

Right to Work (RtW) Compliance Checklist

What you need to do now

There is limited time to make the changes needed ahead of implementation on 1 October 2026. Our checklist will help you with timely planning and action.

Step 1: Scope, Responsibilities and Risk Triage

Map staffing arrangements ☐

Have you identified who engages each worker, including employees, agency staff, contractors, consultants and volunteers and confirmed who is in scope for direct and extended liability?

You may want to seek legal advice if:

- you are unsure who the engager is
- you are unsure what the person's employment status classification is, such as whether they are a worker or self-employed
- extended liability could or will apply to any worker
- there are complex labour supply chains
- workers on visas are engaged

Audit current RtW processes at a high level ☐

Have you reviewed whether your current onboarding and follow-up check and document retention practices will meet the new rules?

You may want to seek legal advice if you:

- are unsure how to carry out RtW checks in a compliant way
- don't know when you can use a DVSP and how to use them
- are uncertain how to implement RtW processes in an efficient and compliant way
- if you have been compliant with the RtW requirements to date

Identify stakeholders and governance ☐

Have you assigned staff to own the RtW check processes, and leads in HR, procurement, facilities, operations and line management for the checks?

Have you created an issues log and decision trail?

Step 2: Deep-Dive Audit and Supplier/DVSP Review

RtW process deep dive ☐

You may want to seek legal advice if:

- you uncover historic non-compliance, such as incomplete check records on file or if a worker on a visa has worked in breach of the conditions of their permission
- you hold a sponsor licence and are unsure if you are meeting the sponsor duties
- you are unsure what documents need to be retained, for how long

Supply chain contracts ☐

Have you located relevant supplier agreements (agencies, outsourcing, labour providers, managed service providers) and checked for assurance obligations, audit/access rights, prompt remediation, indemnities and termination provisions?

You may want to seek legal advice if:

- you require assistance with contract remediation, drafting amendments or side letters, negotiating indemnities and audit rights, and managing non-compliant suppliers.

Identity verification ☐

Have you understood whether identity verification is required in the case of extended liability?

Have you mapped your current process and whether that meets the identity verification requirements?

You may want to seek legal advice if:

- you are unsure whether your processes will meet the identity verification requirements.

Check RtW DVSPs



Have you confirmed that the Digital Identity Service Provider ('DVSP') you use for the RtW check is OFDIA-registered and confirms that they are approved to conduct RtW checks.

Have you obtained and kept evidence on file of this?

You may want to seek legal advice if:

- you need assistance with checking if the DVSP is registered or ascertaining that you are satisfied to a reasonable degree that the DVSP is carrying out the checks correctly

Step 3: Remediation, Policy and Training

Remediate process gaps



Have you implemented updated RtW workflows, risk-based escalation, and diarised follow-ups for time limited permissions?

Have you confirmed document retention schedules and secure storage?

You may want to seek legal advice if:

- you need assistance with designing or updating RtW process and retention policies

Contract actions



Have you issued contract variations to suppliers and commercial contracts?

Have you prepared contingency plans for non-cooperation?

You may want to seek legal advice when:

- drafting and negotiating changes, addressing supplier pushback, and structuring contingencies or exits

Provide staff training



Have you delivered targeted training for HR, procurement, facilities, operations and line managers?

We recommend that you include practical scenarios, acceptable documents, use of DVSPs, follow-up checks and escalation routes; record attendance and understanding.

Step 4: Readiness Testing and Enforcement Response

Enforcement response plan



Have you created and tested a playbook for Home Office information or compliance requests, including points of contact, document retrieval steps, an audit trail, and communication protocols?

You may want to seek legal advice if you:

- have any actual Home Office contact

- have to respond to information or compliance check requests
- uncover non-compliance

Final validation



Have you run a readiness check across random samples?

We recommend that you check that supplier attestations and DVSP confirmations are on file, and confirm that roles, handovers and SLAs are embedded.

Board/Leadership update

Have you summarised residual risks, mitigations, and any areas needing ongoing legal input or further remediation?

Get in touch

We can work with you to implement RtW checks correctly and ensure you have the correct policies and procedures in place. If you have any questions, please get in touch.



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