

Mobility: Immigration alert

January 2022



United Kingdom

Permanent, digital Right to Work checking process to launch in April 2022

Executive summary

The UK government announced that it will introduce a new, permanent digital process for conducting Right to Work checks on 6 April 2022. As of that date, UK employers will be able to use Home Office online services or certified Identity Service Providers (IDSP) to conduct digital identity checks for job applicants and confirm their ability to work lawfully in the UK.

Background

UK employers are required by law to proactively check that job applicants are allowed to work lawfully in the UK before employing them. This employer obligation is called a "Right to Work" check and it typically requires employers to review original documents belonging to the applicant, as a means of confirming the applicant's eligibility to work in the UK. Following the outbreak of the COVID-19 pandemic, the UK Government introduced temporary measures permitting UK employers to conduct Right to Work checks via video calls and use photos or scans of applicants' documents in lieu of originals.

The UK Government's decision to move toward a permanent, digital process for Right to Work checks follows widespread positive feedback from stakeholders, and an independent review by the UK Home Office of the temporary measures put into place during the pandemic permitting UK employers to conduct Right to Work checks virtually.

Certified Identity Service Providers

IDSP must successfully undergo a validation process to ensure their Identification Document Validation Technology (IDVT) complies with the [UK Digital Identify and Attributes Trust Framework](#) before becoming certified IDSP. By enabling UK employers to use IDVT to conduct Right to Work checks, the Government aims to:

- ▶ Help support long-term post pandemic working practices
- ▶ Accelerate the recruitment and onboarding process
- ▶ Improve employee mobility
- ▶ Enhance the security and integrity of Right to Work checks

Measures in place until 6 April 2022

UK employers are subject to the existing Right to Work rules until the implementation of the new digital system in April 2022. Employers must continue to check the prescribed documents as set out in the [Right to Work Employer's Guide](#). For more information on the temporary measures in place with respect to Right to Work checks, click [here](#).

Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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