

Employer's Right to Work Check Guide

If you are employing someone in the UK, you must [check that they have the right to do the work](#) you are offering before they start work. This applies to new employees regardless of nationality or immigration status. It also applies to worker's contracts, zero hours staff, subcontractors and online job-matching platforms.

[If you fail to carry out checks correctly](#), and employ someone who does not have the right to work, you can face civil penalties of up to £60,000 for each illegal worker. Failure to carry out any checks may result in up to a 5 years in jail.

This guide is intended as practical information for employers. It does not replace the full Home Office guidance or professional immigration/legal advice. Immigration and right to work rules can change, so always check the [latest government guidance](#) to ensure compliance.

How to check someone's right to work

1. [Online right to work check](#)

Most people with immigration status in the UK prove their right to work using an [online check](#). The applicant gives you a share code and their date of birth. You then use the Home Office online service to check their status.

The online result should tell you whether the person can work, what work they can do, whether there are restrictions, and whether their permission is time limited.

Common restrictions include:

- **Sponsorship-tied jobs** – Skilled and temporary workers must work primarily for their home office licensed employer in a specific role.

- **Supplementary employment limits** – Skilled and temporary workers can work up to 20 hours a week for a secondary employer, who does not need a sponsor license. However, it must be in the same profession and in addition to the sponsored work.
- **International student work caps** – student visa holders are limited to working 20 hours a week during term time, although they may work full time during university holidays.
- **Sporting restrictions** – most non-sportsperson visas prohibit working or coaching as a professional sportsperson.
- **No recourse to public funds (NRPF)** almost all work and study visas, and some other immigration statuses, include a strict NRPF condition, meaning the person cannot claim most government benefits or housing support.

Some visas are time limited, for example people with refugee status or Ukrainian visas. Check the conditions attached to the person's permission, including any restrictions on the job or hours.

2. **Manual check of original documents**

Some people can prove their right to work by showing [eligible original documents](#). British and Irish citizens cannot get an online share code to prove their right to work, so an eligible passport or passport card can normally be checked instead, or an approved Identity Service Provider can be used.

You must check the original documents with the applicant present. Confirm that it appears genuine, belongs to the applicant, photographs and dates of birth are consistent, and any differences in names are supported by appropriate evidence.

Documents that should NOT be accepted as proof of right to work:

- Physical Biometric Residence Permits (BRPs) or Biometric Residence Cards (BRCs) – use the online right to work service instead.
- Documents that are not on the current Home Office acceptable document lists.

- Photographs, scans or photocopies presented instead of the original document when a manual check is required.
- Do not rely on a National Insurance number by itself as proof of right to work. A National Insurance number is not evidence of immigration status or permission to work.

For non-British and non-Irish citizens, also check that their permission has not expired and that they are allowed to do the work you are offering, including any limits on hours. For students, check evidence of study and vacation times where required.

Make a clear copy and record the date of the check. Keep the copy during employment and for 2 years after the person stops working for you. Follow data protection requirements.

3. **Digital identity checks**

An employer can use an approved [Identity Service Provider \(IDSP\)](#) to carry out a digital identity check for British and Irish passport holders. The employer remains responsible for completing the right to work check correctly.

4. **Special cases – use the Employer Checking Service**

If the person cannot provide an acceptable document or online status, do not automatically conclude that they have no right to work. In certain circumstances, the [Home Office Employer Checking Service](#) can verify their status. This may apply to:

- People experiencing technical difficulties with their share code or the online checking service.
- Some people with an outstanding Home Office application, appeal or administrative review.
- Some people who arrived in the UK before 1989 and do not have documents proving their status.
- People with a Certificate of Application that says the employer must ask the Home Office to check their right to work.

- People with an Application Registration Card where the card states that the work being offered is permitted.

If the Home Office confirms the right to work, it will issue a Positive Verification Notice. Keep this notice as evidence.

Frequently asked questions

What if the person has a visa?

Having a visa does not automatically mean that someone can do every type of work. Some immigration routes have conditions, such as limits on hours, restrictions on the type of work, restrictions linked to an employer, or a time limit.

Always check the person's actual right to work and the conditions attached to it rather than making assumptions based on nationality or visa type.

What if someone's visa expired but they applied for an extension?

Where an in-time application to extend leave is made and the application is not decided before the person's existing leave expires, section 3C of the Immigration Act 1971 extends the person's existing leave and their right to work.

In such circumstances, the online service will provide confirmation of the individual's right to work and will provide you with a statutory excuse for a period of six months. This is the standard duration when right to work checks are conducted on individuals who have an outstanding, in-time immigration application.

Can a Skilled Worker work for another employer?

Yes, in some circumstances. A Skilled Worker can work up to 20 hours a week in another job or for their own business, as long as they continue doing the job they are sponsored for.

The additional work must meet the Skilled Worker rules. It can include work in an eligible occupation code listed as higher skilled, work on the Immigration Salary List, or work in the same sector and at the same level as the main job. Some

people who obtained their first Tier 2 or Skilled Worker sponsorship before 22 July 2025 and have continuously held Skilled Worker permission since then can also do certain medium-skilled additional work.

Check their online right to work result and make sure the proposed job and hours meet the supplementary-employment rules.

What about people who need sponsorship?

A right to work check and a sponsorship check are not the same thing. Someone may not currently have permission to do the job you are offering but may be eligible for sponsorship.

- Check whether your organisation has a sponsor licence, if sponsorship is needed.
- Check whether the role is eligible for sponsorship.
- Check the relevant salary and immigration requirements.
- Do not assume that someone needs sponsorship simply because they are not British or Irish.

What about international students?

Students can have the right to work but may have restrictions on the amount or type of work they can do. If the right to work evidence shows restrictions, make sure the proposed working pattern complies with them. Where required, check evidence of the course and official vacation periods.

What if the right to work is time-limited?

Record the expiry date and carry out a follow-up check when it is due to expire. Do not assume that someone has lost their right to work simply because an original document has expired; they may have made a valid application to extend their permission.

Quick employer checklist

- ✓ Check the person's right to work using one of the methods described here.
- ✓ Check what work they are allowed to do.
- ✓ Check any restrictions on hours or type of work.
- ✓ Check any expiry date.
- ✓ Complete the check before employment starts.
- ✓ Keep a clear copy of the evidence and record the date.
- ✓ Arrange a follow-up check if the right to work is time limited.
- ✓ Keep information securely and follow data protection requirements.

If you are unsure, do not guess. Check the latest Home Office guidance or seek appropriate immigration advice.

Sources and update note

This guide was prepared using GOV.UK guidance available on 24th September 2026. The Home Office employer guide was updated on 11 September 2026 and is currently published as a draft update. Employers should check GOV.UK for subsequent changes before relying on this guide.

Appendix 1: Who has the right to work

Do not make assumptions based on nationality, accent, appearance or immigration status. You must ask every applicant to prove their right to work.

These lists are not fully comprehensive; immigration rules frequently change and there may be other visas where the online check confirms employment.

Always keep evidence of the right to work check and note any expiry date.

British or Irish	Not British or Irish		
Carry out an identity check before employment.	Ask for a share code or if this is not available, a manual check, or the Home Office Checking Service		
	Can work without restrictions*	Permission exists, but restrictions apply	Not allowed to work.
	• Indefinite leave to remain • Settled status • Pre-settled status • Refugees • Humanitarian protection • Family visa holders • Graduate visa • BNO visa • Ukraine schemes *there may be some restrictions on professional sports	• Skilled Worker / Health and Care Worker • Student visa • Student dependants • Youth Mobility Scheme • Asylum seekers who have been granted permission to work You must check what employer, occupation and hours are permitted.	• Most asylum seekers while their claim is being considered • Visitors • People whose immigration permission has expired and who have no continuing right to work

Appendix 2: Acceptable documents for a manual right to work check

This appendix summarises the main types of documents employers may encounter. The [Home Office's full acceptable document list](#) is detailed and can change.

List A	Document / combination of documents	Type of right to work / follow-up
1	A current or expired passport showing the holder is a British citizen or a citizen of the UK and Colonies who has the right of abode in the UK.	Continuous right to work. No follow-up check.
2	A current or expired passport or passport card showing the holder is an Irish citizen.	Continuous right to work. No follow-up check.
3	A document issued by the Bailiwick of Jersey, Bailiwick of Guernsey or Isle of Man, verified as valid by the Home Office Employer Checking Service, showing the holder has been granted unlimited leave to enter or remain under the relevant EU Settlement Scheme rules.	Continuous right to work. No follow-up check.
4	A current passport endorsed to show the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode, or has no time limit on their stay in the UK.	Continuous right to work. No follow-up check.
5	A current Immigration Status Document issued by the Home Office showing the person is allowed to stay indefinitely in the UK or has no time limit on their stay, together with an official document showing their permanent National Insurance number and name, issued by a government agency or previous employer.	Continuous right to work. No follow-up check.
6	A UK birth or adoption certificate, together with an official document showing the person's permanent National Insurance number and name, issued by a government agency or previous employer.	Continuous right to work. No follow-up check.
7	A birth or adoption certificate issued in the Channel Islands, Isle of Man or Ireland, together with an official document showing the person's permanent National Insurance number and name, issued by a government agency or previous employer.	Continuous right to work. No follow-up check.
8	A certificate of registration or naturalisation as a British citizen, together with an official document showing the person's permanent National Insurance number and name, issued by a government agency or previous employer.	Continuous right to work. No follow-up check.

List B Group 1	Document / combination of documents	Type of right to work / follow-up
1	A current passport endorsed to show the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.	Time-limited right to work. Follow-up by expiry of permission.
2	A document issued by the Bailiwick of Jersey, Bailiwick of Guernsey or Isle of Man, verified as valid by the Home Office Employer Checking Service, showing the holder has been granted limited leave to enter or remain under the relevant EU Settlement Scheme rules.	Time-limited right to work. Follow-up by expiry of permission.
3	A current Immigration Status Document containing a photograph, issued by the Home Office, with a valid endorsement showing the person may stay in the UK and is allowed to do the work in question, together with an official document showing their permanent National Insurance number and name, issued by a government agency or previous employer.	Time-limited right to work. Follow-up by expiry of permission.
List B Group 2		
1	A Home Office document showing the person made an EU Settlement Scheme application on or before 30 June 2021, together with a Positive Verification Notice (PVN) from the Employer Checking Service.	Time-limited statutory excuse for 6 months.
2	A non-digital Certificate of Application showing the person made an EU Settlement Scheme application on or after 1 July 2021, together with a Positive Verification Notice (PVN) from the Employer Checking Service.	Time-limited statutory excuse for 6 months.
3	A document from the Bailiwick of Jersey, Bailiwick of Guernsey or Isle of Man showing an application under the relevant EU Settlement Scheme rules, together with a Positive Verification Notice (PVN) from the Employer Checking Service.	Time-limited statutory excuse for 6 months.
4	An Application Registration Card (ARC) issued by the Home Office stating that the holder is permitted to take the employment in question, together with a Positive Verification Notice (PVN) from the Employer Checking Service.	Time-limited statutory excuse for 6 months.
5	A Positive Verification Notice (PVN) issued by the Home Office Employer Checking Service to the employer or prospective employer, confirming that the named person may stay in the UK and is permitted to do the work in question.	Time-limited statutory excuse for 6 months.

