

Complying with Preventing Illegal Working Legislation

Lists of acceptable documents for right to work checks

The documents that are considered acceptable for demonstrating right to work in the UK are set out in two lists – **List A** and **List B**. These are shown in Tables 4 and 5 below.

List A contains the range of documents which may be accepted for checking purposes for a person who has a permanent right to work in the UK. If the prescribed right to work checks are followed it will establish a **continuous statutory excuse** for the duration of that person's employment with you. You do not have to conduct any further checks.

List B contains the range of documents which may be accepted for checking purposes for a person who has a temporary right to work in the UK. If the prescribed right to work checks are followed, it will establish a **time-limited statutory excuse** and require a follow-up check as set out below. You will be required to conduct a follow-up check in order to retain your statutory excuse.

List A – Acceptable documents to establish a continuous statutory excuse

List A

1. A passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.
2. A passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
3. A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
4. A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
5. A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
6. A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
7. A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
8. A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
9. A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
10. A certificate of registration or naturalisation as a British citizen, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

List B – Acceptable documents to establish a statutory excuse for a limited period of time

List B

Group 1 – Documents where a time-limited statutory excuse lasts until the expiry date of leave

1. A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.
2. A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to do the work in question.
3. A current Residence Card (including an Accession Residence Card or a Derivative Residence Card) issued by the Home Office to a non-European Economic Area national who is a family member of a national of a European Economic Area country or Switzerland or who has a derivative right of residence.
4. A current Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK, and is allowed to do the type of work in question, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Group 2 – Documents where a time-limited statutory excuse lasts for 6 months

1. A Certificate of Application issued by the Home Office under regulation 17(3) or 18A(2) of the Immigration (European Economic Area) Regulations 2006 to a family member of a national of a European Economic Area country or Switzerland stating that the holder is permitted to take employment which is less than 6 months old together with a **Positive Verification Notice**¹ from the Home Office Employer Checking Service.
2. An Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, together with a Positive Verification Notice from the Home Office Employer Checking Service.
3. A Positive Verification Notice issued by the Home Office Employer Checking Service to the employer or prospective employer which indicates that the named person may stay in the UK and is permitted to do the work in question.

Documents that are not acceptable for proving Right to Work

The following documents are not usually acceptable for proving a person has the right to work in the UK and will **not** provide you with a statutory excuse against payment of a civil penalty:

- A Home Office Standard Acknowledgement Letter or Immigration Service Letter (IS96W) which states that an asylum seeker can work in the UK. If you are presented with these documents then you should advise the applicant to call us on **0151 237 6375** for information about how they can apply for an Application Registration Card
- A National Insurance number on its own in any format
- A driving licence issued by the Driver and Vehicle Licensing Agency
- A bill issued by a financial institution or a utility company
- A passport describing the holder as a British Dependent Territories Citizen which states that the holder has a connection with Gibraltar
- A short (abbreviated) birth certificate issued in the UK which does not have details of at least one of the holder's parents
- A licence provided by the Security Industry Authority
- A document check by the Criminal Records Bureau
- A card or certificate issued by the Inland Revenue under the Construction Industry Scheme

If you would like further information or advice on complying with the law on preventing illegal working you should contact the Border Agency's Sponsorship, Employer and Education Helpline on 0300 123 4699. The helpline is open Monday to Friday, between 9am and 5pm, except on Bank Holidays.

¹ A 'Positive Verification Notice' is official correspondence from the Home Office Employer Checking Service which confirms that a named person has permission to undertake the work in question.