

Part of
Employ someone: step by step
(/employ-someone)

Checking a job applicant's right to work

You must check that a job applicant is allowed to work for you in the UK before you employ them.

You can:

- [check the applicant's right to work online \(/view-right-to-work\)](/view-right-to-work), if they've given you their share code
- [check the applicant's original documents \(/legal-right-work-uk\)](/legal-right-work-uk)

You can also check an applicant's right to work by using an identity service provider that offers Identity Document Validation Technology (IDVT). You can find out more about IDVT in the [employer's guide to right to work checks \(/government/publications/right-to-work-checks-employers-guide\)](/government/publications/right-to-work-checks-employers-guide).

British and Irish citizens cannot get an online share code to prove their right to work. You'll need to check their original documents - for example, their passport or passport card - or use an identity service provider instead.

You do not need to do checks for existing employees from the EU, EEA or Switzerland if they came to the

UK before 1 July 2021.

You'll also need a [sponsor licence \(/uk-visa-sponsorship-employers\)](#) to employ EEA and Swiss citizens coming to the UK to work from 1 January 2021.

You could face a [civil penalty \(/penalties-for-employing-illegal-workers\)](#) if you employ an illegal worker and have not carried out a correct right to work check.

You must not discriminate against anyone because of where they're from. [Sign up for email updates about the right to work policy](#) (<https://gov.smartwebportal.co.uk/homeoffice/public/webform.asp?id=256&id2=5C7A4A>).

Checking the applicant's original documents

- 1 Ask to see the applicant's original documents. You can no longer accept biometric residence cards or permits. Ask the applicant for a share code instead.
- 2 Check that the documents are valid with the applicant present.
- 3 Make and keep copies of the documents and record the date you made the check.

What to check

You need to check that:

- the documents are genuine, original and unchanged and belong to the person who has given them to you

- photos are the same across all documents and look like the applicant
- dates of birth are the same across all documents
- if 2 documents give different names, the applicant has supporting documents showing why they're different, such as a marriage certificate or divorce decree

If the applicant is not a British or Irish citizen, you'll also need to check that:

- the dates for the applicant's right to work in the UK have not expired
- the applicant has permission to do the type of work you're offering (including any limit on the number of hours they can work)
- for students you see evidence of their study and vacation times

Read the guidance on [how to carry out right to work checks and what documents you can accept \(/government/publications/right-to-work-checks-employers-guide\)](https://www.gov.uk/government/publications/right-to-work-checks-employers-guide).

Follow-up checks

If your employee's right to work is time-limited, you'll need to check their documents again when it's due to expire.

Taking a copy of the documents

When you copy the documents:

- make a copy that cannot be changed, for example a photocopy
- make sure the copy is clear enough to read
- for passports, copy any page with the expiry date and applicant's details (for example nationality, date of birth and photograph) including endorsements, for example a work visa

- for all other documents you must make a complete copy
- keep copies during the applicant's employment and for 2 years after they stop working for you
- record the date the check was made

Make sure you follow [data protection law \(/data-protection-your-business\)](https://www.gov.uk/data-protection-law).

If the job applicant cannot show their documents

You must [ask the Home Office to check an employee's or potential employee's immigration status \(/employee-immigration-employment-status\)](https://www.gov.uk/ask-the-home-office-to-check-an-employee-s-or-potential-employee-s-immigration-status) if they cannot show their documents or online immigration status.

This could be, for example, because they:

- have an outstanding appeal, review or application with the Home Office
- arrived in the UK before 1989 and do not have documents to prove their immigration status or right to work

You must also ask the Home Office to check their status if they have:

- a digital or non-digital Certificate of Application that says you need to ask the Home Office to check their right to work
- an Application Registration Card

Application Registration Cards must state that the work the employer is offering is permitted.

The Home Office will send you a 'Positive Verification Notice' to confirm that the applicant has the right to work. You must keep this document.

If you need more help

Read the [employer's guidance on right to work checks \(/government/collections/right-to-work-checks-employer-guidance\)](#) if you need more help.

You can also contact the Home Office.

Employer Enquiry helpline
Telephone: 0300 790 6268
Monday to Thursday, 9am to 4:45pm
Friday, 9am to 4:30pm
[Find out about call charges \(/call-charges\)](#)

For application questions as a business (or representative) or a Tier 1 investor, contact the business helpdesk.

Business helpdesk
businesshelpdesk@homeoffice.gov.uk

For application questions if you're an educational provider or student sponsor, contact the educators helpdesk.

Educators helpdesk
educatorshelpdesk@homeoffice.gov.uk



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