

# Introduction

# 1.1 Importance of right to work checks

1.1.1 A right to work check determines whether an individual has the legal right and permission to work in the UK.

1.1.2 Employers risk facing a civil penalty if they are found to be employing an illegal worker and they haven't carried out a correct right to work check. A civil penalty can be anything up to £60,000 per illegal worker. Criminal sanctions may also apply where the employer is found to have knowingly appointed or continues to employ an individual who does not have a right to work in the UK.

1.1.3 The Immigration, Asylum and Nationality Act 2006 (amended by the Immigration Act 2016) provides employers with a statutory excuse against a civil penalty where they can clearly demonstrate that they have carried out all the necessary checks to mitigate any risks of employing illegal workers.