

## EMPLOYING YOUR NEW STARTER

# Guide 2.6: Right to Work Checklist

As an employer, it is your duty to check that a new starter can legally work in the UK before their first day of work. You can do this by asking them to bring in documents from one of the sections on the statutory lists below. Take a good look at the documents they bring in. If something about them doesn't look right, you may need to seek additional advice before the person starts work. Take a copy of each document they bring in and store it securely.

## Full Lists of Acceptable Right to Work Documents

### 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 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 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:**

9. 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.
10. 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.
11. 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 on or before 30 June 2021 together with a Positive Verification Notice from the Home Office Employer Checking Service.
2. A Certificate of Application (digital or 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.

## Verifying Right to Work Documents

There are two ways in which you can check someone's Right to Work in the UK. You can either:

- Check the applicant's Right to Work online if they've given you their share code to access their documents (this method excludes all British and Irish citizens), or;
- Manually check the original documents provided by the new employee with them present following the steps below;

| Document | What you need to take copies of  | What you need to do with them   |
|----------|--|---|
| Passport | <p>Any page containing:</p> <ul style="list-style-type: none"> <li>• the holder's nationality</li> <li>• the holder's photograph</li> <li>• the holder's date of birth</li> <li>• the holder's signature</li> <li>• the holder's immigration permission and expiry date</li> <li>• the holder's biometric details</li> <li>• the document expiry date and information indicating that the holder has an entitlement to enter or remain in the UK and undertake the work in question</li> </ul> | <ul style="list-style-type: none"> <li>• take a copy of the specified pages of document</li> <li>• make a copy that cannot be changed, for example a photocopy</li> <li>• make sure the copy is clear enough to read</li> <li>• sign and date the copy</li> <li>• file securely within the personnel file</li> <li>• keep copies for 2 years after they have stopped working for you</li> </ul> |

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| <p>Any other documents</p> | <p>The entire document, including both sides of an immigration status document and an application registration card</p> | <ul style="list-style-type: none"> <li>• take a copy of the document in a format that cannot later be altered</li> <li>• make a copy that cannot be changed, for example a photocopy</li> <li>• make sure the copy is clear enough to read</li> <li>• sign and date the copy</li> <li>• file securely within the personnel file</li> <li>• keep copies for 2 years after then have stopped working for you</li> </ul> |
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For HR support, please contact Colden HR on [0121 284 0852](tel:01212840852) or email [enquiries@coldenhr.co.uk](mailto:enquiries@coldenhr.co.uk) and quote your NCASS membership number.