

Extract from the Home Office Employer's Guide to Right to Work Checks – published in July 2014

Changes to document checks in May 2014

On 16 May 2014 changes came into force to strengthen and simplify the civil penalty scheme for employers, and this includes some changes to the document checks employers are required to undertake.

A summary of the changes to right to work checks which employers need to be aware of and understand is as follows:

- **We have reduced the list of acceptable documents for right to work checks** – we have removed travel documents, work permits and general Home Office letters from the lists. We have specified that all documents which contain an expiry date must now be current (except those showing that the holder is a British citizen, a citizen of the UK and Colonies having the right of abode, a national of an European Economic Area (EEA) country or Switzerland or their family members with permanent residence).
- **The frequency of follow-up checks for people with time-limited right to work is no longer every 12 months** – instead, where a person presents a document which contains an expiry date, the follow-up check is required when their permission to be in the UK and do the work in question expires. When a Certificate of Application or an Application Registration Card is presented as evidence of the right to work or the employee has no acceptable documents because they have an outstanding application to the Home Office or appeal against an immigration decision, employers need to obtain a Positive Verification Notice from the Home Office Employer Checking Service. The follow-up check is then required 6 months after the date of the initial verification.
- **The acceptable documents for right to work checks set out in List B provide a statutory excuse for a limited period of time. This list has been separated into Group 1 and Group 2 to clearly distinguish the frequency of repeat checks required depending on the document presented.** List B – Group 1 contains the documents for which a repeat check is required when the employee's permission to be in the UK and do the work in question expires. List B – Group 2 contains those documents for which a follow up check is required 6 months after verification.

A copy of the full guide can be obtained from

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/338399/An_employers_guide-28-07-14.pdf

A copy of the Right to Work Checklist can be obtained from

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/311657/Employers_Right_to_Work_Checklist_final.pdf
