



# Leisure & Hospitality

## Are you the next ILLEGAL WORKING headline?

With restaurants being faced with £140,000 illegal working fines and high profile press coverage of the raid on the gourmet Burger Chain Byron, it is clear that the leisure and hospitality industry needs to be vigilant about the Home Office's increased scrutiny.

In the Byron case recently, the Home Office arrested 35 illegal workers in a raid on a training event at Byron's premises which had allegedly been set up by the company as a health and safety briefing to ensure the workers attended. Byron faced widespread criticism in the press both regarding the way it handled the matter and on its co-operation with Home Office.

Whatever your views on what the restaurant chain chose to do, it highlights the fact that the Home office is cracking down on organisations' immigration compliance and right to work checks. Along with the negative publicity this type of incident can create, employers face civil penalties of up to £20,000 per illegal worker for failing to carry out proper document checks.

For those businesses which are currently registered sponsors of overseas workers under Tier 2, there are even more severe consequences. A civil penalty fine can mean that their licence is downgraded or revoked and sponsored workers' leave curtailed. Businesses that are not currently registered as a sponsor, but which may need to be register in the future will find that they will be temporarily prohibited from making an application.

### **Immigration compliance audit**

To help avoid these risks, we provide organisations with the opportunity to have an immigration compliance audit carried out by our fully qualified immigration lawyers. Putting ourselves in the position of Home Office inspectors, we will:

- Carry out spot checks on your right-to-work documentation, and
- If you are a licensed sponsor, undertake individual checks for all sponsored employees, to ensure that you are complying with your sponsorship duties.

A detailed report will then be produced, highlighting areas of concern and providing advice on ways to improve compliance.

### **Price**

Audits start from just £1,500 depending on the size of the organisation - considerably less than the £20,000 civil penalty fine for just one employee!

For more information, contact: Laurie Anstis, [lanstis@boyesturner.com](mailto:lanstis@boyesturner.com) or Claire Taylor-Evans, [ctaylor-evans@boyesturner.com](mailto:ctaylor-evans@boyesturner.com) or call 0118 952 7284