wage (itself an offence) and National Insurance payments are not paid. The main draw for illegal immigration is work and low-skilled migrants are increasingly vulnerable to exploitation by criminal enterprises; finding themselves in appalling accommodation and toiling in poor working conditions for long hours for little remuneration.

A firm response to this criminal behaviour is required to ensure that the licence holder and/or its agents are not allowed to repeat the exercise and in particular, in the interests of the wider community to support responsible businesses and the jobs of both UK citizens and lawful migrants. It is also required to act as a deterrent to others who would otherwise seek to seek an unfair competitive advantage, exploit workers and deny work to the local community, evade the payment of income tax and (unlawfully) inflate their profits to the expense of others.

Merely remedying the existing situation (for instance by the imposition of additional conditions or a suspension) is insufficient to act as a deterrent to the licence holder and other premises' licence holders from engaging in criminal activity by employing illegal workers and facilitating disqualified immigrants to work illegally. Immigration Enforcement asks that the premises licence is revoked.

This submission and appended documents provide the licensing subcommittee with background arguments and information pertinent to that contention. These provide the sub-committee with a sound and defensible rationale as to why it should revoke the licence.

# Annex A – officer records

Freetext\_Encountered\_Pakistani\_male\_with\_a\_student\_visa.\_He\_stated\_he\_only\_w  
ork\_20\_hours\_a\_week,\_ho  
Illegal\_Working-Employee [REDACTED]  
Illegal\_Working-Employee [REDACTED]  
Illegal\_Working-Employee [REDACTED]  
Illegal\_Working-Employer [REDACTED]  
Illegal\_Working-Employer [REDACTED]  
Illegal\_Working-Employer [REDACTED]  
Illegal\_Working-Employer [REDACTED]  
QA [REDACTED])  
QA [REDACTED]  
Freetext\_Sign\_time\_sheet ([REDACTED])-Completed  
Freetext\_Staff\_Rotas [REDACTED])-Completed  
Encounter [REDACTED])-Complete  
Encounter [REDACTED])-Complete  
Encounter [REDACTED])  
Encounter [REDACTED]  
QA [REDACTED]  
QA [REDACTED]  
QA [REDACTED]

- Photographs:
- Freetext Sign time sheet 01
  - Freetext Sign time sheet 02
  - Freetext Sign time sheet 03
  - Freetext Sign time sheet 04
  - Freetext Sign time sheet 05

## Illegal Working - Employee

### Details

Type of work	Visit				
Visit reference	██████████				
Created by	██████████				
ProntoID	██████████ - Pakistan				
Subject CIDPID/CEPR	Unknown				
Subject name	██████████				
Subject DOB	██████████				
Subject nationality	Pakistan				
Subject gender	Male				
Time	10:12				
Created at geolocation	<table border="0"> <tr> <td><b>Easting</b></td> <td>504564</td> </tr> <tr> <td><b>Northing</b></td> <td>149780</td> </tr> </table>	<b>Easting</b>	504564	<b>Northing</b>	149780
<b>Easting</b>	504564				
<b>Northing</b>	149780				
Creation date	31-05-2023 10:11:55				

### Language of Interview

What language is the interview carried out in?	Urdu
Interpreter used?	Yes
Details of interpreter	██████████
Does the individual understand the interpreter?	Yes

### Obligation

How long have you been working at this business?	One year
What is your job role/ what are your duties?	Work as a cleaner
What days/ hours do you work each week?	20 hours Monday and Tuesday  Don't know what time and he works each day.
Do you work the same hours/ days every week?	No day and time.
how many day	Four days a week
who do you work for	██████████ tells me



<b>Control</b>	
Who gave you this job (name and role in business)?	I foundation job on indeed
Who tells you what tasks/ duties to do each day?	██████ tells me
Who gave you this job (name and role in business)?	I found it on indeed. Doesn't know
<b>Remuneration</b>	
How are you paid (money, accommodation, food)?	I get paid into the bank I get food free Free accommodation
If money, how much and how do you receive it?	About £880
Do you pay income tax or have a National Insurance number?	
Who pays you?	██████
Do you pay income tax or have a National Insurance number?	Yes I do.
<b>Pre-employment Checks</b>	
What name does the employer know you as?	██████
Did the employer check your right to work or immigration status before they offered you the job?	Yes
Did you show documents or share a code with the employer to prove your right to work before being offered the job? If so, what did you show and were they originals?	Yes my BRP
Does your employer know you can only work 20 hours a week?	Yes
<b>Additional Questions</b>	
Do you work more than 20 hours a week?	Just 20 hours

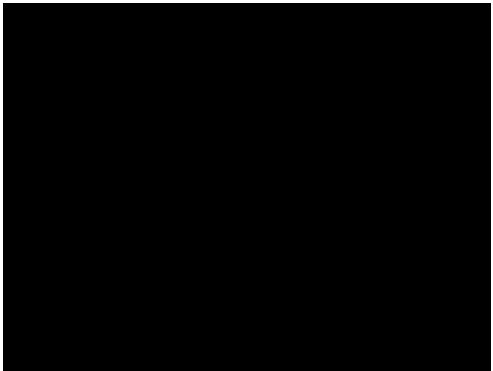
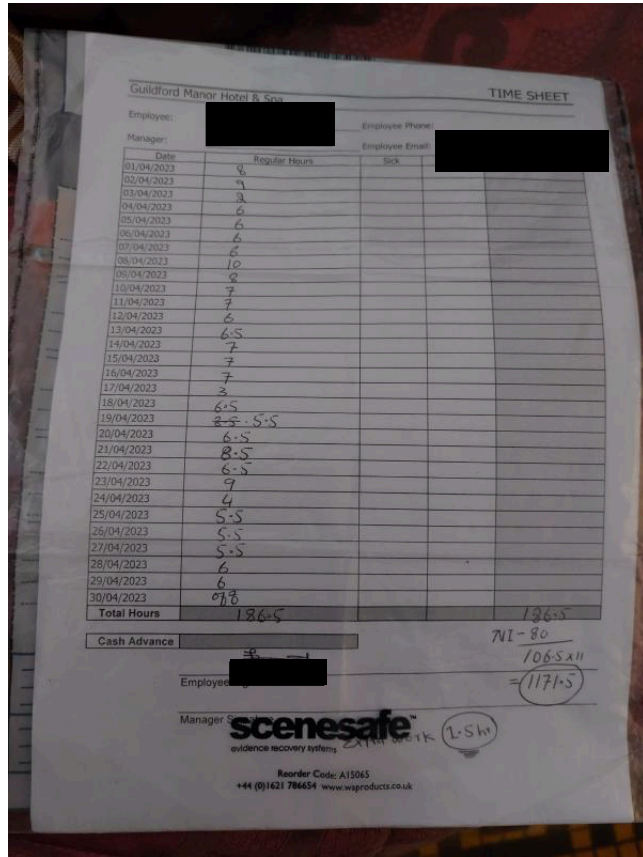
<b>Photographs</b>	
No photographs.	
<b>Declaration</b>	
I confirm that I have understood all the questions and that the details are true and correct.	
<b>Interviewee signature</b> [REDACTED]	 31-05-2023 10:54:19
<b>Observations</b>	
<b>Observations</b>	[REDACTED] was found in room 3 of the hotel.
<b>Do you suspect this person of illegal working?</b>	Yes

Photo 1



Caption

Rosta that's been sign with his name. From the 22/05/2023 he has worked 38 hours.

**Illegal Working - Employee**

**Details**

Type of work	Visit				
Visit reference	[REDACTED]				
Created by	[REDACTED]				
ProntolD	[REDACTED] - GEO Georgia				
Subject CIDPID/CEPR	Unknown				
Subject name	[REDACTED]				
Subject DOB	[REDACTED]				
Subject nationality	GEO Georgia				
Subject gender	Male				
Time	13:36				
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<b>Northing</b>	153028				
Creation date	24-11-2021 13:36:26				

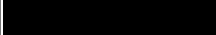



**Language of Interview**

What language is the interview carried out in?	Russian
Interpreter used?	Yes
Details of interpreter	[REDACTED]
Does the individual understand the interpreter?	Yes

**Obligation**

How long have you been working guildford hotel and spa?	I cant say exact but 1 year, I dont remember after covid quarantine
What is your job role/ what are your duties?	<p>I am a Kitchen porter, I wash dishes and I also clean the walls and clean outside the kitchen</p> <p>I do the most dirty jobs here cleaning in the hotel</p>
What days/ hours do you work each week?	<p>I complete between 8 - 10 hours a day.</p> <p>From Monday till Saturday 6 days I work 09:00 - 1400 18:00 - 23:00</p> <p>But this i could be anytime that I work</p>
Do you work the same hours/ days every week?	Same hours could be more 10 hours, 8 hours

do you have a rota?	I know my hours but dont need a rota
do you have a contract with your employer?	They told me they would do it but they dont give me anything on paper
<b>Control</b>	
Who gave you this job (name and role in business)?	I spoke with manager who gave me this job
Who told you to come in to guildford spa and hotel?	There was a chef who works before who told me to come in.  The manager was aware of me being employed, he was the main chef or team leader in the kitchen. He was working here
Who tells you what days/ hours to work?	Someone called [REDACTED] who is a female I think she is manager, doesnt need to tell me anything i know what to do
Who tells you what tasks/ duties to do each day?	The women that I told you by the name of [REDACTED] Before I started I knew what I had to do but she was explaining to me
<b>Remuneration</b>	
How are you paid (money, accommodation, food)?	Only cash in hand, I wanted them to send me money through bank account but they didnt want to
what bank account did you send it too	I dont know
why do you think they didnt want to send the money to your account?	I didnt have bank account
why do you have someone elses halifax bank account in your possession?	Because I wanted to use my friends account to borrow his bank account to use it until I have my account.
did you want to be paid to your friends bank account by the employers?	Yes, until I get my own bank account
How are you paid (money, accommodation, food)?	The accommodation is provided by manor house hotel because I work there, but not the food I have to pay that myself
If money, how much and how do you receive it?	£1200 a month and dont need to pay extra for anything
Who pays you?	Different people are giving me money each month. [REDACTED] gives me money, dont know anyothers
<b>Pre-employment Checks</b>	
What name does the employer know you as?	[REDACTED]
Did you show documents before being offered the job? If so, what?	I showed my latvian identity card
who did you show it to?	The manager, the same women [REDACTED]

Does your employer know you're not allowed to work in the UK?	No I dont think so
<b>Additional Questions</b>	
Who else works here with you?	Lots of people that work there I am mainly on my own as the kitchen porter. I say hello to them 
did they make a copy of the document?	Not sure
<b>Photographs</b>	
No photographs.	
<b>Declaration</b>	
I confirm that I have understood all the questions and that the details are true and correct.	
Interviewee signature  	 24-11-2021 14:30:32
<b>Observations</b>	
Observations	I found the customer in the kitchen working and washing dishes. I introduced myself and he confirmed he works in the location
Do you suspect this person of illegal working?	Yes

Illegal Working - Employee					
<b>Details</b>					
Type of work	Visit				
Visit reference	[REDACTED]				
Created by	[REDACTED]				
ProntoID	[REDACTED] - GEO Georgia				
Subject CIDPID/CEPR	Unknown				
Subject name	[REDACTED]				
Subject DOB	[REDACTED]				
Subject nationality	GEO Georgia				
Subject gender	Male				
Time	13:10				
Created at geolocation	<table border="0"> <tr> <td><b>Easting</b></td> <td>504554</td> </tr> <tr> <td><b>Northing</b></td> <td>149770</td> </tr> </table>	<b>Easting</b>	504554	<b>Northing</b>	149770
<b>Easting</b>	504554				
<b>Northing</b>	149770				
Creation date	24-11-2021 13:10:46				
<b>Language of Interview</b>					
What language is the interview carried out in?	Russian				
Interpreter used?	Yes				
Details of interpreter	See encounter				
Does the individual understand the interpreter?	Yes				
<b>Obligation</b>					
How long have you been working here?	3 years ago				
is this the only place you have ever worked in this country	I've only ever worked here				
how did you find out about this place	I asked a few people, one Turkish person said he could get me a job when I was in London				
who do you work for	Guildford Manor Park Hotel				
who employs you	[REDACTED] and [REDACTED] who is the son				
what days do you work	Tuesday- Sunday, I have Monday off				
what hours do you work	I don't have exact some time, it varies. Usually I work 1100-1600				
What is your job role/ what are your duties?	I do laundry and sometimes gardening				

who tells you what to do	██████
<b>Control</b>	
When did you start working here	2019
Were you given any training when you joined this job	No
Who told you what to do then	There was a worker before me and he showed me how to use the machines
Were you supplied with a uniform	No I use my clothing
<b>Remuneration</b>	
does Andy pay you	Yes
how much	£1500
do you have to pay for accom	No everything is free
do you pay tax	I don't know how to
you showed me evidence of £250 in cash, where is the rest of the money?	All the money he has he sends to Georgia
How are you paid (money, accommodation, food)?	Cash
<b>Pre-employment Checks</b>	
does Andy know you're not allowed to work in this country	No he doesn't know
did you show him your passport	No, I just told him I need a job
how did you speak to him if you don't speak english	I used a phone and my friends helped explain



**Additional Questions**

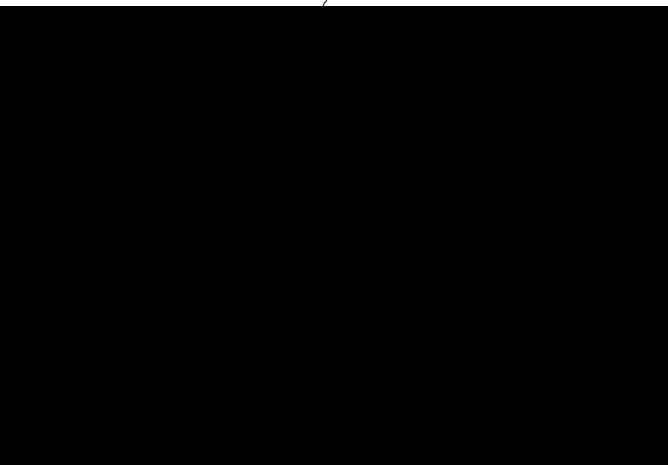
No details provided.

**Photographs**

No photographs.

**Declaration**

I confirm that I have understood all the questions and that the details are true and correct.

<p>Interviewee signature ( [REDACTED] ) [REDACTED]</p>	 <p>24-11-2021 13:35:48</p>
--	--

**Observations**

<p><b>Observations</b></p>	<p>Full admission of work and located in staff quarters. Tools found in room typical of a gardener. No uniform present but muddy trainers outside</p>
----------------------------	---

<p><b>Do you suspect this person of illegal working?</b></p>	<p>Yes</p>
--	------------

**Photo 1**



**Caption** gardening tools

**Illegal Working - Employer**

**Details**

Type of work	Visit				
Visit reference	[REDACTED]				
Created by	[REDACTED]				
ProntoID	[REDACTED] - GBR British Citizen				
Subject CIDPID/CEPR	Unknown				
Employer	[REDACTED]				
Subject DOB	[REDACTED]				
Subject nationality	GBR British Citizen				
Subject gender	Male				
Time	10:58				
Created at geolocation	<table border="0"> <tr> <td><b>Easting</b></td> <td>505645</td> </tr> <tr> <td><b>Northing</b></td> <td>148509</td> </tr> </table>	<b>Easting</b>	505645	<b>Northing</b>	148509
<b>Easting</b>	505645				
<b>Northing</b>	148509				
Creation date	24-11-2021 10:57:42				

**Language of Interview**

What language is the interview carried out in?	English
Interpreter used?	No

**Employer Details**

What is the name of the business?	Nahid Residential ltd
What are the Companies House and VAT numbers of the business?	Company Number 08868452
What is your position here?	Events manager
How long have you been working here?	We've owned the business for seven years, I've been employed for eighteen months
so as event do you do any employment interviews	I do not formally recruit anyone
how many staff do you employ	8 to 10 on shift, 15 employed by us, the cleaners are sub contracted, Fabios Guy's, they've been with usd four a few months May or June.
Who does the recruitment fit the business	It's a mixture of people,
where do you recruit	We use Indeed
pre employment checks undertake?	I'm not due it'd not my area, I don't know it's not my area.

**Declaration by Employer**

I confirm that I have understood all the questions and that the details are true and correct.

Signed by [REDACTED]


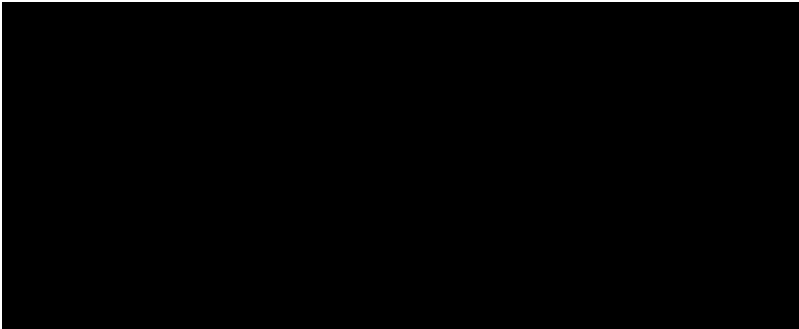


24-11-2021 11:06:26

**Observations**

Observations

<b>Illegal Working - Employer</b>	
<b>Details</b>	
Type of work	Visit
Visit reference	██████████
Created by	██████████
ProntoID	Other
Subject CIDPID/CEPR	Unknown
Employer	██████████
Time	10:26
Created at geolocation	<b>Easting</b> 504549 <b>Northing</b> 149734
Creation date	31-05-2023 10:25:55
<b>Language of Interview</b>	
What language is the interview carried out in?	English
Interpreter used?	No
<b>Employer Details</b>	
What is your position here?	Manager
what is your full name?	██████████
How long has ██████████ worked here?	Not sure exactly but it's been over a year
What documents did how show you for right to work in the UK?	I haven't seen his documents personally but my understanding is he has a student visa
Do you know how many hours he's permitted to work?	I don't know
What is his position here?	House keeper
What days does he work?	I don't know
How much is he paid?	I don't know
Does he live in the staff quater accommodation?	Yes
How much rent does he pay for the accommodation?	I don't know maybe £150 per month
How did he find out about this job?	Probably an answer in an advert
does he get paid cash?	Don't think so

Do you have a record of the hours he works?	Your colleagues might have that
have you understood all my question ?	Yes
<b>Declaration by Employer</b>	
I confirm that I have understood all the questions and that the details are true and correct.	
Signed by 	  31-05-2023 10:33:12
<b>Observations</b>	
Observations	

**Illegal Working - Employer**

**Details**



Type of work	Visit				
Visit reference	[REDACTED]				
Created by	[REDACTED]				
ProntoID	[REDACTED] - Nepal				
Subject CIDPID/CEPR	Unknown				
Employer	[REDACTED]				
Subject DOB	[REDACTED]				
Subject nationality	Nepal				
Subject gender	Male				
Time	10:15				
Created at geolocation	<table border="0"> <tr> <td><b>Easting</b></td> <td>504548</td> </tr> <tr> <td><b>Northing</b></td> <td>149767</td> </tr> </table>	<b>Easting</b>	504548	<b>Northing</b>	149767
<b>Easting</b>	504548				
<b>Northing</b>	149767				
Creation date	31-05-2023 10:15:29				

**Language of Interview**

What language is the interview carried out in?	English
Interpreter used?	No

**Employer Details**

What is your position here?	Manager
what is your full name?	[REDACTED]
How long has [REDACTED] worked here?	I think he's been here a week maybe 2 weeks
What documents did hw show you for right to work in the UK?	I have not seen any documents my understanding is he is waiting for documents
What is his position here?	I don't think he's employed by the company yet
How much is he paid?	I don't think he is paid
Does he live in the star quater accommodation?	Yes
How much rent does he pay for the accommodation?	Doesn't pay rent
For the last 1 or 2 weeks of him working here what does he get?	I don't think he gets anything

<b>Does he receive food and water?</b>	He can get as much water as he needs and if there is food left over that gets taken to staff accommodation
<b>have you understood all my question ?</b>	Yes
<b>Declaration by Employer</b>	
I confirm that I have understood all the questions and that the details are true and correct.	
<b>Signed by</b> 	  <p>31-05-2023 10:24:20</p>
<b>Observations</b>	
<b>Observations</b>	



**Illegal Working - Employer**

**Details**

Type of work	Visit				
Visit reference	██████████				
Created by	██████████				
ProntoID	Other				
Subject CIDPID/CEPR	Unknown				
Employer	██████████				
Time	12:00				
Created at geolocation	<table border="0"> <tr> <td><b>Easting</b></td> <td>511057</td> </tr> <tr> <td><b>Northing</b></td> <td>172784</td> </tr> </table>	<b>Easting</b>	511057	<b>Northing</b>	172784
<b>Easting</b>	511057				
<b>Northing</b>	172784				
Creation date	24-11-2021 11:57:47				

**Language of Interview**

What language is the interview carried out in?	English
Interpreter used?	No

**Employer Details**

did ██████████ show you any documents to gain employment here?	Refused to answer
what does he work as here?	Refused to answer
What is your position here?	Refused to answer
What are the Companies House and VAT numbers of the business?	Refused to answer
what hours does he work	Refused to answer
how long have you owned the business	Refused to answer
what type of business is this	Refused to answer
are you the one who pays their wages - how much does he get paid?	Refused to answer

**Declaration by Employer**

I confirm that I have understood all the questions and that the details are true and correct.	
Subject has refused to provide a signature.	
Employer read the contents of the interview themselves	

---

<b>Contents read back to the employer in the language used during the interview</b>	
<b>Observations</b>	
<b>Observations</b>	Employer has refused to answer all officers questions she has been made aware of the negative impact this may have if employees are found to be employed illegally. She is aware that 2 arrests have been made for illegal working whilst officers have been here.

**Freetext**

**Details**

Type of work	Visit				
Visit reference	[REDACTED]				
Created by	[REDACTED]				
Address	Guildford Manor Hotel, Newlands Corner, Guildford, Surrey, GU4 8SE (Visit Address)				
Subject CIDPID/CEPR	Unknown				
Subject name	[REDACTED]				
Subject DOB	[REDACTED]				
Subject nationality	Pakistan				
Subject gender	Male				
Time	11:47				
Created at geolocation	<table border="0"> <tr> <td><b>Easting</b></td> <td>504570</td> </tr> <tr> <td><b>Northing</b></td> <td>149775</td> </tr> </table>	<b>Easting</b>	504570	<b>Northing</b>	149775
<b>Easting</b>	504570				
<b>Northing</b>	149775				
Creation date	31-05-2023 11:47:19				
Is this entry related to a Critical Incident?	No				

**Entry**

Title	Sign time sheet
Text	

Photographs

sign time sheet

Guildford Manor Hotel & Spa  
TIME SHEET

Employee: [Redacted] Employee Phone: [Redacted]  
Manager: [Redacted] Employee Email: [Redacted]

Date	Regular Hours	Sick	Vacation	Total
01/03/2023	7			
02/03/2023	7.5			
03/03/2023	5			
04/03/2023	4.5			
05/03/2023	10			
06/03/2023	7			
07/03/2023	7.5			
08/03/2023	off/No work			
09/03/2023	7			
10/03/2023	8.5			
11/03/2023	6.5			
12/03/2023	10			
13/03/2023	7.5			
14/03/2023	off/No work			
15/03/2023	7			
16/03/2023	7.5			
17/03/2023	8.5			
18/03/2023	7			
19/03/2023	10			
20/03/2023	6.5			
21/03/2023	7			
22/03/2023	8.5			
23/03/2023	9			
24/03/2023	9			
25/03/2023	9			
26/03/2023	6			
27/03/2023	6.5			
28/03/2023	6			
29/03/2023	6			
30/03/2023	5.5			
31/03/2023	9.5			
<b>Total Hours</b>	<b>217.5</b>			<b>217.5</b>

Cash Advance: [Redacted]

Employee Signature: [Signature]       $137.5 \times 11 = 1512.5$

Manager Signature: [Signature]

sign time sheet

Guildford Manor Hotel & Spa  
TIME SHEET

Employee: [Redacted] Employee Phone: [Redacted]  
Manager: [Redacted] Employee Email: [Redacted]

Date	Regular Hours	Overtime	Sick	Vacation	Total
01/02/2023	8				
02/02/2023	7				
03/02/2023	6.5				
04/02/2023	6				
05/02/2023	7				
06/02/2023	6				
07/02/2023	7				
08/02/2023	7				
09/02/2023	8				
10/02/2023	7				
11/02/2023	7				
12/02/2023	7				
13/02/2023	8				
14/02/2023	9				
15/02/2023	7				
16/02/2023	off				
17/02/2023	7				
18/02/2023	5				
19/02/2023	7				
20/02/2023	7.5				
21/02/2023	6				
22/02/2023	5				
23/02/2023	5.5				
24/02/2023	8				
25/02/2023	4.5				
26/02/2023	7.5				
27/02/2023	8				
28/02/2023	4.5				
<b>Total Hours</b>	<b>181</b>				<b>181</b>

Cash Advance: [Redacted]

Employee Signature: [Signature]       $101 \times 11 = 1111$

Manager Signature: [Signature]

and also my holiday July to December national insurance 80/hr per week

sign time sheet

Guildford Man... TIME SHEET

Employee: [Redacted] Employee Phone: [Redacted]  
Manager: [Redacted] Employee Email: [Redacted]

Date	Regular Hours	Sick	Vac
01/04/2023	9		
02/04/2023	9		
03/04/2023	8		
04/04/2023	6		
05/04/2023	6		
06/04/2023	6		
07/04/2023	6		
08/04/2023	10		
09/04/2023	8		
10/04/2023	7		
11/04/2023	7		
12/04/2023	6		
13/04/2023	6.5		
14/04/2023	7		
15/04/2023	7		
16/04/2023	7		
17/04/2023	7		
18/04/2023	3		
19/04/2023	6.5		
20/04/2023	8.5 - 5.5		
21/04/2023	6.5		
22/04/2023	8.5		
23/04/2023	6.5		
24/04/2023	9		
25/04/2023	4		
26/04/2023	5.5		
27/04/2023	5.5		
28/04/2023	5.5		
29/04/2023	6		
30/04/2023	0.75		
<b>Total Hours</b>	<b>186.5</b>		

Cash Advance [Redacted] 711-80  
Employee Signature: [Signature] 106.5 x 11 = 1171.5  
Manager Signature: [Signature] Extra work 1.5hr

sign time sheet.

Guildford Man... (December salary) TIME SHEET

Employee: [Redacted] Employee Phone: [Redacted]  
Manager: [Redacted] Employee Email: [Redacted]

Date	Regular Hours	Sick	Vac
01/01/2023	-		
02/01/2023	9.5		
03/01/2023	9.5		
04/01/2023	9		
05/01/2023	-		
06/01/2023	-		
07/01/2023	7.5		
08/01/2023	10		
09/01/2023	10.5		
10/01/2023	10.5		
11/01/2023	10		
12/01/2023	9		
13/01/2023	6		
14/01/2023	9.5		
15/01/2023	8		
16/01/2023	8		
17/01/2023	8		
18/01/2023	9		
19/01/2023	11		
20/01/2023	9		
21/01/2023	8		
22/01/2023	9.5		
23/01/2023	9.5		
24/01/2023	6		
25/01/2023	5		
26/01/2023	7.5		
27/01/2023			
28/01/2023			
29/01/2023			
30/01/2023			
31/01/2023			
<b>Total Hours</b>	<b>197</b>		

Cash Advance [Redacted] 197 - 80 = 117  
Employee Signature: [Signature] (37) Total 37 x 11 = 407  
Manager Signature: [Signature]

sign time sheet.

(January Salary)

Gulford Manor Hotel & Spa TIME SHEET

Employee: [Redacted] Employee Phone: [Redacted]  
Manager: [Redacted] Employee Email: [Redacted]

Date	Regular Hours	Sick	Vacation
01/01/2023			
02/01/2023			
03/01/2023			
04/01/2023			
05/01/2023			
06/01/2023			
07/01/2023			
08/01/2023			
09/01/2023			
10/01/2023			
11/01/2023			
12/01/2023			
13/01/2023			
14/01/2023			
15/01/2023			
16/01/2023			
17/01/2023			
18/01/2023			
19/01/2023			
20/01/2023			
21/01/2023			
22/01/2023			
23/01/2023			
24/01/2023			
25/01/2023			
26/01/2023			
27/01/2023			
28/01/2023	6		
29/01/2023	7.5		
30/01/2023	8		
31/01/2023	8		
<b>Total Hours</b>	<b>39.5 h</b>		

Cash Advance [Redacted] = 334.5

Employee Signature: [Signature]

Manager Signature: [Signature]

December ← 407  
January ← 334.5  
Total (731.5)

Freetext					
Details					
Type of work	Visit				
Visit reference	[REDACTED]				
Created by	[REDACTED]				
Address	Guildford Manor Hotel, Newlands Corner, Guildford, Surrey, GU4 8SE (Visit Address)				
Subject CIDPID/CEPR	Unknown				
Subject name	N/A				
Time	08:22				
Created at geolocation	<table border="0"> <tr> <td><b>Easting</b></td> <td>504550</td> </tr> <tr> <td><b>Northing</b></td> <td>149733</td> </tr> </table>	<b>Easting</b>	504550	<b>Northing</b>	149733
<b>Easting</b>	504550				
<b>Northing</b>	149733				
Creation date	31-05-2023 08:22:42				
Is this entry related to a Critical Incident?	No				
Entry					
Title	Staff Rotas				
Text					
Photographs					
restaurant rota					

**kitchen rota**

	Mon 29 May	Tue 30 May	Wed 31 May	Thu 01 Jun	Fri 02 Jun	Sat 03 Jun	Sun 04 Jun	Total hours (incl. breaks)
[Redacted]	15:00 - 21:00		07:00 - 10:00 13:00 - 21:00	07:00 - 10:00	15:00 - 21:00	11:00 - 22:00		45 hrs
[Redacted]	07:00 - 15:00	07:00 - 16:00 18:00 - 21:00			07:00 - 15:00	07:00 - 16:00	07:00 - 15:00	45 hrs
[Redacted]			10:00 - 15:00	10:00 - 15:00	10:00 - 16:00	10:00 - 22:00	10:00 - 15:00	50 hrs
[Redacted]	10:00 - 15:00	10:00 - 14:00			17:00 - 21:00	17:00 - 21:00	17:00 - 21:00	45 hrs
[Redacted]	17:00 - 21:00	16:00 - 21:00			10:00 - 15:00		12:00 - 22:00 15:00 - 21:00	45 hrs
[Redacted]					16:00 - 22:00			

	Mon 29 May	Tue 30 May	Wed 31 May	Thu 01 Jun	Fri 02 Jun	Sat 03 Jun	Sun 04 Jun	Total hours (incl. breaks)
[Redacted]	14:30 - 22:30	14:30 - 22:30		14:30 - 22:30	07:00 - 15:00	14:30 - 22:30	07:00 - 15:00	

**reception rota**

	Mon 29 May	Tue 30 May	Wed 31 May	Thu 01 Jun	Fri 02 Jun	Sat 03 Jun	Sun 04 Jun	Total hours (incl. breaks)
[Redacted]	10:00 - 15:00 17:00 - 21:00	10:00 - 14:00 16:00 - 21:00		10:00 - 15:00	12:00 - 22:00	15:00 - 21:00		45 hrs
[Redacted]	14:30 - 22:30	14:30 - 22:30		14:30 - 22:30	07:00 - 15:00	14:30 - 22:30	07:00 - 15:00	48 hrs
[Redacted]	09:00 - 17:00	09:00 - 17:00	09:00 - 17:00	09:00 - 17:00	09:00 - 17:00	09:00 - 17:00		40 hrs
[Redacted]	07:00 - 15:00	07:00 - 15:00	07:00 - 15:00	07:00 - 15:00				32 hrs
[Redacted]	absent	absent	absent	absent	absent	absent		0 hrs
[Redacted]			14:30 - 22:30		14:30 - 22:30	07:00 - 15:00	14:30 - 22:30	



**Encounter**

**Details**

Type of work	Visit				
Visit reference	[REDACTED]				
Created by	[REDACTED]				
ProntID	[REDACTED] - Pakistan				
Time	09:58				
Created at geolocation	<table border="0"> <tr> <td><b>Easting</b></td> <td>504561</td> </tr> <tr> <td><b>Northing</b></td> <td>149780</td> </tr> </table>	<b>Easting</b>	504561	<b>Northing</b>	149780
<b>Easting</b>	504561				
<b>Northing</b>	149780				
Creation date	31-05-2023 09:58:37				

**Chosen Identity**

Identity source/type	Biographic
Name	[REDACTED]
DOB	[REDACTED]
Gender	Male
Nationality	Pakistan

**Languages**

Languages spoken	English
Interpreter used?	No

**Encounter**

Encountering officer	[REDACTED]
Is this encounter related to a Small Boats event?	No
Is this person the subject of the visit?	No
Do you suspect an immigration offence?	Yes
Why do you suspect the person of an immigration offence?	Intel stated there are MDS and immigration offenders at this premises
Declared immigration status	Student
How and when did the subject last enter the UK?	27/01/2023
Do you know the subject's CIDPID/ CEPR?	No
Are there any vulnerabilities/ trafficking/safeguarding issues?	No

Is the subject considered a 'rough sleeper'?	No	
Where in the premises was the subject located?	HE WAS IN ROOM 3 WORKING IN THE HOTEL.	
Are you taking enforcement action?	Yes	
References (Person ID, HO Ref, Port Ref, BRP)	[REDACTED]	
Biographic search results	<b>Systems checked</b> <b>Result of checks</b> <b>Status returned by system checks</b>	CID, Person Check, Atlas, CRS Trace on person check as a student working 20 hours a week.
<b>Identity Documentation</b>		
Document 1	<b>Document type</b> <b>Name in document (if different from above)</b> <b>Document reference</b> <b>Document expiry date</b> <b>Country of issue (if different from nationality above)</b> <b>Suspected fraudulent</b> <b>Notes</b> <b>Photos</b>	
<b>Notes</b>		
No notes entered.		

**Encounter**

**Details**

Type of work	Visit				
Visit reference	[REDACTED]				
Created by	[REDACTED]				
ProntoID	[REDACTED] - Nepal				
Time	08:32				
Created at geolocation	<table border="0"> <tr> <td><b>Easting</b></td> <td>504554</td> </tr> <tr> <td><b>Northing</b></td> <td>149779</td> </tr> </table>	<b>Easting</b>	504554	<b>Northing</b>	149779
<b>Easting</b>	504554				
<b>Northing</b>	149779				
Creation date	31-05-2023 08:32:55				

**Chosen Identity**

Identity source/type	Declared
Name	[REDACTED]
DOB	[REDACTED]
Gender	Male
Nationality	Nepal

**Languages**

Languages spoken	Nepali
Interpreter used?	Yes
Interpreter details	Big word
Does the individual understand the interpreter?	Yes

**Encounter**

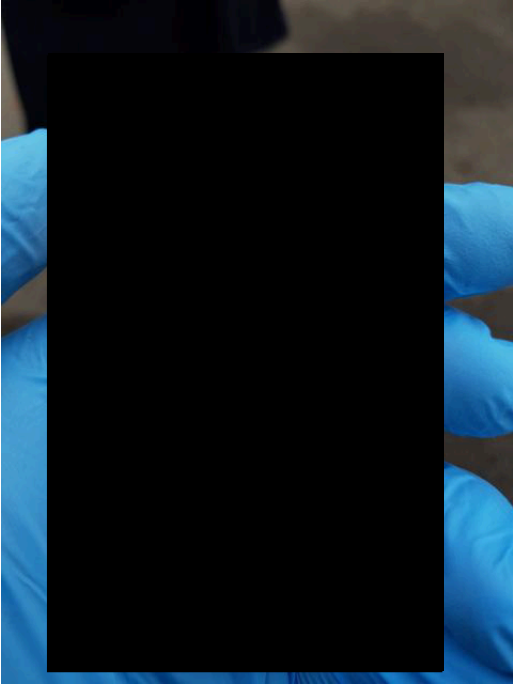
Encountering officer	[REDACTED] - Officer
Is this encounter related to a Small Boats event?	No
Is this person the subject of the visit?	No
Do you suspect an immigration offence?	Yes
Why do you suspect the person of an immigration offence?	details passed to me by PC [REDACTED] for checks to be conducted. asylum application with no right to work encountered in staff accommodation.
Declared immigration status	Outstanding asylum
How and when did the subject last enter the UK?	

Do you know the subject's CIDPID/CEPR?	Yes
CIDPID/CEPR	██████████
Are there any vulnerabilities/trafficking/safeguarding issues?	No
Is the subject considered a 'rough sleeper'?	No
Where in the premises was the subject located?	Encountered by police in staff accommodation
Are you taking enforcement action?	No
References (Person ID, HO Ref, Port Ref, BRP)	
Biographic search results	<p><b>Systems checked</b>                      CID, Person Check, CRS</p> <p><b>Result of checks</b>                      Outstanding asylum</p> <p><b>Status returned by system checks</b></p>
<b>Identity Documentation</b>	
Document 1	<p><b>Document type</b></p> <p><b>Name in document (if different from above)</b></p> <p><b>Document reference</b></p> <p><b>Document expiry date</b></p> <p><b>Country of issue (if different from nationality above)</b></p> <p><b>Suspected fraudulent</b></p> <p><b>Notes</b></p> <p><b>Photos</b></p>
<b>Notes</b>	
No notes entered.	

Encounter					
Details					
Type of work	Visit				
Visit reference	[REDACTED]				
Created by	[REDACTED]				
ProntoID	[REDACTED] - GEO Georgia				
Time	10:51				
Created at geolocation	<table border="0"> <tr> <td><b>Easting</b></td> <td>504566</td> </tr> <tr> <td><b>Northing</b></td> <td>149743</td> </tr> </table>	<b>Easting</b>	504566	<b>Northing</b>	149743
<b>Easting</b>	504566				
<b>Northing</b>	149743				
Creation date	24-11-2021 10:51:36				
Chosen Identity					
Identity source/type	Declared				
Name	[REDACTED]				
DOB	[REDACTED]				
Gender	Male				
Nationality	GEO Georgia				
Additional Identities					
[REDACTED] (Declared)					
Identity source/type	Declared				
Name	[REDACTED]				
DOB	[REDACTED]				
Gender	Male				
Nationality	LVA Latvia				
Languages					
Languages spoken	Russian				
Interpreter used?	Yes				
Interpreter details	[REDACTED]				
Does the individual understand the interpreter?	Yes				
Encounter					
Encountering officer	[REDACTED] - Officer				
Is this person the subject of the visit?	Yes				
Declared immigration status	Illegal entry				

How and when did the subject last enter the UK?	
Do you know the subject's CIDPID/CEPR?	Yes
CIDPID/CEPR	████████
Are there any vulnerabilities/trafficking/safeguarding issues?	No
Is the subject considered a 'rough sleeper'?	No
Where in the premises was the subject located?	
Are you taking enforcement action?	Yes
References (Person ID, HO Ref, Port Ref, BRP)	
Biographic search results	Systems checked Result of checks Status returned by system checks

**Identity Documentation**

<p><b>Document 1</b></p>	<p><b>Document type</b></p> <p><b>Name in document (if different from above)</b></p> <p><b>Document reference</b></p> <p><b>Document expiry date</b></p> <p><b>Country of issue (if different from nationality above)</b></p> <p><b>Suspected fraudulent</b></p> <p><b>Notes</b></p> <p><b>Photos</b></p> <div data-bbox="954 752 1469 1435"></div> <p data-bbox="1129 1451 1294 1480">Latvian I'd card</p>
--------------------------	--

**Notes**

No notes entered.

<b>Encounter</b>	
<b>Details</b>	
Type of work	Visit
Visit reference	[REDACTED]
Created by	[REDACTED]
ProntoID	[REDACTED] - GEO Georgia
Time	11:48
Created at geolocation	<b>Easting</b> 504513 <b>Northing</b> 153466
Creation date	24-11-2021 11:49:01
<b>Chosen Identity</b>	
Identity source/type	Declared
Name	[REDACTED]
DOB	[REDACTED]
Gender	Male
Nationality	GEO Georgia
<b>Languages</b>	
Languages spoken	Russian
Interpreter used?	Yes
Interpreter details	[REDACTED] Big Word Intepreter
Does the individual understand the interpreter?	Yes
<b>Encounter</b>	
Encountering officer	[REDACTED] - Officer
Is this person the subject of the visit?	No
Do you suspect an immigration offence?	Yes
Why do you suspect the person of an immigration offence?	signs of life spotted from his residence, door opened from outside and male was found hiding fully clothed behind shower
Declared immigration status	Georgian national who has 'big problems in Georgia' and was 'brought here' however later changed mind (intepreter stated they're may be a dialect problem) and said he went to ireland for Job opportunities but there were none so he came to UK. When president in Georgia changed he went to detention as he was against the president and they took his land. Took bus from Georgia to save his life. States there is no way he can go back to Georgia



<b>How and when did the subject last enter the UK?</b>	Entered UK by bus from Ireland.
<b>Do you know the subject's CIDPID/CEPR?</b>	Yes
<b>CIDPID/CEPR</b>	██████████
<b>Are there any vulnerabilities/trafficking/safeguarding issues?</b>	No
<b>Is the subject considered a 'rough sleeper'?</b>	No
<b>Where in the premises was the subject located?</b>	Hiding in room 1 of staff accommodation
<b>Are you taking enforcement action?</b>	Yes
<b>References (Person ID, HO Ref, Port Ref, BRP)</b>	
<b>Biographic search results</b>	<b>Systems checked</b> Person Check <b>Result of checks</b> No trace <b>Status returned by system checks</b>

**Identity Documentation**

**Document 1**

**Document type** National identity card

**Name in document (if different from above)**

**Document reference**

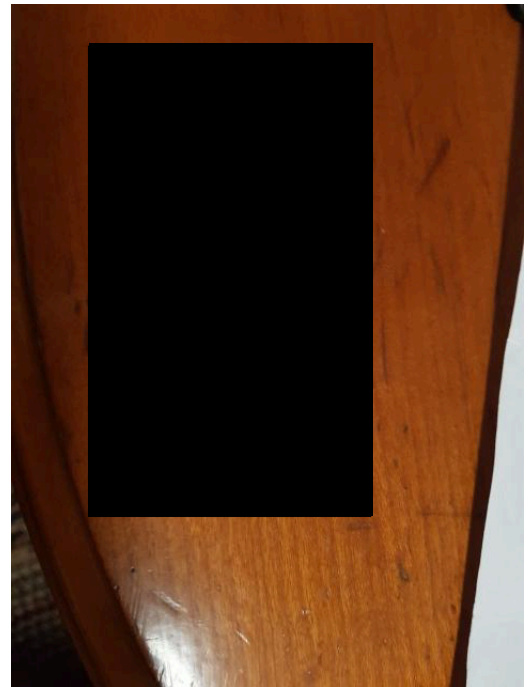
**Document expiry date**

**Country of issue (if different from nationality above)**

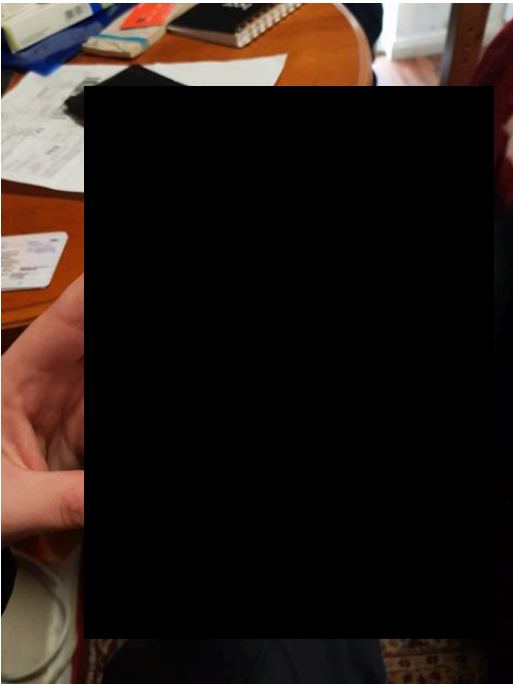
**Suspected fraudulent**

**Notes**

**Photos**



driving licence

<b>Document 2</b>	<p><b>Document type</b> National passport</p> <p><b>Name in document (if different from above)</b></p> <p><b>Document reference</b></p> <p><b>Document expiry date</b></p> <p><b>Country of issue (if different from nationality above)</b></p> <p><b>Suspected fraudulent</b></p> <p><b>Notes</b></p> <p><b>Photos</b></p>  <p>ppt</p>
-------------------	--

**Notes**

No notes entered.

Q&A					
<b>Details</b>					
Type of work	Visit				
Visit reference	[REDACTED]				
Created by	[REDACTED]				
ProntoID	[REDACTED] - Pakistan				
Subject CIDPID/CEPR	Unknown				
Subject name	[REDACTED]				
Subject DOB	[REDACTED]				
Subject nationality	Pakistan				
Subject gender	Male				
Time	13:04				
Created at geolocation	<table border="0"> <tr> <td><b>Easting</b></td> <td>511800</td> </tr> <tr> <td><b>Northing</b></td> <td>174900</td> </tr> </table>	<b>Easting</b>	511800	<b>Northing</b>	174900
<b>Easting</b>	511800				
<b>Northing</b>	174900				
Creation date	31-05-2023 13:04:16				
<b>Language of Interview</b>					
What language is the interview carried out in?	English				
Interpreter used?	No				
<b>Q&amp;A</b>					
what are you studying for?	SC environment sustainability				
when did your course started?	14/02/2022				
what is the name of your university?	Edenborough Napier University				
what days is your classes?	I finish my course and will be graduating.				
Have you got a time table?	Unable to provide as I finish my course.				
are you happy to speak English and you understand.	Yes				
Do you get paid the rest of the hours as the same hourly rate as the cash paid?	No				
When your employer ask you to work over 20 hours was that agree overca contract or face to face?	Would not answer the questions.				

**Declaration**

Interviewee signature 



31-05-2023 13:53:03

Q&A					
<b>Details</b>					
Type of work	Visit				
Visit reference	[REDACTED]				
Created by	[REDACTED]				
ProntoID	[REDACTED] - Nepal				
Subject CIDPID/CEPR	Unknown				
Subject name	[REDACTED]				
Subject DOB	[REDACTED]				
Subject nationality	Nepal				
Subject gender	Male				
Time	08:32				
Created at geolocation	<table border="0"> <tr> <td><b>Easting</b></td> <td>504555</td> </tr> <tr> <td><b>Northing</b></td> <td>149779</td> </tr> </table>	<b>Easting</b>	504555	<b>Northing</b>	149779
<b>Easting</b>	504555				
<b>Northing</b>	149779				
Creation date	31-05-2023 08:36:12				
<b>Language of Interview</b>					
What language is the interview carried out in?	Nepali				
Interpreter used?	Yes				
Details of interpreter	Big word				
Does the individual understand the interpreter?	Yes				
<b>Q&amp;A</b>					
what are you doing in this accommodation	I live here				
are you working at Guildford Hotel	No I'm not working I just help out with the gardening the manager asked me to come down				
other than staying here in the accommodation do you receive any other payment from the boss	I don't know they said come and stay I dont know about that				
since you've been here have you had to pay for any food or pay to stay in this room	I bring my own food I have my rice				
where do you cook that	In the kitchen downstairs				
do you know your immigration status	I have an asylum claim				

are you aware your not allowed to work	Yes I'm aware I'm not working
how did you come to the uk	Came on a seasonal worker visa on a plane
do you have your passport	My passport is with the home office
do you have anywhere else you could go if you were to leave this site	I could go to my permanent residence in Maidstone
how would you get to Maidstone	I have mobile apps to book tickets
how would you pay for it	I have money from work I did previously that I can use
the phone you have is that yours	Yes it's mine
how do you support yourself if your not working	Sometimes I get food and money from the hotel as i help them with gardening and cleaning and I have money from before
how often do you have to help out	About 2 to 4 hours a day I do and I get some money but it varies sometimes £100 sometimes £70 it depends and I get some chicken and food from the hotel
what do you do here	I help out with some gardening and cleaning
there is a lot of decorating equipment in this staff area do you do any work in here	There is an English guy who does the work indoors
your friend who allows you to stay here do they know your immigration status	No the Nepalese guy knows my status but no one else does
does anyone else help with the gardening and cleaning	There is another guy that will do some planting and he will help with watering
I know you said you got some money now and again is that cash in hand or to a bank account	It is paid into my account
so are you given anything else like protective equipment, gloves anything like that	Gloves are given
do you understand you are not allowed to work and that includes helping out	Yes alright
what is your address in Maidstone	████████████████████
when you help out who tells you what tasks to do	My friend the one who told me to come here he's the manager of the hotel. Its an old lady she speaks English.
<b>Declaration</b>	
Subject has refused to provide a signature.	
Interviewee read the contents of the interview themselves	Yes

---

Contents read back in the language used during the interview	Yes
--	-----



**Q&A**

**Details**

Type of work	Visit				
Visit reference	[REDACTED]				
Created by	[REDACTED]				
ProntoID	[REDACTED] - GEO Georgia				
Subject CIDPID/CEPR	Unknown				
Subject name	[REDACTED]				
Subject DOB	[REDACTED]				
Subject nationality	GEO Georgia				
Subject gender	Male				
Time	12:08				
Created at geolocation	<table border="0"> <tr> <td><b>Easting</b></td> <td>504554</td> </tr> <tr> <td><b>Northing</b></td> <td>149770</td> </tr> </table>	<b>Easting</b>	504554	<b>Northing</b>	149770
<b>Easting</b>	504554				
<b>Northing</b>	149770				
Creation date	24-11-2021 12:07:46				

**Language of Interview**

What language is the interview carried out in?	Russian
Interpreter used?	Yes
Details of interpreter	[REDACTED]
Does the individual understand the interpreter?	Yes

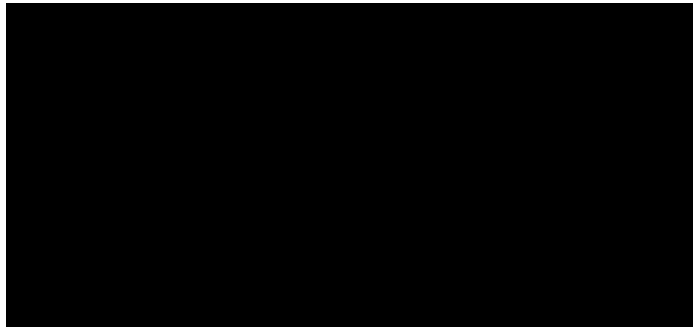
**Q&A**

Are you fit and well to be interviewed?	Yes
how did you enter the United Kingdom?	I left georgia by plane to Belarus I used the name Leri to enter. From belarus to latvia and lithinua. Once I arrived in germany I used a plane to get to the UK
what document did you use with the name [REDACTED]	I used a passport
where is the passport at the moment?	Given back to person
from Lithuania where did you go towards uk?	I went to Germany on a trailer or truck or big truck. Up to the border I was next to the driver and went to the border of france. When I was in france I was hiding. Iv been by plane from Frankfurt and then came to england, UK
how did you enter the UK, what type of transport did you use?	From Germany to the UK I took a plane. I was given a passport and a ticket to come to the UK

<b>what passport were you given?</b>	It's a european passport that you can reach Great Britain and the photo looks like me. I cant remember it was some european passport
<b>where is the passport now you used for entering the UK?</b>	So when I arrived to the uk somebody came and took my passport. I don't know the people that given me this passport
<b>is this european passport provided by the same people who gave you the not legitimate latvian I'd?</b>	I cant remember if it's the same people
<b>what did you do when you arrived in the UK and departed the plane?</b>	Went through passport control with no problem. Immigration stamped my european passport that was given to me and let me through.
<b>so you used your unknown european passport through immigration control and they stamped the passport?</b>	Yes
<b>what airport was this at and the date?</b>	I entered the uk through Leeds airport approximatley december 4 - 5 years ago

**Declaration**

Interviewee signature   

24-11-2021 12:46:48

**Q&A**

**Details**

Type of work	Visit				
Visit reference	██████████				
Created by	██████████				
ProntoID	██████████ - GEO Georgia				
Subject CIDPID/CEPR	Unknown				
Subject name	██████████				
Subject DOB	██████████				
Subject nationality	GEO Georgia				
Subject gender	Male				
Time	11:38				
Created at geolocation	<table border="0"> <tr> <td><b>Easting</b></td> <td>504478</td> </tr> <tr> <td><b>Northing</b></td> <td>153028</td> </tr> </table>	<b>Easting</b>	504478	<b>Northing</b>	153028
<b>Easting</b>	504478				
<b>Northing</b>	153028				
Creation date	24-11-2021 11:37:57				

**Language of Interview**

What language is the interview carried out in?	Russian
Interpreter used?	Yes
Details of interpreter	██████████
Does the individual understand the interpreter?	Yes

**Q&A**

Are you fit and well to be interviewed?	Yes at the moment
where did you get the I'd document you provided to me?	I got it for free for work and got it online and this person who gave it to me disappeared
are you aware that the document you provided me is not a legitimate document given by Latvian government?	Yes that is correct
what is your nationality?	I am from Georgia
do you know the name of the person you got the counterfeit I'd from?	His name was ██████ or ██████ cant remember which one
can you provide me the full process of how you got your document?	My son helped me get the document he is in Georgia and in school

<b>when was the last time you entered the UK?</b>	4 - 5 years ago on the 1st of December
<b>when did you start the process of getting the counterfeit I'd?</b>	It was a couple of weeks after I arrived in the united kingdom
<b>are you aware it's an offence to have a illegitimate document in the united kingdom?</b>	I did not know, the reason I got this document is to get a job here
<b>the employer you're working for at the moment did you provide them with this document?</b>	Yeh I did so because I couldnt work without it, guildford spa
<b>have you used counterfeit document in any other employers or for other reasons?</b>	I used the document at new hotel at waterloo to work. I used it at my doctors place so I could have medical help and also for getting a bank account
<b>why did you show the new hotel in waterloo for counterfeit document?</b>	When I went to hotel I showed them the latvian document, Showed them the id so I could work
<b>national insurance number you used for work is this from uk government?</b>	It is my national insurance number I got for the UK. I got my I'd card and my national insurance number from my son online. When I started work and earning money I would give the people £200 but then they disappeared, I never actually spend a penny
<b>Declaration</b>	
Subject has refused to provide a signature.	
<b>Interviewee read the contents of the interview themselves</b>	
<b>Contents read back in the language used during the interview</b>	

**Q&A**

**Details**

Type of work	Visit				
Visit reference	[REDACTED]				
Created by	[REDACTED]				
ProntoID	[REDACTED] - GEO Georgia				
Subject CIDPID/CEPR	Unknown				
Subject name	[REDACTED]				
Subject DOB	[REDACTED]				
Subject nationality	GEO Georgia				
Subject gender	Male				
Time	12:36				
Created at geolocation	<table border="0"> <tr> <td><b>Easting</b></td> <td>504478</td> </tr> <tr> <td><b>Northing</b></td> <td>153028</td> </tr> </table>	<b>Easting</b>	504478	<b>Northing</b>	153028
<b>Easting</b>	504478				
<b>Northing</b>	153028				
Creation date	24-11-2021 12:36:34				

**Language of Interview**

What language is the interview carried out in?	Russian
Interpreter used?	Yes
Details of interpreter	See encounter
Does the individual understand the interpreter?	Yes

**Q&A**

if you stopped working here would you be allowed to live here	I'm not sure
are you allowed to leave when you want to leave	I feel safe everyone accepts me here
is anyone forcing you to stay here	No

**Declaration**

Interviewee signature



# TIME SHEET

Guildford Manor Hotel & Spa

Employee: [REDACTED]

Employee Phone: \_\_\_\_\_

Manager: \_\_\_\_\_

Employee Email: \_\_\_\_\_

Date	Regular Hours	Sick	Vacation	Total
01/03/2023	7			
02/03/2023	7.5			
03/03/2023	5			
04/03/2023	4.5			
05/03/2023	10			
06/03/2023	7			
07/03/2023	7.5			
08/03/2023	088/No work			
09/03/2023	7			
10/03/2023	8.5			
11/03/2023	5.5			
12/03/2023	10			
13/03/2023	7.5			
14/03/2023	088/No work			
15/03/2023	7			
16/03/2023	7.5			
17/03/2023	8.5			
18/03/2023	7			
19/03/2023	10			
20/03/2023	6.5			
21/03/2023	7			
22/03/2023	8.5			
23/03/2023	9			
24/03/2023	9			
25/03/2023	8			
26/03/2023	9			
27/03/2023	6			
28/03/2023	6.5			
29/03/2023	6			
30/03/2023	5.5			
31/03/2023	9.5			
<b>Total Hours</b>	<b>217.5</b>			<b>217.5</b>

Cash Advance [REDACTED]

Employee Signature [REDACTED]

Manager Signature \_\_\_\_\_

217.5  
- 80NI  
-----  
137.5 x 11  
= 1512.5

Guildford Manor Hotel & Spa

TIME SHEET

Employee: [Redacted]  
Manager: [Redacted]

Employee Phone: \_\_\_\_\_  
Employee Email: \_\_\_\_\_

Date	Regular Hours	Overtime	Sick	Vacation	Total
01/02/2023	8				
02/02/2023	7				
03/02/2023	6.5				
04/02/2023	6				
05/02/2023	7				
06/02/2023	6				
07/02/2023	7				
08/02/2023	7				
09/02/2023	8				
10/02/2023	7				
11/02/2023	5				
12/02/2023	7				
13/02/2023	8				
14/02/2023	9				
15/02/2023	7				
16/02/2023	off				
17/02/2023	7				
18/02/2023	5				
19/02/2023	7				
20/02/2023	7.5				
21/02/2023	6				
22/02/2023	5				
23/02/2023	5.5				
24/02/2023	8				
25/02/2023	4.5				
26/02/2023	7.5				
27/02/2023	8				
28/02/2023	4.5				
<b>Total Hours</b>	<b>181</b>				<b>181</b>



Employee Signature [Redacted]

Manager Signature \_\_\_\_\_

-80 NI

101 x 11

**= 1,111**

and also my holidays  
July to December  
National Insurance  
20/hr per week



Guildford Manor Hotel & Spa

TIME SHEET

Employee: [Redacted]

Employee Phone: \_\_\_\_\_

Manager: \_\_\_\_\_

Employee Email: [Redacted]

Date	Regular Hours	Sick	Vacation
01/04/2023	8		
02/04/2023	9		
03/04/2023	2		
04/04/2023	6		
05/04/2023	6		
06/04/2023	6		
07/04/2023	6		
08/04/2023	10		
09/04/2023	8		
10/04/2023	7		
11/04/2023	7		
12/04/2023	6		
13/04/2023	6.5		
14/04/2023	7		
15/04/2023	7		
16/04/2023	7		
17/04/2023	3		
18/04/2023	6.5		
19/04/2023	<del>8.5</del> 5.5		
20/04/2023	6.5		
21/04/2023	8.5		
22/04/2023	6.5		
23/04/2023	9		
24/04/2023	4		
25/04/2023	5.5		
26/04/2023	5.5		
27/04/2023	5.5		
28/04/2023	6		
29/04/2023	6		
30/04/2023	0.5		
<b>Total Hours</b>	<b>186.5</b>		<b>186.5</b>

Cash Advance [Redacted]

Employee Signature [Redacted]

Manager Signature \_\_\_\_\_

$$\begin{aligned}
 &NI - 80 \\
 &\underline{\hspace{1cm}} \\
 &106.5 \times 11 \\
 &= \textcircled{1171.5}
 \end{aligned}$$

Extra work  $\textcircled{1.5 \text{ hr}}$

Guildford Manor Hotel & Spa (Decamber salary) TIME SHEET

Employee: [Redacted] Employee Phone: [Redacted]  
 Manager: [Redacted] Employee Email: [Redacted]

Date	Regular Hours	Sick	Vacation	Total
01/01/2023	-			
02/01/2023	9.5			
03/01/2023	9.5			
04/01/2023	9			
05/01/2023	-			
06/01/2023	-			
07/01/2023	7.5			
08/01/2023	10			
09/01/2023	10.5			
10/01/2023	10.5			
11/01/2023	10			
12/01/2023	9			
13/01/2023	6			
14/01/2023	9.5			
15/01/2023	8			
16/01/2023	9			
17/01/2023	8			
18/01/2023	9			
19/01/2023	11			
20/01/2023	8			
21/01/2023	8			
22/01/2023	9.5			
23/01/2023	6			
24/01/2023	5			
25/01/2023	7			
26/01/2023	7.5			
27/01/2023				
28/01/2023				
29/01/2023				
30/01/2023				
31/01/2023				
<b>Total Hours</b>	<b>197</b>			<b>197</b>

Cash Advance [Redacted]

Employee Signature [Redacted]

Manager Signature

197  
 - 80'  
 - 80  
 ---  
 (37) Total  
 37 x 11 = (407)

( January salary )

Guildford Manor Hotel & Spa

TIME SHEET

Employee: [Redacted]

Employee Phone: [Redacted]

Manager: [Redacted]

Employee Email: [Redacted]

Date	Regular Hours	Sick	Vacation	Total
01/01/2023				
02/01/2023				
03/01/2023				
04/01/2023				
05/01/2023				
06/01/2023				
07/01/2023				
08/01/2023				
09/01/2023				
10/01/2023				
11/01/2023				
12/01/2023				
13/01/2023				
14/01/2023				
15/01/2023				
16/01/2023				
17/01/2023				
18/01/2023				
19/01/2023				
20/01/2023				
21/01/2023				
22/01/2023				
23/01/2023				
24/01/2023				
25/01/2023				
26/01/2023				
27/01/2023				
28/01/2023	6			
29/01/2023	7.5			
30/01/2023	8			
31/01/2023	8			
<b>Total Hours</b>	<b>29.5h</b>			<b>29.5 x 11</b>

Cash Advance [Redacted]

= 324.5

Employee Signature [Redacted]

Manager Signature

December = 407

January = 324.5

731.5

Total

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**PREMISES LICENCE REVIEW**

**GUILDFORD BOROUGH COUNCIL**

**re NAHID RESIDENTIAL LTD**

**GUILDFORD MANOR HOTEL PREMISES LICENCE REVIEW  
SUBMISSIONS**

---

**Guildford Manor Hotel is a hotel providing employment for people and good services to local clientele and those wider afield. The Spa has 450 members alone.**

**Douglas McNeil, Charles McNeil, Nahid McNeil and Andrew McNeil are very remorseful for the circumstances that have arisen. Douglas McNeil, Charles McNeil, Nahid McNeil and Andrew McNeil have taken careful note of the Premises Review, taken on board advice from our firm, fully understand the severity of the allegations and the importance that such instances are not repeated.**

**The issues raised on 31 May 2023 have arisen prior to and during transition in management from Nahid McNeil to directors Douglas and Charles McNeil and their professional management team, from out-dated practices on-boarding and recruiting staff at Guildford Manor Hotel to the current, compliant procedures.**

**Proposed Restrictions**

1. We propose the Premises Licence for Guildford Manor Hotel continues with the following robust amendments:-
  - a. the current designated premises supervisor for Guildford Manor Hotel is amended, with the removal of Andrew McNeil and the appointment of Douglas McNeil. Douglas McNeil has completed the BIIAB APLA personal licence exam and consents to his appointment.

- b. Nahid Residential Limited will follow the attached Right to Workflow Diagram and Guidance Note and complete the attached checklist for every recruit.
2. We respectfully submit that with the implementation of the above restrictions, no further restrictions need to be imposed to achieve the desired objective.

### **Submissions**

3. We respectfully submit that Douglas McNeil and Charles McNeil have taken all reasonable steps to address the problem in their former recruitment and on-boarding procedures. Douglas McNeil and Charles McNeil have taken extensive steps to tighten procedure and practice, to include:-
  - a. updating their recruitment and on-boarding procedures, as per the attached Workflow, Guidance Note and checklist.
  - b. removing Andrew McNeil and proposing to the Council the appointment of Douglas McNeil as designated premises supervisor.
  - c. allocating recruitment and on-boarding to Douglas McNeil, Charles McNeil and the new General Manager, to the exclusion of Nahid McNeil.
  - d. maintaining complete right to work records electronically through Bright HR.
  - e. instructing Peninsula to provide advice and guidance on specific HR, health and safety matters relating to employee recruitment and retention.
  - f. recruiting an experienced General Manager, Ian Bonner, with more than 15 years' as a General Manager.
  - g. Nahid McNeil resigned as a director on 15 September 2023.
4. We aver that the Immigration Enforcement visit and the Premises Review report, coupled with the reputational risk are sufficient warning to focus Douglas, Charles, Andrew and Nahid McNeil's attention on the importance of adhering to the new procedures.

5. We respectfully submit that the above restrictions will achieve the desired objective and facilitate good working practices in the recruitment and on-boarding of staff.
6. We submit that the suspension of the licence and/or the revocation of the licence will not be appropriate, proportionate or achieve the desired objective of lawful and safe staff recruitment and retention.
7. Guildford Manor Hotel has 51 hotel rooms, a spa with 450 members, a restaurant, ceremony room with a marriage licence and a reception/corporate hall. Froyle Park, the sister business which is secured against Guildford Manor Hotel, is a wedding venue with a capacity of 250. We respectfully submit that any restrictions in excess of the above would jeopardise the businesses at Guildford Manor Hotel and Froyle Park. Further restrictions would risk the employment of the current 30 employees' employment in Guildford Manor and further employees at Froyle Park, weddings and 1,000 hotel bookings, 450 members' health and social amenities, suppliers and creditors of Guildford Manor Hotel and Froyle Park. Such restrictions would cause disproportionate detriment to the employees, members, guests, creditors, suppliers and the Surrey and Berkshire communities.

David Foster  
Moore Barlow LLP  
September 2023

**GUILDFORD BOROUGH COUNCIL**

**re NAHID RESIDENTIAL LTD**

**GUILDFORD MANOR HOTEL  
PREMISES LICENCE REVIEW  
SUBMISSIONS**

**Moore Barlow LLP  
The Oriel  
Sydenham Road  
Guildford  
Surrey  
GU1 3SR**

**Tel: 01483 464 209  
Fax: 01483 464260**

**Ref: 121358/1**

**Solicitors for Nahid Residential Ltd**



**LICENSING SUB-COMMITTEE HEARING**

**AT GUILDFORD BOROUGH COUNCIL**

**BETWEEN:**

**RE NAHID RESIDENTIAL LIMITED**

**WITNESS STATEMENT OF NAHID MCNEIL**

I, **NAHID McNeil**, of 2 The Paddock, Guildford, Surrey, GU1 2RQ, **do say as follows:-**

1. I am a director of Nahid Residential Limited. I make this witness statement in support of the submissions in response to the review of the Premises Licence for Guildford Manor Hotel & Spa, Newlands Corner, GU4 8SE.
2. The facts and matters set out in this witness statement are either known by me directly and are true, or are known by me indirectly and are believed to the best of my knowledge to be true. In relation to matters falling into the latter category, I have set out the source of my knowledge and belief.
3. I offer my sincerest apologies for the unlawful employment practices highlighted in the recent Premises Review report.
4. I incorporated Nahid Residential Limited in January 2014 and purchased Guildford Manor Hotel. I managed the business as a sole director for a number of years. Last year I transferred the business to my sons, Charles and Douglas McNeil with the view of them taking over the family business. Charles and Douglas McNeil were appointed as directors in July 2022.
5. The report identifies that Fawad Alam had been working hours beyond his student visa. I was rather confused as to the restrictions. I had understood that since Fawad Alam was not attending university he was allowed to work without any restrictions. I apologise that this happened.

6. I contacted Hariram Lamsel with a view to recruiting him into the hotel. I had previously employed other people from Nepal, who had successfully obtained a work permit, worked legally and I had been pleased with them. Hariram Lamsel had told me he had a National Insurance number. I made the wrong assumption that he had a right to work. He was on the payroll from 14 April to 30 April, working full-time. As soon as I realised that he did not have a right to work I terminated his employment. Whilst he waited for his work permit, I provided him with a place to stay and food. He asked for money for basic needs and I provided him with some money to help him get by. Whilst on site he did some menial work mostly gardening. Whilst I did not see this as employment at the time, I acknowledge I was wrong and apologise.
  
7. I recognise that many of the issues raised in the Premises Review report have been caused by failure to follow the recruitment procedures introduced by Douglas McNeil and Charles McNeil and by failing to keep Douglas McNeil and Charles McNeil properly informed. Therefore, I have decided to step down as director and given instructions to Azets, my accountants, to deal with the necessary paperwork, and I will cease my involvement in the recruitment process. This will leave Douglas McNeil, Charles McNeil and the new General Manager to manage recruitment without my involvement.

Dated this 15<sup>th</sup> day of September 2023

**STATEMENT OF TRUTH**

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

*Nahid McNeil*

Signed.....

**Nahid McNeil**  
**Director of Nahid Residential Limited**

**LICENSING SUB-COMMITTEE HEARING**

**AT GUILDFORD BOROUGH COUNCIL**

**BETWEEN:**

**RE NAHID RESIDENTIAL LIMITED**

**WITNESS STATEMENT OF CHARLES MCNEIL**

I, **Charles McNeil**, of 2 The Paddock, Guildford, Surrey, GU1 2RQ, **do say as follows:-**

1. I am a director of Nahid Residential Limited. I make this witness statement in support of the submissions in response to the review of the Premises Licence for Guildford Manor Hotel & Spa, Newlands Corner, GU4 8SE.
2. The facts and matters set out in this witness statement are either known by me directly and are true, or are known by me indirectly and are believed to the best of my knowledge to be true. In relation to matters falling into the latter category, I have set out the source of my knowledge and belief.
3. I am sincerely apologetic for the unlawful practices highlighted in the Premises Review Report.
4. Nahid Residential Limited is a family run and owned business. It was incorporated on 30 January 2014. Nahid Residential was set-up and run by Nahid McNeil, my mother, as a sole director for a number of years ("**Nahid Residential**"). In 2014 Nahid Residential purchased Guildford Manor Hotel & Spa Newlands Corner, GU4 8SE ("**Guildford Manor**").
5. On 14 July 2022 my brother Douglas and I were appointed as directors of Nahid Residential on 14 July 2022. On the same date, Nahid McNeil's shareholding was transferred to us. The purpose of this was that Nahid would wind down her involvement and Douglas and I would take over the business.

6. In May 2023, I was on site when the enforcement officers visited Guildford Manor. I fully appreciate the severity of the issues raised and have taken the matter very seriously. We have undertaken a thorough investigation of our current systems and procedures. Whilst we have 30 employees working for Guildford Manor for whom we have undertaken all the necessary checks and who have the necessary authorities, we acknowledge two worrying incidences where this was not the case.
7. At the time when Fawad was recruited, prior to Douglas and I's directorship, Nahid was operating the business, recruitment and on-boarding without my involvement. She would recruit via Indeed, recruiting people based on expertise and qualifications. Whilst she was performing some checks in respect of ascertaining their right to work, they were not comprehensive checks. This has resulted in the two incidences raised in the Premises Review. We do not now follow the processes of recruitment followed at this particular period. Since this time, our recruitment process has been formalised and significantly progressed.
8. Hariram Lamsel: The second individual highlighted in the Premises Review report. Nahid was responsible for employing this gentleman, and it was my understanding that she had performed the correct checks. He was on the payroll from 14 to 30 April. Subsequently, it became clear that Nahid had failed to complete these checks, that the gentleman did not have the correct permissions and his employment was terminated with immediate effect.
9. Quinton was employed from Sep-22 to Apr-23 as the General Manager. He has more than 15 years experience as a general manager in hotels.
10. Since July 2022 there has been a period of transition with the transfer in management from my mother, Nahid, to me and my brother which has taken time. Since my appointment, I have been managing the on-boarding process. I have been working hard to record all right to work checks for every employee that comes through our door. These include following the flow chart, the guidance note and recording all details on Bright HR. This gets done for every member of staff. I have created an employee checklist, a record of right to work and introduced a flowchart and guidance note in all on-boarding, to ensure that we maintain proper checks and records of each employee's right to work and any restrictions on employment.

- 11. We instruct Peninsula who are HR, employment law and health and safety specialists. They draft our contracts and assist us by answering queries, including HR and employment queries. This assists us in keeping up to date on current HR and employment requirements.
- 12. We have just recruited a new General Manager for Guildford Manor, Ian Bonner, to manage the whole process, including the recruitment and on-boarding processes. He started in July. He has more than 15 years' experience as a General Manager in the hospitality industry.
- 13. Following on from the 31<sup>st</sup> May and going forward, Douglas & I, in conjunction with our General Manager have introduced a new document to be utilised during the onboarding process of new staff, requiring the double stamping of the GM and a Director to verify that the right to work of all employees has been established prior to their employment start date. Please find attached.
- 14. On reflection, Douglas and I recognise that many of the issues raised in the Premises Review have been caused by my mother not properly following our recruitment procedures and failing to keep Douglas or myself properly informed. Having discussed the matter, we have agreed that Nahid will step down from the board on 15 September and cease managing recruitment. Going forward only myself, Douglas and the new General Manager will manage the recruitment and on-boarding process.

Dated this 15<sup>th</sup> day of September 2023

**STATEMENT OF TRUTH**

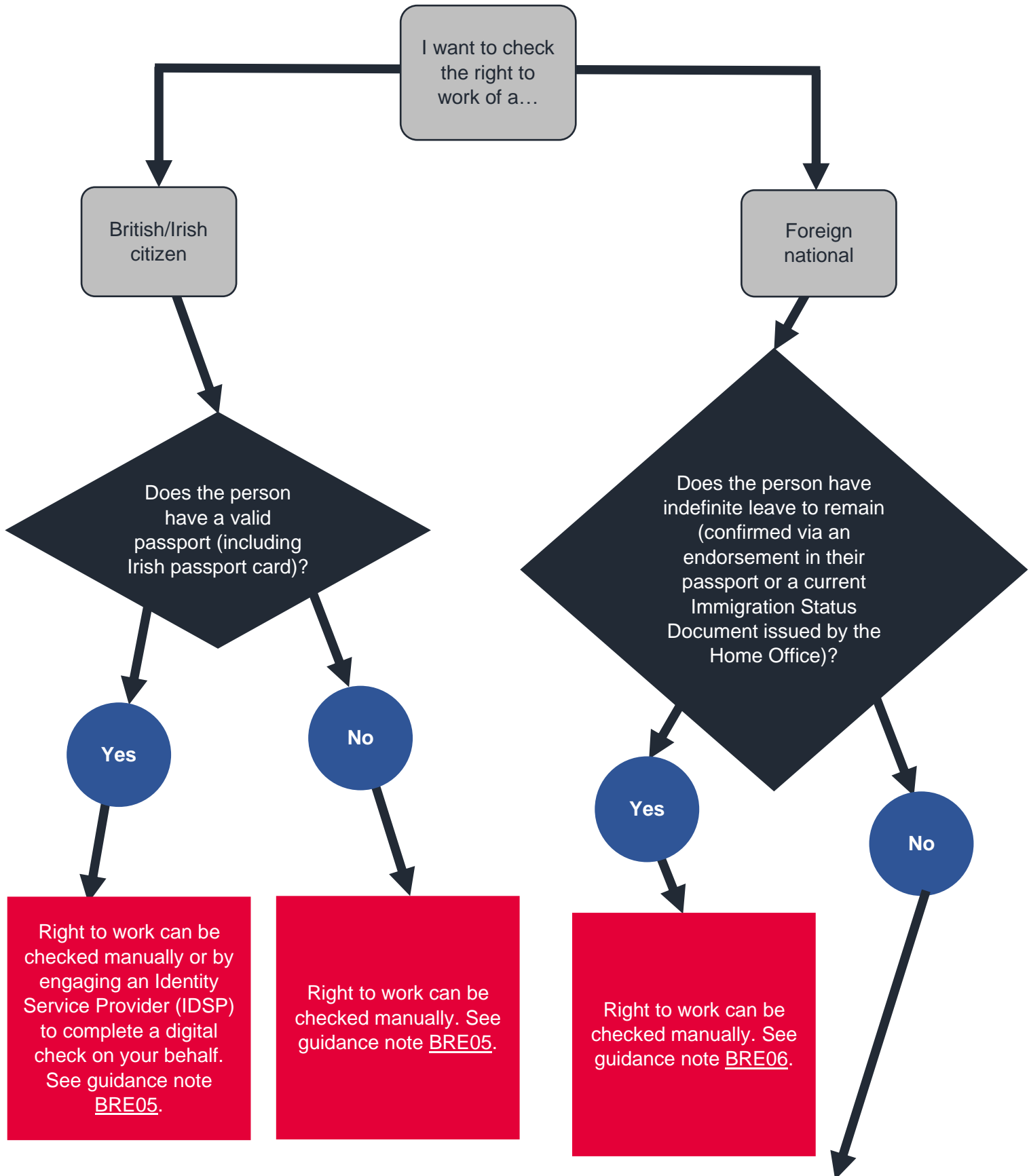
I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

*CHARLES MCNEIL*

Signed.....

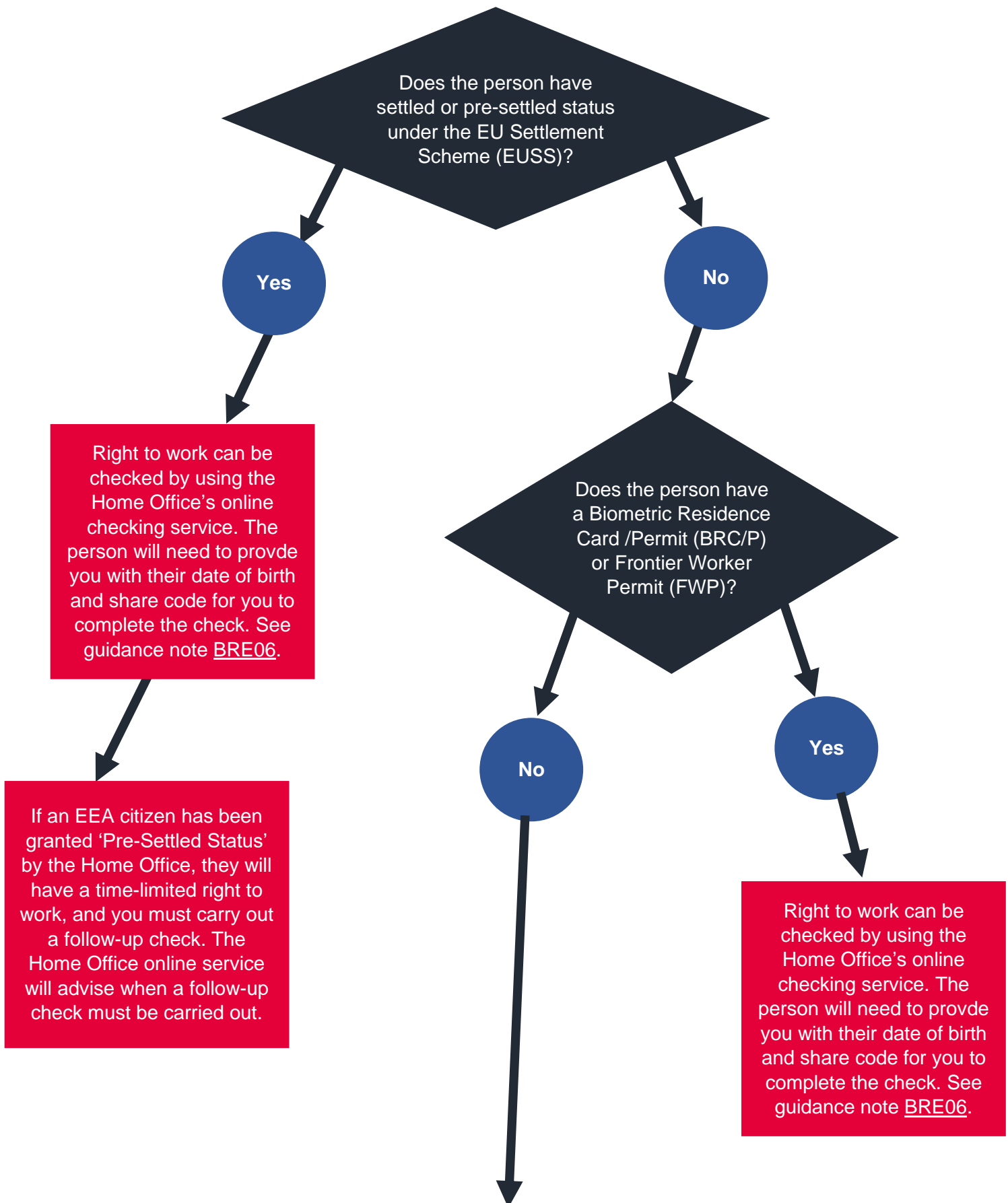
**Charles McNeil**  
**Director of Nahid Residential Limited**

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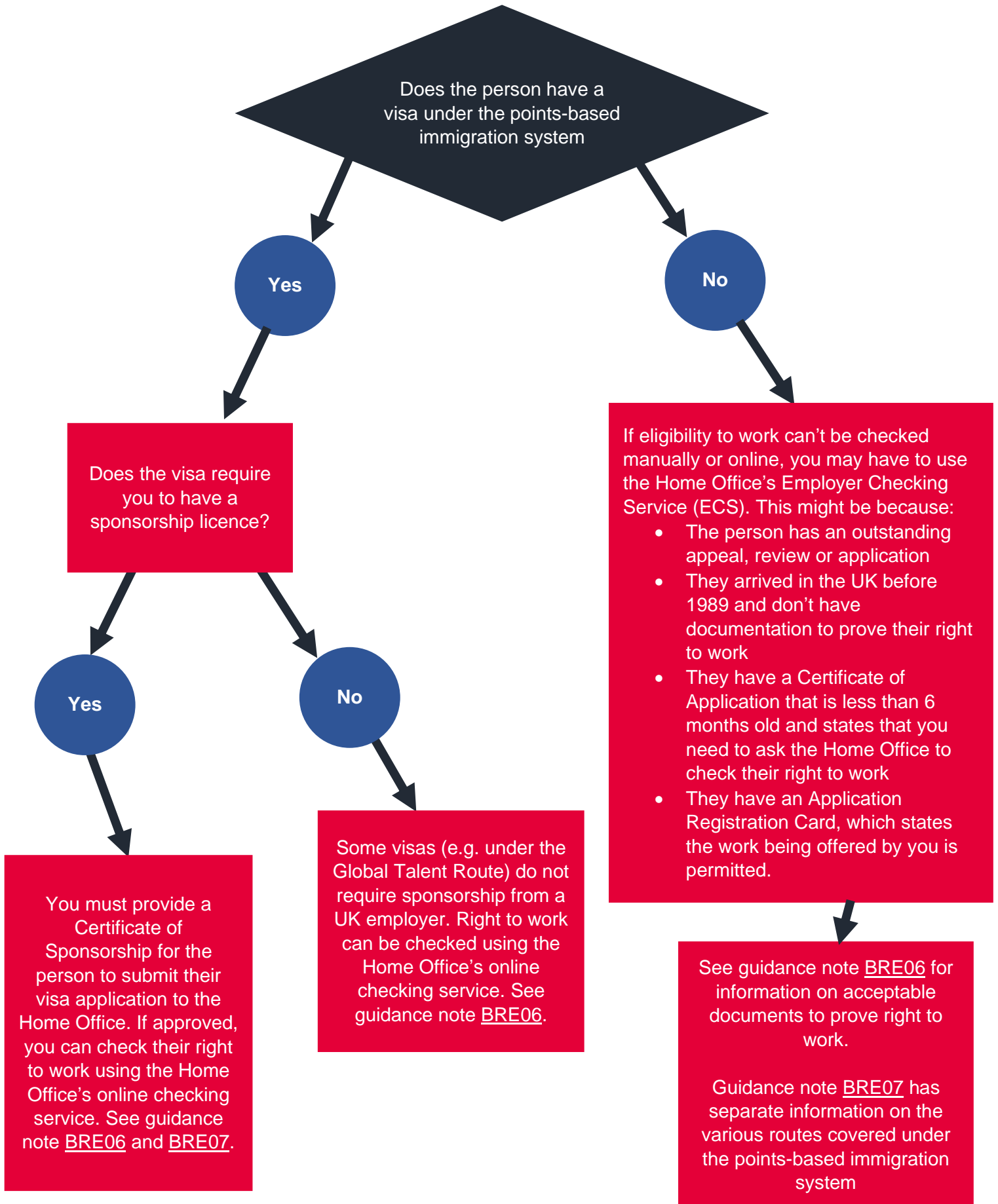


# Right to work checks

## Process Map









# Right to work checks for non-British and Irish citizens

## Guidance Note

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*This guidance outlines the process for checking the right to work of non-British and Irish citizens. For information on right to work checks for British and Irish citizens, see guidance note BRE05. Or, for guidance on sponsoring workers, see BRE07.*

### WHY DO I NEED TO DO RIGHT TO WORK CHECKS?

All employers in the UK have a responsibility to prevent illegal working. You do this by conducting right to work checks before you employ someone, to make sure the individual is not disqualified from carrying out the work in question due to their immigration status.

If you conduct the required checks in the correct way, you will have a 'statutory excuse' against liability for a civil penalty in the event you are found to have employed someone who does not actually have the right to work in the UK.

### WHEN DO I NEED TO DO A RIGHT TO WORK CHECK?

You should conduct a right to work check before you employ a person to ensure they are legally allowed to do the work in question for you. If a person's right to work is time-limited, you should conduct a follow-up check before it is due to end.

Where right to work is not time-limited, you will establish a continuous statutory excuse for the duration of the person's employment if you complete the check correctly before they begin, meaning you won't have to conduct any further checks on that individual.

### WHOSE RIGHT TO WORK DO I NEED TO CHECK?

You must carry out a right to work check on every employee who comes to work for

you. You should not assume, on any basis, that someone has the right to work in the UK and checks should be required of everyone in the same way.

### WHAT HAPPENS IF I DON'T DO RIGHT TO WORK CHECKS?

There is a civil penalty in place where an employer can be fined up to £20,000 per worker who does not have the correct permission to carry out the work they are employed to do. The government has announced plans to increase these fines up to £45,000 per illegal worker for a first breach, and up to £60,000 for repeated breaches, from 2024, but further steps are needed before this is confirmed. Under the civil penalty scheme, an immigration officer who believes the organisation is employing an individual who does not have the correct permission, can issue a notice imposing the fine.

A criminal offence will be committed if you employ an individual and have 'reasonable cause to believe' they do not have the right to work in the UK. It can also lead to disqualification as a company director, being prohibited from sponsoring migrants and the seizure of earnings made as a result of the illegal work.

### WHAT IS THE GOVERNMENT'S CODE OF PRACTICE ON RIGHT TO WORK CHECKS?

In February 2022, the Home Office published a Code of Practice to ensure employers do not unlawfully discriminate when complying with their duty to prevent



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illegal working by completing right to work checks.

The Code recognises that discrimination can occur in many different ways but focused on the subject of avoiding race discrimination, as this is the main issue employees face when being asked of their right to work.

The Code outlines employers should:

- Be consistent in how they conduct right to work checks with all applicants.
- Ensure job selections are made on the basis of suitability for the role.
- Ensure no applicants are discouraged or excluded because of known or perceived protected characteristics (e.g. race).

The Code further highlights employers should not:

- Discriminate when conducting right to work checks
- Only check the status of those who appear likely to be migrants
- Make assumptions about a person's right to work based on their colour, ethnic or national origins, nationality, accent, surname or length of time they have been resident in the UK.

Failure to adhere to the above may risk an employer acting in a discriminatory matter and facing claims of race discrimination.

To avoid discrimination claims, you should ensure all applicants are treated equally at each stage of the recruitment process. Having a clear written recruitment and selection procedure can further support this, as can a zero-tolerance stance against any form of race-related bullying, harassment and discrimination in the workplace.

### HOW DO I CHECK RIGHT TO WORK FOR THOSE WITH SETTLED STATUS?

EEA nationals who were resident in the UK before 31 December 2020 had to apply to the EU Settlement Scheme (EUSS) to obtain authorisation to stay in the UK and to work. The deadline for applications was 30 June 2021.

EEA citizens with Indefinite Leave to Enter or Remain (ILE/R) were not required to make an application to the EU Settlement Scheme but could do so if they wished.

From 1 July 2021, EEA nationals can prove their right to work in the same way as other foreign nationals who do not have an immigration status that can be shared digitally. You can carry out a manual check of their Home Office documentation such as an endorsement/vignette in a current passport stating, 'indefinite leave to enter or remain' or 'no time limit'

But, the majority of EEA citizens will prove their right to work using the Home Office online right to work service. Those who have made a successful application to the EUSS will have been granted their immigration status digitally and can only prove their right to work using Home Office online service: 'prove your right to work to an employer' available on the GOV.UK website: <https://www.gov.uk/prove-right-to-work>.

If an EEA citizen applies for a job with you but did not apply to the EUSS by the deadline and has no alternative immigration status in the UK, they should not be employed.

To prove their right to work from 1 July 2021, individuals should provide you with a share code and their date of birth which will enable you to check their Home Office immigration status via the online service available on the GOV.UK website: <https://www.gov.uk/view-right-to-work>.

If an EEA citizen has been granted 'Settled Status' by the Home Office, they will have a continuous right to work, in the same way as someone with Indefinite Leave to Enter/Remain status.



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If an EEA citizen has been granted 'Pre-Settled Status' by the Home Office, they will have a time-limited right to work and you must carry out a follow-up check. The Home Office online service will advise when a follow-up check must be carried out.

**Pre-Settled status from December 2022:** The High Court ruled that the requirement for individuals with pre-settled status to reapply to the scheme for full settled status once they have five years' continuous residence, or lose their right to live and work in the UK, is unlawful.

The Home Office accepted this decision and confirmed it will not lodge an appeal. It's indicated that right to work guidance will be updated but encourages people to apply for full settled status as soon as they're eligible. Employers with staff who have a time-limited right to work (e.g. those with pre-settled status), should contact the Home Office for information on what to do if their status expires.

### HOW DO I CHECK RIGHT TO WORK FOR FOREIGN NATIONAL'S WITHOUT SETTLED STATUS?

As of 1 July 2021, there will be some groups of EEA citizens who will not have status under the EU Settlement Scheme (EUSS). They will evidence their right to work using specified documents if they cannot use the Home Office online system. These are:

- Frontier Worker Permits
- Service Provider of Switzerland Visas
- Outstanding applications to UK EUSS
- Outstanding applications to Crown Dependency EUSS
- EEA citizens with Indefinite Leave to Enter/Remain
- Points-Based System visas

There are two ways right to work checks can be completed for these, and all other, foreign nationals:

- a manual document-based check
- an online check

From 6 April 2022, employers must carry out a check for individuals holding a Biometric Residence Card (BRC), Biometric Residence Permit (BRP) or Frontier Worker Permit (FWP) using the Home Office's online checking service. Physical copies of BRCs, BRPs and FWPs were removed as an acceptable right to work document.

For checks of other documents, you should not discriminate on the basis of whether or not an individual is able and/or willing to demonstrate their right to work using an online service. To do so may result in you breaching the law.

While you may choose to encourage use of online checks and may support individuals in doing so (e.g. by providing access to a computer and the internet), you are not permitted to mandate online checks (except where it is the only evidence the individual has because they are on a digital status only route).

If a worker doesn't want to demonstrate their right to work using the online service, even if their immigration status or documentation is compatible with it, you should complete a manual check.

### HOW DO I COMPLETE A MANUAL RIGHT TO WORK CHECK?

You must complete all stages of the check to establish the statutory excuse.

#### Step 1: Obtain

Obtain original documents from either List A or List B (see below). Copies or photographs of documents cannot be accepted.

#### Step 2: Check



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You must check that the documents are genuine and that the person presenting them is the prospective employee, the rightful holder and allowed to do the type of work you are offering. You must check that:

- photographs and dates of birth are consistent across documents and with the person's appearance in order to detect impersonation
- expiry dates for permission to be in the UK have not passed
- any work restrictions to determine if they are allowed to do the type of work on offer (for students who have limited permission to work during term-times, you must also obtain, copy and retain details of their academic term and vacation times covering the duration of their period of study in the UK for which they will be employed)
- the documents are genuine, have not been tampered with and belong to the holder
- the reasons for any difference in names across documents can be explained by providing evidence (e.g. original marriage certificate, divorce decree absolute, deed poll). These supporting documents must also be photocopied, and a copy retained.

When checking the validity of the document, you must be in the presence of the holder. This can be a physical presence in-person or via live video call link. In both cases, you must be in physical possession of the original documents. For example, the person may choose to post the documents to you, to enable you to conduct the check with them via live video link. You can't rely on the inspection of the document via live video link or by checking a faxed or scanned copy of the document.

### Step 3: Copy

You must make a clear copy of each document in a format which cannot

manually be altered and retain the copy securely: electronically or in hard copy. You must also retain a secure record of the date on which you made the check. This requires more than simply writing the date on the copy document. If you write a date on the copy document, you must also record that this is the date on which you conducted the check.

You must copy and retain copies of:

1. Passports: any page with the document expiry date, the holder's nationality, date of birth, signature, leave expiry date, biometric details, photograph and any page containing information indicating the holder has an entitlement to enter or remain in the UK (visa or entry stamp) and undertake the work in question. You do not need to make a copy of the front cover.
2. All other documents: the document in full, including both sides of a Biometric Residence Permit, Application Registration Card and a Residence Card (biometric format).

All copies of documents taken should be kept securely for the duration of employment and for two years afterwards. The copy must then be securely destroyed.

### HOW DO I COMPLETE AN ONLINE RIGHT TO WORK CHECK?

Currently, the online service supports checks in respect of those who hold:

- a biometric residence permit (BRP)
- a biometric residence card (BRC)
- status issued under the EU Settlement Scheme
- status issued under the points-based immigration system
- British National Overseas (BNO) visa
- Frontier workers permit (FWP).

Where an online check is not possible due to the individual not having an immigration



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status that can be checked online, a manual check will be needed. However, such situations will be rare.

You must complete all stages of the check to establish the statutory excuse.

### **Share code**

To carry out an online check, you will need a share code; the individual has to give you this. The code enables you to see their Home Office right to work record when you enter it along with their date of birth.

Share codes expire 30 days after they have been issued. You will need to ask the individual to provide you with a new code if the one they originally provided has expired.

You should visit 'View a job applicant's right to work details' on GOV.UK and access the employer part of the service in order to obtain a statutory excuse. You will not establish a statutory excuse by viewing the migrant part of the service.

### **Step 1: Use the Home Office online checking service**

The individual may provide the share code to you directly, or they may choose to send this to you via the service. If they choose to send it to you via the service, you will receive an email from [right.to.work.service@notifications.service.gov.uk](mailto:right.to.work.service@notifications.service.gov.uk). To check the person's right to work details, you will need to:

- access the service 'View a job applicant's right to work details' via GOV.UK to view the employer's part of the service
- enter the 'share code' provided to you by the individual and enter their date of birth

### **Step 2: Check**

You must check that the photograph on the online right to work check is of the individual in question. You must do this in the presence of the holder, either in their physical presence or via live video link.

If it is reasonably apparent from the photograph that the individual in question is not the individual to whom the information provided in the check relates, you may face a civil penalty in the event of illegal working.

You must only employ the person or continue to employ an existing employee (if you are conducting a follow-up check) if the online check confirms they have the right to work and are not subject to a condition preventing them from doing the work in question.

### **Step 3: Retain evidence of the online check**

You must retain evidence of the online right to work check. For online checks, this should be the 'profile' page confirming the individual's right to work. This is the page that includes the individual's photo and date on which the check was conducted.

You will have the option of printing the profile or saving it as a PDF or HTML file. You should store this securely, (electronically or in hardcopy) for the duration of employment and for two years afterwards. The file must then be securely destroyed.

### **WHICH DOCUMENTS CAN BE ACCEPTED TO DEMONSTRATE RIGHT TO WORK?**

The documents you may accept from a person to demonstrate their right to work are set out in two lists – List A and List B (see below).

### **Checking validity**

You must check the validity of the documents in the presence of the holder, you can do this in their physical presence or via live video link.

The responsibility for checking documents is yours. You cannot rely on a third party – an agency, for example, to check documents although you can use third parties to provide technical knowledge or equipment on making checks. Where it is



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reasonably apparent that a document is false, you will be liable for the civil penalty.

This means that a person who is untrained in the identification of false documents, examining it carefully, but briefly, and without the use of technological aids could reasonably be expected to realise that the document in question is not genuine.

You will not obtain a statutory excuse if:

- the check is performed by an individual who is not employed by you
- it is reasonably apparent that the person presenting the document is not the person referred to in that document, even if the document itself is genuine. You may be liable to prosecution if you know or have reasonable cause to believe that the individual does not have immigration permission to work
- you know that the individual is not permitted to undertake the work in question
- you know that the documents are false or do not rightfully belong to the holder.

### WHEN DO I NEED TO DO A FOLLOW UP CHECK?

You need to recheck the right to work of individuals who have time-limited permission to work in the UK. This means that you need to do a follow up check when the documents provided by the employee for the initial pre-employment check were from List B. List A documents do not need a follow up check.

You should do the follow up check when their previous permission comes to an end. When conducting follow-up checks, you may use either the manual right to work check or the online right to work check where applicable, irrespective of the type of check you conducted originally, before employment commenced.

The frequency of these follow-up checks depends on whether the documents you

are provided with are from Group 1 or Group 2 of List B.

Group 1 documents provide a time-limited statutory excuse which expires when the person's permission to work expires. This means that you should carry out a follow-up check shortly before permission which demonstrates their permission to work expires.

Group 2 documents provide a time-limited statutory excuse which expires six months from the date specified in your Positive Verification Notice. This means that you should carry out a follow-up check shortly before this notice expires.

### WHEN WOULD I NEED TO CONTACT THE HOME OFFICE TO VERIFY RIGHT TO WORK?

In certain circumstances, you will need to contact the Home Office's Employer Checking Service (ECS) to establish a statutory excuse. It is expected that, in most cases, you will be able to conduct a manual or online check. However, you should contact the ECS when:

- You are presented with a Certificate of Application which is less than six months old, which indicates that work is permitted
- You are presented with an Application Registration Card stating that the holder is permitted to undertake the work in question. If the card contains an expiry date, this date must not have expired. Any work will be restricted to employment in a shortage occupation
- You are satisfied that you have not been provided with any acceptable documents because the person has an outstanding application which was made before their previous permission expired or has an appeal or administrative review pending and therefore cannot provide evidence of their right to work



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- You consider that 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.

In the above circumstances, you will establish a statutory excuse only if you are issued with a Positive Verification Notice (PVN) confirming that the named person is allowed to carry out the type of work in question.

You should not contact the ECS where employment commenced before 29 February 2008 and has been continuous ever since. You will receive a Negative Verification Notice because this employment is out of scope of the civil penalty scheme.

### WHAT IS AN IN-TIME APPLICATION?

A person's application for further permission to stay in the UK must be made before their existing permission expires for it to be deemed 'in-time.' If they do this, any existing right to work will continue until that in-time application has been determined; this is known as 3C leave.

On 26 January 2023, changes came into force enabling some individuals with an outstanding in-time application to stay in the UK, an appeal, or an Administrative Review to prove their right to work using the Home Office online checking service.

Prior to 26 January 2023, for all individuals, employers were required to contact the Home Office Online Checking Service to obtain a Positive Verification Notice (PVN) which provided the employer with a statutory excuse valid for 6 months.

### WHAT IF AN EMPLOYEE'S RIGHT TO WORK EXPIRES WHILST THEY ARE WAITING FOR AN EXTENSION OR VARIATION?

In such cases, section 3C of the Immigration Act 1971 applies to protect a person who makes an in-time application to extend their leave, from becoming an overstayer while they are awaiting a decision on that application, and while any appeal or Administrative Review they are entitled to is pending. This "3C Leave" means their existing leave gets extended until a decision is made about their pending application.

Where applicable, those with in-time applications will, from 26 January 2023, have their 3C Leave reflected within their digital profile, allowing them to prove their rights, such as right to work. If an employee advises you that they have an outstanding, in-time application, and they are an eVisa holder, you should ask them to provide you with a share code. Once in receipt of the share code, you can use the online service to carry out the right to work check as set out in this guidance.

In such circumstances, the online service will provide confirmation of the individual's right to work and will provide you with a statutory excuse for a period of six months. This is the standard duration when right to work checks are conducted on individuals who have an outstanding, in-time immigration application. Upon any subsequent application to renew the right to work, you must carry out a follow-up check.

Some users may not be supported by the online service at this time as work continues to move to digital by default. In circumstances where the individual is unable to provide you with a share code, yet they have an outstanding, in-time application, you should contact the ECS for verification of this. It does not apply to those on non-digital routes, those who are applying for non-digital route status and those who have leave through the EU Settlement Scheme or as a frontier worker.





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### **HOW DOES A TUPE TRANSFER IMPACT RIGHT TO WORK CHECKS?**

Transfer of Undertakings (Protection of Employment) (TUPE) Regulations 2006 provide that right to work checks carried

out by the transferor (the seller/old employer) are deemed to have been carried out by the transferee (the buyer/new employer). As such, the new employer will obtain the benefit of any statutory excuse established by the seller.

However, if the seller did not conduct the original checks correctly, the buyer would be liable for a penalty if an employee, who commenced work on or after 29 February 2008, is later found to be working illegally. Also, a check by the buyer may be the only way to determine when any follow-up check should be carried out in respect of employees with time-limited permission to work in the UK.

For these reasons, employers who acquire staff in cases of TUPE transfers are advised to undertake a fresh right to work check on those staff they have acquired. Employers are not required to have a statutory excuse in respect of employment which commenced before 29 February 2008, where the individual has been in continuous employment prior to that date. This includes where employment has continued as part of a TUPE transfer.

The Home Office recognised that there may be practical problems in completing checks before employment commences for workers acquired as part of a TUPE transfer, and for this reason a grace period has been provided during which employers should undertake the check. This period runs for 60 calendar days from the date of the transfer of the business, to correctly carry out fresh right to work

checks in respect of those TUPE employees acquired. There is no grace period for any subsequent follow-up checks.



## ACCEPTABLE RIGHT TO WORK DOCUMENTS FROM 6 APRIL 2022

### List A – acceptable documents to establish a continuous statutory excuse

1.	A passport (current or expired) showing the holder is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.
2.	A passport or passport card (in either case, whether current or expired) showing that the holder is an Irish citizen.
3.	A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted unlimited leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.
4.	A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
5.	A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.
6.	A birth or adoption certificate issued in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.
7.	A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.
8.	A certificate of registration or naturalisation as a British citizen, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.

**List B Group 1 – documents where a time-limited statutory excuse lasts until the expiry date of permission to enter or permission to stay**

1.	A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.
2.	A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted limited leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.
3.	A current Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK and is allowed to do the type of work in question, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.

**List B Group 2 – documents where a time-limited statutory excuse lasts for six months**

1.	A document issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules (known as the EU Settlement Scheme) on or before 30 June 2021 together with a Positive Verification Notice from the Home Office Employer Checking Service.
2.	A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man showing that the holder has made an application for leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules or Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules, together with a Positive Verification Notice from the Home Office Employer Checking Service
3.	An Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, together with a Positive Verification Notice from the Home Office Employer Checking Service.
4.	A Positive Verification Notice issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question.
5.	A Certificate of Application (digital or non-digital) issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules (known as the EU Settlement Scheme), on or after 1 July 2021, together with a Positive Verification Notice from the Home Office Employer Checking Service. Additional document entered on list.



# Guildford Manor

HOTEL · VENUE · SPA

## Full time New Starter Welcome Checklist & Declaration Form

Please use this list to check you have received all required documents: once documents are signed please return to your Manager.

Document	What to do?	Completed
Statement of Main Terms of Employment	Read, sign and return	<input type="checkbox"/> Yes
Company Handbook	Read and keep	<input type="checkbox"/> Yes
New Starter Form	Complete, sign and return	<input type="checkbox"/> Yes
HMRC Starter Checklist	Complete, sign and return	<input type="checkbox"/> Yes
Deductions from Pay Agreement	Read, sign and return	<input type="checkbox"/> Yes
48hr Opt Out	Read, sign and return	<input type="checkbox"/> Yes
Training Agreement	Read, sign and return	<input type="checkbox"/> Yes
Accommodation Agreement (live-in staff only)	Read, sign and return	<input type="checkbox"/> Yes
Passport / National ID Card	Provide original doc.	<input type="checkbox"/> Yes
Right to Work in the UK	Provide original docs	<input type="checkbox"/> Yes

*All documents will be uploaded to your BrightHR account.*

I ..... confirm I have received, read and understood the above documents, policies & procedures and agree to abide by them.

**SIGNATURE:**

Employee

**DATE:**



# Guildford Manor

HOTEL · VENUE · SPA

## Right to Work Declaration Form

Please use this list to check you have done all the Right to Work checks for said employee:

Employee : \_\_\_\_\_

Right to Work Checklist		
Passport / National ID Card	Original scanned & stored on Bright HR	<input type="checkbox"/> Completed
Right to Work in UK	Checked & stored on Bright HR	<input type="checkbox"/> Completed
Any restrictions:		

I, \_\_\_\_\_, confirm that I have done all the Right to Work checks for this employee and they are allowed to work in the UK. I confirm I have checked this employee’s right to work in accordance with the Peninsula ‘Right to work checks - Process Map’.

**SIGNATURE:**

\_\_\_\_\_

General Manager

**DATE:**

\_\_\_\_\_

**SIGNATURE:**

\_\_\_\_\_

Director

**DATE:**

\_\_\_\_\_

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**LICENSING SUB-COMMITTEE HEARING**

**AT GUILDFORD BOROUGH COUNCIL**

**BETWEEN:**

**RE NAHID RESIDENTIAL LIMITED**

**WITNESS STATEMENT OF DOUGLAS ANDREW MCNEIL**

I, **Douglas Andrew McNeil**, of 2 The Paddock, Guildford, Surrey, GU1 2RQ, **do say as follows:-**

1. I am a director of Nahid Residential Limited. I make this witness statement in support of the submissions in response to the review of the Premises Licence for Guildford Manor Hotel & Spa, Newlands Corner, GU4 8SE.
2. The facts and matters set out in this witness statement are either known by me directly and are true, or are known by me indirectly and are believed to the best of my knowledge to be true. In relation to matters falling into the latter category, I have set out the source of my knowledge and belief.
3. I am extremely sorry for the unlawful employment practices highlighted in respect of two people set out in the Premises Review report.
4. On 31 May 2023, I was on site when the enforcement agents undertook their investigation. On 17 August, I received the Licensing Review and have carefully considered the issues raised. I acknowledge the severity of the allegations and I have taken the matter seriously. Charles and I promptly instructed solicitors on 18 August to properly consider and engage with the Licensing Review process and investigate and address the issues raised.
5. Nahid Residential Limited is a family owned business incorporated on 30 January 2014. My mother, Nahid McNeil and she was the director and sole shareholder of Nahid Residential Limited for a number of years (“**Nahid**

**Residential**”). In 2014 Nahid Residential purchased Guildford Manor Hotel & Spa Newlands Corner, GU4 8SE (“**Guildford Manor**”).

6. Guildford Manor has 51 hotel rooms, a spa with 450 current members, a restaurant, a ceremony room with a marriage licence and a reception/corporate hall. We currently have about 1 wedding a week booked until the October 2024 and 1,000 people booked into our hotel. Many of our guests travel some distance (from the UK and overseas) and accordingly many are likely to have secured and incurred travel costs in advance of their stay. All of our wedding bookings include use of the bar and provision of late night hot food and drink and music. All room bookings have use of the spa facility which has a sound system. Nahid Residential is a member of the Surrey Hills Group. As part of our ethos, we help promote health in the community. Many of our members are elderly who use our facilities as part of their fitness regime. We take great pride in the business and the benefits it offers to the Surrey community and are keen to continue to continue our work here in Surrey.
7. Guildford Manor has gone through a process of modernisation. My brother, Charles McNeil, and I were appointed as directors of Nahid Residential on 14 July 2022. On the same date, Nahid McNeil’s shareholding was transferred to us. Since this date, we have been working to modernise and improve processes.
8. For about 7 months, between 21<sup>st</sup> September 2022 and early April 2023, Quinton O’Shea, had been the General Manager. He had 20 years expertise as a General Manager in the Hospitality industry. He left in April 2023. Charles & I encouraged his recruitment.
9. Charles & I have been in charge of the day to day management of the hotel since July 2022. Without fail, Charles & I went through a formal recruitment process, in compliance with Peninsula’s Establishing right to work Guidance and we have records of this within Bright HR. Regrettably during this time, Nahid also recruited members of staff without our involvement and failed to make the required right to work checks.
10. Since July 2022 there has been a period of transition with the transfer in management from my mother to Charles & I, and our chosen management team. Since my appointment, as part of my role, I have been working hard to



amend the management structure, and implement robust on-boarding checks to verify and document each new employee's right to work. Charles & I have also established the right to work of all existing members of staff and I enclose our current, key recruitment and on-boarding checklists and packs.

11. Following our management take-over, we incorporated McNeil Venue Holdings Limited on 3 November 2022 ("McNeil Venue Holdings"). McNeil Venue Holdings is the corporate shareholder of Nahid Residential. Charles McNeil and I are the joint directors and shareholders of McNeil Venue Holdings. McNeil Venue Holdings purchased Froyle Park Country Estate. As part of the collateral for securing the purchase of Froyle Park, the mortgage for Froyle Park is also secured against Guildford Manor, so their futures are intertwined.
12. Froyle Park is a wedding venue which can host up to 300 guests. We currently have about 180 confirmed bookings in the diary hosting some 40,000 guests.
13. If our Premises Licence is revoked this will have a huge impact on our business, more than 1,000 confirmed bookings, our 30 employees, our suppliers, creditors, and the current 450 spa members at Guildford Manor and also our business at Froyle Park. If we lose the Premises Licence this would have severe impact on the facilities we could provide at Guildford Manor. I would therefore anticipate that most existing hotel bookings, weddings and other events would require a full or partial refund. I anticipate that we would have insufficient funds to refund our bookings, to cover our overheads and we would be forced to close the business. Given the intrinsic link between Guildford Manor and Froyle Park, this would likely also result in the closure of Froyle Park.
14. Charles and I have purchased and utilise Bright HR's software platform to facilitate the recruitment process. The Bright HR software helps us to keep up to date with health & safety laws, provides 24 hour employment law advice, enables us to maintain a compliant, digital paper trail.
15. Charles and I also rely on Peninsula HR Services, who provide support in our HR and health and safety management.
16. We have recruited a new General Manager for Guildford Manor, Ian Bonner, to manage the whole process, including the recruitment and on-boarding processes. They have more than 15 years' experience as a General Manager

in the hospitality industry, who commenced their employment in July 2023. We have provided him with copies of the on-boarding and recruitment processes.

17. Andrew McNeil, my father, is the Designated Premises Supervisor at Guildford Manor.
18. During our investigation, we have highlighted that one of the key sources of the failings highlighted by the Premises Review were caused by my mother's informal and out-dated recruitment style and the worrying failings by the current Designated Premises Supervisor. I therefore acknowledge that changes need to be made to the current allocation of roles.
19. Charles, Nahid and I have agreed that our mother, Nahid will step-down from the Board on 15 September. She will also cease managing the recruitment and on-boarding process. This will end this transition period. Going forward we have agreed that Charles, the New General Manager and I will manage the recruitment and on-boarding, with no hindrance from my mother.
20. Andrew McNeil will step down from his current position as Designated Premises Supervisor. I agree to take over the role as Designated Premises Supervisor. To facilitate this, I have undertaken and passed the APLH training course and I am applying for a personal licence and take over the role as Designated Premises Supervisor. I am fully aware of the role and responsibility of a Designated Premises Supervisor and take this role seriously.

Dated this 15<sup>th</sup> day of September 2023

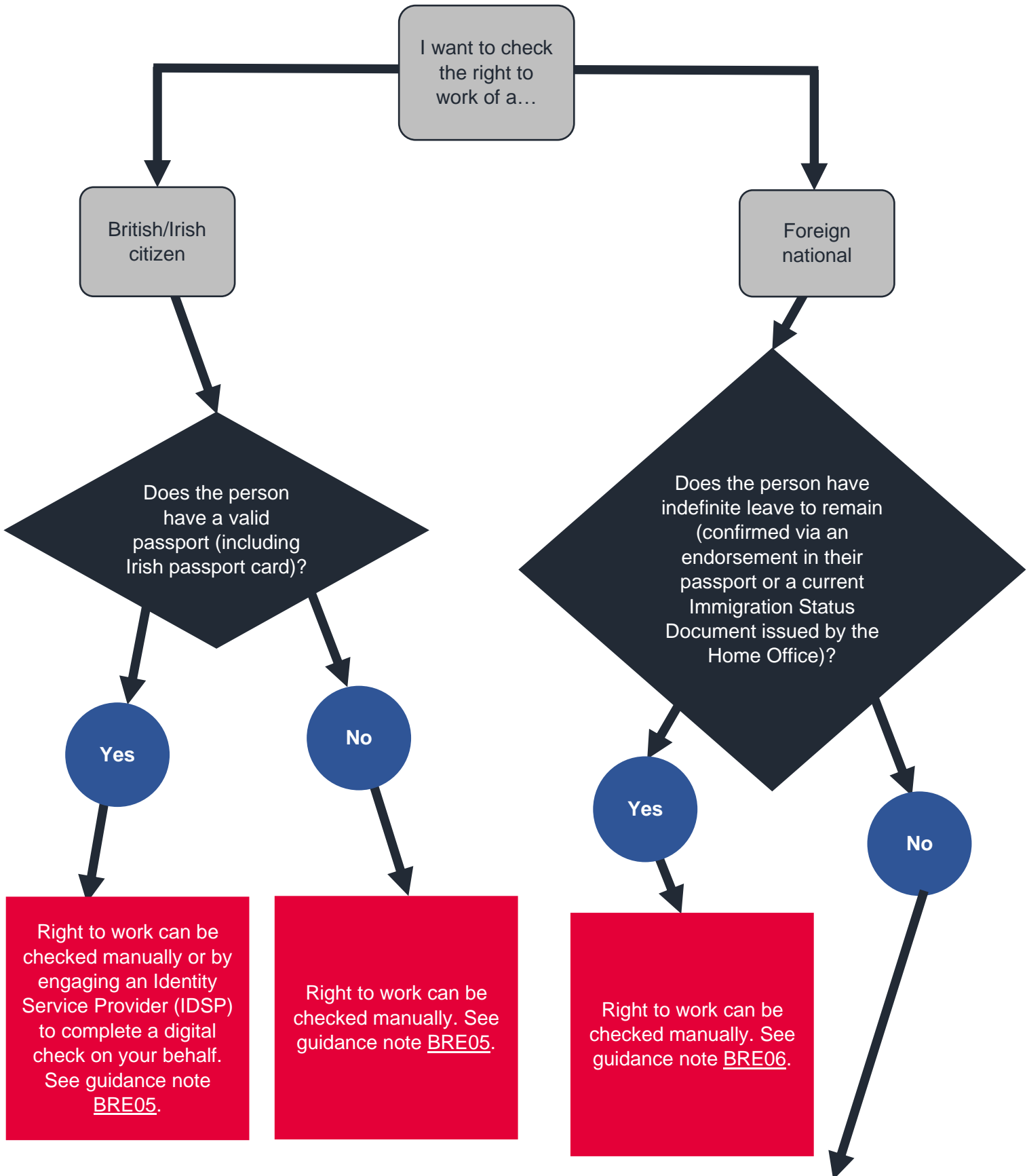
**STATEMENT OF TRUTH**

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

*Douglas McNeil*

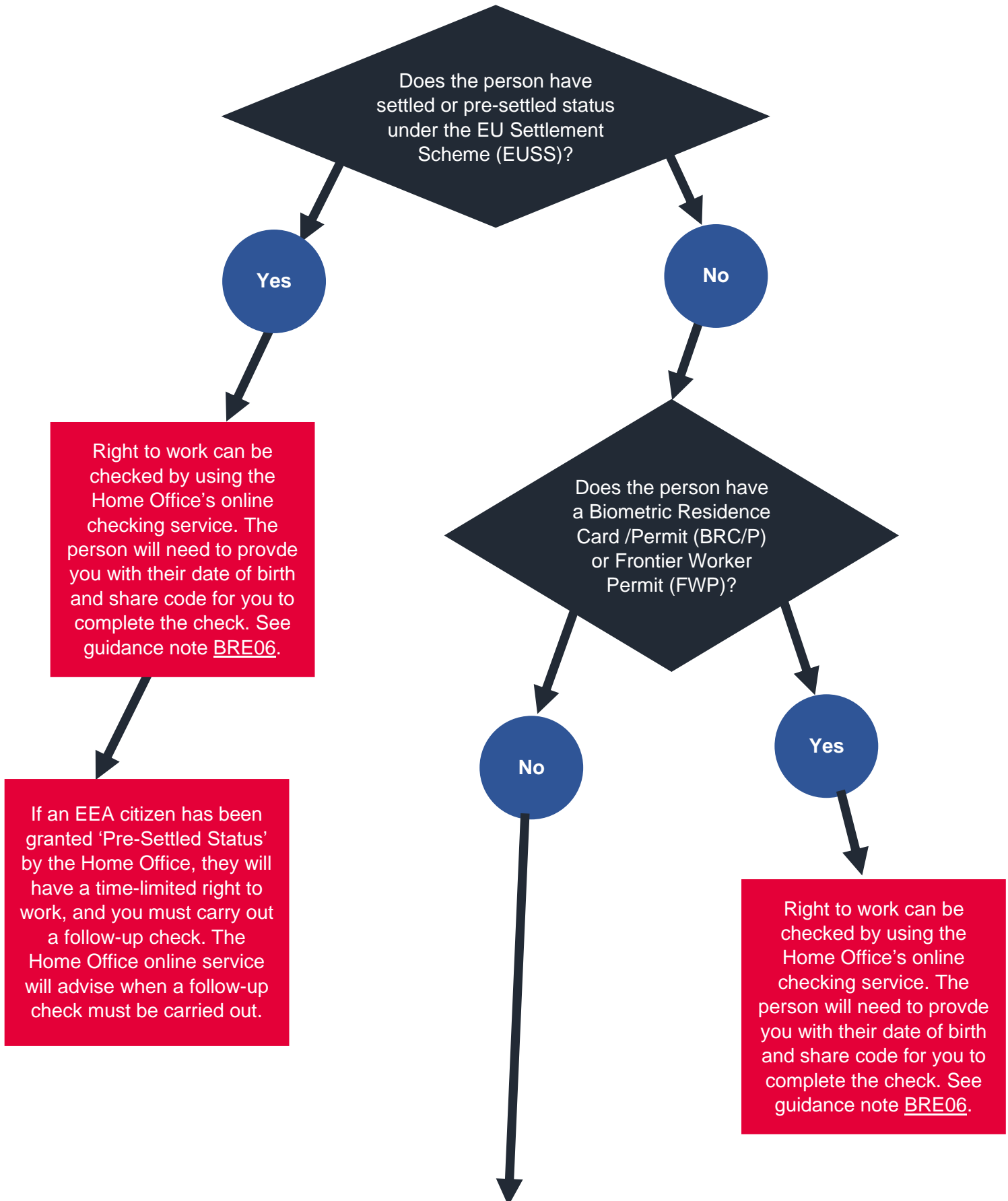
Signed.....

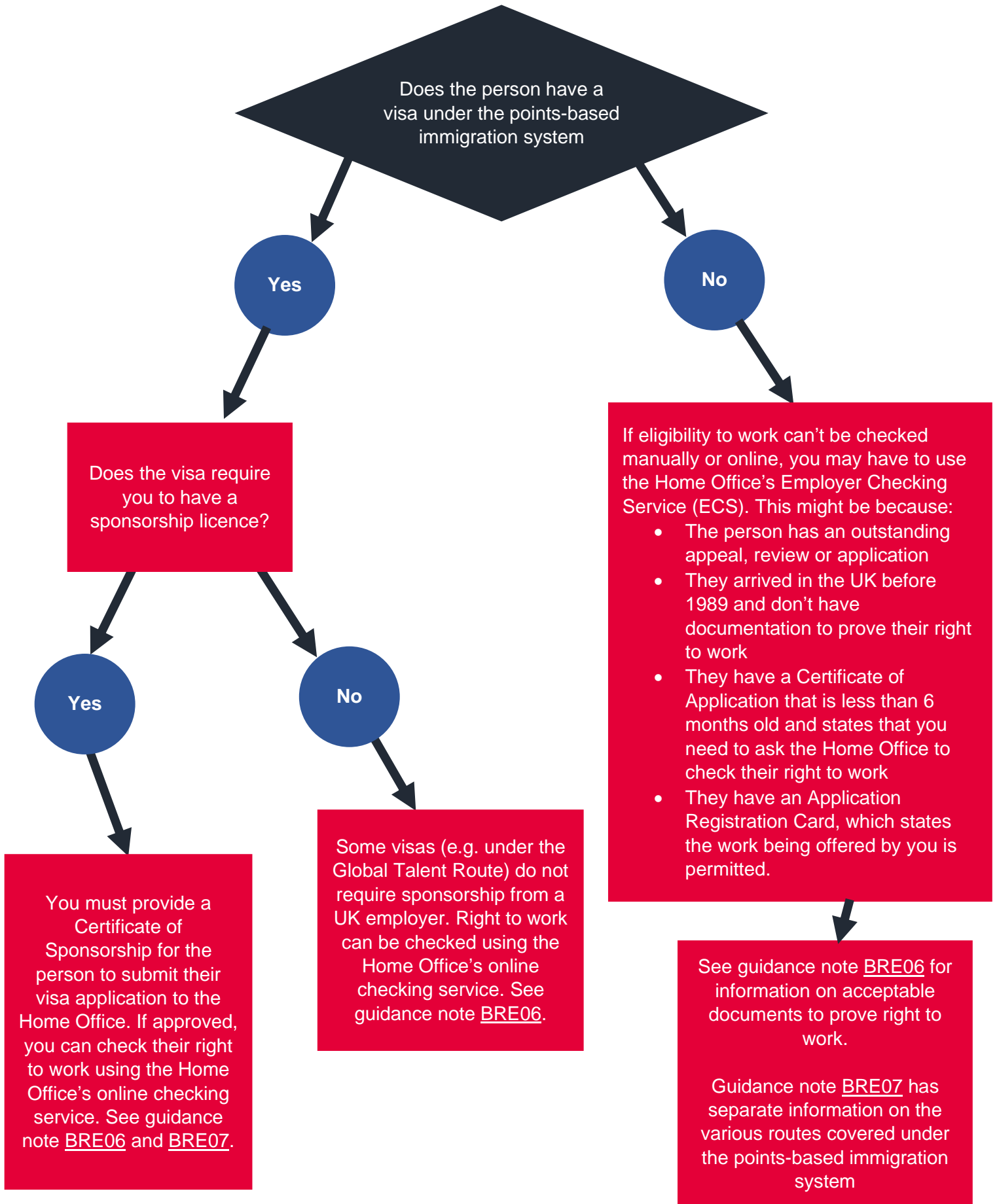
**Douglas McNeil**  
**Director of Nahid Residential Limited**



# Right to work checks

## Process Map







# Right to work checks for non-British and Irish citizens

## Guidance Note

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*This guidance outlines the process for checking the right to work of non-British and Irish citizens. For information on right to work checks for British and Irish citizens, see guidance note BRE05. Or, for guidance on sponsoring workers, see BRE07.*

### WHY DO I NEED TO DO RIGHT TO WORK CHECKS?

All employers in the UK have a responsibility to prevent illegal working. You do this by conducting right to work checks before you employ someone, to make sure the individual is not disqualified from carrying out the work in question due to their immigration status.

If you conduct the required checks in the correct way, you will have a 'statutory excuse' against liability for a civil penalty in the event you are found to have employed someone who does not actually have the right to work in the UK.

### WHEN DO I NEED TO DO A RIGHT TO WORK CHECK?

You should conduct a right to work check before you employ a person to ensure they are legally allowed to do the work in question for you. If a person's right to work is time-limited, you should conduct a follow-up check before it is due to end.

Where right to work is not time-limited, you will establish a continuous statutory excuse for the duration of the person's employment if you complete the check correctly before they begin, meaning you won't have to conduct any further checks on that individual.

### WHOSE RIGHT TO WORK DO I NEED TO CHECK?

You must carry out a right to work check on every employee who comes to work for

you. You should not assume, on any basis, that someone has the right to work in the UK and checks should be required of everyone in the same way.

### WHAT HAPPENS IF I DON'T DO RIGHT TO WORK CHECKS?

There is a civil penalty in place where an employer can be fined up to £20,000 per worker who does not have the correct permission to carry out the work they are employed to do. The government has announced plans to increase these fines up to £45,000 per illegal worker for a first breach, and up to £60,000 for repeated breaches, from 2024, but further steps are needed before this is confirmed. Under the civil penalty scheme, an immigration officer who believes the organisation is employing an individual who does not have the correct permission, can issue a notice imposing the fine.

A criminal offence will be committed if you employ an individual and have 'reasonable cause to believe' they do not have the right to work in the UK. It can also lead to disqualification as a company director, being prohibited from sponsoring migrants and the seizure of earnings made as a result of the illegal work.

### WHAT IS THE GOVERNMENT'S CODE OF PRACTICE ON RIGHT TO WORK CHECKS?

In February 2022, the Home Office published a Code of Practice to ensure employers do not unlawfully discriminate when complying with their duty to prevent



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illegal working by completing right to work checks.

The Code recognises that discrimination can occur in many different ways but focused on the subject of avoiding race discrimination, as this is the main issue employees face when being asked of their right to work.

The Code outlines employers should:

- Be consistent in how they conduct right to work checks with all applicants.
- Ensure job selections are made on the basis of suitability for the role.
- Ensure no applicants are discouraged or excluded because of known or perceived protected characteristics (e.g. race).

The Code further highlights employers should not:

- Discriminate when conducting right to work checks
- Only check the status of those who appear likely to be migrants
- Make assumptions about a person's right to work based on their colour, ethnic or national origins, nationality, accent, surname or length of time they have been resident in the UK.

Failure to adhere to the above may risk an employer acting in a discriminatory matter and facing claims of race discrimination.

To avoid discrimination claims, you should ensure all applicants are treated equally at each stage of the recruitment process. Having a clear written recruitment and selection procedure can further support this, as can a zero-tolerance stance against any form of race-related bullying, harassment and discrimination in the workplace.

### HOW DO I CHECK RIGHT TO WORK FOR THOSE WITH SETTLED STATUS?

EEA nationals who were resident in the UK before 31 December 2020 had to apply to the EU Settlement Scheme (EUSS) to obtain authorisation to stay in the UK and to work. The deadline for applications was 30 June 2021.

EEA citizens with Indefinite Leave to Enter or Remain (ILE/R) were not required to make an application to the EU Settlement Scheme but could do so if they wished.

From 1 July 2021, EEA nationals can prove their right to work in the same way as other foreign nationals who do not have an immigration status that can be shared digitally. You can carry out a manual check of their Home Office documentation such as an endorsement/vignette in a current passport stating, 'indefinite leave to enter or remain' or 'no time limit'

But, the majority of EEA citizens will prove their right to work using the Home Office online right to work service. Those who have made a successful application to the EUSS will have been granted their immigration status digitally and can only prove their right to work using Home Office online service: 'prove your right to work to an employer' available on the GOV.UK website: <https://www.gov.uk/prove-right-to-work>.

If an EEA citizen applies for a job with you but did not apply to the EUSS by the deadline and has no alternative immigration status in the UK, they should not be employed.

To prove their right to work from 1 July 2021, individuals should provide you with a share code and their date of birth which will enable you to check their Home Office immigration status via the online service available on the GOV.UK website: <https://www.gov.uk/view-right-to-work>.

If an EEA citizen has been granted 'Settled Status' by the Home Office, they will have a continuous right to work, in the same way as someone with Indefinite Leave to Enter/Remain status.



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If an EEA citizen has been granted 'Pre-Settled Status' by the Home Office, they will have a time-limited right to work and you must carry out a follow-up check. The Home Office online service will advise when a follow-up check must be carried out.

**Pre-Settled status from December 2022:** The High Court ruled that the requirement for individuals with pre-settled status to reapply to the scheme for full settled status once they have five years' continuous residence, or lose their right to live and work in the UK, is unlawful.

The Home Office accepted this decision and confirmed it will not lodge an appeal. It's indicated that right to work guidance will be updated but encourages people to apply for full settled status as soon as they're eligible. Employers with staff who have a time-limited right to work (e.g. those with pre-settled status), should contact the Home Office for information on what to do if their status expires.

### HOW DO I CHECK RIGHT TO WORK FOR FOREIGN NATIONAL'S WITHOUT SETTLED STATUS?

As of 1 July 2021, there will be some groups of EEA citizens who will not have status under the EU Settlement Scheme (EUSS). They will evidence their right to work using specified documents if they cannot use the Home Office online system. These are:

- Frontier Worker Permits
- Service Provider of Switzerland Visas
- Outstanding applications to UK EUSS
- Outstanding applications to Crown Dependency EUSS
- EEA citizens with Indefinite Leave to Enter/Remain
- Points-Based System visas

There are two ways right to work checks can be completed for these, and all other, foreign nationals:

- a manual document-based check
- an online check

From 6 April 2022, employers must carry out a check for individuals holding a Biometric Residence Card (BRC), Biometric Residence Permit (BRP) or Frontier Worker Permit (FWP) using the Home Office's online checking service. Physical copies of BRCs, BRPs and FWPs were removed as an acceptable right to work document.

For checks of other documents, you should not discriminate on the basis of whether or not an individual is able and/or willing to demonstrate their right to work using an online service. To do so may result in you breaching the law.

While you may choose to encourage use of online checks and may support individuals in doing so (e.g. by providing access to a computer and the internet), you are not permitted to mandate online checks (except where it is the only evidence the individual has because they are on a digital status only route).

If a worker doesn't want to demonstrate their right to work using the online service, even if their immigration status or documentation is compatible with it, you should complete a manual check.

### HOW DO I COMPLETE A MANUAL RIGHT TO WORK CHECK?

You must complete all stages of the check to establish the statutory excuse.

#### Step 1: Obtain

Obtain original documents from either List A or List B (see below). Copies or photographs of documents cannot be accepted.

#### Step 2: Check





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You must check that the documents are genuine and that the person presenting them is the prospective employee, the rightful holder and allowed to do the type of work you are offering. You must check that:

- photographs and dates of birth are consistent across documents and with the person's appearance in order to detect impersonation
- expiry dates for permission to be in the UK have not passed
- any work restrictions to determine if they are allowed to do the type of work on offer (for students who have limited permission to work during term-times, you must also obtain, copy and retain details of their academic term and vacation times covering the duration of their period of study in the UK for which they will be employed)
- the documents are genuine, have not been tampered with and belong to the holder
- the reasons for any difference in names across documents can be explained by providing evidence (e.g. original marriage certificate, divorce decree absolute, deed poll). These supporting documents must also be photocopied, and a copy retained.

When checking the validity of the document, you must be in the presence of the holder. This can be a physical presence in-person or via live video call link. In both cases, you must be in physical possession of the original documents. For example, the person may choose to post the documents to you, to enable you to conduct the check with them via live video link. You can't rely on the inspection of the document via live video link or by checking a faxed or scanned copy of the document.

### Step 3: Copy

You must make a clear copy of each document in a format which cannot

manually be altered and retain the copy securely: electronically or in hard copy. You must also retain a secure record of the date on which you made the check. This requires more than simply writing the date on the copy document. If you write a date on the copy document, you must also record that this is the date on which you conducted the check.

You must copy and retain copies of:

1. Passports: any page with the document expiry date, the holder's nationality, date of birth, signature, leave expiry date, biometric details, photograph and any page containing information indicating the holder has an entitlement to enter or remain in the UK (visa or entry stamp) and undertake the work in question. You do not need to make a copy of the front cover.
2. All other documents: the document in full, including both sides of a Biometric Residence Permit, Application Registration Card and a Residence Card (biometric format).

All copies of documents taken should be kept securely for the duration of employment and for two years afterwards. The copy must then be securely destroyed.

### HOW DO I COMPLETE AN ONLINE RIGHT TO WORK CHECK?

Currently, the online service supports checks in respect of those who hold:

- a biometric residence permit (BRP)
- a biometric residence card (BRC)
- status issued under the EU Settlement Scheme
- status issued under the points-based immigration system
- British National Overseas (BNO) visa
- Frontier workers permit (FWP).

Where an online check is not possible due to the individual not having an immigration



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status that can be checked online, a manual check will be needed. However, such situations will be rare.

You must complete all stages of the check to establish the statutory excuse.

### **Share code**

To carry out an online check, you will need a share code; the individual has to give you this. The code enables you to see their Home Office right to work record when you enter it along with their date of birth.

Share codes expire 30 days after they have been issued. You will need to ask the individual to provide you with a new code if the one they originally provided has expired.

You should visit 'View a job applicant's right to work details' on GOV.UK and access the employer part of the service in order to obtain a statutory excuse. You will not establish a statutory excuse by viewing the migrant part of the service.

### **Step 1: Use the Home Office online checking service**

The individual may provide the share code to you directly, or they may choose to send this to you via the service. If they choose to send it to you via the service, you will receive an email from [right.to.work.service@notifications.service.gov.uk](mailto:right.to.work.service@notifications.service.gov.uk). To check the person's right to work details, you will need to:

- access the service 'View a job applicant's right to work details' via GOV.UK to view the employer's part of the service
- enter the 'share code' provided to you by the individual and enter their date of birth

### **Step 2: Check**

You must check that the photograph on the online right to work check is of the individual in question. You must do this in the presence of the holder, either in their physical presence or via live video link.

If it is reasonably apparent from the photograph that the individual in question is not the individual to whom the information provided in the check relates, you may face a civil penalty in the event of illegal working.

You must only employ the person or continue to employ an existing employee (if you are conducting a follow-up check) if the online check confirms they have the right to work and are not subject to a condition preventing them from doing the work in question.

### **Step 3: Retain evidence of the online check**

You must retain evidence of the online right to work check. For online checks, this should be the 'profile' page confirming the individual's right to work. This is the page that includes the individual's photo and date on which the check was conducted.

You will have the option of printing the profile or saving it as a PDF or HTML file. You should store this securely, (electronically or in hardcopy) for the duration of employment and for two years afterwards. The file must then be securely destroyed.

### **WHICH DOCUMENTS CAN BE ACCEPTED TO DEMONSTRATE RIGHT TO WORK?**

The documents you may accept from a person to demonstrate their right to work are set out in two lists – List A and List B (see below).

### **Checking validity**

You must check the validity of the documents in the presence of the holder, you can do this in their physical presence or via live video link.

The responsibility for checking documents is yours. You cannot rely on a third party – an agency, for example, to check documents although you can use third parties to provide technical knowledge or equipment on making checks. Where it is



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reasonably apparent that a document is false, you will be liable for the civil penalty.

This means that a person who is untrained in the identification of false documents, examining it carefully, but briefly, and without the use of technological aids could reasonably be expected to realise that the document in question is not genuine.

You will not obtain a statutory excuse if:

- the check is performed by an individual who is not employed by you
- it is reasonably apparent that the person presenting the document is not the person referred to in that document, even if the document itself is genuine. You may be liable to prosecution if you know or have reasonable cause to believe that the individual does not have immigration permission to work
- you know that the individual is not permitted to undertake the work in question
- you know that the documents are false or do not rightfully belong to the holder.

### WHEN DO I NEED TO DO A FOLLOW UP CHECK?

You need to recheck the right to work of individuals who have time-limited permission to work in the UK. This means that you need to do a follow up check when the documents provided by the employee for the initial pre-employment check were from List B. List A documents do not need a follow up check.

You should do the follow up check when their previous permission comes to an end. When conducting follow-up checks, you may use either the manual right to work check or the online right to work check where applicable, irrespective of the type of check you conducted originally, before employment commenced.

The frequency of these follow-up checks depends on whether the documents you

are provided with are from Group 1 or Group 2 of List B.

Group 1 documents provide a time-limited statutory excuse which expires when the person's permission to work expires. This means that you should carry out a follow-up check shortly before permission which demonstrates their permission to work expires.

Group 2 documents provide a time-limited statutory excuse which expires six months from the date specified in your Positive Verification Notice. This means that you should carry out a follow-up check shortly before this notice expires.

### WHEN WOULD I NEED TO CONTACT THE HOME OFFICE TO VERIFY RIGHT TO WORK?

In certain circumstances, you will need to contact the Home Office's Employer Checking Service (ECS) to establish a statutory excuse. It is expected that, in most cases, you will be able to conduct a manual or online check. However, you should contact the ECS when:

- You are presented with a Certificate of Application which is less than six months old, which indicates that work is permitted
- You are presented with an Application Registration Card stating that the holder is permitted to undertake the work in question. If the card contains an expiry date, this date must not have expired. Any work will be restricted to employment in a shortage occupation
- You are satisfied that you have not been provided with any acceptable documents because the person has an outstanding application which was made before their previous permission expired or has an appeal or administrative review pending and therefore cannot provide evidence of their right to work



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- You consider that 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.

In the above circumstances, you will establish a statutory excuse only if you are issued with a Positive Verification Notice (PVN) confirming that the named person is allowed to carry out the type of work in question.

You should not contact the ECS where employment commenced before 29 February 2008 and has been continuous ever since. You will receive a Negative Verification Notice because this employment is out of scope of the civil penalty scheme.

### WHAT IS AN IN-TIME APPLICATION?

A person's application for further permission to stay in the UK must be made before their existing permission expires for it to be deemed 'in-time.' If they do this, any existing right to work will continue until that in-time application has been determined; this is known as 3C leave.

On 26 January 2023, changes came into force enabling some individuals with an outstanding in-time application to stay in the UK, an appeal, or an Administrative Review to prove their right to work using the Home Office online checking service.

Prior to 26 January 2023, for all individuals, employers were required to contact the Home Office Online Checking Service to obtain a Positive Verification Notice (PVN) which provided the employer with a statutory excuse valid for 6 months.

### WHAT IF AN EMPLOYEE'S RIGHT TO WORK EXPIRES WHILST THEY ARE WAITING FOR AN EXTENSION OR VARIATION?

In such cases, section 3C of the Immigration Act 1971 applies to protect a person who makes an in-time application to extend their leave, from becoming an overstayer while they are awaiting a decision on that application, and while any appeal or Administrative Review they are entitled to is pending. This "3C Leave" means their existing leave gets extended until a decision is made about their pending application.

Where applicable, those with in-time applications will, from 26 January 2023, have their 3C Leave reflected within their digital profile, allowing them to prove their rights, such as right to work. If an employee advises you that they have an outstanding, in-time application, and they are an eVisa holder, you should ask them to provide you with a share code. Once in receipt of the share code, you can use the online service to carry out the right to work check as set out in this guidance.

In such circumstances, the online service will provide confirmation of the individual's right to work and will provide you with a statutory excuse for a period of six months. This is the standard duration when right to work checks are conducted on individuals who have an outstanding, in-time immigration application. Upon any subsequent application to renew the right to work, you must carry out a follow-up check.

Some users may not be supported by the online service at this time as work continues to move to digital by default. In circumstances where the individual is unable to provide you with a share code, yet they have an outstanding, in-time application, you should contact the ECS for verification of this. It does not apply to those on non-digital routes, those who are applying for non-digital route status and those who have leave through the EU Settlement Scheme or as a frontier worker.



## **PENINSULA**

### **HOW DOES A TUPE TRANSFER IMPACT RIGHT TO WORK CHECKS?**

Transfer of Undertakings (Protection of Employment) (TUPE) Regulations 2006 provide that right to work checks carried

out by the transferor (the seller/old employer) are deemed to have been carried out by the transferee (the buyer/new employer). As such, the new employer will obtain the benefit of any statutory excuse established by the seller.

However, if the seller did not conduct the original checks correctly, the buyer would be liable for a penalty if an employee, who commenced work on or after 29 February 2008, is later found to be working illegally. Also, a check by the buyer may be the only way to determine when any follow-up check should be carried out in respect of employees with time-limited permission to work in the UK.

For these reasons, employers who acquire staff in cases of TUPE transfers are advised to undertake a fresh right to work check on those staff they have acquired. Employers are not required to have a statutory excuse in respect of employment which commenced before 29 February 2008, where the individual has been in continuous employment prior to that date. This includes where employment has continued as part of a TUPE transfer.

The Home Office recognised that there may be practical problems in completing checks before employment commences for workers acquired as part of a TUPE transfer, and for this reason a grace period has been provided during which employers should undertake the check. This period runs for 60 calendar days from the date of the transfer of the business, to correctly carry out fresh right to work

checks in respect of those TUPE employees acquired. There is no grace period for any subsequent follow-up checks.



## ACCEPTABLE RIGHT TO WORK DOCUMENTS FROM 6 APRIL 2022

### List A – acceptable documents to establish a continuous statutory excuse

1.	A passport (current or expired) showing the holder is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.
2.	A passport or passport card (in either case, whether current or expired) showing that the holder is an Irish citizen.
3.	A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted unlimited leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.
4.	A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
5.	A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.
6.	A birth or adoption certificate issued in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.
7.	A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.
8.	A certificate of registration or naturalisation as a British citizen, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.

**List B Group 1 – documents where a time-limited statutory excuse lasts until the expiry date of permission to enter or permission to stay**

1.	A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.
2.	A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted limited leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.
3.	A current Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK and is allowed to do the type of work in question, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.

**List B Group 2 – documents where a time-limited statutory excuse lasts for six months**

1.	A document issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules (known as the EU Settlement Scheme) on or before 30 June 2021 together with a Positive Verification Notice from the Home Office Employer Checking Service.
2.	A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man showing that the holder has made an application for leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules or Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules, together with a Positive Verification Notice from the Home Office Employer Checking Service
3.	An Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, together with a Positive Verification Notice from the Home Office Employer Checking Service.
4.	A Positive Verification Notice issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question.
5.	A Certificate of Application (digital or non-digital) issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules (known as the EU Settlement Scheme), on or after 1 July 2021, together with a Positive Verification Notice from the Home Office Employer Checking Service. Additional document entered on list.



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## Full time New Starter Welcome Checklist & Declaration Form

Please use this list to check you have received all required documents: once documents are signed please return to your Manager.

Document	What to do?	Completed
Statement of Main Terms of Employment	Read, sign and return	<input type="checkbox"/> Yes
Company Handbook	Read and keep	<input type="checkbox"/> Yes
New Starter Form	Complete, sign and return	<input type="checkbox"/> Yes
HMRC Starter Checklist	Complete, sign and return	<input type="checkbox"/> Yes
Deductions from Pay Agreement	Read, sign and return	<input type="checkbox"/> Yes
48hr Opt Out	Read, sign and return	<input type="checkbox"/> Yes
Training Agreement	Read, sign and return	<input type="checkbox"/> Yes
Accommodation Agreement (live-in staff only)	Read, sign and return	<input type="checkbox"/> Yes
Passport / National ID Card	Provide original doc.	<input type="checkbox"/> Yes
Right to Work in the UK	Provide original docs	<input type="checkbox"/> Yes

*All documents will be uploaded to your BrightHR account.*

I ..... confirm I have received, read and understood the above documents, policies & procedures and agree to abide by them.

**SIGNATURE:**

Employee

**DATE:**





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## Right to Work Declaration Form

Please use this list to check you have done all the Right to Work checks for said employee:

Employee : \_\_\_\_\_

Right to Work Checklist		
Passport / National ID Card	Original scanned & stored on Bright HR	<input type="checkbox"/> Completed
Right to Work in UK	Checked & stored on Bright HR	<input type="checkbox"/> Completed
Any restrictions:		

I, \_\_\_\_\_, confirm that I have done all the Right to Work checks for this employee and they are allowed to work in the UK. I confirm I have checked this employee’s right to work in accordance with the Peninsula ‘Right to work checks - Process Map’.

<b>SIGNATURE:</b>		General Manager
<b>DATE:</b>		

<b>SIGNATURE:</b>		Director
<b>DATE:</b>		

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