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Wessex Jamaat Staff Recruitment Policy for Imams Under Tier 2

1.0 Rationale

This policy is needed to ensure that the Jamaat has safe recruitment practices for Imam under Tier 2 that are rigorously enforced.

2.0 Purposes

- 2.1. To ensure all those employed by Wessex Jamaat are suitable individuals to work with the community that comprises of children, young adults, youth and the elderly.
- 2.2. To ensure all those employed by Wessex Jamaat are the best qualified and experienced to work members of the community
- 2.3. To ensure all those employed by Wessex Jamaat share the school's ethos, values, ways of working and aspirations for its pupils and the community it serves
- 2.4. To meet the requirements of the safeguarding agenda and protect both children and young adults within the establishment
- 2.5. To meet government recommendations for appropriate training especially for safe staff recruitment
- 2.6. To ensure all employees understand the requirements within safeguarding and their role

3.0 Guidelines for implementation

3.1. Identification of the need for an appointment

Appointments of Imam from abroad needs to follow the regulations set out by the UK Border Agency. In sponsoring a migrant worker under Tier 2 (Minister of Religion).

Wessex Jamaat provides assurances and guarantees that the migrant:

- Is qualified to do the job in question
- Intends to be based in the UK for the duration of their permission to stay;
and
- Will comply with the conditions of their permission to stay.





Wessex Jamaat also provides assurances and guarantees that it

- Accepts the duties of sponsorship for the migrant.
- Provides an undertaking that it will support the migrant
- Confirms that it has conducted a resident labour market test for the role, to ensure the migrant will not be displacing or denying an employment opportunity to a suitably qualified member of the resident labour force.

3.2. Responsibility as sponsors

Responsibility for the undertaking as sponsors commences from the date of issue of a sponsor license.

3.3. Record Keeping Duties

The Jamaat will undertake the following:

1. Keep a photocopy or electronic copy of the relevant page, or pages, of each sponsored migrant's passport or UK immigration status that shows evidence of their entitlement to work including their period of leave to remain in the UK.
2. Each sponsored migrant's contact details (UK residential address, telephone number and mobile telephone numbers). These details must always be up to date.
3. The above would also apply for the dependents of the migrant workers.

3.4. Reporting Duties

The Jamaat must report the following information or events to the UKBA:

1. If a sponsored migrant does not turn up for their first day of work. The report must be provided within 10 working days.
2. If a migrant sponsored under Tier 2 or Tier 5 is absent from work for more than 10 consecutive working days without permission. The report must be provided within 10 working days of the 10th day of absence.
3. If a sponsored migrant's contract of/for employment /services or registration is terminated earlier than was indicated on the CoS.
4. If Wessex Jamaat stops sponsoring the migrant for any other reasons the report must be provided within 10 working days.
5. If there are any significant changes in the sponsored migrant's circumstances, for example:
6. a promotion or change in job title/core duties, other than those which require a change of employment application. The report must be provided within 10 working days
7. a change of salary from the level stated on the migrant's CoS, other than changes due to annual increments, bonuses or a change of employment application being made. The report must be provided within 10 working days of the change;





8. A change of salary from the level stated on the migrant's CoS due to a period of maternity, paternity or adoption leave, or a period long-term sick leave that lasted for one month or longer.
9. The location the migrant is employed at changes, or if the duration of their contract of/for employment/services is shortened. The report must be provided within 10 working days;
10. any information which suggests that a sponsored migrant is breaching the conditions of his or her leave, the report must be provided within 10 working days;
11. if there are any significant changes in Wessex Jamaat circumstances, for example, if it cease to operate as a charity. This would also apply if Wessex Jamaat was under any external investigation such as by the Charity Commission. The report must be provided within 28 calendar days;
12. Wessex Jamaat also gives the police any information you may have that suggests that the migrant may be engaging in terrorism or other criminal activity.

3.5 Complying with the law

Wessex Jamaat must also fulfill the following duties:

- to ensure that a migrant who is coming to work is legally entitled to do the job in question and has the appropriate registration and/or professional accreditation where this is legally required.
- not to employ a migrant if the conditions on the migrant's leave (or the migrant's lack of leave) means that they are not allowed to undertake the work in question, and to stop employing any migrant who ceases, for any reason, to be entitled to undertake the work; only to assign CoS to migrants who, to the best of your knowledge and belief, will meet the requirements of the tier or category under which the CoS is assigned, and are likely to comply with the conditions of their leave. The requirements and conditions of leave are set out in the immigration rules.
- to hold the appropriate planning permission or Local Planning Authority consent to operate as religious centre at AL MAHDI, Fontley Road, Titchfield, FAREHAM, PO15 6QR, United Kingdom





3.6 Keeping documents

The following documents can either be kept as paper or in an electronic format.

Document	Duration that document must be kept
<p>All documents submitted as part of the sponsor's application to become a licensed sponsor.</p> <p>Detailed job description outlining the duties and responsibilities of the post and must include the skills, qualifications and experience required for the post.</p> <ul style="list-style-type: none"> Any other document specified in the relevant code of practice. 	<p>Duration of the sponsors licence.</p> <p>Duration of the sponsors licence or for the duration the migrant is sponsored.</p>
<p>Copy of the migrant's passport, including page(s) showing leave stamps, or immigration status document including their period of leave to remain (permission to stay) in the United Kingdom. This must show the migrants entitlement to work for you as a sponsor. The only exception to this is when a migrant is employed for one day or less and it is not practicable to obtain a copy of the documents.</p>	<p>Duration of the sponsors licence.</p> <p>Duration of the sponsors licence or for the duration the migrant is sponsored.</p>
<p>Copy of the migrants National Insurance Number, unless the migrant is exempt from requiring one. For example, where applicable, copy of the migrants NI card, wage slip, P45, P46, P60, P11 (employers declaration to HMRC), P14 (employers return to HMRC), P35 (employers annual return to HMRC).</p>	<p>Duration of the sponsors licence.</p> <p>Duration of the sponsors licence or for the duration the migrant is sponsored.</p>
<p>A history of the migrant's contact details (United Kingdom residential address, telephone number, mobile telephone number). This must be always be up to date.</p>	<p>Duration of the sponsors licence.</p> <p>Duration of the sponsors licence or for the duration the migrant is sponsored.</p>
<p>Record of the migrant's absence (tiers 2 & 5). For example, this may be kept either electronically or manually.</p>	<p>Duration of the sponsors licence.</p> <p>Duration of the sponsors licence or for the duration the migrant is sponsored.</p>
<p>Copy of any contract of/for employment/service between the sponsor and the migrant.</p>	<p>Duration of the sponsors licence.</p> <p>Duration of the sponsors licence or for the duration the migrant is sponsored.</p>





<p>Any other document specified in the relevant code of practice.</p>	<p>Duration of the sponsors licence. Duration of the sponsors licence or for the duration the migrant is sponsored.</p>
<p>Copies of the migrant's payslips, clearly showing the name, NI number, tax code, any allowances paid and deductions made. Payslips must be formal payslips or on Wessex Jamaat letterhead.</p> <p>Where the sponsor wishes to rely on other account records, we must be able to clearly identify the specific migrants wage in order to assess whether the migrants actual wage is the same as that originally stated on the certificate of sponsorship for that migrant.</p> <ul style="list-style-type: none"> • A copy of any Contract of/for Employment/Services between the sponsor and the migrant which clearly; the names and signatures of all parties involved (normally, this will only be the sponsor and the migrant); <p>and</p> <ul style="list-style-type: none"> • the start and end dates of the contract; <p>and</p> <ul style="list-style-type: none"> • details of the job, or piece of work that the migrant has been contracted to do; <p>and</p> <ul style="list-style-type: none"> • an indication of how much the migrant will be paid. <p>Where the migrant receives any allowances as part of their salary package, evidence of the value of those allowances must be kept unless they are clearly shown in a contract of, or contract of/for employment/services, or on the migrant's payslips.</p>	<p>Duration of the sponsors licence. Duration of the sponsors licence or for the duration the migrant is sponsored.</p>

