



SURVEY REPORT

UK RIGHT TO WORK CHECKS:
CHALLENGES AND ATTITUDES IN 2023

How technology can help employers meet their Right to Work compliance requirements and overcome key challenges.

Overview

This is a report based on original research to capture the viewpoints and attitudes from professionals responsible for Right to Work checks across the UK. The independent survey was conducted in November 2022, and over 100 professionals contributed.

This research highlights the need among some businesses and HR professionals for help to interpret and navigate the UK's guidance on Right to Work (RtW) checks and address some of the main challenges they face during onboarding.

Responses from HR professionals and others responsible for performing RtW checks indicates some confusion around what is permissible and what isn't. It also highlights differences between the perception of fraud and the actual level of occurrence, and the benefits of a digital approach to ensure compliance.



Introduction

Since 2014, Right to Work (RtW) checks have been a statutory requirement for UK employers and are part and parcel of today's recruitment and onboarding landscape. Since that time, we have seen Right to Work guidance change a number of times, most recently on 1st October 2022 when the COVID-19 adjusted regulations came to an end.

At TrustID, we wanted to gain a better understanding of who is performing RtW checks within an organisation and their attitudes towards them. We were keen to get a feel for the challenges that organisations face in recruitment and onboarding, and what they see as the priorities for 2023. What's more, insight into how the latest adjustments have affected the way organisations perform their RtW checks is valuable to us, as is the market's perception of adopting the right technology partner to address the digital future of RtW.

Why did we want answers to these questions? TrustID acts as a trusted ID validation partner to thousands of HR and recruitment professionals. The greater our knowledge and insight of the challenges people are facing, the more we can do to improve their experience.

Our curiosity gave rise to this survey. We hope you find it as enlightening as we have.



**TONY
MACHIN**

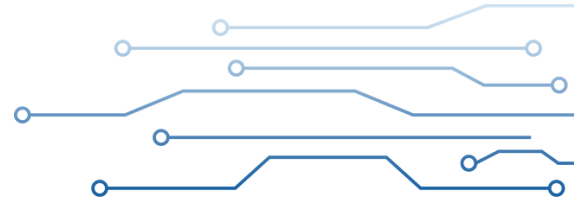
CEO OF TRUSTID

A handwritten signature in black ink, appearing to read 'Tony Machin', positioned below a horizontal line.

UK RIGHT TO WORK CHECKS: CHALLENGES AND ATTITUDES IN 2023



TrustID surveyed HR professionals and those responsible for performing Right to Work (RtW) checks in the UK to gain insight into their attitudes towards RtW checks and the challenges they face.



This report comes at a critical time as UK businesses face a major staffing shortfall, especially in industries such as manufacturing, hospitality, wholesale and retail, health and social care, and construction.

Businesses of all sizes risk missing out on opportunities to hire key talent if their RtW and onboarding checks take too long, but they are also at risk of non-compliance penalties if they cut corners. What is more, all of this is taking place against a backdrop of ever-changing compliance requirements and a shift in the way organisations operate, with an increase in remote working and onboarding.



UK RIGHT TO WORK CHECKS: CHALLENGES AND ATTITUDES IN 2023

IN THIS REPORT, WE OUTLINE RESEARCH UNDERTAKEN IN NOVEMBER 2022 WHICH HIGHLIGHTS FIVE KEY AREAS:



Awareness &
Understanding



Recruitment
Priorities



Current & Future
Onboarding
Process



Fraudulent ID
Documentation



The Digital
Future

FIVE KEY FINDINGS:

- ✓ 88% of respondents were aware of RtW guidance changes on October 1st 2022
- ✓ 30% of those surveyed were not fully prepared for the changes
- ✓ 49% of RtW checks take over a week to perform and 8% take longer than two weeks
- ✓ 62% of people said a competitive market for talent was their first or second biggest recruitment challenge
- ✓ 84% of respondents believe it is important to use a certified IDSP for RtW checks

Awareness and Understanding

In 2020, the rules governing Right to Work (RtW) checks were relaxed to accommodate COVID-19 restrictions. The temporary, COVID-adjusted rules allowed for checks to be performed remotely over a video call with a copy of an identity document being sent to the employer over email.

On October 1st 2022, COVID-adjusted regulations came to an end with the introduction of a new Digital Check Scheme for UK & Irish citizens. While the manner of the regulations changed, the spirit behind them remained, as the concept behind the streamlined RtW processes had been tried and tested under COVID conditions. So now, RtW checks on these candidates can be performed remotely through the Digital Scheme, using an Identity Service Provider (IDSP).

This has enabled recruiters to automate parts of the RtW checking process and save time for their teams while ensuring compliance. Today, RtW integration options also allow employers to upload identity documents directly into their recruitment software, to be checked by an IDSP using Identification Document Validation Technology (IDVT).

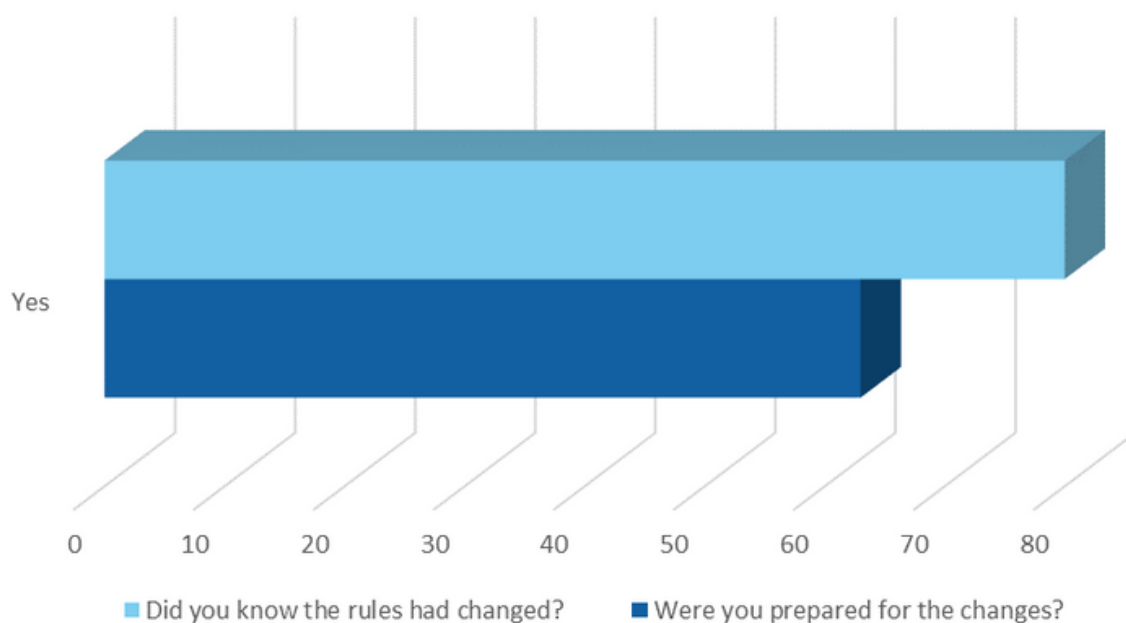




AWARENESS AND UNDERSTANDING

However, our survey showed that between them, the COVID-19 and the October 2022 changes have led to something of a disconnect between people's awareness of RtW checks and their preparedness for the changes.

Awareness vs. Preparedness



There was no doubt that most people (99%) agreed on the importance of RtW checks, with 96% considering them essential or very important. The pandemic made 47% of people more aware of the importance of RtW checks, possibly because of the added focus around how the checks were performed under COVID regulations.

Fast forward two years to October 2022 and 88% of people confirmed they knew about the changes that were introduced at that time. However, 30% of respondents told us that they were either not prepared for them (9%) or were only somewhat prepared (21%).

Recruitment Priorities

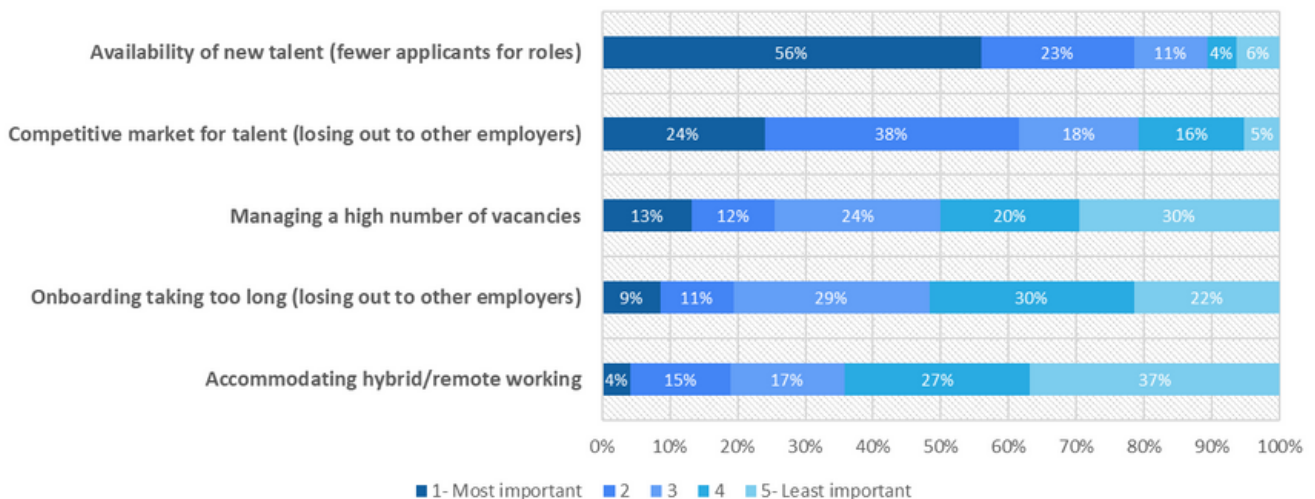
By the end of the pandemic, almost half a million workers in the UK left the labour market, and long-term migration to Europe has led to an estimated 330,000 shortfall of employees across all UK industry sectors. According to the House of Commons Library Labour Skills and Labour Shortages research brief, this resulted in 1.19 million job vacancies at the end of 2022.

Our respondents feel the shortage of labour acutely, and their anxieties surrounding the shortfall and increased competition are reflected in their priorities for 2023.

Ranking their challenges, 56% of respondents said the availability of new talent is the number one biggest recruitment challenge they face.

But the scarcity of workers has also created a competitive market and a fear of losing out to other employers. Almost two-thirds (62%) said competition was their first or second biggest challenge, and almost one-quarter (24%) said it was their number one challenge.

What are the biggest recruitment challenges you face?

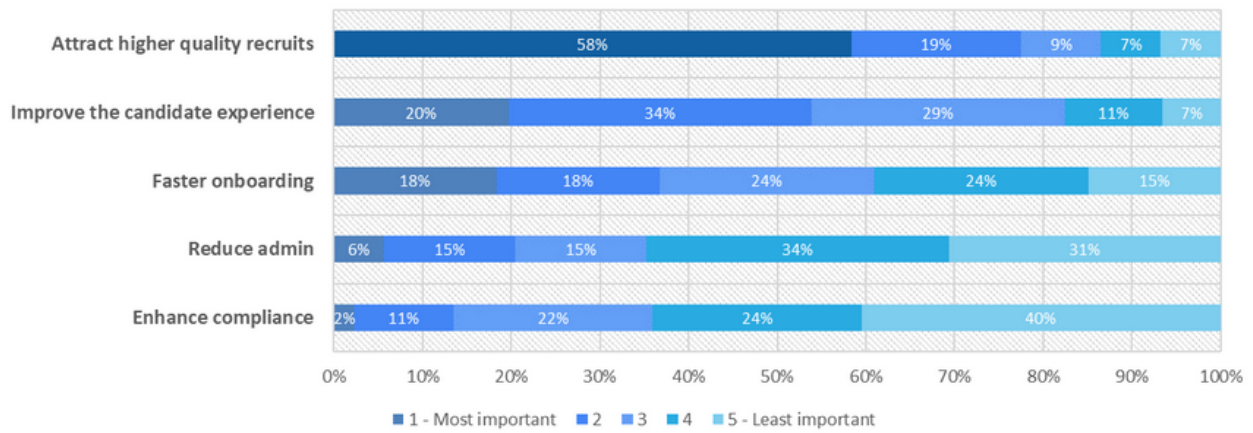




RECRUITMENT PRIORITIES

Employers' recruitment priorities for 2023 firmly position attracting higher quality recruits as their number one priority.

What are your main recruitment priorities for 2023?



To appeal to these candidates, employers' next two biggest priorities are improving the candidate experience and faster onboarding.



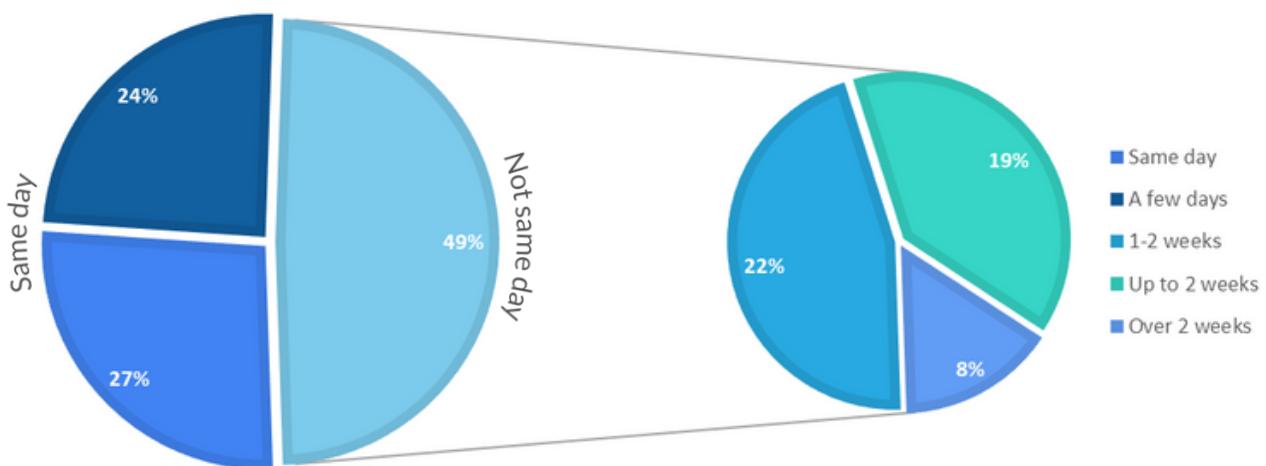
Current and future Right to Work checks and onboarding processes

Right to Work (RtW) checks are a key part of onboarding new employees.

The length of time it takes to carry out RtW checks can have a major impact on the candidate experience – especially in a competitive market.

The sooner a candidate receives a confirmed offer, the greater the likelihood that they will join your organisation rather than a competitors’.

HOW LONG DOES IT TYPICALLY TAKE YOU TO PERFORM RIGHT TO WORK CHECKS?



According to our survey, around half (51%) of Right to Work checks happen the same day (27%) or within a few days (24%), which leaves 41% taking up to two weeks and 8% taking over two weeks.



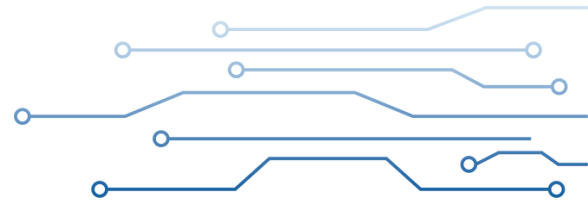
CURRENT AND FUTURE RIGHT TO WORK CHECKS AND ONBOARDING PROCESSES



"We want to offer the best experience and a very fluid process for all our new starters. We would never want to have to reverse a job offer because the right checks weren't done at the right time, but we do have to protect the business and carry them out compliantly."

Majestic Wine

A delay of this kind exposes some organisations to the risk of losing out on key talent to competitors who can secure starting dates up to two weeks sooner. In a competitive market, getting a job offer out to the right candidate even a day later than your competitor can have a big impact on your ultimate workforce.





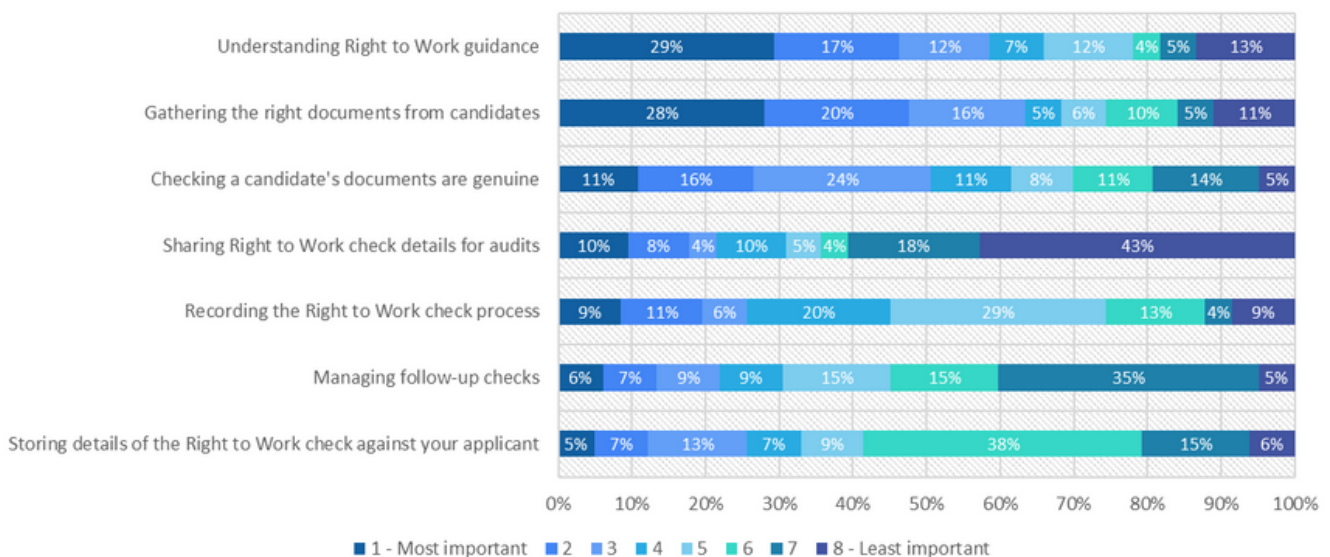
CURRENT AND FUTURE RIGHT TO WORK CHECKS AND ONBOARDING PROCESSES

While essential for business compliance and security, manual RtW checks can involve additional work for HR, admin, recruitment and compliance teams, as well as extra pressure to ensure that applicants provide the right documents. Most of the workload falls to HR professionals, with HR managers and HR admin people responsible in 24% and 29% of organisations respectively. Hiring managers carry out RtW checks in 23% of companies, with other roles accounting for 7%. Interestingly, compliance-related job titles feature heavily in the 'other' roles. This could indicate that businesses are positioning RtW as a compliance issue – like quality or health and safety – rather than a purely HR issue. Some organisations may be looking to support HR teams with a compliance focus due to the importance the business places on RtW checks.

Those who carry out RtW checks told us that they found the hardest or most time-consuming aspects to be:

- ✔ Gathering the right documents from candidates
- ✔ Sharing Right to Work check details for audits
- ✔ Understanding Right to Work guidance

What is the hardest/most time-consuming aspect of RtW checks?

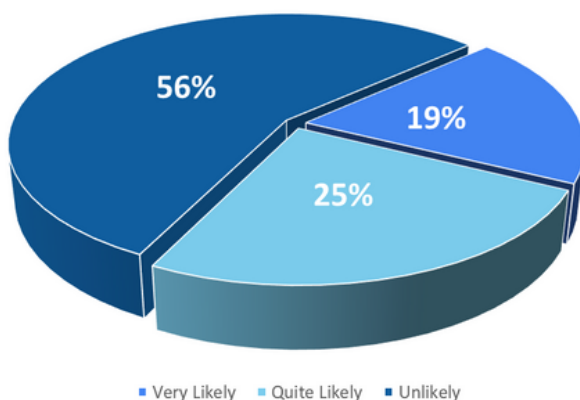


There's clearly scope to improve awareness among candidates about which documents to provide, and also to highlight the latest RtW guidance for those performing RtW checks.

Fraudulent Identity Documents

Robust and compliant Right to Work (RtW) checks prevent people without the right to work in the UK from gaining employment. We found that 61% of respondents thought it very or quite likely that they would come across candidates without the right to work in the UK. This can lead people to present fraudulent ID documents to support their application. In our survey, 44% of people thought that it was quite or very likely that a candidate could present a fake proof of identity for a RtW check.

HOW LIKELY DO YOU THINK IT IS THAT A CANDIDATE WILL PRESENT A FAKE DOCUMENT OR SHARE CODE TO YOUR ORGANISATION?



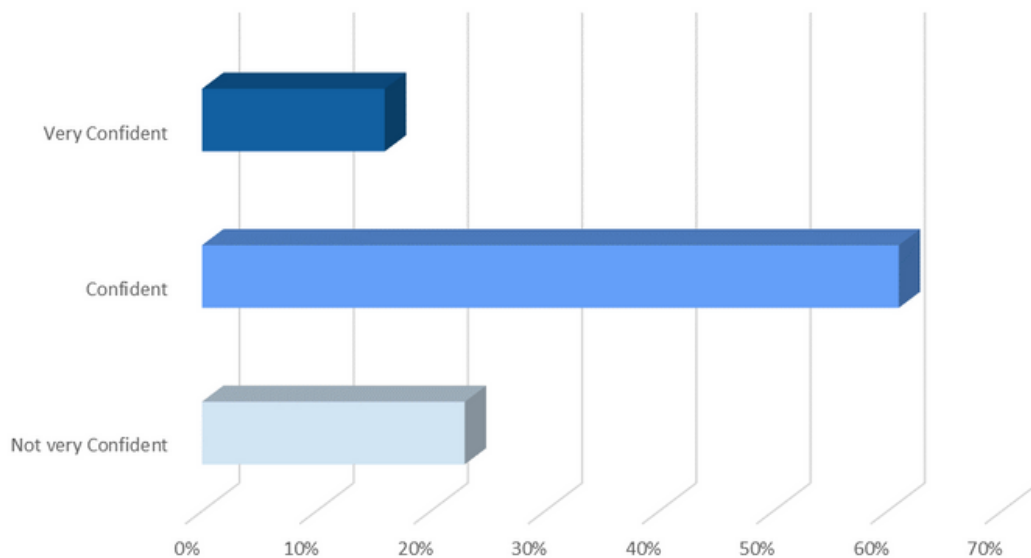
Survey respondents from the housing & letting, software, education and hospitality industries believe that they face the highest likelihood of coming across a fake ID document. From TrustID's fraudulent document statistics for 2022, these sectors do indeed see a high number of fraudulent documents. However, our ID verification team saw that the sector with the greatest number of fraudulent documents presented was medical recruitment – 19% of all fakes seen across TrustID's customer base were from those recruiting medical staff.



FRAUDULENT IDENTITY DOCUMENTS

Of those surveyed, 84% consider themselves *confident* or *very confident* that they could spot a fake document presented by a candidate.

How confident are you that you could identify a fake document?



In our experience, however, identifying a fake document isn't always easy. We analyse fraud in RtW, Right to Rent and Know Your Customer documentation on an annual basis. We find that trends change year to year and the techniques used by fraudsters are ever evolving.

We have seen many cases of fraudsters changing their approach to meet the latest guidance by altering the sort of document they present to potential employers. For example, an applicant attempting to gain employment using a fraudulent Spanish document in 2020 might have presented a fake Biometric Residence Permit (BRP) in 2021. In 2022, BRPs no longer gave eligibility and the applicant might instead present a fraudulently obtained genuine Sharecode.

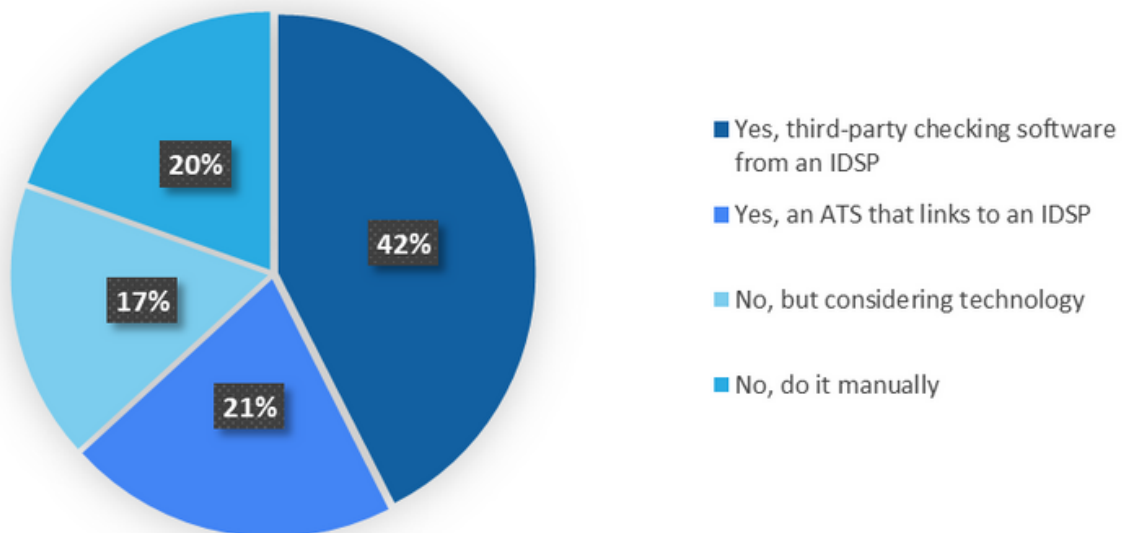
The difference between the perception of survey respondents and TrustID's real-world experience highlights the value of using a skilled team of ID professionals to scrutinise documentation.

A Digital Future for Right to Work checks

Digital technology is an accepted feature of most aspects of our lives and continues to play an increasing role in ID verification. Technology can help an organisation to verify a candidate's ID faster, more securely and with greater confidence than ever.

In our survey, many respondents have chosen to use technology provided by an Identity Service Provider (IDSP) for Right to Work (RtW) checks, either as a standalone service or through an integration with an Applicant Tracking System (ATS). However, a sizeable number still *perform manual checks* or are *considering using technology* but haven't yet committed to it.

Do you use technology from an IDSP and/or ATS for your RtW checks?

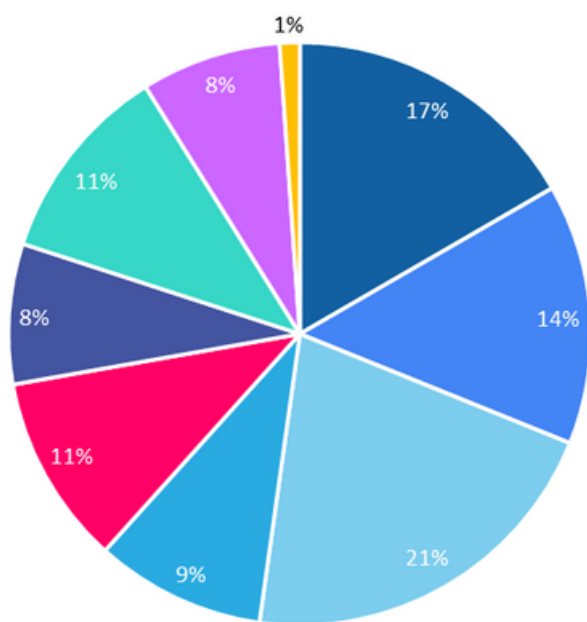


For our respondents, the biggest benefits of using technology or an automated system for RtW checks are headed up by confidence in compliance, followed by faster onboarding.



A DIGITAL FUTURE FOR RIGHT TO WORK CHECKS

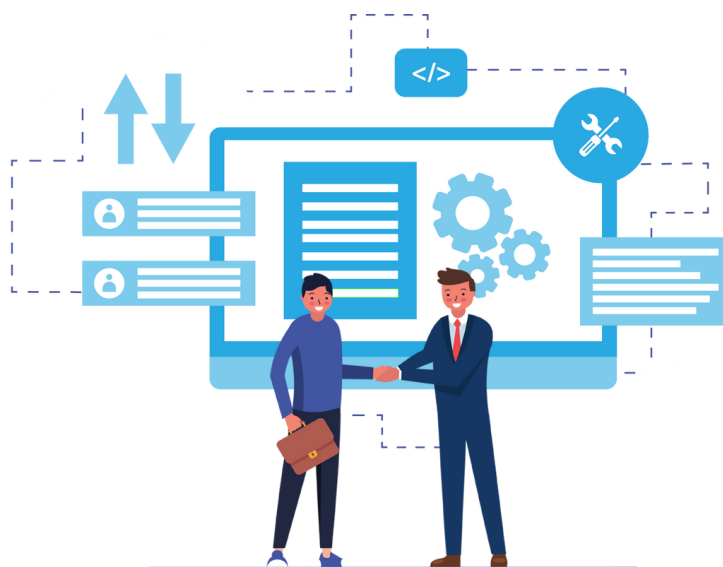
What are the biggest benefits of using technology / automated system for RtW checks?



- Faster onboarding
- Security of only hiring people with the Right to Work in the UK
- Confidence that we are compliant
- Better candidate experience
- Less administration
- Improved brand reputation
- Better experience for HR and hiring managers
- Support from a trusted partner
- Other

Engaging a third-party IDSP, especially one certified by the Government, is a key step that organisations can take to achieve both benefits and improve their onboarding processes for a better candidate experience.

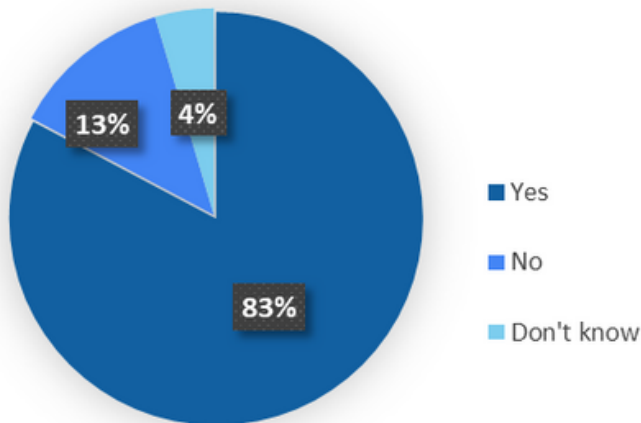
Across all respondents, most people told us that they are familiar with the idea of a third-party IDSP, and an almost equal number (85%) say that it is important to use a certified IDSP.



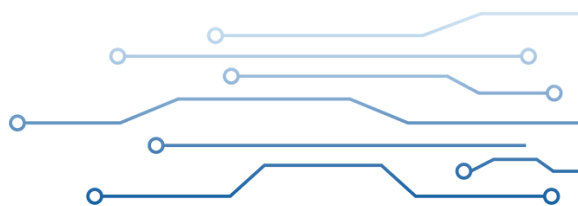
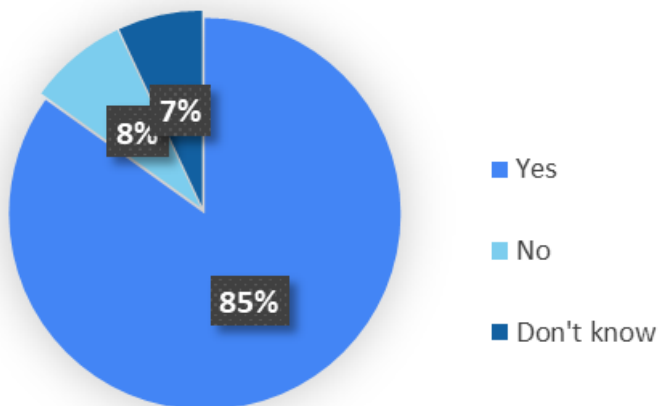


A DIGITAL FUTURE FOR RIGHT TO WORK CHECKS

Are you familiar with the idea of a third-party IDSP?



Do you think it is important to use a certified IDSP?



Given the number of those who are still in two minds about using an IDSP or are carrying out time-consuming manual checks on all candidates, there may still be some confusion among recruiters and HR professionals about IDVT and IDSPs. TrustID has issued a [handy guide](#) to help people navigate the complexities of choosing and working with a trusted partner to help them achieve their RtW objectives and make it a whole lot simpler and cost-effective.

Summary

In November 2022, TrustID surveyed 130 HR professionals, hiring managers, business owners and compliance professionals on how they perceive and apply Right to Work (RtW) checks for new employees.

TrustID UK Right to Work checks: challenges and attitudes in 2023 survey asked questions about people's understanding of RtW changes, their recruitment priorities for 2023, how they apply RtW checks in their onboarding activities, their exposure to fraudulent ID and how they view the future of digital ID checks.

Our findings reveal that, while people feel they have a good understanding of the principles, there are some key areas where additional clarity and guidance could help.

We have prepared a guide to help you navigate the complexities of RtW checks which highlights:

- ✓ The importance of Right to Work checks
- ✓ Recent changes to Right to Work checks
- ✓ Guidance on digital Right to Work and identity checks
- ✓ Answers to the most commonly asked RtW questions.

Download our guide for HR and recruiters exploring Identity Service Providers and Identity Validation Technology here: [Right to Work Guidance](#)



About the Survey

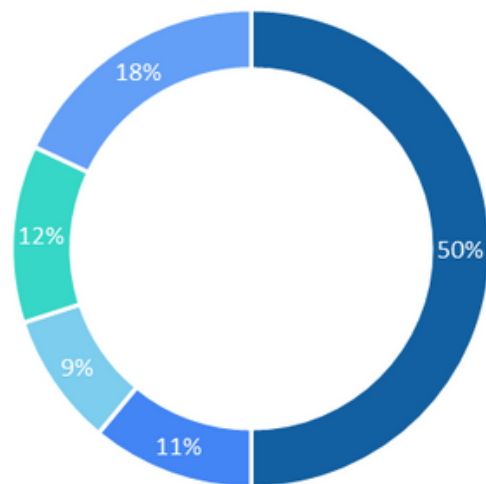
130 people answered the survey in November 2022.

Industries represented included Care, Construction, Education, Finance, Hospitality, Housing and Lettings, Manufacturing, Not for Profit, Public Sector, Recruitment, Retail, Security and Software.

Most worked within the HR function, but there was a sizeable number of people with Compliance-related job titles.



What is your job title or role within your organisation?

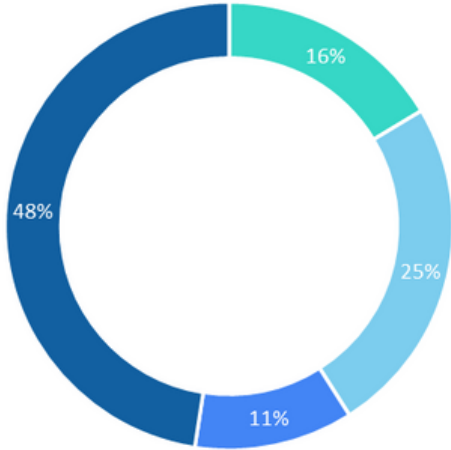


■ HR ■ Talent ■ MD ■ Compliance ■ Other

Responses came from a range of organisations, including Enterprises with over 250 employees and SMEs with under 250 employees.

ABOUT THE SURVEY

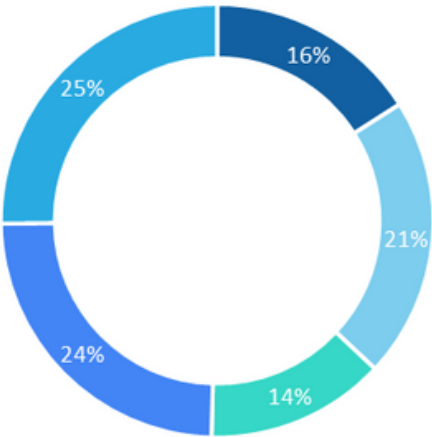
How many people are employed in your organisation?



■ Fewer than 50 ■ 51-250 ■ 251-500 ■ 500+

The number of applicants recruited each year ranged from fewer than 20 to 500 plus.

How many applicants do you typically recruit a year?



■ Fewer than 20 ■ 21-50 ■ 51-100 ■ 101-500 ■ 500+

About TrustID

TrustID offers a range of accurate, affordable and easily accessible identity verification services that protect both private sector organisations and public sector bodies such as NHS Trusts and local authorities from exposure to fraud.

Its identity checking products also support compliance with a wide range of legislation, including Right to Work, Right to Rent, Anti-Money laundering (AML) and Know Your Customer (KYC) legislation.

TrustID combines leading digital technology and human expertise to provide the highest level of fraud detection and helps HR departments, compliance, security and counter fraud teams accept identity documents quickly and confidently. The scalable range of services are back up by TrustID's analyst team who have vast, proven knowledge and experience which is unique in the industry.

