

# Establishing the Right to Work in the UK

## Guidance for Undertaken Duty Claims

### 1: Work Requestor

The University is legally required to copy and retain documentation that provides proof of a person's Right to Work in the UK before work is offered.

Claims for payment through the Undertaken Duty route will only be processed if evidence of this right is recorded.

The work requestor must satisfy themselves before asking anyone to undertake work that the worker has the Right to Undertaken that work. This is typically achieved by asking to see the worker's passport which should prove they have the right to work in the UK (e.g. a UK Citizen, a citizen of an EEA country with no work restrictions) or they have time limited right to work in the UK. If you have any doubts regarding this or the authenticity of the documents you must refer them to the HR department (ext 4476 or [humanresources@strath.ac.uk](mailto:humanresources@strath.ac.uk))

#### **Only accept original documents.**

Details of other combinations of documents that can be used are provided on the HR Website at <http://www.strath.ac.uk/hr/right2work/>

### 2: Work Requestor/Administrator

You must take all reasonable steps to check that the document is genuine and to satisfy yourself that the employee is the person named in the document, and to check that the documents allow them to do the work in question.

For each document presented, you should:

- check any photographs are consistent with the appearance of the employee
- check that the document is in date, i.e. if it has not expired
- satisfy yourself that the documents are genuine, have not been tampered with and belong to the holder
- if the worker gives you two documents which have different names, ask them for a further document to explain the reason for this.
- The further document could for example be a marriage certificate or a divorce decree absolute, a deed poll or statutory declaration.

### 3: Work Requestor/Administrator

Photocopy the relevant pages of the document. In the case of a passport or other travel document, the following parts must be photocopied:

- any page containing the holder's personal details. In particular, any page that provides details of nationality, their photograph, date of birth, signature, date of expiry or biometric details
- any page containing UK Government endorsements indicating that the holder has a current right to work in the UK.

Other documents should be copied in their entirety, e.g. both sides of a Biometric Residence Permit.

You must write across the image in each copy the words "Verified as a copy of the original document" then sign and date it.

### 4 Administrator

Either

1. Scan and attach the Right to Work evidence to the electronic claim, recording the appropriate information, the document type and its expiry; or
2. Send the paper copy to Human Resources.

If attaching a scanned electronic copy of verified documentation, claim processing will not be delayed. HR will quality assure the documentation being uploaded.

If sent in as a paper copy, the claim will not be processed until the copy arrives and the details are entered into the system.

**By doing this the University will be able to satisfy any audits that the Home Office may require us to participate in and we will also be able to mount a defence should we unknowingly engage any worker who does not have the Right to Work in the UK.**

## European Economic Area (EEA)\*

Nationals of a country in the European Economic Area (EEA) or from Switzerland have the right to work and live in the UK.

The majority of European Economic Area (EEA) countries have no restrictions on entering the UK market. A few do though.

## No restrictions

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Austria	Latvia
Belgium	Liechtenstein
Bulgaria	Lithuania
Cyprus	Luxembourg
Czech Republic	Malta
Denmark	Netherlands
Estonia	Norway
Finland	Poland
France	Portugal
Germany	Romania
Greece	Slovakia
Hungary	Slovenia
Iceland	Spain
Ireland	Sweden
Italy	Switzerland
	UK

## Some restrictions

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Since 1 July 2013, as EU nationals, Croatians are able to move and reside freely in any EEA Member State. However, the UK has applied transitional restrictions on their access to the labour market. These are set out in the Accession of Croatia (Immigration and Worker Authorisation) Regulations 2013. Under these Regulations, a Croatian national who wishes to work in the UK and who is subject to the worker authorisation requirement will need to obtain an accession worker authorisation document (permission to work) before starting any employment.