

Right to Work Checks



Right to Work Checks

Employers must do one of the following before the employee commences employment:

- 1. Manual right to work check**
- 2. Right to work check using IDVT via the services of an IDSP**
- 3. Home Office online right to work check**

[code of practice](#)

[Employer Checking Service](#)

Updated guidance on how to conduct a Right to Work check and lists of acceptable documents can be found on [GOV.UK](#).

Manual document based Right to Work Check

Step 1: Obtain

Obtain original documents from either List A or B of the acceptable documents as on GOV.UK

Step 2: Check

Check that the documents are genuine, the person presenting themselves is the prospective or existing employee, the rightful holder and allowed to do the type of work you are offering

Step 3: Copy

Make a clear copy of each document in a format which cannot manually be altered and retain the copy securely. Retain a secure record of the date check was completed.

IDSP Right to Work Check

Satisfy yourself that the photograph and biographic details are consistent



Retain a clear copy of the IDVT identity check output for the duration of employment and for two years after the employment has come to an end.



Home Office Online Service

Step 1: Check

Access the service 'View a job applicant's right to work details' via GOV.UK

Step 2: Enter Details

Enter the 'share code' provided to you by the individual, and

Enter their date of birth

It is not sufficient to simply view the details provided to the individual on the migrant part of the service and doing so will not provide you with a statutory excuse.

Civil Penalty Increases

- The civil penalty for employers is to be raised to £45,000 per illegal worker for a first breach from £15,000, and £60,000 per illegal worker for repeat breaches from £20,000.
- The proposed uplift requires secondary legislation. The relevant legislation is expected to be laid in Parliament in the autumn. Subject to the usual parliamentary process, the legislation would take effect in January 2024.



	First Breach	Repeat Breach (within 3 years)
Employers	£45,000 (per worker)	£60,000 (per worker)