

Checking ‘Right to Work’ documents

Guide to checking ‘Right to Work’ documentation

Schools have a legal requirement to check that all employees have the right to work in the UK, irrespective of nationality.

If you have any queries regarding this, please contact your HR advisor

What you need to do:

You must obtain original documents from either List A or List B of the [Right to work checklist - GOV.UK \(www.gov.uk\)](#)

These then need to be photocopied and the copy signed and dated to show that the original document has been seen and checked. Documents should be checked for: photographs consistent with candidate’s appearance/date of birth, expiry dates, any work restrictions, document is genuine and not tampered with and reasons for any different names across documents (e.g. marriage certificate/divorce decree/deed poll).

For passports please photocopy any pages with the following information:

- the document expiry date
- nationality
- date of birth
- signature
- leave expiry date
- biometric details
- photograph
- any page containing information indicating the holder has an entitlement to enter or remain in the UK and undertake the work in question

Conducting a 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. You can do an online check by using the online service, entitled ‘on [View a job applicant’s right to work details - GOV.UK \(www.gov.uk\)](#)

It will not be possible to conduct a Home Office online right to work check in all circumstances, as not all individuals will have an immigration status that can be checked online. The online right to work checking service sets out what information you will need to complete an online check. In circumstances in which an online check is not possible, you should conduct the 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.

Some individuals have been issued with an eVisa and can only use the online service to prove their right to work.

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.

For **Biometric Residence Permits**, please photocopy both sides of the card.

For **all other documents**, please copy the document in full.

If you have any queries regarding which documents are acceptable or if you have concerns about the documents presented to you, please seek further advice from your HR support

Useful Links:

[Check if a document allows someone to work in the UK - GOV.UK \(www.gov.uk\)](https://www.gov.uk)