

Right to Work Check Checklist

Updated for Home Office guidance as at September 2026

Use this every time you take someone on, before they start work — whatever their nationality. A check done correctly and in full gives you a statutory excuse against a civil penalty of up to £60,000 per illegal worker (£45,000 for a first breach). A check done late, partially, or by the wrong method gives you no protection at all.

Employee name: Date of birth:

Job title: Start date:

Check method (manual / online / IDVT): Date of check:

Checked by: Follow-up due (if time-limited):

Store this form securely — it contains personal data. Date of birth should be consistent across every document checked.

1. Before you check

- ☐ Do the check before the person's first day of work — never retrospectively. A late check gives no statutory excuse. [Immigration, Asylum & Nationality Act 2006, s.15](#)
- ☐ Check every new starter the same way, whatever their nationality or accent. Choosing who to check, or which method, based on how someone seems is unlawful discrimination. [Equality Act 2010 • Code of practice on avoiding unlawful discrimination](#)
- ☐ Work out which method applies: *the person's status decides the method — you cannot pick for convenience.*
- ☐ Online share-code check — required for anyone whose immigration status is digital (an eVisa). They give you a code from their UKVI account; you enter it on the GOV.UK employer service. You cannot manual-check these people. [Employer's guide \(Home Office\)](#)
- ☐ Manual document check — for British and Irish citizens using physical documents (e.g. passport), and others the online service doesn't cover.
- ☐ IDVT check — an approved app that scans and digitally verifies a passport, run by a certified identity provider. Optional route for British and Irish citizens with a valid (in-date) passport or Irish passport card. [Employer's guide • certified IDSP list \(GOV.UK\)](#)
- ☐ An expired BRP is not acceptable proof in a manual check. All BRPs expired on 31 December 2024 — ask the person to sign in to their UKVI account and give you a share code instead. [Employer's guide \(eVisa transition\)](#)
- ☐ If they have an outstanding application, appeal or review and can't prove status, use the Employer Checking Service — only when a normal check isn't possible, never as a fallback. A Positive Verification Notice gives a 6-month statutory excuse from the date on the notice; do a further check before it expires. [Employer Checking Service \(GOV.UK\)](#)

2. Carrying out the check

- ☐ Manual check: you must hold the original documents in your hands. A video call is allowed only while you have the physical originals in your possession — never check against a scan, photo or photocopy. [Employer's guide, prescribed manual check](#)
- ☐ Check the document is genuine, unaltered, and belongs to the person in front of you: photo matches their appearance, date of birth consistent across all documents.
- ☐ Check the expiry date and any work conditions — the type of work allowed and any hours limit.
- ☐ Students with term-time hour limits: also obtain, copy and keep their academic term and vacation dates for the period they'll work for you. [Employer's guide, student conditions](#)
- ☐ Online check: use the employer view of the service (a share code beginning with the right prefix for work checks), confirm the photo matches, and confirm the status allows this work. Watching the person's own eVisa screen is not a valid check. [Employer's guide, online checks • gov.uk/view-right-to-work](#)

- ☐ IDVT check: satisfy yourself the IDSP output relates to the person in front of you — the technology verifies the document; matching it to the person is still your job.

3. Recording the check

- ☐ Keep a clear, unalterable copy of what you checked: for documents, every relevant page (photo, expiry, conditions, endorsements); for online checks, the profile page result the service gives you.
- ☐ Record the date the check was carried out on the copy itself — a missing check date is one of the most common reasons an excuse fails. [Employer's guide, record requirements](#)
- ☐ Note whether the right to work is continuous (List A — no follow-up needed) or time-limited (List B — follow-up required).
- ☐ If time-limited, diarise the follow-up check before the permission expires — on time, every time. No gap, no lapse. [Follow-up checks, Employer's guide](#)

4. Keeping records

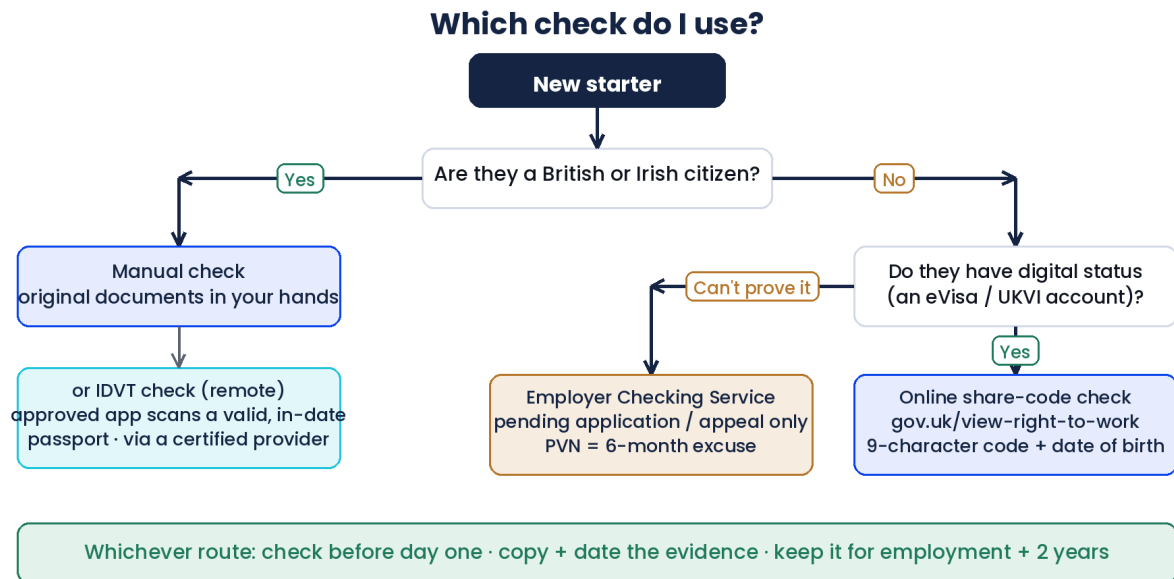
- ☐ Retain the evidence securely for the whole of the person's employment plus two years after it ends, then destroy it securely. [Employer's guide, retention](#)
- ☐ Handle copies under data-protection rules: restrict access, store securely, don't keep them longer than the retention period — over-retention is a UK GDPR risk, not extra protection. [UK GDPR / Data Protection Act 2018 - ICO](#)
- ☐ Sponsor licence holders: your sponsor record-keeping duties (Appendix D) sit on top of these rules, not instead of them. [Sponsor guidance, Appendix D](#)

From 1 October 2026

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The checking duty extends beyond employees to individual sub-contractors, agency, casual and gig/platform workers you engage, with extended liability down subcontracting chains — for engagements starting on or after that date. Genuinely self-employed people in business on their own account stay out of scope. Map everyone who works for you and bring them into this process before the date. (Border Security, Asylum and Immigration Act 2025, s.48; new Code of Practice.)

Quick reference



Simplified. A small number of non-digital cases — such as a visa vignette in a passport — are still checked manually; when in doubt, follow the employer's guide on GOV.UK.

Plain English — the jargon explained

Statutory excuse — your legal defence. If you did the check properly before day one, you are protected from the fine even if the person later turns out not to have the right to work.

eVisa — a person's immigration status held online in a Home Office account, instead of a physical card or sticker.

UKVI account — the government account (UK Visas & Immigration) where someone's eVisa lives and where they generate share codes.

Share code — a 9-character code (usually starting with W) a worker generates from their UKVI account. Enter it with their date of birth on GOV.UK to view their status. Codes last 90 days, and the same system issues different code types for renting — make sure it's a right to work one.

BRP — Biometric Residence Permit, the old plastic immigration card. All expired 31 December 2024; the eVisa replaced them.

IDVT — Identity Document Validation Technology: software that scans a passport and confirms it's genuine, so a British or Irish citizen can be checked remotely without posting documents.

IDSP — Identity Service Provider: a company certified by the government to run IDVT checks for you.

List A / List B — the Home Office's two lists of acceptable documents. List A = permanent right to work, check once. List B = time-limited, so a follow-up check is required.

ECS / PVN — the Employer Checking Service is the Home Office team you ask when someone can't prove status themselves; a Positive Verification Notice is their written confirmation, valid as your excuse for 6 months.

Sponsor licence — the Home Office permission a business needs before it can employ most workers from outside the UK and Ireland.

If you use MadyHR.ai, right to work checks recorded on an employee's profile are tracked automatically, with follow-up reminders raised as time-limited permission approaches expiry — see your Compliance dashboard.

Free template provided by MadyHR.ai — UK HR software for small and medium businesses. Right to Work rules apply UK-wide. Correct as at September 2026 — the acceptable document lists and Home Office guidance change periodically, so always confirm against the current "Right to work checks: an employer's guide" on GOV.UK before relying on a specific document. This checklist is

general guidance, not legal or immigration advice, and MadyHR.ai accepts no liability for how it is used. Take professional advice for your specific circumstances.