

Changes affecting EU workers

A significant upcoming change to the prevention of illegal working regime comes at the end of the EU settlement scheme transition period on 30 June 2021.

Until 30 June, EU workers can continue to present a valid passport or national identity card to prove their eligibility to work to employers. From 1 July, however, new rules will require the employer to be given evidence of the individual's status under the EU settlement scheme or proof of an appropriate and valid work-based visa.

Where a document check confirms a time limit applies to an EU national's right to work in the UK, a follow-up check should be carried out before the expiry date of their permission. This could be, for example, where they only have pre-settled status (pre-settled status is a grant of limited leave to remain for five years) under the EU settlement scheme or they have been granted limited leave to remain under the points-based system.

Compliance Trips

As the Home Office resumes illegal working enforcement efforts, employers should prepare for the upcoming changes by ensuring:

- adjusted document checks conducted between 30 March 2020 and 20 June 2021 inclusive have been clearly marked as an 'adjusted check undertaken on [insert date] due to Covid-19';
- full right to work checks relying on original documents in physical form are resumed from 21 June 2021 or make use of the online employer checking service [Use the Employer Checking Service - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/employers-checking-right-to-work);
- individuals are not discriminated against where they do not agree to the use of the online checking service; and
- anyone involved in recruitment and onboarding within the organisation understands the changes taking effect from 21 June and 1 July, and the implications of these when conducting document checks.

Failure to perform Right to Work checks correctly could result in unwanted Home Office scrutiny and serious ramifications, including but not limited to: Civil penalty for illegal working – fine for up to £20,000 per breach, Criminal prosecution, Enforced debt action and County Court judgment

It is essential you engage with the HR experts at IHR Solutions to review and consider how fit and ready your right to work checks are.

Contact our team today and take the worry out of your day. Email the team at HRhelp@ihrsolutions.co.uk or call our helpline on **01604 709509** or visit our website <https://insurancehrsolutions.co.uk>

About the Author

LAURA FINDLAY

Laura is a HR professional with 20 years' experience with Financial Services, the majority of which has been within insurance. In her role with UKGI Group, Laura provides objective support to firms on employment law and HR issues. She uses her interpersonal skills and knowledge to work with firms to help them develop strong and resilient HR strategies and establish healthy organisational cultures. Laura's clients receive personalised support with a real can-do approach.

Laura is an Associate of the Chartered Institute of Personnel and Development (CIPD). She holds a Diploma Professional Development Scheme.



For further information and assistance on updating your HR documentation, please contact me at lfindlay@ihrsolutions.co.uk or call direct on **07874 4860814** or call our helpline on **01604 709509**. Connect with me on [LinkedIn](#) or visit our [website](#).