



Navigating evolving compliance in recruitment

Adapting to the new Right to Work and pre-employment checks that are occurring in 2025-26



Contents

Executive summary	Page 03	>
Foreword by Stephen Rookes	Page 04-05	>
The expanding scope of Right to Work checks	Page 06-07	>
Fragmented processes are a growing risk	Page 08	>
Compliance in a broader context: More than just Right to Work	Page 09	>
The risk of doing nothing	Page 10	>
Best practices for secure and streamlined onboarding	Page 11	>
How Amiqus supports secure and scalable hiring	Page 12-13	>
Thought leader insights	Page 14-15	>
Conclusion	Page 16	>
Talk to Amiqus	Page 17	>

Executive summary

The UK compliance landscape is undergoing a fundamental transformation. The upcoming shift to mandatory Right to Work (RTW) checks across all worker types, increased scrutiny of gig and contract employment, stricter standards for overseas recruitment, and the broader digitalisation of identity verification have placed additional pressures on recruitment agencies and employers alike.

Simultaneously, the complexities of managing different candidate types (across employment arrangements, identity documentation, and background checks) are creating operational friction.

Add to that a backdrop of heightened data protection enforcement, employment rights reforms, and the growing impact of regulatory frameworks, and it's clear that recruiters must evolve their compliance practices.

This white paper, in collaboration with Stephen Rookes, Director of Strategic Risk & Compliance Consultancy Limited (SRC), aims to provide recruitment firms and employers with a clear understanding of these challenges and how they can respond proactively.

It highlights legislative developments, emerging obligations, and best practices in onboarding processes, framed around efficiency, security, and accountability.



Foreword by Stephen Rookes, Director of SRC



All employers in the UK have a legal responsibility to prevent illegal working, ensuring they are only employing individuals who have a valid right to work in the UK (by virtue of their nationality or immigration status). In February 2025, the UK Government updated its guidance to employers in respect of Right to Work checks set out in the Immigration, Asylum and Nationality Act 2006. This guidance advises employers how to conduct a Right to Work check as prescribed by the Home Office and sets out the specific actions they can take to prevent liability for a civil penalty.

However, this legislation and guidance primarily mandates Right to Work checks for individuals under traditional employment contracts (employees). In May 2025, the UK Government published a white paper regarding immigration policy reforms as part of the Border Security, Asylum and Immigration Bill 2025. These proposed reforms contain specific measures to clamp down on illegal working, including new criminal offences and enhanced powers for law enforcement.

A significant proposed amendment in the Bill aims to extend Right to Work check provisions to self-employed, limited company contractors and gig economy workers, which will have a significant impact on end-clients and recruitment businesses. They currently do not have a legal obligation to conduct such checks (it is the responsibility of the self-employed workers themselves - hence the need for the reforms).

The critical question of who will bear the statutory obligation for performing these checks - whether it falls squarely on the shoulders of the end-client, the recruitment business, or a shared responsibility - remains a key point of ongoing deliberation.

The Bill was introduced in the House of Commons on January 30, 2025. As of June 2025, it is receiving its second reading in the House of Lords and will then move to the Committee stage in late June 2025. While there is no date for when these specific changes will become fully effective, the direction of travel is unequivocally clear.

In essence, the UK government is moving to significantly close the gap in right to work compliance by extending the legal responsibility to businesses operating in the gig economy and similar flexible working arrangements. This will necessitate a considerable shift in onboarding processes and compliance measures for many end-clients and recruitment businesses as they face a complex landscape of stricter rules, increased costs and enhanced scrutiny. The time for proactive engagement is now. Businesses must seize this moment to strategically prepare for the impending changes, thereby mitigating the severe risks of penalties and, indeed, potential criminal convictions for non-compliance.

Stephen Rookes has been a thought leader in the professional recruitment sector for over 20 years. He was the Commercial and Legal Director of a multi-billion pound global recruiter and has twice held the prestigious position of Chair of the Association of Professional Staffing Companies (APSCo). Stephen has represented the professional recruitment sector as a key industry stakeholder on critical legislative matters, including the Agency Workers Regulations, IR35, and the Off-Payroll Working Rules.

As Director of Strategic Risk & Compliance Consultancy Limited (SRC), Stephen now acts as a trusted business advisor to 25 UK and international clients across the entire recruitment supply chain, including Amiqus, guiding them through the complexities of evolving regulatory landscapes.

The expanding scope of Right to Work checks

Historically, Right to Work checks have been regarded primarily as a requirement for direct employees, particularly those in full-time or permanent positions.

However, proposed changes from the UK Government signal a significant shift in this approach, one that will expand statutory obligations to include a broader range of worker categories, including gig economy workers.

This would represent a significant operational change for recruitment businesses and employers that currently do not conduct checks for non-employee workers.

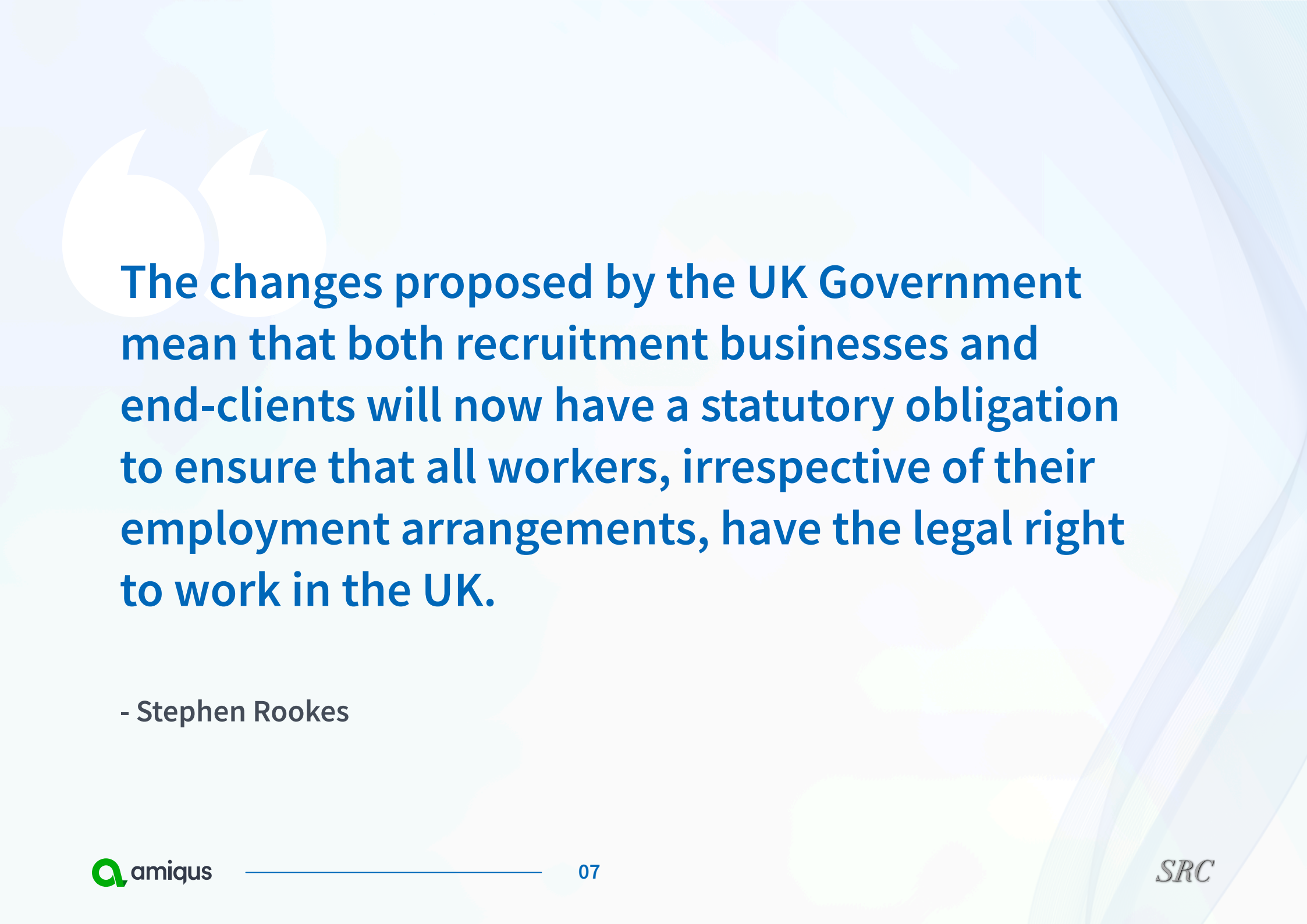
Some recruitment businesses have consistently adopted RTW checks for all types of workers as part of their best practice approach. The legislative shift will standardise this requirement across the board, eliminating any ambiguity.



Important note: These changes affecting gig economy workers are not yet in force. Legislation is expected to come into effect in 2026, so businesses should start preparing now.

This will create a level playing field and a fairer environment for compliant businesses, ensuring everyone adheres to the same standards regarding employment eligibility.

- Stephen Rookes







The changes proposed by the UK Government mean that both recruitment businesses and end-clients will now have a statutory obligation to ensure that all workers, irrespective of their employment arrangements, have the legal right to work in the UK.

- Stephen Rookes

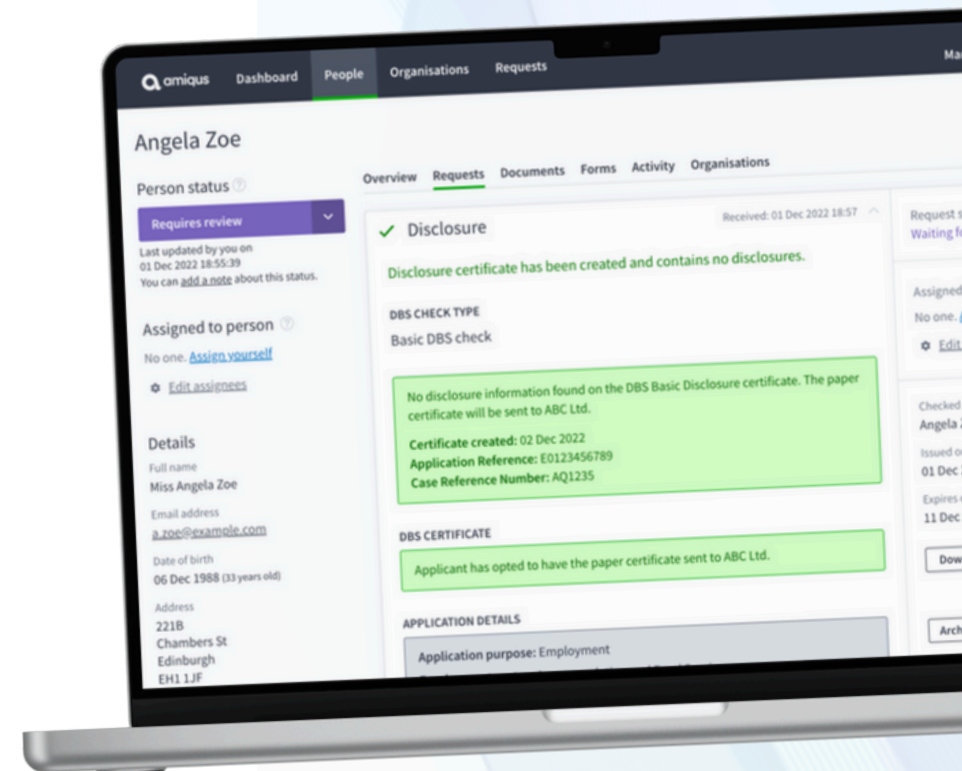
Fragmented processes are a growing risk

The need for multiple RTW workflows, covering UK nationals, non-UK nationals using share codes, and eVisa holders, etc, has introduced a fragmented and inconsistent process landscape within many hiring organisations. This not only increases the likelihood of error but also extends onboarding timelines and impacts candidate experience.

Add to that the increasing complexity of sector-specific checks, such as:

-  BPSS (Baseline Personnel Security Standard) for public sector roles
-  DBS criminal record checks for regulated sectors like social care, healthcare, financial services, education, and more
-  Professional registration, occupational health clearance, training certificates, etc, for Healthcare roles
-  FCA-compliant background vetting for financial roles

–and it becomes clear why recruitment firms are feeling the pressure.



Compliance in a broader context: More than just Right to Work

While right to work verification is a priority, it does not operate in isolation. Recruiters and employers must navigate compliance within a broader legislative and economic landscape.

Key regulatory pressures:



EU AI Act

The use of algorithmic decision-making in hiring (e.g., CV scanning and automated rejections) may fall under new obligations that require transparency and bias minimisation



Data protection enforcement

As GDPR enforcement ramps up, handling sensitive onboarding data, such as passport details, medical records, and background checks, demands secure storage and access controls



Employment rights reforms

Upcoming legislation may affect onboarding documentation, employee classification, and working hours regulation, especially around flexible or zero-hour contracts



Economic squeeze

Rising operational costs and budget scrutiny mean that inefficiencies in the onboarding process can significantly hinder growth, time-to-productivity, and profitability

Recruiters and employers must, therefore, embed compliance into every layer of their hiring workflows, not just at the legal obligation level, but in alignment with data protection, fairness, and security standards.

The risk of doing nothing

Failing to respond to Right to Work obligations and developments is not a viable option. The risks are legal, financial, and reputational:

Fines up to £60,000 per illegal worker

Criminal charges and director disqualification

Slower time-to-productivity and revenue delays

Poor candidate experience and high drop-off rates

Inability to respond to audits from HMRC or the Home Office

Recruiters must ensure that proper checks are completed and that the documentation trail is auditable, accurate, and secure.



Best practices for secure and streamlined onboarding

For many firms, onboarding remains manual, email-heavy, and siloed. Each check (ID, RTW, criminal record, references) is often handled by a different system or team. This increases cost, leads to duplication, and leaves gaps. Forward-thinking firms are shifting to centralised onboarding platforms where all compliance steps happen in one unified flow.

Here's what a secure and compliant onboarding system should deliver:

- ✓ Centralised compliance vault for secure storage of documentation
- ✓ Audit-ready digital trail of every interaction
- ✓ Role-based access controls to uphold data protection and anti-discrimination compliance (e.g., shielding sensitive medical data)
- ✓ Smart forms that collect only relevant, necessary information
- ✓ Real-time dashboards for progress tracking

Digital platforms can also ensure that non-traditional hires (e.g., self-employed or Limited Company contractors) are subject to the same checks and documentation requirements as permanent employees, removing ambiguity and reducing liability.



How Amiquis supports secure and scalable hiring

The Amiquis platform has been purpose-built to meet the needs of recruitment businesses and employers facing this complex compliance environment. It provides a fully digital, end-to-end onboarding and verification experience, underpinned by:

A centralised compliance vault

Amiquis ensures that all RTW documentation and other pre-employment checks are collated and securely stored in one place. This helps employers demonstrate compliance instantly in the event of a Home Office or HMRC audit.

Full support for all worker types

From PAYE employees to Limited Company contractors and self-employed workers, Amiquis allows you to apply consistent checks across all worker categories, eliminating gaps.






GDPR-compliant, role-based access

Only the individuals who need to see sensitive documents, such as onboarding or compliance officers, can access them. This helps you comply with data protection and anti-discrimination laws, ensuring personal data like medical records or protected characteristics are not widely accessible.






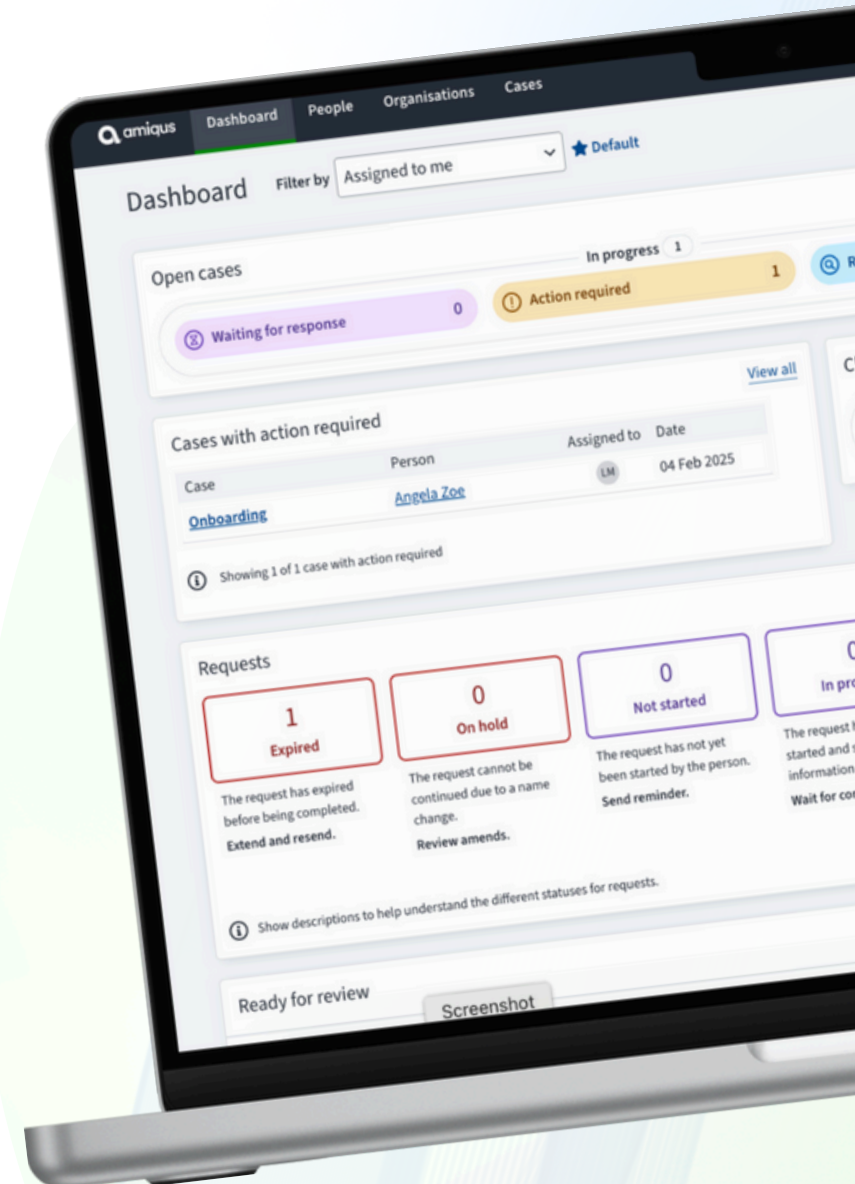
Sector-specific screening packages

Whether you're hiring in healthcare, financial services, public services, or other sectors, Amiquis offers:

-  Identity reports using government and financial databases
-  Biometric RTW checks, including eVisa share code verification
-  Employment history and automated references
-  Criminal record checks via DBS and Disclosure Scotland
-  Sector add-ons like GMC registrations, occupational health questionnaires, FCA SMCR, etc

Simplified workflows

-  Smart forms adapt dynamically based on candidate type
-  Dashboards help you track every stage in real-time
-  Integration with over 30 data providers means no need to juggle platforms



Thought leader insights

Navigating the new obligations for right to work compliance

The UK's compliance landscape is undergoing a fundamental reshaping of the RTW obligations for end-clients and recruitment businesses, as described in the Foreword. Stephen Rookes, Director of SRC, observes *“the changes proposed by the UK Government signify a profound shift, mandating that both recruitment businesses and end-clients now bear a statutory obligation to ensure all workers, irrespective of their engagement model, possess the legal right to work in the UK”*.

This change is long overdue. Forward-thinking businesses, recognising the inherent vulnerabilities within the current legislative framework, have proactively bridged this gap for many years. While not a legal obligation, Stephen notes that they have consistently undertaken diligent RTW checks for their self-employed, limited company contractors and gig economy workers.

Their foresight stemmed from a clear understanding of the potentially devastating reputational damage and operational disruption that could arise from inadvertently engaging an individual lacking a legal right to work in the UK. He adds, *“The proposed legislative changes will create a level playing field and a fairer environment for compliant businesses, ensuring everyone adheres to the same standards regarding employment eligibility.”*



Right to work



Photo ID verification



Identity report



References



Basic, standard and enhanced DBS checks

Stephen stresses that *“we must recognise that the legislative changes proposed are not merely an administrative tweak, they will be a strategic imperative for every business operating within the UK's flexible labour market. This inflection point presents a unique opportunity for recruitment businesses. By proactively embracing these forthcoming changes, they can not only ensure compliance but also forge a significant competitive advantage. Offering end-clients a value-adding service, grounded in robust, future-proofed RTW compliance, will differentiate market leaders from those who lag behind”*.

The new mandate for comprehensive RTW checks, set out in the updated guidance issued by the Home Office in February 2025 for employees and the changes proposed across all worker types, demands a proactive overhaul of onboarding processes. Continued reliance on antiquated, manual checks is no longer tenable, exposing businesses to severe penalties, profound reputational damage, and operational inefficiencies. The increasing emphasis on robust, verifiable identity underscores a critical need for technological adoption.

Having collaborated with Amiqus and witnessed first-hand the transformative power of their technology in digitalising the onboarding process, Stephen states, *“I recommend that recruitment businesses and end-clients schedule a demonstration of the Amiqus platform. I am confident that its capabilities will not only exceed your expectations but also instil a sense of comfort in your ability to meet both your current and future statutory obligations.”*





Conclusion

In a time of unprecedented compliance evolution, recruitment firms must rethink their approach to onboarding and worker verification. Manual processes and fragmented systems are no longer sustainable.

By embracing modern, digital-first processes, grounded in security, compliance, and user-centred design, firms can build onboarding that's fast, scalable, and fully auditable.

Whether you're recruiting candidates on a self-employed basis or through a Limited Company for temporary workers, freelancers, consultancy or gig economy roles, your compliance process is your competitive edge.

Talk to Amiquis

To learn how Amiquis can help you simplify, scale, and safeguard your hiring process, visit:



amiquis.co/pre-employment-checks



sales@amiquis.co



0131 605 0107

