

Right to Work Check - employer obligations



Every UK employer must complete a right to work check before employment begins or face a £20,000 fine for each employee without permission. KPMG's Right to Work Check is a smartphone application that facilitates the employer's obligation to carry out these checks via an iOS or Android enabled smartphone or tablet.

What is the Right to Work Check?

Recent changes to the legislation and an increase in the number of prosecutions by the Home Office (that have been listed publically) means that it is becoming increasingly important that all employers have a robust administrative process to ensure all of their employees have the right to work in the UK.

An employer found to be employing an individual who does not legally have the right to work in the UK, could incur a fine of up to **£20,000 per employee without the right to work** unless the employer has a statutory excuse.

The only way to establish a statutory excuse is by the employer demonstrating that the right to work checks have been carried out in line with the legal requirements and there is proof of this.



Right to Work Check is a user friendly application available on smartphones and tablets that allows users to:

- Enter new employee details
- Take copies of and attest the required documentation
- Submit the evidence for manager approval
- Store the attested copies securely for the required time limits (currently at least two years after cessation of employment)

The tool guides the user through the required procedure with helpful prompts reducing the likelihood of manual errors.

If errors are made, or copies of documents are missing, they can be picked up quickly using the manager portal. These can then be fed back to users in order that they can be rectified quickly and without delay.

Why introduce Right to Work Check?

Potential benefit to employers in the Business Services sector:

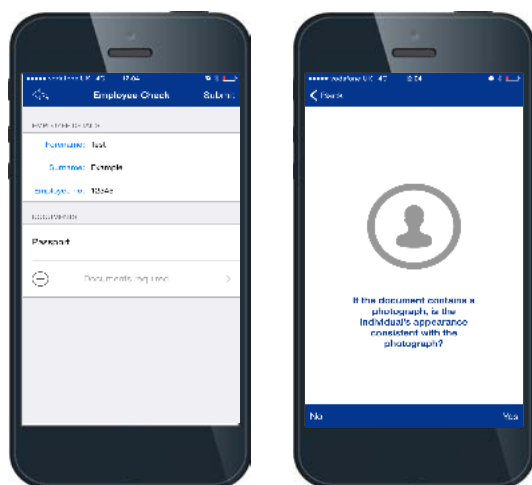
- Clear audit trail that appropriate checks are being carried out
- Increased speed of on-boarding process
- Checks possible in places without immediate access to photocopiers/scanners
- Reduced risk of loss of paper documentation
- Automated reminders where on-going checks are required

There is also a clear benefit to employers who are required to carry out checks on new joiners, as the step-by-step process in the application reduces the possibility of mistakes in what can be a complicated process.

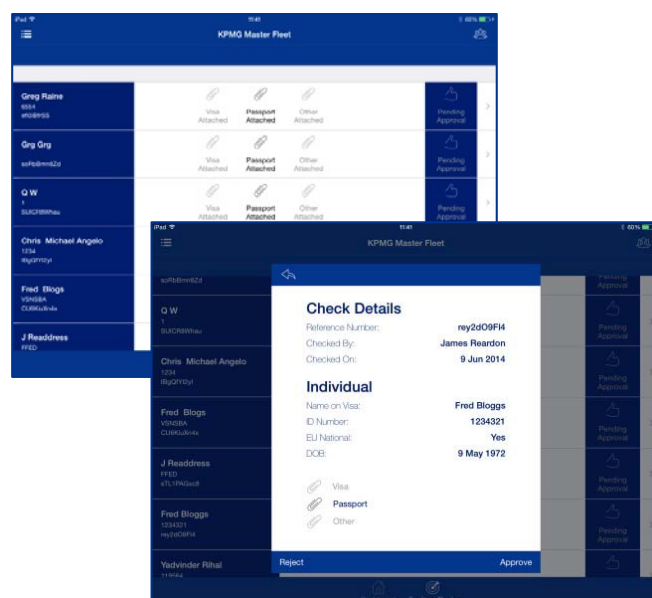
What are the risks?

- Financial penalty per employee found not to have the permission to work (up to £20,000 per employee)
- Reputational risk – non-compliance is listed on the Home Office website and regularly reported in the media
- Risk to employers who hold a sponsor licence as this can be withdrawn

User application



Manager application



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