

Right to Work Audits

The Immigration Act 2016 will result in more severe sanctions than ever for employers – Weightmans can ensure that your right to work check procedures comply with current rules.

Why do I need a Right to Work Audit?

- UKVI Enforcement Action is more common than ever – UKVI issued 1974 civil penalties to employers in 2014–2015 for illegal working breaches.
- Financial and Reputational costs – These civil penalties can result in a fine of up to £20K for each illegal worker discovered. But more importantly, the imposition of a civil penalty can result in significant reputational damage for an employer.
- Tier 2 Licence at Risk– For those who have a Tier 2 sponsor licence, the damage can be more severe as the Licence could be revoked from an errant employer.

The Immigration Act 2016 will result in more severe sanctions than ever for employers. Criminal prosecutions will become easier to bring against employers as those employers who ‘have reasonable cause to believe’ that someone is an illegal worker will be criminally liable as well as those who knowingly employ illegal workers. Sanctions are also going to increase under the new Act.

Under the new Act, employers will also face the prospect of their business being shut down for 48 hours if they are suspected of employing an illegal worker in specific circumstances.

If there was ever a time to ensure that your house is in order, it is now!



Elaine McIlroy,
Partner

What is involved?

Weightmans can ensure that your right to work check procedures comply with current rules. We can visit your business and report to you on any aspect of your procedures that do not comply or which could be improved (including to your training procedures, written policies and record keeping). We tend to find that businesses may have the right processes in place now (but they may not have had this historically so there may be gaps in their paperwork). Also, ensuring that people are complying with the procedures that are in place (especially if checks are not carried out by the HR team) can be a challenge. We know from our experience what risk areas to look out for.

We can provide a fixed price for the Audit in advance so that you have cost certainty. Spending some money now to ensure that your procedures are right is usually more cost effective than trying to sort out a problem once it has come to the attention of UKVI (although we can help with that too!)

Weightmans Immigration specialists

Weightmans immigration specialists form part of the Employment, Pensions and Immigration group at Weightmans. We are recognised in the Legal 500 for our immigration expertise. We have one of the largest employment teams, based in 9 locations across the UK. We are consistently highly rated by the legal directories.

Our immigration specialists are all employment lawyers: meaning that they can advise seamlessly on immigration and HR issues that may arise. We have advised a range of organisations from Universities, Banks, energy companies, to small employers on their immigration responsibilities.

Testimonials

"Led by Stuart Jones, the 'prompt' ten partner team at Weightmans LLP delivers 'practical, concise and worldly-wise advice'."

Legal 500 UK 2015

"Day-to-day, nothing is ever too much trouble, and they put things in plain language so that all levels of staff can understand."

Chambers & Partners UK 2016

For further information, please don't hesitate to contact a member of our team:



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