# 5 Common Right to Work Mistakes That Trigger Home Office Civil Penalties

**Published:** August 18, 2026

**Category:** Audit Preparedness & Risk Prevention

**Reading Time:** 4 minutes

With maximum civil penalties for illegal working capped at up to £60,000 per worker, the cost of an operational oversight has never been higher.

Many employers believe they are fully compliant simply because they collected "some paperwork" during onboarding. However, during an unannounced Home Office inspection, minor procedural oversights can immediately invalidate an employer's Statutory Excuse, leaving the business fully exposed to fines and public naming.

For shift-based operators, agencies, and high-turnover businesses, here are the five most common Right to Work mistakes—and how to ensure your onboarding workflow avoids them.

1. Trusting Share Codes Without Completing the Online Verification Profile

A common operational error occurs when a manager asks a non-UK candidate for their Home Office Share Code and date of birth, sees the code on screen or via email, and files it away assuming the check is complete.

- The Mistake: Simply possessing or writing down a Share Code does not establish a Statutory Excuse.
- The Rule: The employer must actively log into the official government portal ("View a job applicant's right to work details"), generate the official profile summary page, verify that the photograph matches the individual, and save the official result as an immutable PDF or digital record before the worker's first shift.

2. Missing Follow-Up Checks on Temporary and Time-Limited Visas

Initial Right to Work checks only provide protection up to the expiration date of a worker’s temporary visa or time-limited immigration status (such as Graduate Visas, Skilled Worker Visas, or Time-Limited Leave to Remain).

- The Mistake: Allowing a temporary visa holder to continue working past their visa expiry date without performing a repeat check.
- The Rule: Employers must maintain an active tracking log and re-verify immigration status before the current permission expires. If a worker fails to provide proof of an ongoing application or renewed status prior to expiry, continuing to employ them forfeits your legal defense.

3. Conducting Manual Checks on Non-UK/Irish Nationals Who Require Digital Verification

Since April 2022, physical Biometric Residence Permits (BRPs), Biometric Residence Cards (BRCs), and Frontier Worker Permits are no longer accepted for manual Right to Work checks.

- The Mistake: Accepting a physical BRP card or passport vignette from a non-UK national as proof of Right to Work.
- The Rule: Non-UK nationals with digital immigration status must be verified using the Home Office online Share Code service. Physical BRP cards presented in person carry zero legal weight for establishing a Statutory Excuse.

4. Failing to Record the Date the Check Was Performed

The timing of a Right to Work check is strictly enforced by the Home Office.

- The Mistake: Performing a check days after the worker has already started their first shift, or failing to time-stamp the record.
- The Rule: To secure a valid Statutory Excuse, the check must take place before employment or shift work commences. Audit files must clearly document the date and time the verification was completed.

5. Storing Uncontrolled, Unencrypted Document Files Across Multiple Channels

When local supervisors store passport scans or Share Code profile PDFs across fragmented personal emails, local desktop folders, or messaging channels, audit compliance breaks down rapidly.

- The Mistake: Being unable to produce clear, consolidated, time-stamped audit logs during an unannounced Home Office visit.
- The Rule: Statutory excuse documents must be stored securely, centrally, and retained for the duration of employment plus two years—with automated retention management to satisfy UK GDPR.

Closing the Gaps with Automated Audit Tracking

Preventing these costly errors does not require expensive HR departments or bloated software contracts.

Modern Pay-As-You-Go compliance tools automate the heavy lifting:

- Automated Share Code Validation: Instantly fetches and archives the official Home Office profile summary.
- Proactive Expiry Alerts: Tracks temporary visas automatically, notifying operators well ahead of expiration dates.
- Automated Audit Logs: Generates consolidated audit records straight to your management dashboard or inbox—ensuring you are always audit-ready.

The Bottom Line

A single missed follow-up check or unverified Share Code can dismantle an employer's legal defense. By standardizing your verification process and automating audit tracking, you maintain total compliance and protect your business against civil penalties.

---

## About DashCrew®

DashCrew® provides zero-subscription, Pay-As-You-Go Right to Work software for shift-based businesses and charities. Protect your organization against £60k civil penalties with our quick 2-Gate biometric and QR compliance shield.