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**Staff**

**Immigration**

**Team**

***RIGHT TO WORK CHECKLIST***

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

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

1. Physical document check follow **Step 1 – 3** *OR*
2. Online check follow **Step 4** (this is mandatory for anyone presenting a Biometric Residence Permit/Card or holding a digital immigration status).

**Step 5** details the requirements for a repeat check.

Further details can be found here: <https://staffimmigration.admin.ox.ac.uk/how-to-complete-rtw-check>

It is mandatory to attend a [right to work training session](https://staffimmigration.admin.ox.ac.uk/training) prior to carrying out any right to work checks.

For Departments, please ensure the [guidance](https://hrsystems.admin.ox.ac.uk/add-and-manage-udfs-in-peoplexd-detailed-udf-guidance#collapse4471876) on completing the Right to Work UDF on People XD is followed.

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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 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 Irish Citizen.  \*A clipped passport, with corners of certain pages being cut/removed, is a cancelled document and is **not** acceptable for proof of right to work. | | □ 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(J) 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 or adoption certificate (short or long) 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 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 with a vignette 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 (J) 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 (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 |

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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 student visa holders, who have limits on their hours they can work during their studies, 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 student visa holders, a completed ‘[Student Employment Declaration](https://staffimmigration.web.ox.ac.uk/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 as per the [guidance](https://hrsystems.admin.ox.ac.uk/add-and-manage-udfs-in-peoplexd-detailed-udf-guidance#collapse4471876) (not applicable to colleges)  □ For Skilled Worker, Tier 5 and Global Talent visa holders, a copy of the right to work check has been emailed to the [Staff Immigration Team](mailto:sit-administration@admin.ox.ac.uk)  □ 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 4: 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)) for an individual who holds one of the following;   * A digital immigration status – eVisa * Frontier Worker Permit * Previously held a Biometric Residence Card/Permit which expired on 31 December 2024   □ 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 the 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.  For student visa holders, who have limits on their hours they can work during their studies, 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 student visa holders, a completed ‘[Student Employment Declaration](https://staffimmigration.web.ox.ac.uk/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 hours1.  □ The right to work check has been recorded in PeopleXD as per the [guidance](https://hrsystems.admin.ox.ac.uk/add-and-manage-udfs-in-peoplexd-detailed-udf-guidance#collapse4471876) (not applicable to colleges)  □ For Skilled Worker, Tier 5 and Global Talent visa holders, a copy of the right to work check has been emailed to the [Staff Immigration Team](mailto:sit-administration@admin.ox.ac.uk) |
| Step 5: Repeat check |
| □ List A document obtained, checked, copied and retained – repeat check not required as permanent proof of right to work, no immigration status end date. Retain documents for duration of employment and for further two years after employment ends.  □ List B Group 1 physical document checked, copied and retained – repeat check required before expiry of visa/document.  □ List B Group 2 physical document obtained, checked, copied and retained – repeat check required within six months of Home Office Positive Verification Notice.  □ List B Online Right to Work check confirmed a visa end date to the individuals immigration status - repeat check required before expiry of visa.  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  □ Departments should also regularly run [PERDEP41](https://hrsystems.admin.ox.ac.uk/personnel-reports-tracking-reports#collapse1486791) ‘Visa expiry dates’ and ‘current staff details’ to maintain accurate Right to Work records on People XD. |

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)