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**Staff**

**Immigration**

**Team**

***RIGHT TO WORK CHECKLIST***

Employee name ………………………………… Department/ college... …………………………………….

Type of check (initial or repeat) ……………….. Date of check ………………………………………………

You may conduct a physical document check or perform an online check to establish a right to work. A right to work check conducted using the online service, means the information is provided in real time, directly from the Home Office system an there is no requirement to see the document listed below. Further details can be found here: <https://staffimmigration.admin.ox.ac.uk/how-to-complete-rtw-check>

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| Step 1: Obtain document for physical check |
| Tick one document/ specified combination of documents from either List A or List B   |  | | --- | | **List A documents: permanent proof of right to work (no repeat check required)** | | □ A passport (current or expired) showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.  □ A passport or passport card (current or expired) showing that the holder is a national of the republic of Ireland. | | □ A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted unlimited leave to enter or remain under Appendix EU to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules. | | □ A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK. | | □ A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **together with** an official document giving the person’s permanent National Insurance number and their name issued by a government agency or a previous employer. | | □ A birth (short or long) or adoption certificate issued in the UK, **together with** an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer. | | □ A birth (short or long) or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, **together with** an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer. | | □ A certificate of registration or naturalisation as a British citizen, **together with** an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer. | | **List B Group 1 documents: limited proof of right to work (Repeat check required before document expiry)** | | □ A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question. | | □ A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted limited leave to enter or remain under Appendix EU to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules. | | □ A **current** immigration status document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK, and is allowed to do the type of work in question, **together with** an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer. | | **List B Group 2: limited proof of right to work. (Repeat check required within six months)** | | □ A document issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules on or before 30 June 2021 **together with a Positive Verification Notice** from the Home Office Employer Checking Service.  □ A Certificate of Application (digital or non-digital) issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules (known as the EU Settlement Scheme), on or after 1 July 2021, together with a Positive Verification Notice from the Home Office Employer Checking Service.  □ A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man showing that the holder has made an application for leave to enter or remain under Appendix EU (J) to the Jersey Immigration Rules or Appendix EU to the immigration Rules (Bailiwick of Guernsey) Rules 2008, or Appendix EU to the Isle of Man Immigration Rules **together with a Positive Verification Notice** from the Home Office Employer Checking Service. | | □ An Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, **together with a Positive Verification Notice** from the Home Office Employer Checking Service. | | □ A **Positive Verification Notice** issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question. |   □ Original document presented (copies are not acceptable)  □ Employee/ worker seen in person |

SIT training discusses acceptable right to work documents in more detail. The training slides can be found at the following link but, you should attend a [right to work training session](https://staffimmigration.admin.ox.ac.uk/training), if you have not already:

<https://staffimmigration.admin.ox.ac.uk/forms-guidance#/>

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| Step 2: Check document |
| □ Any photographs are consistent with the appearance of the person  □ Any dates of birth are consistent with the appearance of the person  □ Any visa/ leave to remain endorsement is not expired  □ Any visa / leave to remain endorsement shows that the person can do the work on offer  For Tier 4/student visa holders one of the following has been checked, copied and retained (tick one):  □ Printout from the student’s education institutions website or other material published by the institution confirming its timetable (term and vacation dates) for the student’s course of study. You must also check the web link to confirm it is genuine. OR  □ A letter or email addressed to the student from their education institution confirming term time dates for the student’s course. OR  □ A letter addressed to the department from the education institution confirming term time dates for the student’s course.  □ For Tier 4/student visa holders, a completed ‘Tier 4 Student Employment Declaration’ confirming that the student is not working anywhere else in excess of their permitted hours, and the work on offer will not mean that they exceed their permitted hours[[1]](#footnote-1).  □ The document(s) appears genuine, has not been tampered with, and appears to belong to the holder[[2]](#footnote-2)  □ Further documents have been obtained, copied and retained to explain any difference in name across  documents (e.g. marriage certificate, deed poll, decree absolute). |
| Step 3: Copy and retain document |
| □ Document has been copied in its entirety (except passports)  □ For passports, the following parts have been copied:  □ Expiry date  □ Nationality  □ Date of birth  □ Signature  □ Biometric details  □ Photograph  □ Visa/ leave to remain expiry date  □ Any page indicating the holder has entitlement to do the work on offer  □ Each photocopied page has been signed and dated by the person doing the check with their name  clearly printed on the copy along with the declaration:  “*The date on which this right to work check was made is* [insert date]”  □ The right to work check has been recorded in PeopleXD (not applicable to colleges)  □ For Skilled Worker and Tier 5 visa holders, a copy of the right to work check documentation has been sent to the Staff Immigration Team  □ The right to work check documentation is held securely and will be held for the duration of employment and for a further two years after employment ends |

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| Step 3: Online right to work checking service |
| □ Use the Home Office online right to work checking service (the [View a job applicant’s right to work details on GOV.UK](https://www.gov.uk/view-right-to-work)) in respect of an individual and only employ the person, or continue to employ an existing employee, if the online check confirms they are entitled to do the work in question.  □ Satisfy yourself that any photograph on the online right to work check is of the individual presenting themselves for work.  □ Retain a clear copy of the response provided by the online right to work check (storing that response securely, electronically or in hardcopy) for the duration of employment and for two years afterwards. |
| Step 4: Repeat check |
| □ List A document obtained, checked, copied and retained – repeat check not required. Retain documents for duration of employment and for further two years after employment ends.  □ List B Group 1 document obtained, checked, copied and retained – repeat check required before expiry of visa/document.  □ List B Group 2 document obtained, checked, copied and retained – repeat check required within six months of Home Office Positive Verification Notice.  Date repeat check required by …………………….. (visa expiry date / positive verification notice expiry date)  It is recommended that you use outlook calendar or another diary system to set a reminder to complete the repeat right to work check in time.  □ Expiry reminder set |

RTW check completed by …………………………………….. Signature …………………………………………

Position …………………………………………………………. Department ………………………………………

1. Student visa holders may work 10 or 20 hours per week during term time (depending on the type of course they attend; the student visa usually notes work restrictions) and full-time during vacations. [↑](#footnote-ref-1)
2. “Reasonably apparent” means if an individual, who is untrained in the identification of false documents, examining it carefully, but briefly, and without the use of technological aids, could reasonably be expected to realise that the document in question is not genuine. [↑](#footnote-ref-2)