



UK COLLEGE
OF BUSINESS AND COMPUTING

Conducting Right to Work Checks Policy

Policy no:	PC 5.7
Version no. & date:	Version 1.1 – 23 October 2026
Author:	Head of People and Culture
Last review date:	23 October 2026
Next review due:	October 2028
Responsible Committee:	College Management Team (CMT)
Approved by & date:	College Management Team (CMT) – 23 October 2026
External reference points:	Immigration, Asylum and Nationality Act 2006; Home Office Guidance on Preventing Illegal Working; Equality Act 2010; Data Protection Act 2018; UK General Data Protection Regulation (UK GDPR)
Linked policies:	PC 5.3 Equality, Diversity and Inclusion Policy, DIG 2.1 Data Protection and Confidentiality Policy
Audience:	Staff

1. Purpose

The purpose of this policy is to ensure that Right to Work checks are conducted in accordance with the requirements of the Immigration, Asylum and Nationality Act 2006 and relevant Home Office guidance on preventing illegal working.

UK College of Business and Computing (UKCBC or "the College") has a legal duty to prevent illegal working by carrying out prescribed Right to Work checks before employment commences and, where applicable, throughout an individual's employment. These checks confirm that individuals are lawfully entitled to work in the United Kingdom.

Conducting compliant Right to Work checks protects the College from civil penalties and criminal liability, supports regulatory compliance, and promotes fair, transparent, and non discriminatory recruitment practices.

This policy establishes a staged verification approach that balances compliance requirements with a positive candidate experience and efficient recruitment processes.

2. Scope

This policy applies to:

- All prospective employees before employment begins
- All employees employed by the College
- Casual workers, temporary employees and agency workers where applicable
- Apprentices
- Interns and work placement students who receive payment
- Visiting lecturers and associate staff where employment status requires Right to Work verification

Right to Work checks must be completed consistently for all individuals regardless of nationality, race, ethnicity, or background.

3. Definitions

For the purposes of this policy:

Right to Work check: the check the College must carry out to confirm that a person is legally allowed to work in the United Kingdom.

Statutory excuse: protection against a civil penalty that the College obtains by carrying out prescribed Right to Work checks correctly.

Online Right to Work check: a check made through the Home Office online service using a share code and date of birth provided by the individual.

Employer Checking Service: the Home Office service the College may use to obtain confirmation of an individual's Right to Work status.

Follow up check: a repeat check completed before an employee's time limited permission to work expires.

4. Legal Framework

Right to Work checks are conducted in accordance with:

- Immigration, Asylum and Nationality Act 2006
- Home Office Guidance on Preventing Illegal Working
- Equality Act 2010

- Data Protection Act 2018
- UK General Data Protection Regulation (UK GDPR)

The College will obtain a statutory excuse against civil penalties by correctly conducting prescribed Right to Work checks in accordance with Home Office requirements.

5. Principles

The College is committed to:

- Conducting Right to Work checks consistently and fairly
- Ensuring recruitment practices are non discriminatory
- Maintaining accurate and secure records
- Following current Home Office verification procedures
- Completing checks before employment commences
- Protecting personal information in accordance with data protection legislation
- Applying a proportionate and staged verification process throughout recruitment

6. Staged Right to Work Verification Approach

Right to Work verification forms part of the College's recruitment and onboarding process.

Stage 1: Application Stage

Candidates are required to confirm their eligibility to work in the United Kingdom during the application process.

This declaration serves as an initial self attestation and enables the College to identify any potential sponsorship or immigration considerations at an early stage.

At this stage:

- Candidates confirm their Right to Work status.
- No documentary evidence is normally requested.
- Information is used solely for recruitment purposes.

Stage 2: Conditional Offer Stage

A preferred candidate may be issued with a conditional offer of employment.

All offers of employment are conditional upon satisfactory Right to Work verification.

At this stage:

- The candidate is informed that employment cannot commence until Right to Work checks have been successfully completed.
- Documentary evidence is requested only from the preferred candidate.
- The College explains the verification process and any required documentation.

This approach reduces unnecessary administrative burden and minimises the collection of personal documentation from unsuccessful candidates.

Stage 3: Verification Stage (Pre Employment)

Before employment begins, the College must verify the individual's Right to Work using one of the approved Home Office verification methods.

Employment must not commence until the verification process has been completed successfully.

The individual conducting the verification must:

- Verify the individual's identity.
- Confirm the authenticity of documentation or digital records.
- Check any work restrictions or conditions.
- Record the outcome of the verification process.
- Retain evidence in accordance with this policy.

The employment start date may only be confirmed following successful verification.

Stage 4: Ongoing Compliance

Where an employee has time limited permission to work in the United Kingdom, follow up checks will be undertaken before their permission expires.

The College will maintain records and monitoring arrangements to ensure continued compliance with Home Office requirements.

7. Right to Work Checks During Recruitment

All job advertisements will include the following statement:

Right to Work in the UK

"All applicants must have the right to work in the United Kingdom. Employment offers are subject to satisfactory Right to Work verification in accordance with UK Home Office guidelines. Evidence of eligibility will be required prior to commencement of employment."

Candidates invited to interview may be advised that successful appointment will be subject to satisfactory Right to Work verification.

Employment must not commence until all required checks have been completed.

8. Approved Methods of Verification

The College may conduct Right to Work checks using one of the following approved methods.

8.1 Manual Document Check

The College must:

- Obtain original documents from the current Home Office approved lists.
- Check the documents in the presence of the individual.
- Verify that:
 - Documents appear genuine.
 - Photographs are consistent with the individual.
 - Dates of birth are consistent across documents.
 - Any work restrictions are understood and recorded.
- Create a clear copy of the documents.
- Record the date of the check.
- Record the name of the person completing the verification.

Copies must be retained securely for the duration of employment and for the statutory retention period after employment ends.

8.2 Online Right to Work Check

Where an individual holds digital immigration status, verification must be completed through the Home Office online Right to Work service.

The individual must provide:

- A valid share code.
- Their date of birth.

The College must:

- Access the Home Office online record.
- Confirm the identity matches the individual.
- Review any work restrictions.
- Retain evidence of the completed verification.

8.3 Employer Checking Service

Where required, the College may use the Home Office Employer Checking Service to obtain confirmation of an individual's Right to Work status.

Evidence obtained through this service will be retained in accordance with Home Office requirements.

9. Follow Up Checks

Where an employee has time limited permission to work in the United Kingdom, follow up verification must be completed before the expiry date of their permission.

Follow up checks may be required:

- Before the expiry date shown on immigration documentation.
- Where an employee has an outstanding immigration application, appeal, or administrative review.
- Where Home Office guidance requires periodic re verification.

Failure to conduct follow up checks may result in the loss of the College's statutory excuse.

10. Expiry of Right to Work Permission

Before an employee's Right to Work permission expires, the People and Culture Department will contact the employee and their manager.

The employee must provide evidence demonstrating one of the following:

- An application to extend their permission to work has been submitted.
- A visa extension application has been submitted.
- An application for Indefinite Leave to Remain has been submitted.
- Permanent permission to remain in the United Kingdom has been granted.
- Any other lawful basis permitting continued employment.

Where permanent permission to remain has been granted, evidence must be provided to the People and Culture Department.

If satisfactory evidence is not provided before the expiry date, the College may be required to suspend or terminate employment in accordance with legal requirements, as employing an individual without the legal right to work in the United Kingdom may constitute a criminal offence.

11. Record Keeping

The College will maintain records of:

- Documentation reviewed.
- Copies of Right to Work evidence.
- Date of verification.
- Name and designation of the individual conducting the check.
- Online verification records where applicable.
- Employer Checking Service responses where applicable.

Records will be retained securely and managed in accordance with data protection legislation and the College's records management requirements.

12. Non Compliance

If an individual cannot provide acceptable evidence of their Right to Work:

- Employment must not commence; or
- Continued employment may not be possible where permission to work has expired.

The College may seek verification through the Home Office Employer Checking Service where appropriate.

Knowingly employing an individual who does not have the legal right to work may expose the College to:

- Civil penalties.
- Criminal sanctions.
- Regulatory consequences.
- Reputational damage.

13. Responsibilities

13.1 People and Culture Department

The People and Culture Department is responsible for:

- Ensuring Right to Work checks are completed before employment commences.
- Maintaining accurate records.
- Monitoring visa and permission expiry dates.
- Conducting follow up checks where required.
- Providing guidance and training to managers.
- Maintaining compliance with Home Office requirements.

13.2 Hiring Managers and Interviewers

Hiring managers and interviewers are responsible for:

- Supporting compliance with recruitment procedures.
- Ensuring candidates are informed of verification requirements.
- Escalating any concerns regarding documentation to People and Culture.

13.3 Employees

Employees are responsible for:

- Providing accurate and valid documentation.

- Informing the College of changes to their immigration status.
- Providing updated documentation where required.

14. Data Protection

All personal information collected as part of the Right to Work process will be processed in accordance with:

- UK GDPR
- Data Protection Act 2018
- The College's Data Protection Policy
- The College's Privacy Notice

Access to records will be restricted to authorised personnel only.

15. Monitoring and Review

The People and Culture Department will monitor compliance with this policy through periodic audits and record reviews.

This policy will be reviewed periodically to ensure continued compliance with immigration legislation, Home Office guidance, and organisational requirements.

Version History

Version	Date	Author	Summary of changes	Approved by
1.0	June 2026	Head of People and Culture	Previously approved version.	College Management Team (CMT) – June 2026
1.1	23 October 2026	Head of People and Culture	Updated following organisational restructure: role titles, internal consistency corrections, cross references, front sheet and footer updated for approval. Definitions section added, sections renumbered and external reference points completed, in line with GA 3.1 (26 October 2026).	College Management Team (CMT)