

RIGHT TO WORK CHECK RECORD

RECORD — HR FILE

One check, one sheet — how it was made, by whom, when, and when it is due again

KD-HR-RW-001 Rev A0

Immigration, Asylum and Nationality Act 2006 s.15: an employer who employs an adult subject to immigration control without permission to do the work can be given a civil penalty — up to £60,000 per illegal worker (Home Office employer's guide, 26 June 2025) — and is excused if it complied with the requirements prescribed by the Immigration (Restrictions on Employment) Order 2007 (s.15(3)), unless it knew, at any time during the employment, that it was unlawful (s.15(4)). Employing someone you know, or have reasonable cause to believe, has no right to do the work is also a criminal offence (s.21(1) and (1A)) — a completed check does not protect against that. Check before the work starts, and check everyone the same way, British citizens included. The scheme applies across the UK. UNTIL 30 SEPTEMBER 2026: the guide in force is dated 26 June 2025, and under it you are not required to establish an excuse for people who are not your direct employees. FROM 1 OCTOBER 2026: sections 14A and 15A of the 2006 Act bring engaging an individual under a worker's contract, engaging an individual sub-contractor, and online matching services into the scheme, and treat a business contracted to provide work as employing every individual who personally does it, anywhere down its contract chain, even with no contract with them (s.15A); article 5B of the Order sets what that business must do to keep the excuse (section 7); a digital check is made through a registered Right to Work digital verification service provider (RtW DVSP), and where facial recognition is used the images are kept (articles 3A and 4B); a revised guide and code of practice apply. A subcontractor's own checks are asked about at KD-SUB-PQ-001 question 7.1; the site's first-shift check (KD-SITE-NS-006) and the training matrix (KD-SITE-TC-004) are not right to work checks.

The 2006 Act, the Order and the Home Office guide in force on the day of the check govern — follow them wherever this sheet differs, and take advice where a penalty or a person's job is at stake. This sheet holds no copy of any document: no scan, photograph, facial image or document number.

1 THE CHECK

EMPLOYER	RECORD NO.	PERSON CHECKED	JOB OFFERED
WORK STARTS	DATE OF THE CHECK	CHECK MADE BY	IN PERSON / LIVE VIDEO / ONLINE
HOW THIS PERSON WORKS FOR YOU	ENGAGED THROUGH, IF NOT DIRECT		

2 TYPE OF CHECK — TICK ONE

- MANUAL CHECK — original documents from List A or List B of the guide, checked with the person present (in person or by live video link) while you hold the originals — a document held up to the camera is not a manual check — and copied; from 1 October 2026 any digital facial recognition used to match the photograph must be provided by an RtW DVSP (article 6(1A))
- HOME OFFICE ONLINE CHECK — the person's share code checked on the Home Office online service; the profile page with the photograph and the date of the check saved; from 1 October 2026 facial recognition, if used, must be provided by an RtW DVSP (article 4B(1A))
- DIGITAL CHECK THROUGH A PROVIDER — until 30 September 2026: a British or Irish citizen with a valid passport or Irish passport card, through a digital verification service. From 1 October 2026: through an RtW DVSP, using a British passport, an Irish passport or passport card (current or expired by no more than six months), or a digital version of a listed document given to the provider by a government department or agency (article 3A)
- EMPLOYER CHECKING SERVICE — where the guide directs its use, for example an application or appeal outstanding; the Positive Verification Notice saved

3 MANUAL CHECK — THE DOCUMENTS SEEN

DOCUMENT	LIST, GROUP	EXPIRY	PHOTO MATCHES	DOB FITS	GENUINE	COPY FORMAT
ORIGINALS IN OUR HANDS DURING THE CHECK						
NAMES DIFFER — EVIDENCE SEEN						
CHECK DATE RECORDED ON COPIES						

4 ONLINE, DIGITAL OR EMPLOYER CHECKING SERVICE CHECK — WHAT IT SHOWED

WHAT THE CHECK CONFIRMED	CHECK REFERENCE	PHOTO IS THE PERSON	PROVIDER USED
PROVIDER REGISTRATION CONFIRMED	FACIAL RECOGNITION USED? FACIAL IMAGE COPIES AND CONFIRMATION KEPT AT		
RESTRICTIONS ON THE WORK	STUDENT TERM AND VACATION DATES		

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continued

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5 FOLLOW-UP CHECKS

- ☐ CONTINUOUS — no follow-up check needed (List A documents, or a check showing permission with no time limit)
- ☐ TIME-LIMITED — a follow-up check on or before the date the permission ends; a Positive Verification Notice gives an excuse for six months from its date

PERMISSION ENDS	FOLLOW-UP CHECK BY	REMINDER SET IN	FOLLOW-UP OWNER

FOLLOW-UP DATE	TYPE OF CHECK	RESULT	NEXT DUE	MADE BY

6 WHERE THE EVIDENCE IS KEPT — NEVER ON THIS SHEET

Keep the copies of documents, the saved online check, the digital check output or the Positive Verification Notice — and, from 1 October 2026, any facial image copies and the provider's confirmation — apart from this sheet, securely, in a format that cannot be altered afterwards, seen only by the people who need to. The guide: keep them for the duration of the employment and for two years after it ends, then destroy them securely; the Order sets a minimum of two years after the employment ends. They are personal data under UK GDPR and the Data Protection Act 2018: hold only what the check needs, keep it secure, and keep it no longer than necessary.

COPIES HELD AT	FORMAT	WHO CAN SEE THEM

EMPLOYMENT ENDED	DESTROY ON OR AFTER	DESTROYED — DATE AND BY WHOM	THIS SHEET KEPT UNTIL

7 WORK DONE THROUGH A SUBCONTRACTOR OR LABOUR PROVIDER — FROM 1 OCTOBER 2026 (ARTICLE 5B)

From 1 October 2026, where you are contracted to provide work and contract another business (C) that in turn contracts the individual who does it, you are treated as employing that individual (s.15A). To keep the excuse, before the individual — or anyone substituted for them — starts, you have produced a written statement requiring your contract with C to include the terms below, and for as long as they work you keep systems and processes that make sure the person doing the work is the same individual (article 5B(2)). Enforcement provisions are provisions to prevent illegal working and may include suspending or ending the contract (article 5B(5)(b)). The terms go in your subcontract order; the health and safety schedule KD-SUB-HS-002 does not contain them. In this chain case the document-check requirements listed in article 5B(5)(c) do not apply to you (article 5B(3)): the checks in sections 2 to 5 are C's, and C's own liability is unchanged (s.15A(6)). Use one sheet per individual — sections 1, 7 and 8.

- ☐ C complies with the right to work excuse requirements for the individual, and for any substitute art. 5B(2)(a)(i)
- ☐ C does not contract anyone else to arrange the work through an individual unless you consent in writing and that person complies with the excuse requirements for the individual art. 5B(2)(a)(ii)
- ☐ You may audit C's compliance with those two terms whenever you ask art. 5B(2)(a)(iii)
- ☐ Enforcement provisions against C if C employs an adult subject to immigration control contrary to s.15 and is not excused art. 5B(2)(a)(iv)
- ☐ C includes enforcement provisions in its contract with the individual, for where C knows or has reasonable cause to believe the individual is working illegally art. 5B(2)(a)(v)
- ☐ C cooperates with any investigation by the Secretary of State, giving the make-up and purpose of the contract chain, each party's name, legal form, address and company number, and any other information the Secretary of State considers relevant art. 5B(2)(a)(vi)

C — THE BUSINESS THEY WORK FOR	WRITTEN STATEMENT — REF AND DATE	TERMS IN THE CONTRACT WITH C — REF

HOW YOU MAKE SURE IT IS THE SAME INDIVIDUAL	LAST AUDIT OF C — DATE AND RESULT

Where your own contract with an individual lets them send a substitute: the excuse requirements apply to the substitute too; the substitute does not start before you have met those requirements for them; the contract has enforcement provisions against the individual where you or they know, or have reasonable cause to believe, that the substitute is working illegally, or where you cannot meet the requirements because the substitute does not cooperate; and you keep systems to make sure the person working is the right one (article 5B(4)).

8 OUTCOME

- ☐ RIGHT TO WORK SHOWN for the job offered — the work may start
- ☐ NOT SHOWN — the work does not start; record what is outstanding below and check the guide before deciding anything else

OUTSTANDING ITEMS AND NOTES

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continued

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9 SIGNATURES

Check made by:

PRINTED NAME	ROLE	COMPANY	SIGNATURE	DATE	TIME

Person checked — I produced the documents or the share code recorded here:

PRINTED NAME	ROLE	COMPANY	SIGNATURE	DATE	TIME

R REVISION HISTORY

Every revision of this document, and every review that found nothing to change. The revision on the front of this sheet is the one you are holding — check kubitdocs.com for the current one before use.

Rev	Date	Class	What changed	Authorised by
D0	2026-09-12	first-issue	First issue.	— not yet approved —
A0	2026-09-12	review	Approved for issue by the author. Content unchanged from the reviewed draft; the draft status strip is removed. No independent third-party review has been carried out.	Author — director, UK principal contractor, SMSTS. Not an independent review.

Class: first-issue · material (the law, a control, a field or the scope changed — past buyers are notified) · editorial (wording or layout only) · review (checked, nothing changed) · withdrawal. Revision prefix D = draft, not approved and not for sale; A = approved for issue by the person named, on the date shown.