

Employer Guidance

2026 Right to Work Checklist Review

A practical checklist to help employers prepare for the changes to UK Right to Work requirements. This review should take approximately 5–10 minutes to complete.



Introduction

The changes to Right to Work responsibilities coming into effect on 1 October 2026 mean many organisations should review their recruitment processes, worker classifications, supplier relationships, and compliance controls.

The introduction of **extended liability** means that, in certain labour supply, contractor and subcontractor arrangements, organisations may be held responsible for illegal working beyond their direct employees.

This checklist is designed to help employers, recruiters, and hiring managers assess whether their current process is ready.

This document provides practical guidance based on the latest published Government information. It should be read alongside official Home Office guidance.



Organisation Review

☐ Have you identified every type of worker your organisation engages?

YES ☐ NO ☐

Review whether your organisation recruits:

- ☐ Employees
- ☐ Agency workers
- ☐ Contractors
- ☐ Individual subcontractors
- ☐ Temporary workers
- ☐ Gig or platform workers
- ☐ Labour supplied through third parties

☐ Have you identified where third-party labour is used?

YES ☐ NO ☐

- ☐ Recruitment agencies
- ☐ Contractors
- ☐ Outsourced services
- ☐ Temporary labour providers
- ☐ Supply chain partners
- ☐ Online platform or matching services

☐ Have you considered whether extended liability could apply?

YES ☐ NO ☐

Ask yourself:

☐ Do you supply workers to another organisation?

☐ Do you receive workers from another organisation?

☐ Could your organisation be responsible for workers engaged through another business?

☐ Have you identified where extended liability may apply across your labour supply chain?

☐ Have you reviewed your contractual controls?

YES ☐ NO ☐

☐ Do contracts clearly define Right to Work responsibilities?

☐ Do suppliers have contractual obligations to complete compliant Right to Work checks?

☐ Can suppliers demonstrate compliance if requested?

☐ Are compliance responsibilities documented throughout your labour supply chain?

☐ Have you reviewed where Right to Work responsibility sits?

YES ☐ NO ☐

Consider:

☐ Who completes the Right to Work check?

☐ Who authorises employment?

☐ Who retains the evidence?

☐ Who monitors ongoing compliance?

☐ Do recruiters know when to escalate an unusual Right to Work case?

YES ☐ NO ☐

Review whether your organisation has clear guidance for situations requiring additional review.

☐ Recruiters know when to seek advice.

☐ There is a documented escalation process.

☐ Hiring managers know who to contact if they are unsure.

☐ Decisions and supporting evidence are recorded as part of the audit trail.

Common Pitfalls

- Assuming the changes only apply to direct employees.
- Waiting until October to review internal processes.
- Overlooking labour supply chains and subcontractors.
- Failing to review contractual responsibilities with suppliers.
- Relying on inconsistent or manual processes.
- Treating Right to Work as a standalone recruitment check rather than an ongoing compliance responsibility.

Recruitment Process

☐ Is your Right to Work process documented?

YES ☐ NO ☐

Check that recruiters follow the same process every time.

☐ Written procedure

☐ Recruiter guidance

☐ Hiring manager guidance

☐ Escalation process

☐ Guidance for contractor and supply chain engagements

☐ Can you evidence every Right to Work check?

YES ☐ NO ☐

Ask yourself:

☐ Can you show when the check was completed?

☐ Can you demonstrate who completed it?

☐ Is evidence retained securely?

☐ Could you demonstrate a statutory excuse if inspected by the Home Office?

☐ Does your process include appropriate identity verification?

YES ☐ NO ☐

☐ Does your process verify that the person presenting the documents is the genuine worker?

☐ Does it help prevent impersonation and identity fraud?

☐ If digital identity verification is used, is it completed through a registered Right to Work Digital Verification Service Provider (RtW DVSP)?

☐ Have your teams been updated on the latest document requirements?

YES ☐ NO ☐

☐ Recruiters understand the latest acceptable documents.

☐ Staff understand when digital National Insurance evidence may be accepted.

☐ Your procedures reflect the latest Home Office guidance.

Technology

☐ Does your recruitment workflow support compliant Right to Work checks?

YES ☐ NO ☐

Your recruitment technology should help your organisation:

- ☐ Reduce manual administration
- ☐ Record candidate consent
- ☐ Verify identity
- ☐ Complete compliant Right to Work checks
- ☐ Maintain a secure audit trail to demonstrate compliance
- ☐ Apply the same process consistently
- ☐ Improve visibility of Right to Work compliance across your workforce and labour supply chain

Future Readiness

☐ Have you reviewed your process before 1 October?

YES ☐ NO ☐

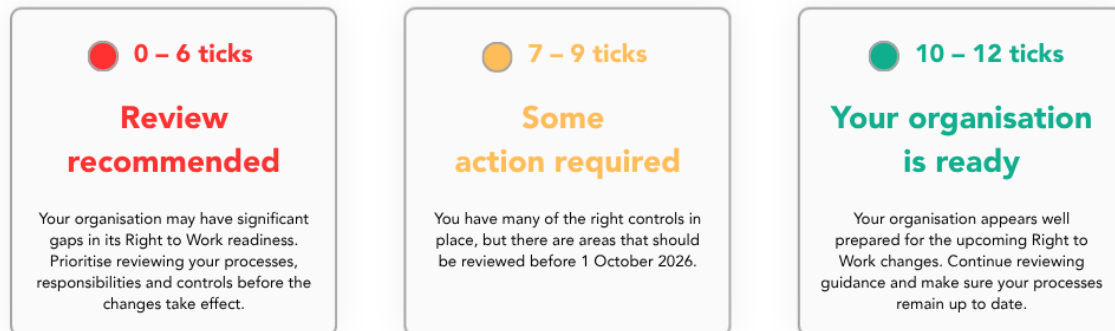
Consider whether you have:

- ☐ Assessed contractor and subcontractor arrangements
- ☐ Reviewed labour supply chain responsibilities
- ☐ Updated internal policies
- ☐ Briefed recruiters and hiring managers
- ☐ Reviewed third-party suppliers

Final Assessment

Right to Work Readiness Score

Tally up your score to find out how prepared you are for UK Right to Work updates.



Next Steps

If you answered "**No**" to any of the questions in this guide, consider reviewing:

- Your worker classifications
- Your Right to Work workflow
- Your audit trail
- Your recruitment technology
- Your supplier responsibilities

Official Resources

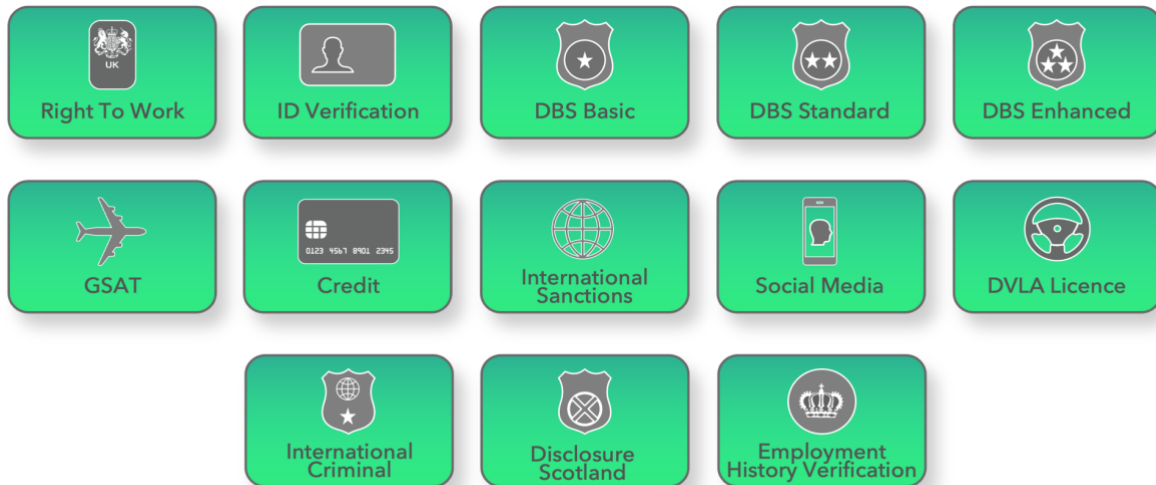
For the latest government guidance, see:

- [Employer's guide to Right to Work checks](#)
- [Right to Work Checklist for Employers](#)
- [Code of Practice on Preventing Illegal Working](#)
- [Code of Practice guidance from 1 October 2026](#)
- [Right to Work guidance from 1 October 2026 \(Extended Liability\)](#)

Please Note: This readiness review is intended to complement, not replace, official Government guidance. Organisations should ensure they follow the latest Home Office guidance when determining their Right to Work obligations.

Need a second opinion?

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