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| **Step 1 Obtain** |
| • You must **obtain original documents** from either **List A** or **List B** of acceptable documents for a manual right to work check. |
| **List A (insert x in the relevant box)** |
| 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 **(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 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.   1. ☐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. 2. ☐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. |

**Right to Work Checklist**

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| **Name of person:** |  | |
| **Date of check undertaken:** |  | |
| **Type of check: (insert x in the relevant box)** | Initial check before employment  Follow up check |

You may either conduct a physical document check or in certain circumstances perform an online check to establish a right to work using the Home Office online right to work checking system.   
**Note:** Biometric Residence Card (BRC), Biometric Residence Permit (BRP) and Frontier Worker Permit (FWP) holders **must** evidence their right to work using the Home Office [Online Service](https://www.gov.uk/view-right-to-work). We cannot accept or check a physical BRC, BRP or FWP as proof of right to work. Please refer to this [Checklist](https://inside.barnardos.org.uk/sites/default/files/2022-07/Home%20Office%20online%20right%20to%20work%20checklist%20July%202022.docx) to carry out an online check. More information on how to conduct a manual or online check can be found at   
[Right to work checks: an employer's guide - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/right-to-work-checks-employers-guide)

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| 1. 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[[1]](#footnote-1). 2. 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. 3. 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 (insert x in the relevant box)** |
| 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]](#footnote-2). 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 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.   1. 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 (insert x in relevant box)** |
| |  | | --- | | 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 Certificate of Application (non-digital) issued by the Home Office 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 Rules (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 Checking Service. 3. A document issued by the Bailiwick of Jersey or 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 Rules (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. 4. 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. 5. 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. | | |  |  |  |  | | --- | --- | --- | --- | | **Step 2 – Check** | | | | | You must **check** that the documents are genuine and that the person presenting them is the prospective employee or existing employee, the rightful holder and allowed to do the type of work you are offering. You must also check for the following: | | | | | 1. Are photographs consistent across documents and with the  person’s appearance? | **Yes** | **No** | **N/A** | | 2. Are dates of birth correct and consistent  across documents? | **Yes** | **No** | **N/A** | | 1. Are expiry dates for time-limited permission to be in the UK in the future i.e., they have not passed (if applicable)? 2. Have you checked work restrictions to determine if the person is able to work for you and do the type of work you are offering? (For **students** who have limited permission to work during termtime, 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.) | **Yes** | **No** | **N/A** | | **Yes** | **No** | **N/A** | | 1. Are you satisfied the document is genuine, has not been tampered with and belongs to the holder? 2. Have you checked the reasons for any different names across documents (e.g. original marriage certificate, divorce decree, absolute, deed poll)? (These supporting documents should also be photocopied and a copy retained.) | **Yes** | **No** | **N/A** | | **Yes** | **No** | **N/A** | | |
| **Step 3 – Copy** |
| |  | | --- | | You must make a clear **copy** of each document in a format which cannot later be altered, and retain the copy securely; electronically or in hardcopy. **You must also record and retain the date on which the check was made - write the date on the copy and that this is the date on which you conducted the check.** You must copy and retain:   1. **Passports:** any page with the document expiry date (showing all four corners of the page), nationality, date of birth, signature, immigration permission, expiry date, biometric details and 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. 2. **All other documents:** the document in full, including both sides of an Immigration Status Document and an Application Registration Card. | |

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| **Know the type of excuse you have** |
| If you have correctly carried out the above 3 steps you will have an excuse against liability for a civil penalty if the above named person is found working for you illegally. However, you need to be aware of the type of excuse you have as this determines how long it lasts for, and if, and when you are required to do a follow-up check.  If the documents that you have checked and copied are from:   1. **List A** You have a **continuous statutory excuse** for the **full duration** of the person’s employment with you. You are not required to carry out any repeat right to work checks on this. 2. **List B: Group 1** You have a **time-limited statutory excuse** which expires when the person’s permission to be in the UK expires. You should carry out a **follow-up check when the document evidencing their permission to work expires.** 3. **List B: Group 2** You have 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 when this notice expires.** |

**You must obtain original documents from either List A or List B of acceptable documents for a manual right to work check.**

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| **If applicable, date follow-up check required:** |  |

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1. Definition includes a full birth certificate issued by a UK diplomatic mission (British Embassy or British High Commission [↑](#footnote-ref-1)
2. This includes a current passport endorsed with a stamp showing an individual has been granted leave to enter and there are no work-related conditions attached. If, under the conditions of the individual’s leave, work was restricted or prohibited the endorsement placed in the individual’s passport would explicitly set that out as a condition [↑](#footnote-ref-2)