



Right to Work checks:

A Guide to IDSPs, IDVT and Questions to ask...

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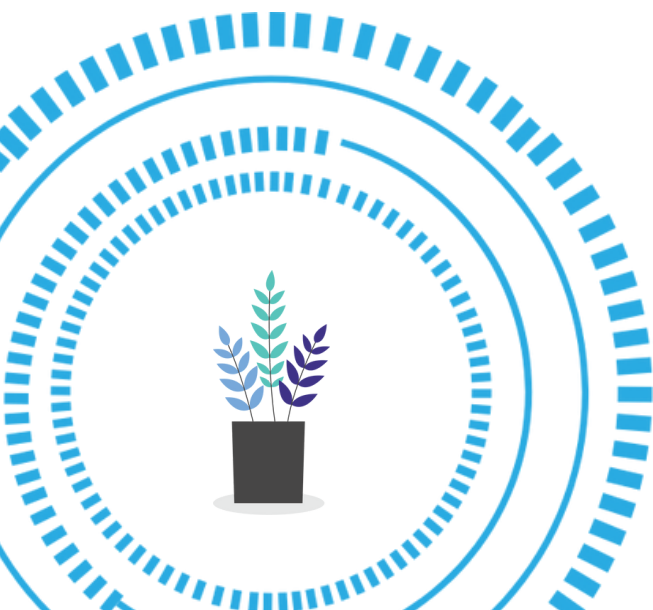
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4. How will the technology make your onboarding more efficient?
5. What additional software does the service need?
6. What support does your provider offer?
7. Is your IDSP certified?
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Why are Right to Work checks important?


All employers in the UK, regardless of the size of business or sector they operate in, must ensure that everyone who they employ is eligible to work in the UK. This means running a Right to Work check – seeing and checking relevant identity documents – or carrying out a digital Right to Work check, for those people who are eligible.


It is an offence to employ someone who you knew or had ‘reasonable cause to believe’ did not have the Right to Work in the UK including, for example, if you had any reason to believe that their identity documents were incorrect or fraudulent. If you don’t complete the required checks on an employee and they are subsequently found to be an illegal worker, you could face a civil penalty of up to £20,000 and a range of sanctions, including the closure of your business or even a criminal conviction.

However, correctly carrying out the checks required gives you a statutory excuse against liability which means you will avoid a civil penalty if you’ve (unknowingly) employed an illegal worker.


What has changed between April and October 2022


Before 6th April


 **Physical Document Checks**
Original documents ✓
BRPs / BRCs ✓

 **Remote Checks**
Covid-adjusted video checks ✓
Sharecodes ✓


From 6th April


 **Physical Document Checks**
Original documents ✓
NO BRPs / BRCs ✗


 **Remote Checks**
Covid-adjusted video checks ✓
Sharecodes ✓

 **Digital Checks**
(Replaces remote checks for those eligible)

From 1st October

 **Physical Document Checks**
Original documents ✓
NO BRPs / BRCs ✗

 **Remote Checks**
NO Covid-adjusted video checks ✗
Sharecodes ✓

 **Digital Checks**
(Replaces remote checks for those eligible)

Some definitions

With Right to Work guidance changes on 1st October, you may be exploring your options for efficient and compliant employee onboarding. Read our handy guide to the questions you need to ask before deciding...

First, let's start with some definitions:

Identity Service Provider (IDSP)

An identity service provider (IDSP) is a provider of identity verification services or Identity Document Validation Technology (IDVT) – see below. IDSPs are sometimes referred to as 'identity providers'.

Some IDSPs are certified to supply ID verification to specific government standards and 'Levels of Confidence' to support digital Right to Work checks (and Right to Rent or DBS checks).

Identity Document Validation Technology (IDVT)

Identification Document Validation Technology (IDVT) can quickly and easily establish the authenticity of documents presented for identity verification purposes. There are different sorts of IDVT, including devices which scan an identity document and web-based document validation services. The IDVT you choose depends on your internal recruitment processes, your level of risk and your in-house expertise.

Right to Work (RtW) checks

All UK employers must make Right to Work checks on their employees to ensure that they are eligible to work in the UK. Employees can present eligible identity documents from the Home Office published lists. Employers must check the documents and store a record of the check for the duration of employment and for 2 years afterwards. Employers may choose a manual process of checking documents and storing copies. Or they may use IDVT to support their checks – either just to confirm that the documents presented by employees are genuine or to also confirm that they give the holder the Right to Work.

Digital Right to Work checks

From 1st October, you can make digital Right to Work checks on eligible candidates, including UK and Irish citizens who have in-date biometric passports and anyone who has an eVisa and Sharecode. To check UK and Irish citizens, you must use an IDSP who can deliver checks in line with GPG45 Medium Level of Confidence. You don't have to choose a certified IDSP but if they are certified, you can be sure they meet the required standards under the UK Digital Identity & Attributes Trust Framework and you will get a Statutory Excuse.



Why choose Identity Document Validation Technology?

For many organisations, IDVT can bring significant benefits, both for digital Right to Work checks and to support physical document checks:



Save time



Increase compliance



Drive efficiencies



Make checks
from anywhere



Protect your organisation
from fraudulent documents

What do I need to ask before choosing technology to support my Right to Work check process?

If you decide to introduce technology, here are ten questions you can ask to help you find your perfect partner to help support your Right to Work checks.

1. Do you need an IDSP just for digital checks or an IDVT provider who can offer wider RtW support?

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1. Do you need an IDSP just for digital checks or an IDVT provider who can offer wider RtW support?

In reality, many employers will be recruiting employees in a variety of ways. From 1st October, you can make remote digital checks using an IDSP. However, you may also have candidates who aren't eligible for digital checks. Or you may choose to return to recruiting some or all your candidates during a face-to-face onboarding process.

Technology can still bring many benefits during a face-to-face check, including additional assurance that you're seeing the right combination of documents and that those documents are genuine. But for checks on those candidates, you will need to work with an identity provider who can offer wider IDVT services.

So, your first choice is whether to introduce technology only for digital checks or whether you use technology for all checks.

- ✓ Do you need an IDSP just for digital checks or IDVT which offers wider Right to Work support?
- ✓ If you choose an IDSP, can they check UK & Irish documents and eVisas (through Share code applications)? Sharecodes can be checked using the Home Office online service but some IDSPs also offer the option of an interface to that service meaning that your team can process all remote checks through one portal.

Once you've decided on the sort of service you need, there are other key questions to consider:

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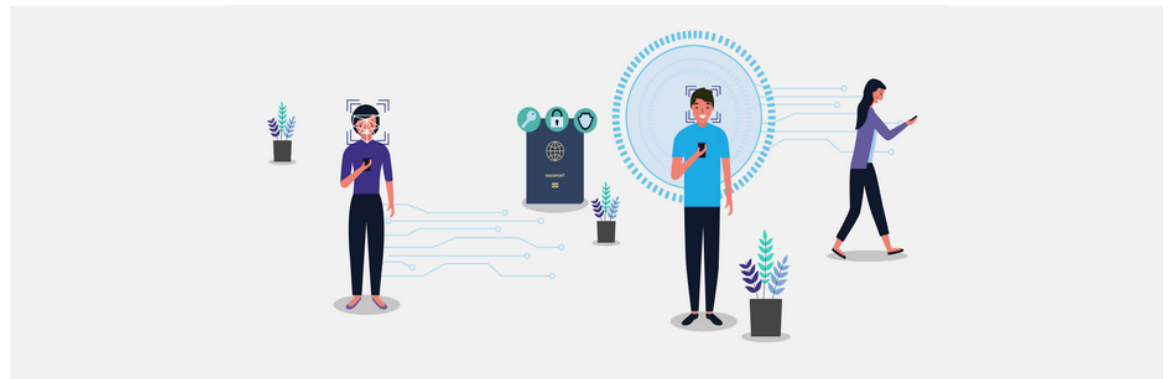
10. What are your integration options?

2. Is the service easy to use?

User experience is one of the key benefits of technology. Both for your internal team and for the applicants who are being asked to complete identity checks. Any provider should offer a solution that is easy to use, with a validation process which is easy to understand and which produces clear, straightforward results

They should be able to tell you the percentage of validations that are successful and how quickly checks are returned and what to do if you or your applicants experience problems.

- ✓ Are the instructions clear and is the service easy to use? There should be no technical jargon and each step should be obvious even to novice users.
- ✓ Can the service be used on a smartphone / tablet from anywhere, as long as the phone is connected to the internet?



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3. How is the service priced?

Ask your potential provider for a full break-down of costs. If your recruitment and onboarding volumes vary month to month or your business is growing or evolving, make sure you understand whether your contract can also flex and change.

- ✓ What is the commercial model? A flat monthly fee or a pay-per-check model? Look for flexibility to meet your future business needs.
- ✓ Are there any additional costs? Make sure you clarify set-up fees or user license costs.
- ✓ Is there a minimum order value? Clarify the contract term and make sure that you understand any 'get-out' clauses.
- ✓ Are you charged for completed checks only? If a candidate starts an application but doesn't complete it, your organisation should incur no cost.



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4. How will the technology make your onboarding more efficient?

It goes without saying that any service you choose should make your check process easier, but how much time will you really save? Ask the provider for data around the time it takes to run an ID check.

This will allow you to calculate a rough estimate of how much you'll save by running checks through IDVT compared to making a manual document check.



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5. What additional software does the service need?

When rolling out a new service, a key consideration is whether your IT systems need to be updated or if there's anything for you or your applicants to install. Some providers will offer online validation services which require no infrastructure upgrade and no App to install – the validation service uses an image of the identity document uploaded through a browser.

Some services carry out validation by also opening the chip held within an identity document which contains additional security information. In order to open a chip, your applicant will be asked to download an App. App-based IDVT offers an additional security check and will work with most mobile devices but introduces extra steps for your candidates which may cause additional friction.

- ✓ Do you need to purchase any new hardware to use the services?
- ✓ Does your chosen IDSP require the candidate to download an App? If so, check how easy the App is to use.
- ✓ Which devices will support the service?



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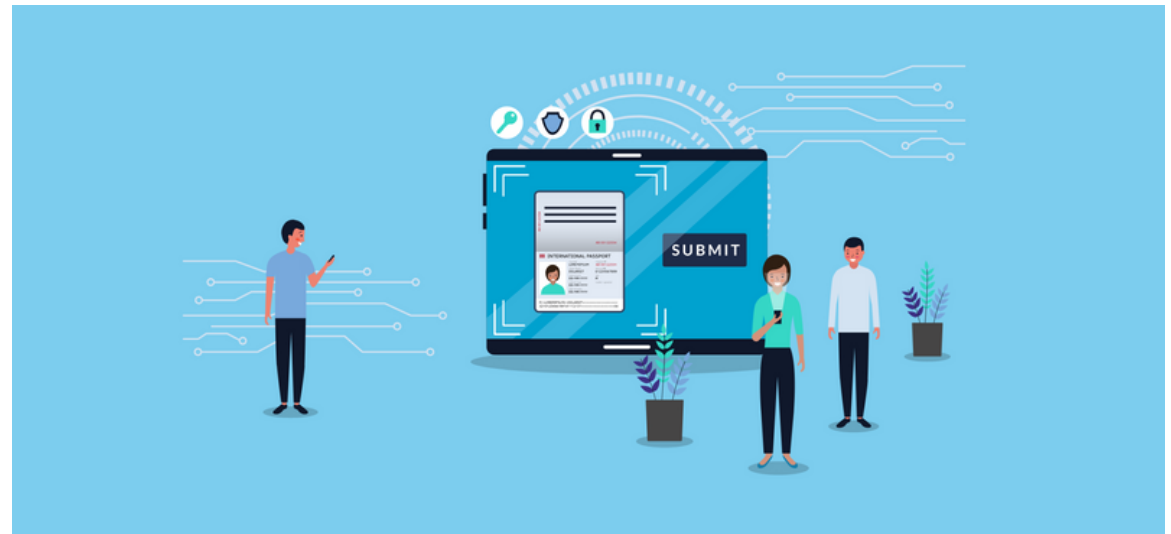
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6. What support does your provider offer?

Find out how the IDSP will support your business and your applicants if they have technical issues or questions or if a check isn't successful.

- ✓ Does the provider offer a high level of support to users who run into problems? For example, at a minimum, support should be offered by phone, live chat and email. Ask whether staff are based in your country to ensure that support hours align.
- ✓ What is their Service Level Agreement? How quickly are checks returned? And what are the business opening hours?



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7. Is your IDSP certified?

Although it's not essential to work with a certified IDSP to carry out digital Right to Work checks, certification provides assurance that the IDSP meets relevant scheme guidance and the standards and Level of Confidence set out in the Trust framework.

Check whether your IDSP is certified. If you choose a non-certified IDSP, you must be able to satisfy yourself that the provider meets the necessary Medium Level of Confidence checks set out in GPG45.



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8. If you need wider Right to Work support, how much can your provider offer?

Right to Work guidance is ever-changing. If your onboarding teams are spread across multiple sites or you're relying on local managers who aren't HR experts, a fully managed Right to Work service could particularly help. One benefit is that it removes the need to train and update your onboarding teams.

That said, it's important that you trust the IDVT provider you choose to provide the best advice and stay on top of legislation. Confirm with your technology provider whether they offer a full Right to Work service, including confirmation of eligibility.

- ✓ Does the provider have in-house, local Right to Work expertise? Is there a human who can help if you're not sure what to ask a candidate for?
- ✓ Can they support Right to Work advice and guidance questions from your organisation / your candidates?



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Privacy and the safeguarding of confidential personal data should be a primary focus for all ID verification solutions. It's important to ensure that any solution you use has carefully aligned its technology and processes with legal data requirements.

- ✓ How does the IDSP handle your clients' data generally and also internally, and with their own suppliers?
- ✓ How long does the provider and any of its suppliers retain your and your clients' data?
- ✓ Does the provider have a privacy policy that is in plain English and accessible to all users?



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Most providers offer the option to integrate IDVT and Right to Work check services with other systems, including HR and Applicant Tracking systems. These 'out-of-the-box' integration solutions allow you to quickly and easily set up an end-to-end onboarding journey and a smooth experience for your staff and applicants. Alternatively, your provider should be able to share details of their API to allow you or your providers to build a bespoke integration.

- ✓ Ask for details of the different implementation options available, including any associated costs. Your provider may be able to provide a list of pre-existing integrations
- ✓ Is the provider happy for you to first roll out the solution as a stand-alone product before you decide whether to commit to a bespoke integration?
- ✓ What are the costs associated with the API? And what support can the IDSP offer if you build a bespoke integration?





TrustID is a certified Identity Service Provider (IDSP) and a leading expert in Right to Work services. Hundreds of organisations, large and small, trust our market-leading services to simplify ID checks, maintain their compliance and protect themselves from fraud whilst saving time and driving efficiencies.