



Right to work checks from 6 April 2022

Guidance Notes

WHY DO I NEED TO MAKE RIGHT TO WORK CHECKS?

All employers in the UK have a responsibility to prevent illegal working. You do this by conducting right to work checks before you employ someone, to make sure the individual is not disqualified from carrying out the work in question by reason of their immigration status.

If you conduct the required checks in the correct way, you will have a 'statutory excuse' against liability for a civil penalty in the event you are found to have employed someone who does not actually have the right to work in the UK.

WHEN DO I NEED TO DO A RIGHT TO WORK CHECK?

You should conduct a right to work check before you employ a person to ensure they are legally allowed to do the work in question for you. If an individual's right to work is time-limited, you should conduct a follow-up check shortly before it is due to come to an end. For more on follow up checks, see below.

WHOSE RIGHT TO WORK DO I NEED TO CHECK?

You must carry out a right to work check on every single employee who comes to work for you. You should not assume, on any basis, that someone has the right to work in the UK and checks should be required of everyone in the same way.

WHAT IS THE GOVERNMENT'S CODE OF PRACTICE ON RIGHT TO WORK CHECKS?

In February 2022, the Home Office published a Code of Practice to ensure

employers do not unlawfully discriminate when complying with their duty to prevent illegal working by completing right to work checks.

The Code recognises that discrimination can occur in many different ways but focused on the subject of avoiding race discrimination, as this is the main issue employees face when being asked of their right to work.

The Code outlines employers should:

- Be consistent in how they conduct right to work checks with all applicants.
- Ensure job selections are made on the basis of suitability for the role.
- Ensure no applicants are discouraged or excluded because of known or perceived protected characteristics (e.g. race).

The Code further highlights employers should not:

- Discriminate when conducting right to work checks
- Only check the status of those who appear likely to be migrants
- Make assumptions about a person's right to work based on their colour, ethnic or national origins, nationality, accent, surname or length of time they have been resident in the UK.

Failure to adhere to the above may risk an employer acting in a discriminatory matter and facing claims of race discrimination.

To avoid discrimination claims, you should ensure all applicants are treated equally at each stage of the recruitment process. Having a clear written recruitment and



selection procedure can further support this, as can a zero-tolerance stance against any form of race-related bullying, harassment and discrimination in the workplace.

HOW DID BREXIT IMPACT RIGHT TO WORK CHECKS?

Due to Brexit and the ending of freedom of movement to the UK for EEA nationals, a new immigration system came into force on 1 July 2021, meaning the process for completing right to work checks for EEA nationals changed.

From this date, employers could no longer accept EEA passports or national identity cards as evidence of an individual's right to work in the UK.

WHAT CHANGED FROM 6 APRIL 2022?

The Home Office announced that from 6 April 2022, the right to work of those who hold a biometric residence card (BRC), biometric residence permit (BRP) or frontier work permit (FWP) can only be checked online.

Previously, these checks could be completed manually but this option will no longer be available. It will not be necessary for employers to carry out retrospective checks for employees where a manual check was completed on or before 5 April 2022.

The Home Office is also introducing a new online system using digital technology, to complete right to work (RTW) checks for British and Irish citizens with a valid passport. Individuals will be able to upload images of their passport via a certified Identity Service Provider (IDSP) to verify their identity remotely and prove their eligibility to work in the UK. It is hoped this will create a quicker, easier and more secure process for employers (more details outlined below).

HOW WAS RIGHT TO WORK CHECKED UNTIL 6 APRIL 2022?

There are three ways right to work checks can be completed until 6 April 2022:

- a manual document-based check and
- an online check
- a digital check through the Coronavirus temporary adjusted measures (extended to Oct 2022)

You should not discriminate on the basis of whether or not an individual is able and/or willing to demonstrate their right to work using an online service. To do so may result in you breaching the law.

While you may choose to encourage use of online checks and may support individuals in doing so (e.g. by providing access to hardware and the internet), you are not permitted to mandate online checks (except where it is the only evidence the individual has because they are on a digital status only route).

If an individual does not wish to demonstrate their right to work using the online service, even if their immigration status or documentation is compatible with the service, you should do the manual check.

Completing manual checks

You must complete all stages of the check to establish the statutory excuse.

Step 1: Obtain

Obtain original documents from either List A or List B (see below).

Step 2: Check

You must check that the documents are genuine and that the person presenting them is the prospective employee, the rightful holder and allowed to do the type of work you are offering. You must check that:

1. photographs and dates of birth are consistent across documents and



- with the person's appearance in order to detect impersonation;
2. expiry dates for permission to be in the UK have not passed;
 3. any work restrictions to determine if they are allowed to do the type of work on offer (for students who have limited permission to work during term-times, 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);
 4. the documents are genuine, have not been tampered with and belong to the holder; and
 5. the reasons for any difference in names across documents can be explained by providing evidence (e.g. original marriage certificate, divorce decree absolute, deed poll). These supporting documents must also be photocopied and a copy retained.

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 hard copy. You must also retain a secure record of the date on which you made the check. This requires more than simply writing the date on the copy document. If you write a date on the copy document, you must also record that this is the date on which you conducted the check.

You must copy and retain copies of:

1. Passports: any page with the document expiry date, the holder's nationality, date of birth, signature, leave 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. You do not need to make a copy of the front cover.
2. All other documents: the document in full, including both sides of a Biometric Residence Permit, Application Registration Card and a Residence Card (biometric format).

All copies of documents taken should be kept securely for the duration of employment and for two years afterwards. The copy must then be securely destroyed.

Completing checks digitally

The government introduced temporary adjusted checks for ID documents during the Covid pandemic, to eliminate the need for in-person checks. This has been available since March 2020, to allow employers to screen and onboard new employees whilst minimising exposure to the virus. It alleviated the practical difficulties of manually checking documents for employers who were working remotely, but was only meant to be a temporary measure. However, the Home Office said that, following positive feedback and review of the benefits, they want to continue to support the increased numbers of remote and hybrid workforces with permanent digital checks.

As such, whilst identity checks for UK and Irish citizens can continue to be completed manually (e.g. obtain/scan/store physical copy of an employee's passport), a new technology will be available from 6 April 2022, providing a digital solution to those who are unable to use the Home Office online checking service (e.g. for UK and Irish citizens). This will enable checks to continue to be conducted remotely but with enhanced security. The strategy is hoped to provide long-term, post-pandemic benefits (more information below).

The temporary adjusted checks can continue until 30 September 2022, after which is it expected the permanent



identification document validation technology (IDVT) will replace them.

Current Steps

The current process for completing checks digitally until October 2022 involves the following steps:

- Ask the worker to submit a scanned copy or a photo of their original documents via email or using a mobile app
- Arrange a video call with the worker – ask them to hold up the original copy of the documents, record the date you made the check and mark it as “adjusted check undertaken on [insert date] due to Covid-19.”
- If the worker has a current Biometric Residence Permit (BRP) or Biometric Residence Card (BRC) or has been granted status under the EU Settlement Scheme or the points-based immigration system, you can use the online right to work checking service while doing the video call – the applicant must give you permission to view their details. Further information of the online process is outlined below.

You should use the Home Office Employer Checking Service if a prospective or existing employee cannot provide any of the accepted documents. If the person has a right to work, the Employer Checking Service will send you a ‘Positive Verification Notice.’ This provides you with a statutory excuse for 5 months from the date in the notice.

HOW DO I CHECK RIGHT TO WORK FROM 6 APRIL 2022?

From 6 April 2022, employers must carry out a check for individuals holding a BRC, BRP or FWP using the Home Office’s online right to work check service. Physical copies of BRCs, BRPs and FWPs will be removed as an acceptable right to work document.

Online checks

Currently, the online service supports checks in respect of those who hold:

- a biometric residence permit (BRP);
- a biometric residence card (BRC);
- status issued under the EU Settlement Scheme;
- status issued under the points-based immigration system;
- British National Overseas (BNO) visa; or
- Frontier workers permit (FWP).

Where an online check is not possible due to the individual not having an immigration status that can be checked online, a manual check will be needed. However, such situations will be rare.

Share code

To carry out an online check, you will need a share code; the individual has to give you this. The code enables you to see their Home Office right to work record when you enter it along with their date of birth.

Share codes expire 30 days after they have been issued. You will need to ask the individual to provide you with a new code if they one they originally provided has expired.

You should visit ‘View a job applicant’s right to work details’ on GOV.UK and access the service using the employer part of the service in order to obtain a statutory excuse. You will not establish a statutory excuse by viewing the migrant part of the service.

Steps

You must complete all stages of the check to establish the statutory excuse.

Step 1: Use the Home Office online service

The individual may provide the share code to you directly, or they may choose to send this to you via the service. If they choose to send it to you via the service, you will



PENINSULA

receive an email from right.to.work.service@notifications.service.gov.uk. To check the person's right to work details, you will need to:

- access the service 'View a job applicant's right to work details' via GOV.UK to view the employer's part of the service;
- enter the 'share code' provided to you by the individual and
- enter their date of birth.

Step 2: Check

You must check that the photograph on the online right to work check is of the individual in question. You must do this in the presence of the holder and you can do this in their physical presence or via live video link.

If it is reasonably apparent from the photograph that the individual in question is not the individual to whom the information provided in the check relates, you may face a civil penalty in the event of illegal working.

You must only employ the person or continue to employ an existing employee (if you are conducting a follow-up check) if the online check confirms they have the right to work and are not subject to a condition preventing them from doing the work in question.

Step 3: Retain evidence of the online check

You must retain evidence of the online right to work check. For online checks, this should be the 'profile' page confirming the individual's right to work. This is the page that includes the individual's photo and date on which the check was conducted. You will have the option of printing the profile or saving it as a PDF or HTML file. 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.

WHAT'S THE NEW DIGITAL CHECKING TECHNOLOGY?

A new permanent digital solution, identification document validation technology (IDVT), is to be introduced from 6 April 2022, allowing employers to complete ID checks for UK and Irish citizens without the need for physical copies of documents.

This development will align with DBS' proposal to enable digital identity checking within their pre-employment checking process, through the introduction of its Identity Trust Scheme.

The new system will achieve 2 key things:

1. Allow those in scope to verify their identity remotely, prove their eligibility to work and apply for DBS checks. Using IDVT allows people to upload images of their personal documents, instead of presenting physical documents to a prospective employer – reducing time and mitigating risk.
2. Allow private sector IDVT service providers to become independently certified by UK Accreditation Service (UKAS) accredited assessors to ensure the technology meets the Government Standards and the applicant's data is protected.

The UK Digital Identity and Attributes Trust Framework opened in January 2022 for providers to gain certification; these are known as digital identity service providers (IDSPs).

Employers will be able to work with IDSPs to utilise Identification Document Validation Technology (IDVT) to carry out digital identity checks on behalf of British and Irish citizens who hold a valid passport (including Irish passport cards).



Whilst it will not be mandatory for employers to use a certified IDSP for the purposes of right to work checks, the Home Office recommends employers do so. This will provide assurance that their chosen IDSP meets relevant scheme guidance and the standards set out in the trust framework. This means an employer can reduce risk by recruiting in a safer way as they are able to assure prospective employees' identities and eligibility using consistent and more secure methods.

Employers will retain obligations that they must comply with under the Schemes, including to satisfy themselves that the IDSP has carried out an identity check on the employee and to retain copies of the check.

If an employer finds that the name differs between the documents, then it must establish why this is the case and must not employ that individual unless the employer is satisfied that the documents relate to them.

WHICH DOCUMENTS CAN BE ACCEPTED TO DEMONSTRATE THE RIGHT TO WORK?

The documents you may accept from a person to demonstrate their right to work are set out in two lists – List A and List B (see below). It's important to remember that from 6 April 2022, physical copies of BRCs, BRPs and FWPs will be removed as an acceptable right to work document, with these checks instead being completed online.

Checking validity

You must check the validity of the documents in the presence of the holder and you can do this in their physical presence or via live video link. However, under the government's guidance for temporary adjustments to checks, you do not need to receive the original copy of documents and can instead request a

scanned copy or photo to be sent via email or a mobile app.

The responsibility for checking documents is yours. You cannot rely on a third party – an agency, for example, to check documents although you can use third parties to provide technical knowledge or equipment on making checks. Where it is reasonably apparent that a document is false, you will be liable for the civil penalty.

This means that a person who is untrained in the identification of false documents, examining it carefully, but briefly, and without the use of technological aids could reasonably be expected to realise that the document in question is not genuine.

You will not obtain a statutory excuse if:

- the check is performed by an individual who is not employed by you;
- 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 may be liable to prosecution if you know or have reasonable cause to believe that the individual does not have immigration permission to work;
- you know that the individual is not permitted to undertake the work in question; or
- you know that the documents are false or do not rightfully belong to the holder.

Keeping records

You must keep a record of every document you have checked. This can be a hardcopy or a scanned copy in a format which cannot be manually altered, such as a jpeg or pdf document. You should keep the copies securely for the duration of the person's employment and for a further two years after they stop working for you. 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 must also make a note of the date on which you conducted the check. This can be by either making a dated declaration on the copy or by holding a separate record, securely, which can be shown to us upon request. This date may be written on the document copy as follows: 'the date on which this right to work check was made: [insert date]' or a manual or digital record may be made at the time you conduct and copy the documents which includes this information.

You must be able to show this evidence if requested to do so in order to demonstrate that you have established a statutory excuse.

You must repeat this process in respect of any follow up check. You may face a civil penalty if you do not record the date on which the check was performed.

WHEN DO I NEED TO DO A FOLLOW UP CHECK?

You need to recheck the right to work of those individuals who have time-limited permission to work in the UK. This means that you need to do a follow up check when the documents provided by the employee for the initial pre-employment check were from List B. List A documents do not need a follow up check.

You should do the follow up check when their previous permission comes to an end. When conducting follow-up checks, you may use either the manual right to work check or the online right to work check where applicable, irrespective of the type of check you conducted originally, before employment commenced.

The frequency of these follow-up checks depends on whether the documents you are provided with are from Group 1 or Group 2 of List B.

Group 1 documents provide a time-limited statutory excuse which expires when the person's permission to work expires. This means that you should carry out a follow-up check shortly before permission which demonstrates their permission to work expires.

Group 2 documents provide 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 shortly before this notice expires.

WHEN WOULD I NEED TO CONTACT THE HOME OFFICE TO VERIFY RIGHT TO WORK?

In certain circumstances, you will need to contact the Home Office's Employer Checking Service (ECS) to establish a statutory excuse. It is expected that, in most cases, you will be able to conduct a manual or online check. However, you should contact the ECS when:

1. You are presented with a Certificate of Application which is less than six months old and which indicates that work is permitted; or
2. You are presented with an Application Registration Card stating that the holder is permitted to undertake the work in question. If the card contains an expiry date, this date must not have expired. Any work will be restricted to employment in a shortage occupation; or
3. You are satisfied that you have not been provided with any acceptable documents because the person has an outstanding application with us which was made before their previous permission expired or has an appeal or administrative review pending against our decision and therefore cannot provide evidence of their right to work; or



4. You consider that you have not been provided with any acceptable documents, but the person presents other information indicating they are a long-term resident of the UK who arrived in the UK before 1988.

In the above circumstances, you will establish a statutory excuse only if you are issued with a Positive Verification Notice (PVN) from us confirming that the named person is allowed to carry out the type of work in question.

You should not contact the ECS where employment commenced before 29 February 2008 and has been continuous ever since. You will receive a Negative Verification Notice because this employment is out of scope of the civil penalty scheme.

I HAVE ACQUIRED EMPLOYEES WITH A TUPE TRANSFER. DO I NEED TO DO MY OWN RIGHT TO WORK CHECKS ON THEM?

Employers who acquire staff in cases of TUPE transfers are advised to undertake a fresh right to work check on the staff they have acquired. Employers are not required to have a statutory excuse in respect of employment which commenced before 29 February 2008, where the individual has been in continuous employment prior to that date. This includes where employment has continued as part of a TUPE transfer.

However, if the transferor (outgoing employer) did not conduct the original checks correctly, the transferee (incoming employer) would be liable for a penalty if an employee, who commenced work on or after 29 February 2008, is later found to be working illegally.

Transferees have 60 days from the date of the transfer of the business to correctly carry out fresh right to work checks in respect of those TUPE employees

acquired. There is no grace period for any subsequent follow-up checks.

WHAT IS THE EU SETTLEMENT SCHEME?

EEA nationals who were resident in the UK before 31 December 2020 had to apply to the EU Settlement Scheme (EUSS) to obtain authorisation to stay in the UK to work. The deadline for applications was 30 June 2021.

EEA citizens with Indefinite Leave to Enter or Remain (ILE/R) were not required to make an application to the EU Settlement Scheme but could do so if they wished.

From 1 July 2021, EEA nationals can prove their right to work in the same way as other foreign nationals who do not have an immigration status that can be shared digitally.

You can carry out a manual check of their Home Office documentation such as an endorsement / vignette in a current passport stating, 'indefinite leave to enter or remain' or 'no time limit'. Some may have a current Biometric Residence Permit (BRP) and this can be checked manually until 6 April 2022. Alternatively, they may choose to use their BRP to access the online right to work service.

DO I NEED TO CHECK THAT MY EXISTING EEA EMPLOYEES APPLIED TO THE EUSS?

No. You are not required to carry out retrospective right to work checks on EEA nationals who started work for you on or before 30 June 2021.

This means that you may have inadvertently recruited a EEA national who does not have the right to work in the UK. Government guidance says that you will have a continuous statutory excuse against a civil penalty if an initial right to work check was carried out before 30 June 2021 according to the rules that were in place



then e.g. a EEA passport or national identity card check, and you do not know that the employee does not have the right to work in the UK.

WHAT HAPPENS IF MY EEA EMPLOYEE HAS APPLIED BY THE DEADLINE BUT HAS NOT RECEIVED AN OUTCOME YET?

You do not need to terminate employment because the individual has applied by the deadline but not had their authorisation finalised.

EEA nationals and their family who made an application to the EU Settlement Scheme (EUSS) up to and including 30 June 2021, and weren't yet granted status, could continue to live their life in the UK and maintain a right to work until their application is finally determined. This includes pending the outcome of any appeal against a decision to refuse status.

From 1 July 2021, EEA citizens with an outstanding application to the EUSS made up to and including 30 June 2021 will be issued with either:

- An EUSS Certificate of Application (CoA), or;
- An EUSS email confirming receipt of their application.

It is likely that the CoA will be issued digitally, enabling the individual to use the online right to work service to evidence their right to work. In the first instance, you should check with the individual to see if they can provide you with a share code. This will mean that you can check their right to work immediately rather than having to contact the Employer Checking Service (ECS). The online service provides confirmation of their right to work and advises when a follow-up check is required.

However, there may be instances where the individual has only been issued with a paper CoA or email confirming receipt of

their EUSS application. In these circumstances, you must request a right to work check from the ECS, using the online form 'request a Home Office right to work check' on GOV.UK at: <https://www.gov.uk/employee-immigration-employment-status>

You must make a copy of their EUSS CoA or their EUSS email receipt and retain this with the response from the ECS to have a statutory excuse against liability for a civil penalty.

WHAT HAPPENS IF MY EEA EMPLOYEE MISSED THE DEADLINE?

You do not need to terminate employment because you find out that an individual has not applied by the deadline.

There may be situations after 30 June 2021 in which you identify an EEA citizen in your workforce who has not applied to the EUSS by the deadline and does not hold any other form of leave in the UK. Government guidance suggests that this may occur if you may have chosen to carry out a retrospective check, completed an internal audit or have been made aware that your employee does not have a lawful status in the UK.

It also suggests that they may tell you that they have missed the deadline through no fault of their own and you may believe it to be disproportionate were you take immediate steps to cease their employment. Where an EEA citizen has reasonable grounds for missing the EUSS application deadline, they will be given a further opportunity to apply.

From 1 July 2021, where Immigration Enforcement identify EEA citizens or their family members who are working without status, they will be given a written 28 day notice before action is taken, giving them an opportunity to make a late application to the EU Settlement Scheme citing their reasons for missing the deadline.



WHEN I RECRUIT EEA NATIONALS FROM 1 JULY 2021, HOW WILL THEY PROVE THEIR RIGHT TO WORK?

From 1 July 2021, the majority of EEA citizens will prove their right to work using the Home Office online right to work service. Those who have made a successful application to the EUSS will have been granted their immigration status digitally and can only prove their right to work using Home Office online service 'prove your right to work to an employer' available on GOV.UK: <https://www.gov.uk/prove-right-to-work>.

If an EEA citizen applies for a job with you after 30 June 2021 but has not applied to the EUSS by the deadline and has no alternative immigration status in the UK, then they should not be employed.

To prove their right to work from 1 July 2021, individuals will provide you with a share code and their date of birth which will enable you to check their Home Office immigration status via the online service available on GOV.UK: <https://www.gov.uk/view-right-to-work>.

If an EEA citizen has been granted 'Settled Status' by the Home Office, they will have a continuous right to work, in the same way as someone with Indefinite Leave to Enter / Remain status. If an EEA citizen has been granted 'Pre-Settled Status' by the Home Office, they will have a time-limited right to work and you must carry out a follow-up check. The Home Office online service will advise when a follow-up check must be carried out.

As of 1 July 2021, there will be some groups of EEA citizens who will not have status under the EUSS. They will evidence their right to work using specified documents if they cannot use the Home Office online system. These are:

- Frontier Worker Permits

- Service Provider of Switzerland visas
- Outstanding applications to UK EUSS
- Outstanding applications to Crown Dependency EUSS
- EEA citizens with Indefinite Leave to Enter/Remain
- Points-Based System visas

WHAT ARE FRONTIER WORKERS?

A 'Frontier Worker' is an EEA citizen who is resident outside the UK but is economically active (employed or self-employed) in the UK. From 1 July 2021, it is mandatory for frontier workers to obtain a frontier worker permit as evidence of their right to enter the UK.

Whilst the frontier worker permit requires an individual to reside outside the UK, their work in the UK can be spread over the entire year(s). Therefore, they may make multiple trips to the UK and they are lawfully present in the UK.

Frontier workers are issued with a frontier worker permit either digitally or physically. Conducting either the manual check or using the online service will provide you with a statutory excuse against liability for a civil penalty.

WHAT CAN HAPPEN IF THINGS GO WRONG?

If you are found to be employing someone illegally and you have not carried out the prescribed checks, you may face sanctions including:

- a civil penalty of up to £20,000 per illegal worker;
- in serious cases, a criminal conviction carrying a prison sentence of up to five years and an unlimited fine;
- closure of the business and a compliance order issued by the court;
- disqualification as a director;



PENINSULA

- not being able to sponsor migrants;
- seizure of earnings made as a result of illegal working; and review and possible revocation of a licence in the alcohol and late-night refreshment sector and the private hire vehicle and taxi sector.

Government guidance notes that the criminal offence of employing an illegal worker is generally reserved for the most serious cases of non-compliance with the 'Right to Work Scheme'. It is not intended for employers who have employed EEA citizens in good faith having completed a right to work check in the prescribed manner and are acting in accordance with its guidance to support their employees to make an application to the EUSS.

WHAT IS THE RIGHT TO WORK PROCESS FOR UKRAINIANS SEEKING REFUGE IN THE UK?

The crisis in Ukraine has caused citizens to flee in search of safety, so most won't be able to follow the typical process to apply for and be granted a visa to live and work in the UK. As such, the government has introduced emergency measures to make it easier for Ukrainians to come to the UK.

Further information on the right to work checking process for Ukraine Nationals is available in the O26 Guidance Note (Relaxed immigration routes for Ukraine nationals).



PENINSULA

ACCEPTABLE RIGHT TO WORK DOCUMENTS FOR MANUAL CHECKS UNTIL 6 APRIL 2022

List A – acceptable documents to establish a continuous statutory excuse

1.	A passport (current or expired) showing the holder, or a person named in the passport as the child of 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 a national of the Republic of Ireland.
3	A current document issued by the Home Office to a family member of an EEA or Swiss citizen, and which indicates that the holder is permitted to stay in the United Kingdom indefinitely.
4	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.
5	A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK.
6	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.
7	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.
8	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.
9	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.
10	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 – documents where a time-limited statutory excuse lasts until the expiry date of permission to enter or permission to stay

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 current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to do the work in question.
3	A current document issued by the Home Office to a family member of an EEA or Swiss citizen, and which indicates that the holder is permitted to stay in the United Kingdom for a time-limited period and to do the type of work in question.
4	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.
5	A document issued by the Bailiwick of Jersey or the Bailiwick of Guernsey, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has made an application for leave to enter or remain under Appendix EU to the Jersey Immigration Rules or Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008, on or before 30 June 2021.
6	A frontier worker permit issued under regulation 8 of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020.
7	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 – documents where a time-limited statutory excuse lasts for six months

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 document issued by the Bailiwick of Jersey or the Bailiwick of Guernsey, showing that the holder has made an application for leave to enter or remain under Appendix EU to the Jersey Immigration Rules or Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 on or before 30 June 2021 together with a Positive Verification Notice from the Home Office Employer Checking Service.
3	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.
4	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.



PENINSULA

ACCEPTABLE RIGHT TO WORK DOCUMENTS FOR MANUAL CHECKS FROM 6 APRIL 2022

List A – acceptable documents to establish a continuous statutory excuse

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 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 – documents where a time-limited statutory excuse lasts until the expiry date of permission to enter or permission to stay

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 – documents where a time-limited statutory excuse lasts for six months

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 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 (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.
3	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.
4	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.
5	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. Additional document entered on list.