

Right to Work Reforms 2026: Client Readiness Checklist

Takes effect 1 October 2026

This checklist is designed to help you prepare for the Right to Work reforms taking effect on 1 October 2026. Use it to identify where the new rules may apply to your organisation and to assess whether your current arrangements are sufficiently robust. It is a starting point for discussion, not a substitute for tailored legal advice.

1 Map who is working for or within your business

- ☐ Identify all individuals engaged under a contract of employment, including apprentices.
- ☐ Identify all individuals engaged under a worker's contract.
- ☐ Identify individual subcontractors engaged directly, including sole traders and freelancers.
- ☐ Identify any arrangements where your organisation operates as, or uses, an online matching service connecting individual service providers with clients or customers.
- ☐ For each category above, confirm whether the individual provides labour personally or whether you are buying a service from an independent business.
Substance over label: the contractual description alone will not be decisive.
- ☐ Identify who holds the direct contractual relationship with each individual doing the work.
- ☐ Identify whether any arrangement includes a right of substitution, and if so, who controls it.

2 Map and assess your supply chain

- ☐ List all agencies, labour suppliers, subcontractors and outsourced service providers used by the business.
- ☐ For each, confirm whether they are treated as the direct employer of the individuals supplying the work.
- ☐ Assess whether extended liability could apply if a supplier cannot evidence that Right to Work checks were carried out.
Liability may move up the chain where the direct employer cannot be identified or checks cannot be evidenced.
- ☐ For managed service arrangements, confirm the supplier's responsibility for its own workforce is clearly documented.
- ☐ Identify where audit rights over suppliers' Right to Work compliance are currently missing or weak.

3 Review contracts

- ☐ Review agency, labour supply and subcontracting agreements for written Right to Work provisions.
- ☐ Confirm contracts require checks to be completed before work begins.
- ☐ Confirm contracts control or restrict onward subcontracting.
- ☐ Confirm contracts include audit rights to verify compliance.
- ☐ Confirm contracts allow action to be taken where non-compliance is identified (e.g. suspension, termination).
- ☐ Confirm contracts require cooperation with any Home Office enquiry.
- ☐ Review platform/online matching service terms for equivalent provisions, where relevant.
- ☐ Identify ongoing arrangements that will continue past 1 October 2026 and assess whether responsibility for compliance is clearly allocated.

Existing contracts do not need to be amended solely because they pre-date 1 October 2026, but review is still worthwhile where the arrangement continues.

4 Substitution arrangements

- ☐ Identify all roles or contracts where substitution rights exist.
- ☐ Confirm a process is in place to check a substitute's Right to Work before they start work.
- ☐ Confirm responsibility for checking a substitute does not rest solely with the original worker.
- ☐ Confirm your organisation can identify, at any given time, who is actually carrying out the work.

5 Identity verification throughout the relationship

- ☐ Confirm Right to Work checks are not treated as a one-off, onboarding-only exercise.
- ☐ Consider whether ongoing verification measures are needed, e.g. workplace ID cards, facial verification technology, attendance systems, or periodic re-checks.
- ☐ Where a digital verification service provider is used, confirm the provider is registered with the Home Office.
- ☐ Confirm required visual and record-keeping steps are still being completed correctly by any outsourced verification provider.

Outsourcing part of the process does not remove your organisation's own responsibility.

6 Internal readiness

- ☐ Confirm existing Right to Work procedures and record-keeping are fit for purpose against the new requirements.
- ☐ Brief HR and relevant business teams on the upcoming changes.
- ☐ Identify any training needs for staff responsible for onboarding, contracting or supplier management.
- ☐ Set an internal deadline, ahead of 1 October 2026, for completing this readiness review.

This checklist is a general guide and does not constitute legal advice. Please contact us to discuss how the Right to Work reforms apply to your specific circumstances.

Talk to our Immigration team

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