

This guide sets out the interim process for right to work checks for all staff during the coronavirus pandemic.

As the University moves to remote working, right to work checks remain essential to ensure that the University meets its statutory requirements. To allow us to work in the current conditions the University has agreed to take a pragmatic approach to the rules on right to work checks as an interim measure in these exceptional circumstances. Please be aware that it is imperative that checkers comply with these rules. HR will reject incomplete checks. Checks should still be undertaken the day before the individual starts work.

Conducting Right to Work Checks

The right to work check options available will depend on the circumstances and nationality of the individual whose right to work is being checked. The three options are:

1. An online check for individuals who have a visa or EU settled status
2. Pragmatic checks for British and EEA nationals
3. Checks for employees renewing their visas

1. Online Right to Work Checks

The Home Office offers an online right to work portal to conduct electronic checks. Online right to work checks can only be used for employees with:

- Biometric Residence Permits or Cards
- A status issued under the EU Settlement Scheme

The checker must follow up the online check with a Skype call to verify the individual. [How to conduct an online check.](#)

2. Pragmatic checks for British & EEA nationals

We cannot conduct online checks for the following groups:

- British citizens;
- EEA citizens without EU Settled Status; and
- Those with non-biometric visas.

Normally we would complete a face-to-face check and verify the original documents. In this period of remote working, where we cannot view the individual's documents in-person, we can accept a scan or photo of the individual's right to work document, verified by a Skype call.

[How to conduct a pragmatic check.](#)

3. Checking the status of employees renewing visas

Where staff require a follow up check because they are in the process of renewing their existing visa, the University is able to use the Home Office's Employer Checking Service (ECS) to conduct a right to work check while the individual awaits their new visa. [How to conduct an ECS check](#)

Role of Human Resources

HR are here to provide support and guidance for checking right to works. If you are at all unsure about how to conduct the check, or about the information you are being provided with please contact HR.

All right to work checks conducted during the pandemic will require follow up checks. HR will log each individual checked during this period to follow up when business as usual resumes.

1. Online Right to Work Checks

How to conduct the check:

- The individual:
 - Completes [The online Right to Work Checking Service for migrants](#);
 - Views their own Home Office record in relation to their right to work and receives a “share code”. (They may provide this code directly, or via the online service in which case an email would come from right.to.work.service@notifications.service.gov.uk;
 - Provides the University with a “share code” to use which is valid for 30 days (if this expires the above 2 steps need to be repeated);
 - Provides us soft copies of their Biometric Card (or informs us if this doesn’t apply to them e.g. they have settled or pre-settled status);
- The University (line manager/HR):
 - Line manager - using the employee’s share code and date of birth can [view a job applicant's right to work details](#);
 - Line manager - checks that the record confirms right to work, photo is of the same person and noting any working restrictions. **This must be done via a Skype call with the employer.**
 - Line manager - sends HR a PDF of the page of the online check AND the soft copy of RTW.
 - HR will check RTW documents and advise if the individual can commence employment.

2. Pragmatic checks for British & EEA nationals

- Individual sends a scan/pictures of their passport/visa documentation (photo page, visa page etc.) to the line manager.
- The individual’s identity is verified via a Skype call by the line manager.
- Line manager provides HR with the scanned copy of the document – clearly stating on the document
 1. the date of check;
 2. name of checker; and
 3. that the check was carried out via Skype.
- HR sets up these staff in the absence of a physical check if the documentation appears correct/valid.
- Individual is able to commence work, without a statutory excuse.
- Recruitment and Operations Teams will need to populate a central spreadsheet tracking the unverified RTW checks, with oversight from the Immigration Compliance Officer.
- Verified RTW checks will need to be undertaken immediately upon BAU resuming.

3. Checking the right to work of existing staff

- The individual will need to confirm that they have made an in time application for a new visa and provide a note of the application number.
- HR will use the Employer Checking Service to establish their continued right to work.
- If a positive verification notification is received, we will have a statutory excuse for 6 months.
- If the pandemic continues for longer than 6 months then another check will need to be undertaken.
- The new documents will need to be verified using one of the processes above.
- The individual will need to bring in their documents upon BAU resuming.