

## **Right to Work Checks from 1 July 2021**

From 1 July 2021, the process for completing right-to-work checks on EU, EEA, and Swiss citizens will change. Employers will no longer be able to accept EU passports or ID cards as valid proof of right-to-work, except for Irish citizens.

You do not need to retrospectively check the status of any EU, EEA, or Swiss citizens you employed before 1 July 2021.

### **What are right to work checks?**

Employers must check that all job applicants have the right to work in the UK before employing them, to avoid being liable for a civil penalty.

There are two types of right-to-work check: a manual check and an online check. The type of check you need to conduct will depend on the status of the individual you are employing, and in some circumstances, the individual's preference.

An online right-to-work check is required for individuals who only hold digital proof of their immigration status in the UK. This includes most EU, EEA, and Swiss citizens.

To carry out an online right to work check, you will need the applicant's date of birth and their share code, which they will have obtained online. You can then complete the check online by visiting [GOV.UK/view-right-to-work](https://www.gov.uk/view-right-to-work).

A manual check can be completed for UK and Irish nationals who can use their passport as proof of right-to-work. Employers will also need to complete a manual check for individuals in the UK who do not hold a digital immigration status.

Guidance for both online and manual right to work checks can be found on [GOV.UK](https://www.gov.uk).

You must carry out a right-to-work check for every individual you employ. Employers can face a civil penalty of up to £20,000 for each illegally employed worker who does not have the right to work in the UK and where correct checks were not undertaken.

### **What is the new guidance?**

Updated guidance on how to conduct a right-to-work check from 1 July 2021 and lists of acceptable documents can be found on [GOV.UK](https://www.gov.uk). This includes additions of the following documents:

- Irish passport or passport card
- Frontier Worker Permit
- Documents issued by the Crown Dependencies EU Settlement Schemes, when verified by the relevant Home Office checking service.
- Certificate of Application or document issued by the UK, Jersey or Guernsey EU Settlement Schemes, confirming an application made by the 30 June deadline, when verified by the relevant Home Office checking service.

### **EU Settlement Scheme deadline**

There are less than three weeks left for EU, EEA and Swiss citizens who were resident in the UK before 31 December 2020 to apply to the EU Settlement Scheme.

We would encourage employers to remind their staff to apply to the scheme by the deadline of 30 June 2021. A collection of guidance and communication materials for employers can be found on [GOV.UK](https://www.gov.uk).