

ONE IN TWO UK BUSINESSES COULD BE BARRED FROM HIRING FOREIGN WORKERS

Submitted by: Positive Marketing

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LONDON 15th September 2022 . Xydus (<https://www.xydus.com/>), one of a handful of government certified identity service providers (IDSP) who can carry out the UK's new digital Right to Work (RTW) checks, today revealed the findings of its independent research into business readiness. The research exposes a widespread knowledge gap among UK businesses ahead of October's landmark overhaul to Right to Work (RTW) laws.

The findings showed awareness of the new legislation was high, with 96% of businesses aware of the changes. However 48% of employers surveyed were still unprepared for the deadline, putting them at risk of significant non-compliance findings that could negatively impact their right to hire foreign workers and even the potential for directors to face jail time.

Xydus is the only IDSP with more than a decade of experience as the compliance partner for employers. It pioneered user experience in digital RTW and employee onboarding, and enabled digital access to the NHS during the lockdown. Xydus commissioned research firm Censuswide to survey 501 senior decision-makers at businesses employing over 1000 people.

Major misconceptions abound

The survey exposes a vast array of legal misinformation and misconceptions across the business landscape:

- 4% are completely unaware of any legal changes, while 3% bizarrely claimed to conduct no RTW checks at all, meaning up to 1537 large UK businesses may be headed towards compliance nightmares
- 72% believed driving licences were compliant for RTW checks, despite the documents never being accepted as evidence of RTW
- 78% were oblivious to the fact they could face jail time if non-compliant

Russell King, CEO of Xydus, commented: "The list of potential consequences for getting digital Right to Work checks wrong is worrying many UK businesses. This research reinforces what we've seen and heard for quite some time, that many businesses still have a wide knowledge gap on the details and implications of these major changes in RTW legislation. It is not too late, there are easy-to-adopt options for UK employers who now need to be introduced to digital identity checks. Business leaders who feel ill-informed about these changes need to act now and engage with a compliant, certified IDSP like Xydus that has the 10+ years of experience delivering enterprise-grade identity management and work authorisation solutions."

Digital RTW: The basics

With two weeks to go, the research underlines the urgency businesses face if they are to be ready by October 1st. Despite 28% of businesses claiming that the legislation did not affect UK organisations, from next month, all UK businesses:

Are highly recommended by the government to use certified Identity Service Providers (IDSPs) (<https://www.gov.uk/government/publications/digital-identity-certification-for-right-to-work-right-to-rent-and-criminal-record-checks>) to complete digital Right to Work checks for all UK employees.

Must conduct digital Right To Work checks using only digital images of personal documents using ID validation technology to verify the employees right to work. Any other method is non-compliant

Could face a civil penalty of up to £20,000 per non-compliant worker, lose the ability to sponsor work visa applications for foreign nationals and potentially face criminal convictions if found non-compliant.

Must keep records for up to two years after an employee exits the business

Pre-pandemic, Right to Work checks were mostly conducted in person. Employees provided documentation proving the right to work to employers who stored a copy.

Temporary adjustments were made to facilitate remote work during lockdown. For the first time, in-person checks were permitted via video calls, and job applicants could send photos of their documents to employers via email.

October 1st 2022, these temporary methods will be outlawed due to being easily manipulated by bad actors. Manual in-person checks will still be valid alongside digital RTW checks through the Home Office or an IDSP. However, Xydus' research shows businesses believe these methods remain compliant, with 37% claiming they could submit employee photos via email and another 30% via zoom. Almost a third of organisations believe that loyalty cards and library cards were valid forms of identification.

Volume hiring sectors lack knowledge and preparation

Perhaps more worryingly, many industries that are reliant on high-volume hiring displayed a lack of knowledge and preparation. Many believed that they could conduct right to work checks after a worker had started - which has never been legal. Financial companies (46%), Healthcare organisations (41%) and Manufacturers (38%) all claimed it was possible to conduct RTW checks at a welcome meeting after employees started their tenure.

In addition, when industry decision makers were asked what had held them back from fully embracing digital RTW checks, a variety of roadblocks were listed. Retail organisations claimed they couldn't afford it (43%), while both finance and HR stated they didn't have the IT capabilities to implement it (27%).

1 Calculated as 3% of the total number of large businesses in the UK from UK Government figures. Source: <https://www.gov.uk/government/statistics/business-population-estimates-2021/business-population-estimates-for-the-uk-and-r>

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About Xydus

Xydus fixes identity authentication for an expanding world.

Right to Work checks are an essential part of onboarding. Now more than ever, it is a critical employee experience that defines company culture. As the only compliant certified identity service provider with more than a decade of experience, Xydus is more than just your software provider; we're your partner.

Maintaining the human touch embedded within the automation, employees experience personalised content, ease of use, and convenience in completing their Right to Work check. Every employee is supported with the same positive and consistent experience no matter what documents they have to evidence their Right to Work.

Methodology

The research was conducted by Censuswide, with 501 18+ decision makers, all from large businesses (1000+ employees) in the UK between 25.08.2022 - 01.09.2022. Censuswide abide by and employ members of the Market Research Society which is based on the ESOMAR principles. Censuswide is also part of The British Polling Council.

PR Contact

Jake Galland

Account Manager

Positive Marketing

jgalland@positivemarketing.com

07780866874

Positive Marketing

020 3637 0640|teamwin@positivemarketing.com