



Name of person:

Date of check:

Type of check:

Initial check before employment

Follow-up check on an employee

You may conduct **one** of the three checks to establish a right to work:

- If you are conducting a manual check, please see pages 1-4.
- If you are conducting a check via an IDSP, please see page 5.
- If you are conducting an online check, please see page 6.

Manual Check

Step 1 - Obtain

List A

- 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 (short or long) 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

- 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

- 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 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.
- 3. 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 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 employee, the rightful holder and allowed to do the type of work you are offering.

1. Are photographs consistent across documents and with the person presenting themselves for work?	Yes	No	N/A
2. Are dates of birth correct and consistent across documents?	Yes	No	N/A
3. Are expiry dates for time-limited permission to be in the UK in the future i.e. they have not passed (if applicable)?	Yes	No	N/A
4. 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
5. Have you taken all reasonable steps to check that the document is genuine, has not been tampered with and belongs to the holder?	Yes	No	N/A
6. Have you checked the reasons for any different names across documents (e.g. marriage certificate, divorce decree, deed poll)? (Supporting documents should also be photocopied and a copy retained.)	Yes	No	N/A

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 hardcopy. You must also retain a secure record of the date on which you made the check. Further information can be found under 'Retaining Evidence' in the employer's guide at [Employer's guide to right to work checks](#).

You must copy and retain copies of:

- Passports:** any page with the document expiry date, the holder's nationality, date of birth, signature, immigration permission, 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 (the front cover no longer has to be copied).
- All other documents:** the document in full, both sides of an immigration status document and an Application Registration Card.

All copies of documents taken should be kept securely for the duration of the worker's employment and for two years afterwards. The copy must then be securely destroyed. We recommend you use our online interactive tool '[Check if someone can work in the UK](#)', which will take you through the process by asking you a series of questions

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.

The documents that you have checked and copied are from:

1. **List A** contains the range of documents you may accept for a person who has a continuous right to work in the UK (including British and Irish citizens). If you conduct the right to work checks correctly before employment begins, you will establish a **continuous statutory excuse for the duration of that person's employment with you**. You do **not** have to conduct any follow-up checks on this individual.
2. **List B** contains a range of documents you may accept for a person who has a temporary right to work in the UK. If you conduct the right to work checks correctly, you will establish a **time-limited statutory excuse**. You will be required to **conduct a follow-up check** in order to retain your statutory excuse.

You will **not** obtain a statutory excuse if:

- 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 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.

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

You may wish to include a declaration in line with the check, such a statement could include:

'I confirm that I have carried out the right to work check above in compliance with the instructions within and I believe a valid statutory excuse is established for this worker.'

IDVT Check using an IDSP

The Home Office recommends that employers only accept checks via an IDSP that satisfy a minimum of a Medium Level of Confidence. A list of certified providers is available for you to choose from on GOV.UK: [Digital identity certification for right to work, right to rent and criminal record checks](#).

It is not mandatory for you to use a certified provider: you may use a provider not featured within this list if you are satisfied that they are able to provide the required checks.

For the purposes of verifying identity for RTW checks through IDVT, only the following specified documents can be accepted:

- valid British passport
- valid Irish passports
- valid Irish passport cards

Please see the following steps for an employer to conduct a right to work check via an IDSP:

1. Have you obtained an IDVT identity check which shows that there exists in relation to the employee a relevant IDVT document from an IDVT identity service provider?	Yes	No
2. Are the photograph and biographic details (for example, date of birth) on the output from the IDVT check are consistent with the individual presenting themselves for work (i.e., the information provided by the check relates to the individual and they are not an imposter)?	Yes	No
<i>This can be done in person or by video call.</i>		
3. Have you retained a clear copy of the IDVT identity check output in a format which cannot be subsequently altered?	Yes	No
<i>This must be for the duration of employment and for two years after the employment has come to an end.</i>		
4. Do you reasonably believe that the IDVT identity service provider has taken all reasonable steps to check the validity of the document?	Yes	No
5. Do you reasonably believe that the IDVT identity service provider recorded the date on which the check was carried out; in a format that cannot be subsequently altered?	Yes	No
6. Do you reasonably believe that the IDVT identity service provider is satisfied that the photograph is of the employee and the date of birth is consistent with the appearance of the employee?	Yes	No
7. Do you reasonably believe that the IDVT identity service provider has taken all reasonable steps to verify that the employee is the rightful holder of the document?	Yes	No
8. Do you reasonably believe that the IDVT identity service provider has retained a clear copy of the following pages of a passport which is not in the form of a card, in a format which cannot be subsequently altered: (i) any page containing the holder's personal details including nationality; (ii) any page containing the holder's photograph; (iii) any page containing the date of expiry;	Yes	No
9. Do you reasonably believe that the IDVT identity service provider has retained a clear copy of the whole of a travel document in the form of a card, in a format which cannot be subsequently altered?	Yes	No

You may wish to include a declaration in line with the check, such a statement could include:

'I confirm that I have carried out the right to work check above in compliance with the instructions within and I believe a valid statutory excuse is established for this worker.'

Home Office online right to work check

A Home Office online right to work check will provide you with a statutory excuse against a civil penalty in the event of illegal working involving the subject of the check, provided the check is carried out before the commencement of employment and at the prescribed intervals.

It will not be possible to conduct a Home Office online right to work check in all circumstances. In circumstances in which an online check is not possible, you should complete a manual check.

Currently, the Home Office online service supports checks for a range of individuals, depending on the type of immigration documentation they are issued with.

Biometric Residence Card (BRC), Biometric Residence Permit (BRP) and Frontier Worker Permit (FWP) holders are also only able to evidence their right to work using the Home Office online service. This means you cannot accept or check a physical BRC, BRP or FWP as proof of right to work.

Please see the following steps to conduct an online right to work check:

1. Use the Home Office online right to work checking service <https://www.gov.uk/view-right-to-work> on GOV.UK, enter the 'share code' provided to you by the individual and enter their date of birth.
2. Check that the online check confirms that the employee named in it is allowed to work in the UK and is allowed to carry out the work in question.
3. Satisfy yourself that the photograph on the online right to work check is of the individual presenting themselves for work (i.e. the information provided by the check relates to the individual and they are not an imposter). This can be done in person or by video call.
4. If the employee or prospective employee is a student who has permission to work for a limited number of hours per week during term time whilst studying in the UK, obtain and retain details of the term and vacation dates of the course that the employee is undertaking.
5. Retain evidence of the online right to work check. This should be the 'profile' page confirming the individual's right to work. 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. You should also be able to produce these document copies quickly in the event that you are requested to show them to demonstrate that you have performed a right to work check and retain a statutory excuse.

You may wish to include a declaration in line with the check, such a statement could include:

'I confirm that I have carried out the right to work check above in compliance with the instructions within and I believe a valid statutory excuse is established for this worker.'

More information on how to conduct a manual, IDVT and online check can be found in guidance at <https://www.gov.uk/government/publications/right-to-work-checks-employers-guide>

