

GUIDE

RIGHT TO WORK CHECK INFORMATION FOR CONTRACTORS

For over 20 years, we have been the preferred supplier for some of the UK's largest recruitment agencies.

**OUR COMPLIANCE, ACCREDITATION,
AND EXPERIENCE MAKE US AN IDEAL
CHOICE FOR CONTRACTORS**



INTRODUCTION

As a UK employer, we have a legal obligation to comply with the prevention of illegal working legislation. This requires us to check every UK-based employee to verify they have the requisite permission to perform the work on offer.

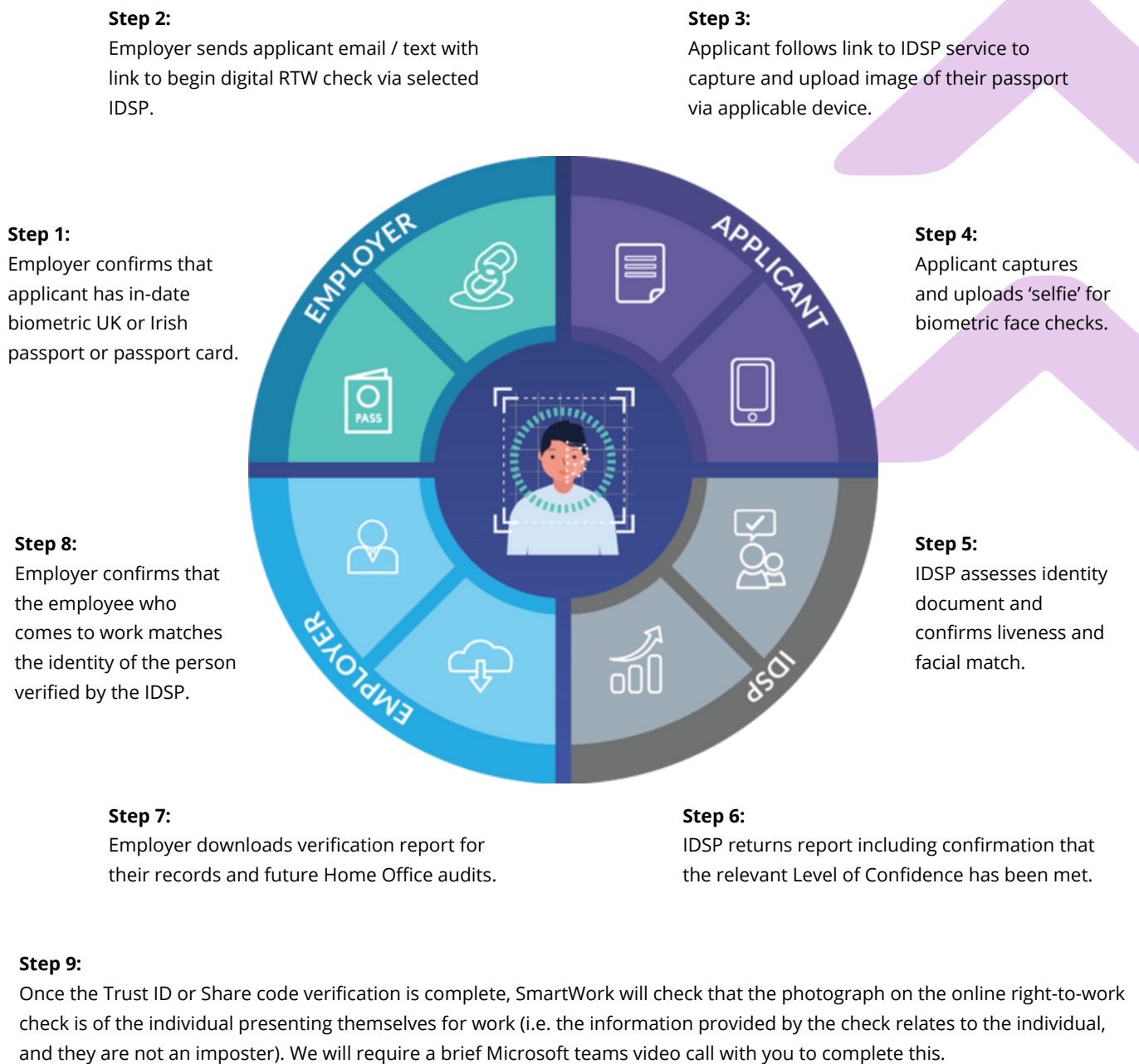
Importantly, as part of your recruitment, and pre-employment checks, the checks must be carried out indiscriminately on all prospective employees, regardless of nationality, race or ethnicity. Singling out certain classes of individuals could lead to complaints of unlawful discrimination.

By carrying out Right to Work document checks correctly, employers should be able to rely on a statutory defence against allegations of compliance breaches, where they can demonstrate they have taken consistent and compliant measures to ensure they are only hiring individuals with permission to work in the UK.

From 1 October 2022, employers must conduct their Right to Work checks in person or implement suitable, compliant processes through an IDSP (Identity Service Provider). We teamed up with TrustID, which is a Government approved identity service provider (IDSP) for IDVT (identification document validation technology).

Using identity document validation technologies (IDVT) helps us quickly and easily establish the authenticity of documents for identity verification purposes, including passports, biometric residence permits, driving licences, visas and identity cards.

HOW DO DIGITAL RIGHT TO WORK CHECKS WORK?



Please email compliance@smartwork.com to confirm a convenient time to arrange this (Monday-Friday between 10 am and 4 pm), and we will send out a Microsoft teams calendar invite for you to accept.

UK & IRISH CITIZENS

Under the new digital Scheme, an employer can carry out a Right to Work check on holders of UK & Irish in-date biometric passports and passport cards using identity document validation technology (IDVT) from an IDSP. The IDSP will share a report for your records, confirming the document's authenticity and whether it gives eligibility to work in the UK.

SHARE CODES FOR NON-UK/IRISH CITIZENS

Migrant workers can prove their Right to Work to a potential employer by giving them a 'share code'. If you're an EU, EEA, or Swiss citizen, you can prove your immigration status by generating a share code: <https://www.gov.uk/view-prove-immigration-status>

To generate a share code, you'll need one of the following:

- your biometric residence permit number
- your biometric residence card number
- your passport or national identity card

A share code is usually valid for 90 days and is made of 9 alphanumeric characters – for Right to Work checks, it will begin with a W. SmartWork will require this code to start the onboarding process.

Employers can access the Home Office online checking service and use the share code, along with an applicant's date of birth, to check details of their Right to Work in the UK, including any restrictions, for example, on the hours an applicant can work or the type of work they can do.

Should you have any questions or require additional information regarding the digital identity verification process, please do not hesitate to contact us.

USEFUL CONTACTS

Tel: **0800 434 6446 / 0117 311 9800**

Email: **compliance@smartwork.com** - For RTW-related queries

enquiries@smartwork.com - For more service information

invoicing@smartwork.com - To submit timesheets/expenses

contracts@smartwork.com - To submit contracts, schedules, and other legal documentation

holidays@smartwork.com - To make a holiday request