



Home Office

# Guidance for licensing authorities to prevent illegal working in the taxi and private hire sector in the UK

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# About this guidance

This guidance is issued for use by licensing authorities handling applications for taxi operator, taxi sector, private hire car (PHC), private hire vehicle (PHV) or booking office driver licences (referred to in this guidance as taxi and private hire sector / licences) in the UK and sets out:

- what licensing authorities need to know about their legal duty not to issue a licence to a person who is disqualified from holding one due to their UK immigration status;
- how licensing authorities should discharge this duty by conducting immigration checks;
- whom a licensing authority needs to conduct checks on, when, and how to conduct checks correctly.

The requirement to check the immigration status of licence applicants does not amend or replace the existing 'fit and proper' person test that licensing authorities must perform; this includes obtaining a Certificate of Good Conduct for applicants who have resided abroad for a period of time.

It should be used by licensing authority staff responsible for the issue, renewal, suspension and revocation of licences. These provisions only apply to the applicant and do not apply to the MOT or other vehicle check. They also do not apply to a DVLA or DVA driver's licence, although the [Immigration Act 2014](#) and the Immigration Act 2016 introduced provisions regarding the issue and revocation of such licences in respect of unlawful migrants and provides, through [section 44](#) of the 2016 Act, a new criminal offence of driving illegally in the UK.

## Previous versions of this guidance

This guidance was first published on **1 December 2016** for licensing authority staff in England and Wales who were responsible for the issue, renewal, suspension and revocation of a PHC licence, taxi driver licence, or booking office licence. Equivalent guidance was issued for the relevant licence issuing bodies in Scotland and Northern Ireland. A link to the guidance can be found here [Licensing authority guide for licensing authorities 1 December 2016](#)

On **22 January 2018** guidance was updated to include a reference to booking office licences in England and Wales (the equivalent of operator licences). Equivalent guidance was issued for the relevant licence issuing bodies in Scotland and Northern Ireland. A link to the guidance can be found here [Licensing authority guide for licensing authorities 23 January 2018](#)

On **29 September 2021** guidance was updated to introduce the Home Office online right to work checking service, changes to the way EEA citizens prove their right to a licence since 1 July 2021, and updated the acceptable document list. A link to the guidance can be found here [Licensing authority guide for licensing authorities 29 January 2021](#)

On **22 December 2021** guidance was updated to reflect the changes to how biometric card holders evidence their right to a licence, updates on an extension to the COVID-19 temporary adjustments until 30 September 2022 and changes to enable the use of Identity Service Providers (IDSPs) and Identity Document Validation Technology (IDVT). Equivalent guidance was issued for the relevant licence issuing bodies in Scotland and Northern Ireland. A link to the guidance can be found here [Licensing authority guide for licensing authorities 22 December 2021](#)

On **11 August 2022** guidance for all relevant licence issuing bodies in the UK were amalgamated into one guidance product. A link to the guidance can be found here [Licensing authority guide for licensing authorities 11 August 2022](#)

On **18 October 2023** guidance was updated to remove the requirement for licensing authorities to contact the Status Verification, Enquiries and Checking service (SVEC) when conducting an immigration status online check involving an outstanding EUSS application made on or after 1 July 2021, removal of reference to Immigration Enforcement 28-day notices in respect of EEA citizens and their non-EEA family members which are no longer in use, changes to enable some individuals with an outstanding, in-time application for permission to stay in the UK, or an appeal, or administrative review (3C leave) to prove their right to work using the Home Office online checking service and information on short-dated Biometric Residence Permits (BRPs).

## Summary of changes in this version of the guidance

This guidance was last updated on 21 June 2024.

The most significant updates contained in this guidance relate to:

- Right to work checks involving EEA citizens and their non-EEA family members with pre-settled status under the EUSS.
- Clarification on checks involving holders of short-dated Biometric Residence Permits (BRPs) and the Home Office transition to online evidence of immigration status (eVisa).
- Application Registration Card (ARC) holder granted permission to work in jobs on the Shortage Occupation List or Immigration Salary List.

# 1. Introduction

The [Immigration Act 2016](#) (chapter 2 Illegal working Offence s.37) amended existing licensing regimes in the UK to prevent illegal working in the taxi and private hire sector.<sup>1</sup> Since 1 December 2016, the provisions in the 2016 Act have prohibited all licensing authorities<sup>2</sup> across the UK from issuing licences to anyone who is disqualified by reason of their immigration status. This duty can be discharged by conducting immigration checks. The 2016 Act also embeds other immigration safeguards into the existing licensing regimes across the UK.

## What does this measure do?

The provisions in the 2016 Act amend existing licensing regimes to prevent people without lawful immigration status and the right to work from holding an operator or a taxi and private hire licence.

- London Hackney Carriages Act 1843;
- London Cab Order 1934;
- Private Hire Vehicles (London) Act 1998;
- Metropolitan Public Carriage Act 1869;
- Local Government (Miscellaneous Provisions) Act 1976;
- Plymouth City Council Act 1975;
- Road Traffic Offenders (Northern Ireland) Order 1996; and
- Taxi Act (Northern Ireland) 2008.

The London Cab Order 1934 was further amended by regulations on 1 December 2016 to have a similar effect in respect of London taxis, and the Civil Government (Scotland) Act 1982 (Licensing of Booking Offices) Order 2009 was amended on 22 January 2018 to have a similar effect in respect of booking offices in Scotland.

The provisions mean that driver and operator licences must not be issued to people who are unlawfully present in the UK, who are not permitted to work, or who are permitted to work but are subject to a condition that prohibits them from holding such a licence.

Licensing authorities must discharge this duty by carrying out right to work checks in the prescribed manner laid out in this guidance.

The check must be performed as part of all applications for a new, renewed or extended licence, whether for the full statutory term or a lesser period. For those who have time-limited permission to be in the UK, other than holders of pre-settled status granted under the EUSS, the licensing authority must repeat the check at each subsequent application to renew or extend the licence until such time as the applicant demonstrates that they are entitled to stay indefinitely in the UK.

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<sup>1</sup> Outside London, these provisions also apply to pedi-cabs by virtue of being 'hackney carriages.

<sup>2</sup> The exceptions are London taxis, for which Transport for London have made equivalent provision by amending the London Cab Order 1934 and booking offices in Scotland, for which the Civic Government (Scotland) Act 1982 (Licensing of Booking Offices) Order 2009 was amended by a consequential order made under the 2016 Act which came into force on 22 January 2018.

Where a person's immigration permission is time-limited to less than the statutory length for a driver or operator licence, the licence must be issued for a duration which does not exceed the applicant's period of permission to be in the UK and work. In the event the Home Office cuts short or ends a person's immigration permission (referred to as curtailment or revocation), any licence that person holds, which was granted as a consequence of an application made, will automatically lapse.

The provisions also add immigration offences and penalties to the list of grounds on which operator, taxi and private hire licences may be suspended or revoked by licensing authorities. In circumstances where the operator or driver licence automatically lapses, expires or is revoked or suspended on immigration grounds, it must be returned to the issuing licensing authority. Failure to return the licence is a criminal offence, punishable on conviction in a Magistrates' Court by a fine.

## Purpose of this guidance

Licensing authorities are under a duty not to issue licences to people who are disqualified from holding them due to their immigration status. In determining whether someone is disqualified, licensing authorities are under a statutory duty to have regard to this guidance.

## Who is disqualified from holding a licence?

A person is disqualified from holding a taxi or private hire driver licence by reason of their immigration status if:

- the person requires permission to enter or stay in the UK and has not been granted it; or
- the person's permission to enter or stay in the UK
  - is invalid,
  - has ceased to have effect (whether by reason of curtailment, revocation, cancellation, passage of time, or otherwise), or
  - is subject to a condition preventing the person from doing work of that kind.

A person is also disqualified from holding a licence if they are subject to a condition on their permission to be in the UK preventing them from holding a licence, for example, they are subject to an immigration restriction, that does not permit them to work or undertake work as an operator, a taxi driver or private hire.

## When will this guidance be relevant?

This guidance is relevant for licensing authorities in England, Wales, Scotland and Northern Ireland. The check must be performed when the applicant applies i.e. sends the application for a licence to the licensing authority or applies to renew their licence or extend their licence. The checking requirements are not retrospective. Licensing

authorities do not have to check the immigration status of those people who hold a licence issued or who sent their licence application to the licensing authority before 1 December 2016.

This guidance applies to persons who are subject to immigration control. It does not apply where the applicant for the licence is a separate legal entity, such as a limited company or limited liability partnership.

## References in this guidance

'3C leave' (Section 3C of the Immigration Act 1971) extends existing immigration permission, and any associated conditions, to a person who makes an 'in-time' application to extend their stay in the UK. 'In-time' means the application was made before the existing permission expired. The individual will continue to hold 3C leave while they are awaiting a decision on that application and while any appeal or administrative review they are entitled to is pending.

'Certificate of Application' (CoA) is a digital, or 'non-digital', document which individuals can rely on to demonstrate their eligibility to work, rent, and access to benefits and services. This document is issued when a valid application is made to the EU Settlement Scheme.

['Check a job applicant's right to work'](#) means the Home Office online checking service on GOV.UK which enables employers to check whether a person has a right to work and, if so, the nature of any restrictions on that person's right to do so.

'Current document' means a document that has not expired.

'Document' means an original document unless specified that a copy, electronic or screenshot is acceptable.

'EEA citizen' means citizens of EEA countries or Switzerland.

The EEA countries are: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden.

EUSS means the EU Settlement Scheme. The EUSS provides a basis for European Economic Area (EEA) and Swiss citizens resident in the UK by 31 December 2020, and their eligible family members to apply for the UK immigration status which they require to stay in the UK.

'eVisa' refers to a digital visa provided by the Home Office as evidence of a person's immigration status (permission to enter or stay in the UK).

'Home Office online right to work checking service' means the online system allowing employers to check whether a person is allowed to work in the United Kingdom and,

if so, the nature of any restrictions on that person's right to do so. For the avoidance of doubt, this system is accessible for employers on the ['Check a job applicant's right to work'](#) page on GOV.UK. No other online portal relating to immigration status may be used instead for right to work checking purposes.

'Identity Document Validation Technology (IDVT)' are forms of technology operated for the purpose of verifying the identity of a person, whereby a digital copy of a physical document relating to that person is produced for verification of the document's validity, and whether that person is the rightful holder of the document.

An identity service provider (IDSP) is a provider of identity verification services using IDVT. In the context of this guidance, an IDSP may be certified to provide identity verification to specific levels of confidence, specified by government standards. IDSPs are sometimes referred to as 'identity providers'.

'Immigration permission' (also known as 'leave') should be read as 'Permission to Enter / Leave to Enter or Permission to Stay / Leave to Remain.

'Leave to Enter' or 'Leave to Remain' see 'Permission to Enter' and 'Permission to Stay'.

'Level of Confidence' (LoC) is determined through a process required of IDSPs called 'identity checking' which is made up of 5 parts. Each step of the identity checking process is scored, and these scores are used to determine the Level of Confidence which has been achieved.

'Non-EEA citizens' means the citizens of countries outside the EEA.

An 'online right to work check' means the response generated by the Home Office online right to work checking service in relation to a person.

'Permission to Enter' also known as 'Leave to Enter'. Immigration documents and guidance may refer to either term, both are appropriate. This means that a person has permission from the Home Office to enter the UK.

'Permission to Stay' also known as 'Leave to Remain'. Immigration documents and guidance may refer to either term, both are acceptable. This means that a person has permission from the Home Office to be in the UK.

'Pre-settled status' means limited leave to enter or remain issued under the EU Settlement Scheme. Pre-settled status is initially given for five years but will be extended unless the person no longer meets the requirements for it.

'Right to work' means allowed to be employed by virtue of qualifying immigration status.

'Right to work checks' refer to prescribed manual document checks, prescribed Home Office online right to work checks and prescribed use of an Identity Service Provider (IDSP).

'Right to a licence checks' refer to prescribed manual document check, prescribed use of the online checking service or a prescribed check using IDVT via the services of an IDSP.

'Settled status' means indefinite leave to enter or remain issued under the EU Settlement Scheme. The person will usually have lived in the UK for a continuous five-year period and not have left the UK for more than five years in a row since then. A person with settled status can stay in the UK as long as they like.

'Valid application' means individuals who comply with the validation requirement of an application process, including the enrolment of biometrics, if required, and the provision of evidence of nationality and identity.

## 2. Right to a licence check

For the purposes of this guidance, a person who has ‘a right to a licence’ means someone who is not disqualified by their immigration status from holding a taxi or private hire licence. There may be other reasons why you may be prohibited from issuing a licence, which still stand. This guidance does not relate to these other reasons, for example, because of the fit and proper person test.

You must conduct right to work checks on applicants by either carrying out:

1. a manual right to work check (all)
2. a right to work check using IDVT via the services of an IDSP (British and Irish citizens only)
3. a Home Office online right to work check (non-British and non-Irish citizens only)

The check must be performed when the applicant applies for a licence or applies to renew or extend their licence, whether for the full statutory term or for a lesser period.

The documents referred to in the list of acceptable documents in [An Employer's Guide to Right to Work Checks \(Annex A\)](#) will indicate whether the individual has temporary permission to be in the UK or is entitled to stay indefinitely in the UK. You must be satisfied that the person is not disqualified from holding a licence **before** you issue a licence to that person.

You can also use the [Status Verification, Enquiries and Checking \(SVEC\) Service](#) where an applicant has an outstanding application, administrative review or appeal and their digital profile is not yet enabled to evidence this, or if their immigration status requires verification by the Home Office, for example in the case of the Crown Dependencies.

### Who do you conduct checks on?

You should conduct ‘right to a licence’ checks in accordance with section 3 of this guidance on **all** applicants for operator, taxi or private hire licences.

You should not make assumptions about a person’s right to hold a licence in the UK or their immigration status on the basis of their colour, nationality, ethnic or national origin, accent, or the length of time they have been resident in the UK.

You should treat all licence applicants in the same way when they apply and during the licence application process. This will also demonstrate a fair, transparent and consistent application process.

## When do you conduct checks?

The immigration checks have been developed to fit within the existing licensing regimes and to keep the additional requirements and burdens to a minimum. Accordingly, you should incorporate the right to a licence check into your existing application process at any point before a decision is made on the application. The check could be carried out, for example, when the applicant lodges their application, or at a subsequent interview.

You may need to amend your application forms to include a declaration stating that the applicant has to have the correct immigration status to apply for the licence in order for their application to be considered valid and they understand that the licence will lapse if they are no longer entitled to work in the UK.

The application form or supporting guidance should state the format or the information required for you to make a check of their right to a licence.

The declaration itself can be a succinct statement, such as:

‘Your right to work in the UK will be checked as part of your licence application. This could include the licensing authority checking your immigration status with the Home Office. We may also share information with the Home Office. You must either share your immigration status using the Home Office online checking service ‘prove your right to work to an employer’ if your status is compatible with the service or provide a document or document combination that is stipulated as being suitable for this check. Where an online check has been carried out, the ‘profile’ page confirming your right to work will be copied and retained by the licensing authority. Where a manual check is carried out, and you have provided a document(s) set out at: [An Employer’s Guide to Right to Work Checks \(Annex A\)](#) you must provide the original document(s). The document(s) will be copied, and the copy retained by the licensing authority. The original document will be returned to you. Your application will not be considered valid until all the necessary information and any original document(s) have been produced and the relevant fee has been paid.

If there are restrictions on the length of time you may work in the UK, your licence will not be issued for any longer than this period. In such circumstances the check will be repeated each time you apply to renew or extend your licence. If, during this period, you are disqualified from holding a licence because you have not complied with the UK’s immigration laws, your licence will lapse and you must return it to the licensing authority. Failure to do so is a criminal offence.’

If the applicant fails to demonstrate a right to a licence in accordance with your published application process and this guidance, you should consider whether to offer a further opportunity to for them to provide the necessary documents or information before rejecting the application, if your usual process allows this.

## When does a person's immigration status come to an end?

Individuals who are subject to UK immigration control may be granted permission to enter or stay in the UK on a time-limited or indefinite basis. Individuals granted leave to enter or remain on a time-limited basis may have a condition permitting employment, a condition restricting employment or a condition prohibiting employment. When the person's stay is time-limited, in some circumstances it is possible for them to apply to extend their stay. If they do so before their previous status expires, they will continue to have any right to work that they previously had while their application, appeal or administrative review is outstanding. In such cases where an individual cannot provide evidence of an application, appeal or review, a person's status may be confirmed by you contacting the SVEC.

# 3. How do you conduct checks?

## Conducting a manual document-based right to work check

There are three steps to conducting a manual document-based right to work check. You need to complete all three steps before issuing a licence to ensure you have conducted a check in the prescribed manner, in order to establish an applicant's right to a licence.

### Step 1. Obtain

You must obtain **original** document(s) in respect of every application for a new licence or to renew or extend an existing licence.

The documents you may accept from a person to demonstrate their right to work are set out in [An Employer's Guide to Right to Work Checks \(Annex A\)](#). Please note that a UK driver's licence **is not** evidence of lawful status and therefore not evidence of an applicant's right to work.

List A contains the range of documents you may accept for a person who has a continuous right to work in the UK (including British and Irish citizens).

List B contains a range of documents you may accept for a person who has a time-limited right to work in the UK. You will be required to conduct a follow-up check.

Some documents, such as UK passports, do not have to be current in order to demonstrate a right to a licence. However, you still need to check carefully that the document relates to the applicant and, if necessary, request further evidence before issuing the licence.

### Step 2: Check

In the presence of the licence applicant, you must check:

1. the document(s) are genuine, have not been tampered with and belong to the holder;
2. photographs and dates of birth are consistent across documents and with the person's appearance in order to detect impersonation;
3. expiry dates for permission to be in the UK have not passed;
4. any work restrictions to determine if the applicant is prohibited from holding a licence;
5. the documents are genuine, have not been tampered with and belong to the holder; and
6. the reasons for any difference in names across documents can be explained by providing evidence (for example, original marriage certificate, divorce decree absolute, deed poll). These supporting documents must also be photocopied and a copy retained.

### Step 3: Copy

You must make a **clear copy** of each document in a format which cannot manually be altered and retain the copy securely with other licence application documents electronically or in hardcopy. You must keep the copy securely in accordance with data protection principles. You must also retain a secure record of the date on which you made the check. Simply writing a date on the copy document does not, in itself, confirm that this is the actual date when the check was undertaken. If you write a date on the copy document, you must also record that this is the date on which you conducted the check.

You must copy and retain copies of:

1. **Passports:** any page with the document expiry date, the holder's nationality, date of birth, signature, immigration permission, expiry date, biometric details, photograph and any page containing information indicating the holder has an entitlement to enter or remain in the UK (visa or entry stamp) and is not prohibited by their conditions of work from holding the licence (the front cover no longer has to be copied).
2. **All other documents:** the document in full, including both sides of an Immigration Status Document.

### Checking the validity of documents

When you are checking the validity of the documents, you should ensure that you do this in the presence of the holder. This can be a physical presence in person or via a live video link. In both cases you must be in physical possession of the original documents. For example, an individual may choose to send their documents to you by post to enable you to conduct the check with them via live video link. You may not rely on the inspection of the document via a live video link or by checking a faxed or scanned copy of the document.

Where a person presents a document and it is reasonably apparent, they are not the rightful holder, even if the document itself is genuine, you should not accept it as evidence of lawful immigration status and, therefore, the applicant's right to hold a licence.

Some documents, such as UK birth certificates, do not include a photograph. You may consider requesting and checking additional documentary evidence of the person's identity, for example their DVA or DVLA licence. You may accept a UK birth certificate issued by the General Register Office even though it has been endorsed as being "certified to be a true copy of an entry in a register in my custody" or contain words to the same effect.

You may wish to read the online guidance about recognising fraudulent identity documents. [Guidance on examining identity documents \(publishing.service.gov.uk\)](https://publishing.service.gov.uk) can be found on GOV.UK, which contains a helpful checklist.

Further advice about document fraud and illustrations of documents has been made available to those who have a responsibility to undertake right to work checks. You may find this helpful and it is available in the '[Employer right to work checks supporting guidance](#)'.

You can also compare identity and travel documents against the images published on:

- [PRADO - Public Register of Authentic travel and identity Documents Online](#)
- [EdisonTD](#)

If you wish to access Home Office online training on document fraud, please contact the Immigration Enforcement Checking & Advice Service training team at: [ISCLPMSupportTeam@homeoffice.gov.uk](mailto:ISCLPMSupportTeam@homeoffice.gov.uk)

You may obtain further assistance on document types from your Local Partnership Manager (LPM) or email [\*\*ISDLPMSupportTeam@homeoffice.gov.uk\*\*](mailto:ISDLPMSupportTeam@homeoffice.gov.uk). In most cases, your LPM or your local Immigration, Compliance and Enforcement (ICE) team will also be your first point of contact if you suspect that you have encountered a forged or counterfeit document. You can also use this link to [report the individual to us](#).

## COVID-19 temporary adjusted checks

The adjustments to right to work checks, introduced on 30 March 2020 ended on 30 September 2022.

Since 1 October 2022, licensing authorities must carry out one of the prescribed checks as set out in this guidance before a licence is issued.

You do not need to carry out retrospective checks on applicants for a licence who had a COVID-19 adjusted check between 30 March 2020 and 30 September 2022 (inclusive). However, any individual identified with no lawful immigration status in the UK may be liable to immigration enforcement action.

## Using an Identity Service Provider (IDSP)

Since 6 April 2022, licensing authorities have been able to use IDVT via the services of an IDSP to complete the digital identity verification element of right to work checks for British and Irish citizens who hold a valid passport (including Irish passport cards).

Digital identity verification conducted by IDSPs is the process of obtaining evidence of the applicant's identity, checking that it is valid and belongs to the person who is claiming it.

If you use the services of an IDSP for digital identity verification, holders of valid British or Irish passports (or Irish passport cards) can demonstrate their right to work using this method. You are required to obtain the IDVT check from the IDSP. You will only fulfil your statutory duty if you reasonably believe that the IDSP has carried out their checks in accordance with this guidance.

You must not treat less favourably those who do not hold a valid passport, or do not wish to prove their identity using an IDSP. You must provide individuals with other ways to prove their right to work and should carry out a manual document-based right to work check in these circumstances.

For a detailed guide on how to complete a right to work check, using an IDSP, please refer to [An Employer's Guide to Right to Work Checks](#).

### **A summary of basic steps to conducting a right to work check using an IDSP:**

- IDSPs can carry out digital identity verification to a range of standards or levels of confidence. The Home Office recommends that licensing authorities only accept checks via an IDSP that satisfy a minimum of a Medium Level of Confidence. A list of certified providers is available for you to choose from on GOV.UK: [Digital identity certification for right to work, right to rent and criminal record checks](#). It is not mandatory to use a certified provider; you may use a provider not featured within this list if you are satisfied that they are able to provide the required checks.

- Satisfy yourself that the photograph and biographic details (for example, date of birth) on the output from the IDVT check are consistent with the individual applying for a licence (i.e. the information provided by the check relates to the individual and they are not an imposter).
- You must retain a clear copy of the IDVT identity check together with the licence application documents.

Should you be found to have given a licence to an individual without their identity and eligibility being verified correctly, in the prescribed manner, you will not have discharged your duty correctly in the event the individual is found to be working illegally by reason of their immigration status.

## Conducting a Home Office online right to work check

Currently, the Home Office online service supports checks for a range of individuals, depending on the type of immigration documentation they are issued with. The use of digital proof of immigration status forms part of our move towards a UK immigration system that is digital by default. This will be simpler, safer and more convenient.

You can do an online check by using the online service, entitled '[Check a job applicant's right to work](#)' on GOV.UK.

It will not be possible to conduct an online right to work check in all circumstances, as not all individuals will have an immigration status that can be checked online. The online right to work checking service sets out what information you will need to complete an online check. In circumstances where an online check is not possible, you should conduct the manual check.

Some individuals have been issued with an eVisa and can only use the online service to prove their right to work.

Biometric Residence Card (BRC), Biometric Residence Permit (BRP) and Frontier Worker Permit (FWP) holders are also only able to evidence their right to work using the Home Office online service. This means you cannot accept or check a physical BRC, BRP or FWP as proof of right to work.

## How does the Home Office online checking service work?

Individuals using the Home Office online checking service must select one of the three reasons for sharing their immigration status. Applicants for taxi and private hire licences must select choose to prove their right to work.

After selecting the correct option, in this case '[prove your right to work to an employer](#)', the individual can then generate a 9-character long share code that can be passed on to a licensing authority which, when entered alongside the individual's date of birth, enables you to access the required information.

The share code will be valid for **90 calendar days** from the point it has been issued and can be used as many times as needed within that time.

Share codes can only be used for the purpose they were originally selected for. All share codes begin with a letter denoting the purpose the share code can be used for. Where a share code begins with the letter '**W**', this will indicate that the share code has been generated by a licence applicant to evidence their right to work. Licensing authorities will not be able to accept or use share codes which begin with the letter 'R' or 'S' as these are designed for other services.

If a share code has expired, or the individual has used a code generated by another service, you must ask them to resend you a new right to work share code.

Where an individual provides you with a share code via the Home Office online service, you must carry out the check by accessing the '[Check a job applicant's right to work](#)' page on GOV.UK. It is not sufficient to view the details provided by the applicant on the migrant part of the service.

The online service allows checks to be carried out by video call. You do not need to see physical documents as the right to work information is provided in real time directly from Home Office systems.

### **Step 1: Use the Home Office online service**

The individual may provide the share code to you directly, or they may choose to send this to you via the service. If they choose to send it to you via the service, you will receive an email from [right.to.work.service@notifications.service.gov.uk](mailto:right.to.work.service@notifications.service.gov.uk)

To check the person's right to work details, you will need to:

- access the service '[Check a job applicant's right to work](#)' via GOV.UK
- enter the 'share code' provided to you by the individual, and
- enter their date of birth

It is not sufficient to simply view the details provided to the individual on the migrant part of the service and doing so will not satisfy a right to a licence check.

**You can now view Felicia Thais' right to work details**

They have used the 'Prove your right to work' service on GOV.UK to email you a share code.

To view their right to work details, go to the 'View a job applicant's right to work details' service on GOV.UK and enter their:

- date of birth
- share code W73 GZX YF6

This share code will expire on Sunday, 5 June 2022.

---

Please do not reply to this email, as the inbox is not monitored.

---

The above image is an example of the message a licensing authority receives when an individual has sent their share code to the licensing authority via the online service.

**Step 2: Check**

You must check that the photograph on the online right to work check is of the individual making the licence application (i.e. the information provided by the check relates to the individual and they are not an imposter). This can be done in person or by video call.

If the image of the individual on their digital profile is showing incorrectly or is of poor quality, you should advise the individual to update the image on their account. They can do this by visiting: [Update your Visas and Immigration account details](#). Further information and support is also available via the [UKVI Resolution Centre](#).

You must only issue, extend or renew a licence, if the online check confirms they have the right to work and are not subject to a condition preventing them from undertaking work as a taxi driver or private hire.

GOV.UK View a job applicant's right to work

BETA This is a new service - your feedback will help us to improve it.

Right to work

**Erika Mustermann**

They can work in the UK.

**Details**  
They can work in any job. There is no limit on how long they can stay in the UK.



Rotate

**If you employ this person**  
To avoid a penalty, you must:

- check this looks like the person you meet face to face
- keep a secure copy of this online check (either electronically or in hard copy), for the duration of the employment and for 2 years after

You don't need to do the check again.

Read the [employers' code of practice](#) to find out more about right to work checks.

Details of check		
Company name	Date of check	Reference number
Acme Ltd	8 January 2018	WE-RHQDFMC-57

Print page Download PDF

[Finish and leave service](#)

The above image is from the online service and shows the individual has a continuous right to work.

GOV.UK View a job applicant's right to work

BETA This is a new service - your feedback will help us to improve it.

Right to work

**Erika Mustermann**

They have permission to work in the UK from 19 October 2021. They can work in the UK until 19 November 2023.

**Details**  
They can work in any job.



Rotate

**If you employ this person**  
To avoid a penalty, you must:

- check this looks like the person you meet face to face
- keep a secure copy of this online check (either electronically or in hard copy), for the duration of the employment and for 2 years after
- do this check again when their permission to be in the UK expires on 19 November 2023

Read the [employers' code of practice](#) to find out more about right to work checks.

Details of check		
Company name	Date of check	Reference number
Acme Ltd	8 January 2018	WE-BKFEUUN-64

Print page Download PDF

[Finish and leave service](#)

The above image is from the online service and shows the individual has a time-limited right to work and confirms the date that their permission to enter or stay expires.

GOV.UK View a job applicant's right to work

BETA This is a new service - your feedback will help us to improve it.

**Right to work**

**Erika Mustermann**

They can work in the UK until 19 November 2023.

**Details**

They can work:

- up to 10 hours a week during term time
- full-time during the holidays

They must share proof of their term dates with their employer.

They can also work on a placement which is part of the course their student visa is based on. The work placement must be:

- a compulsory part of their course
- assessed as part of their course

Read more about [volunteering, working for a student union and other types of work](#).

**Conditions**

They cannot:

- work as a doctor or dentist in training - except on a Health Education England foundation programme
- work as an entertainer
- work as a professional sports person or coach
- run a business or be self-employed - unless they have applied for a start-up visa

**If you employ this person**

To avoid a [penalty](#), you must:

- check this looks like the person you meet face to face
- keep a secure copy of this online check (either electronically or in hard copy), for the duration of the employment and for 2 years after
- get and keep details of their academic term and vacation times
- do this check again when their visa expires on 19 November 2023

Read the [employers' code of practice](#) to find out more about right to work checks.

Details of check		
Company name Acme Ltd	Date of check 8 January 2018	Reference number WEYVFCXEU.86

[Print page](#) [Download PDF](#)

[Finish and leave service](#)

The above image is from the online service and shows the individual has a restricted, time limited right to work. It confirms the hours they can work and the date that their permission to enter or stay expires.

### Step 3: Retain evidence of the online check

You must retain evidence of the online right to work check. This should be the 'profile' page confirming the individual's right to work. This is the page that includes the individual's photo and date on which the check was conducted. You will have the option of printing the profile or saving it as a PDF or HTML file. You must repeat this process in respect of any subsequent taxi licence applications.

## Biometric Residence Permits

BRPs provide evidence of the holder's immigration status in the UK. They contain the holder's unique biometric identifiers (fingerprints, digital photograph) within the chip. They also display a photograph and biographical information on the face of the document and details of entitlements, such as access to work and/or public funds.

As part of the development of a border and immigration system that is digital by default, physical documents are to be phased out by the end of 2024, replaced with a system of digital immigration status (eVisa) evidence. You may therefore see BRP cards with an expiry date of 31 December 2024 where the holder has permission to stay in the UK that ends after that date. This is not an error and the holder's rights

and entitlements are unaffected as the date refers to the expiry of the document only, and not to the holder's immigration status. When the holder provides you with a share code to prove their right to work, their online profile will display the expiry date of their immigration permission, rather than the card expiry date of 31 December 2024.

Further information about BRPs and the Home Office transition to eVisas is available at:

[Biometric residence permits \(BRPs\): What a BRP is - GOV.UK \(www.gov.uk\)](https://www.gov.uk/biometric-residence-permits)

[Online immigration status \(eVisa\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/online-immigration-status)

For migrants overseas, who are granted permission to enter the UK for more than six months, they are issued with a vignette (sticker) in their passport which will be valid for 90 calendar days to enable them to travel to the UK. Following their arrival, they will have 10 calendar days or before their vignette expires (whichever is later) to collect their BRP from the Post Office branch detailed in their decision letter. You should not issue the licence on the basis of the 90-day vignette but wait until you have seen and checked the related BRP, by conducting an online check.

### **Changes to the way in which biometric cards are used to evidence right to work.**

The way in which Biometric Residence Card (BRC), Biometric Residence Permit (BRP) and Frontier Worker Permit (FWP) holders evidence their right to work has changed (collectively referred to as 'biometric cards').

Since 6 April 2022, biometric card holders are required to evidence their right to work using the Home Office **online service only**. Licensing authorities cannot accept physical cards for the purposes of a right to work check even if it shows a later expiry date. Biometric cards have been removed from the lists of acceptable documents used to conduct a manual right to a licence check.

Retrospective checks will not be required on biometric card holders who, before 6 April 2022, used their physical card to demonstrate their right to work as part of their application for a licence. An immigration status check may be repeated as set out in this guidance when the individual is required to renew their licence.

## **Home Office verification checks**

In most cases, you should be able to make an assessment that an applicant is not disqualified from holding a licence by making a manual check of the document(s) against the person presenting them, using IDVT via the services of an IDSP or by performing an online check as set out above.

If you require an immigration status check, you may contact SVEC. Your Local Partnership Manager will also have their contact details. The SVEC service will aim to respond to your request within 10 working days. It is only necessary to contact the SVEC in the following circumstances to verify that someone has the right to hold a licence:

- you are presented with a document (non-digital CoA or an acknowledgement letter or email) confirming receipt of an application to EUSS on or before 30 June 2021; or you are presented with a non-digital CoA confirming receipt of an application to the EUSS on or after 1 July 2021; or
- you are satisfied that you have not been provided with any acceptable documents because the person has an outstanding application for permission to remain in the UK with the Home Office which was made before their previous immigration leave expired or has an appeal or administrative review pending against a Home Office decision that grants them a right to work and, therefore, cannot provide you with evidence of their right to a licence: or
- you consider that you have not been provided with any acceptable documents, but the person presents other information indicating they are a long-term resident of the UK who arrived in the UK before 1988.

In these four circumstances, the SVEC will confirm the individual's immigration status. However, you will still have to determine whether the applicant should be granted a licence. A licence issued as a consequence of this check must be limited, as indicated below, to a maximum period of **six months**. Upon any subsequent application to renew the licence, you must carry out a further check before issuing the licence. You are prohibited by statute from issuing a licence if a person is disqualified by their immigration status.

If you are making a check because the licence applicant has an outstanding immigration application with the Home Office, or a pending appeal or administrative review against a Home Office decision, we suggest that you wait at least **14 working days** after the application, appeal or administrative review was made before sending a request to the SVEC to confirm the applicant's immigration status. This is to allow time for that application, appeal or administrative review to be registered with the Home Office.

## Certificate of Application

You must make a copy of this document and retain this copy, in the usual way. Where you are required to verify the non-digital CoA with the SVEC, you must also obtain and keep a copy of their response.

## In-time applications

Where an in-time application to extend or vary leave is made and the application is not decided before the person's existing leave expires, section 3C of the Immigration Act 1971 extends the person's existing leave.

An application for further immigration permission to stay in the UK must be made before their existing permission expires for it to be deemed 'in-time'. Upon doing this, any existing right to work will continue until that in-time application (and any appeal or administrative review) has been determined.

The Home Office online service now supports a range of individuals, who have

outstanding, in-time applications for permission to stay in the UK. Where an individual advises you that they have an outstanding, in time application, and they are an eVisa holder, you should ask them to provide you with a share code. Once in receipt of the share code, you can use the online service to carry out the right to a licence check as set out in this guidance.

In such circumstances, the online service will provide confirmation of the individual's right to work and will enable you to issue, extend or renew the licence for a maximum period of six months. This is the standard duration when right to work checks are conducted on individuals who have an outstanding, in-time immigration application. Upon any subsequent application to renew the licence, you must carry out a further check before issuing the licence.

Some users may not be supported by the online service at this time as work continues to move to digital by default. In circumstances where the individual is unable to provide you with a share code, yet they have an outstanding, in time application, please contact SVEC for verification of this.

## Windrush generation individuals

The Government has put in place additional safeguards to ensure that those who have lived lawfully in the UK since before 1988 are not denied access to work.

In some circumstances, individuals of the Windrush generation (those who arrived in the UK before 1973) and those non-UK citizens who arrived in the UK between 1973 and 1988, may not be able to provide documentation from the acceptable document lists to demonstrate their entitlement to work in the UK. The Home Office has established the [Windrush Help Team](#) which is handling applications under the Windrush Scheme for confirmation of indefinite leave to remain, including a biometric residence permit or applications for British citizenship.

In these circumstances, you should contact SVEC. The SVEC will notify the Windrush Help Team, who will contact the individual to confirm their circumstances and arrange for their status to be resolved. Working with the Windrush Help Team, the SVEC will verify the individual's immigration status to enable the licensing authority to determine whether they can issue a license.

[The Windrush Help Team](#) can offer support and guidance about the Windrush Scheme and advise individuals on how to apply. It can also help vulnerable people or those who need additional support. If a licence applicant has been affected, they can contact the Windrush Help Team via the above link or by calling 0800 678 1925.

## 4. Duration of licences

If a person provides you with acceptable documents from List A within [An Employer's Guide to Right to Work Checks \(Annex A\)](#) or you have conducted an online check that confirms there is no time limit on their status in the UK, this does not prevent you from issuing them a licence for up to the statutory maximum period. Provided you retain a copy of the document or documents that were originally checked, you will not be required to repeat the check when the applicant applies to renew or extend their licence with you.

If a person provides you with acceptable document(s) from List B [An Employer's Guide to Right to Work Checks \(Annex A\)](#) or the online check confirms that they have a time-limited permission to work in the UK, then their licence must not be issued for a period that exceeds their permission to be in the UK (up to the statutory maximum period for that type of licence).

When the licence has been issued on the basis of a non-digital Certificate of Application (CoA) which has been positively verified by the SVEC, the licence may only be issued for a maximum period of six months from the date of the verification.

When the licence has been issued on the basis that the applicant has an outstanding in-time Home Office application, appeal or administrative review via a Home Office online check or which has been positively verified by SVEC, the licence may be issued for a maximum period of six months from the date of the licence decision. If the individual makes a further application to extend or renew their licence, you must repeat the check on original documents or use the online service (if applicable) to verify their current immigration status.

### When will a licence lapse?

A licence issued in respect of an application will lapse when the holder's permission to be in the UK comes to an end. This could be because their permission to be in the UK has expired or because the Home Office has brought it to an end. You are under no duty to carry out ongoing immigration checks to see whether a licence holder's permission to be in the UK has expired. The individual will be aware when their time-limited permission has come to an end and they will be informed if their permission to be in the UK has been curtailed.

## 5. Eligibility to hold a licence

It is important to determine that an applicant who is applying for a licence is not only in the UK lawfully and has permission to work, but also that they are not prevented from undertaking work as a taxi operator or driver.

The following section provides clarification on several specific immigration categories. If you require further advice in relation to these or other immigration categories, you may contact your Local Partnership Manager.

### Skilled workers

A person granted immigration permission as a Skilled Worker is granted permission to work for a specified employer (a sponsor) in a specified capacity. It is unlikely they would qualify for a licence in this sector. A dependant of a skilled worker may qualify for a licence, as the same restrictions do not apply.

### Students

Not all international students are entitled to work while they are in the UK, but some are allowed to take limited employment if the conditions of their permission to study permit this.

A student with leave may have permission to work for a limited number of hours during term time, and full-time during holidays. There are restrictions in place as to who is eligible to work. Their right to work will be dependent on them continuing to follow their course of study.

A student who is permitted to work may have an endorsement in their passport which states that they are permitted to work and the number of hours of work permitted during term time e.g., 10 hours or 20 hours a week. Alternatively, they may have an eVisa or a BRP which will also show this information online, in which case employers can do a check by using the online service, entitled '[Check a job applicant's right to work](#)' on GOV.UK.

They cannot be self-employed, but they may qualify for a licence if they are employed by someone. Where a student with leave has completed their course, they are only able to work if they were initially given permission to work as part of their conditions as a student, until that permission expires or otherwise comes to an end. More information about student work entitlements is available in the [Student route caseworker guidance](#).

### Asylum seekers and Refugees

Asylum seekers do not usually have permission to work and when they do, this is generally only in a shortage occupation or job on the [Immigration Salary List](#) depending upon the date they were granted permission to work. These roles will not

involve the PHV and taxi sector and therefore they must not be granted a licence.

An Application Registration Card (ARC) is provided to a person who has claimed asylum in the UK, pending consideration of their case. An ARC may exceptionally state that the holder has a right to work, but generally this will only be in a [shortage occupation](#) or a job on the [Immigration Salary List](#). You must not grant a PHV or taxi operator or driver licence on the basis of the ARC which states that the holder may only work in a shortage occupation or a job on the Immigration Salary List. However, you should check whether the asylum seeker has alternative evidence of a right to hold a licence.

A person who has been recognised by the UK as a refugee has no restrictions on their right to work in the UK. They may be granted a licence whilst they hold this permission.

## Right to a licence check for EEA citizens

Since 1 July 2021, EEA citizens and their family members are required to have immigration status in the UK. They can no longer rely on an EEA passport or national identity card, which only confirms their nationality, to prove their right to a licence. They are required to provide evidence of lawful immigration status in the UK, in the same way as other foreign nationals.

In line with the original requirements to demonstrate immigration status to prove a right to a licence, there is no requirement for retrospective checks to be undertaken. This means that you do not need to check the immigration status of those EEA citizens who already hold a licence which was issued between 1 December 2016 and 30 June 2021. An immigration status check should be repeated when the individual is required to renew their licence.

## Irish citizens

Irish citizens continue to have unrestricted access to work in the UK. They can prove their right to a licence using their Irish passport or Irish passport card (in either case, whether current or expired), or their Irish birth or adoption certificate together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.

Eligible Irish citizens may choose to apply to the EUSS (see below for information on how to check the right to a licence of an EUSS status holder).

Irish citizens can also apply for a frontier worker permit, this permit can be issued digitally or as a physical permit, so they may can prove their right to work using the Home Office online right to work service.

Since 6 April 2022, licensing authorities can use IDVT via the service of a IDSP to complete the digital identity verification element of a right to work check for British and Irish citizens who hold a valid passport (including Irish passport cards). For a detailed guide on how to complete a right to work check using an IDSP, please refer

to [An Employer's Guide to Right to Work Checks](#).

## How EEA citizens are required to prove their right to a licence

### EEA citizens granted status under the EU Settlement Scheme (EUSS)

The majority of EEA citizens now prove their right to a licence using the Home Office online services.

The Home Office no longer requires licensing authorities to carry out repeat checks on holders of pre-settled status. Provided you retain a copy of the online check, you are not required to repeat the check in relation to a person who holds either pre-settled or settled status granted under the EUSS when the applicant applies to renew or extend their licence with you.

### Outstanding UK EU Settlement Scheme applications

EEA citizens, and their family members, who have made a valid application to the EUSS have temporary protection of rights under the Withdrawal Agreement, the EEA EFTA Separation Agreement or the Swiss Citizens' Rights Agreement, which gives them a right to a licence until their application is finally determined. This includes pending the outcome of any appeal against a decision to refuse status.

Licensing authorities must provide licence applicants with every opportunity to prove their right to a licence and should not treat those with an outstanding, valid application less favourably.

### Receipt of application submitted to the EU Settlement Scheme

There are a small number of individuals who made their EUSS application using a paper application. Due to the postage and processing time related to paper applications, you may be required to undertake a check before the individual receives their Certificate of Application. Where an individual has made an application **on or before 30 June 2021**, they will provide a letter or email notification acknowledging receipt of the EUSS application. You should request a right to work check from SVEC to verify this document.

### Certificate of Application

Where an individual states they have been issued with a Certificate of Application (CoA), you must first check whether this is a 'digital' or 'non-digital' CoA. A CoA is evidence that an individual has made a valid application to the EUSS and should be used to evidence their right to a licence until such time as their application is finally determined.

## Digital Certificate of Application

Most individuals with an outstanding valid application made to the EUSS have been issued with a digital CoA. In this instance, you should check with the individual and ask them to provide you with a share code. This means you can check their right to work immediately via the online service and do not need to contact SVEC. The online service will provide confirmation of their right to work and advise when a follow-up check is required.

## Non-digital Certificate of Application

A 'non-digital' CoA is an email or letter, sent to the individual, advising them how licensing authorities can request information about their right to a licence from SVEC. Where an applicant provides you with a 'non-digital' CoA as evidence of an application made to the EUSS, you must make a copy of this document and retain this copy.

Should you be provided with a non-digital CoA you should ask the licence applicant to check if they have also been issued with a digital CoA. If they have, they should provide you with a share code to verify their right to work via the online service instead. SVEC will be able to check the individual's status and verify that they have the right to a licence.

## EU Settlement Scheme status granted by a Crown Dependency

The Crown Dependencies (the Bailiwick of Jersey, the Bailiwick of Guernsey, and the Isle of Man) each operate their own EUSS, for those eligible to apply. The UK and the Crown Dependencies recognise status granted under each other's Scheme, so an individual granted settled or pre-settled status by a Crown Dependency will be considered to have settled or pre-settled status in the UK.

The Isle of Man and Guernsey issue a letter to those granted EUSS status. Jersey issues a letter and operate an immigration status checker service for individuals to obtain confirmation of their status at any point.

When presented with a letter or email confirmation of EUSS leave from a Crown Dependency in respect of an application for a new licence, you must request a right to a licence check from the SVEC.

## Outstanding EU Settlement Scheme applications in a Crown Dependency

Where an individual has an outstanding application to the EU Settlement Scheme (EUSS) of the Crown Dependencies of the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, they will have a letter or email notification confirming their outstanding application. You must request a right to work check from SVEC.

SVEC will be able to check the individual's status and verify that they have the right to a licence. You must keep a copy of the Crown Dependency letter or email and retain this with the response from the SVEC.

## EEA citizens with valid Indefinite Leave to Enter or Remain

EEA citizens with Indefinite Leave to Enter or Remain (ILE/R) are not required to make an application to the EU Settlement Scheme but can do so if they wish.

Since 1 July 2021, EEA citizens with ILE/R have been required to prove their right to a licence in the same way as other foreign nationals who do not have a digital status. You can carry out a manual check of their Home Office documentation such as an endorsement / vignette in a current passport stating, 'indefinite leave to enter or remain' or 'no time limit'. Some may have a current Biometric Residence Permit (BRP) and this can be used to access the online service.

Carrying out either a manual check of the documents or the online check, as set out in this guidance will satisfy the requirement to prove a right to a licence.

### Further information

If you encounter EEA citizens who believe that they have ILE/R but do not have a document to confirm this please encourage them to:

- [apply to the Windrush scheme](#) to get proof of their ILE/R status
- see if they are eligible to [apply to the EU Settlement Scheme](#), if they have reasonable grounds for the delay in making their application

If they are from Malta or Cyprus, they may also be able to apply for British citizenship through the [Windrush scheme](#).

**Applications for either scheme are free of charge.**

## Points-Based Immigration System

EEA citizens who come to the UK to live, work or study will need to obtain immigration status under the points-based system in the same way as other foreign nationals.

The majority of EEA citizens will be provided with an eVisa, however this will be dependent upon the immigration route and how they made their application. Some EEA citizens will have a Biometric Residence Permit (BRP). Those with a valid BRP must use the online right to work service.

To prove their right to a licence from 1 July 2021, individuals will provide you with a share code and their date of birth which will you to check their Home Office immigration status via the online service available on GOV.UK: [Check a job applicant's right to work: use their share code - GOV.UK \(www.gov.uk\)](#)

## EEA citizens without lawful immigration status

If an EEA citizen applies for a licence with you but has not applied to the EUSS (and has no alternative immigration status in the UK) then they will not be able to pass a right to a licence check and a licence must not be issued.

If they believe they are eligible for the EUSS, you could signpost them to make an application as the Government has agreed temporary protection for applicants to the EUSS. For those resident in the UK by 31 December 2020, the deadline was usually 30 June 2021, so they will need to show they have reasonable grounds for the delay in making their application. Those who make a valid application to the EUSS will have their right to a licence protected while their application is determined, this applies to licence applicants.

There may be situations in which licensing authorities identify an EEA citizen who holds existing taxi and private hire licences, has not applied to the EUSS and does not hold any other form of leave in the UK. This might be discovered during an inspection of a taxi operator, an encounter with a law enforcement organisation or via a licence review brought by a Responsible Authority.

A licence issued in respect of an application made on or after 1 December 2016, will lapse when the holder's permission to be in the UK comes to an end.

In these circumstances, advice and assistance may be obtained from your **Home Office Local Partnership Managers**, or by email:

[isclpmsupportteam@homeoffice.gov.uk](mailto:isclpmsupportteam@homeoffice.gov.uk)

In most cases, a Local Partnership Manager or local Immigration, Compliance and Enforcement (ICE) team will be the first point of contact for licensing authorities.

## Family Members

Some individuals may be eligible for a permit to come to the UK if they are the family member of an EU, EEA or Swiss citizen, or a 'person of Northern Ireland'. Non-EEA family members of EEA citizens are required to make an application to the EUSS to continue living in the UK after 30 June 2021.

There were two different types of family permit: the EUSS family permit and the EEA family permit. The latter, **EEA family permits, ceased to be valid after 30 June 2021, even if there was time left on the permit.** For more information on the EEA family permit, please see EEA family permit information on GOV.UK.

Those with an EUSS family permit will be issued with a vignette placed in their passport or on a separate card/paper if the individual has not used a passport to apply. Where an individual presents a vignette of this type, the licensing authority must take a copy of the passport as well as the vignette and ensure the photographs represent the same person.

Where the EUSS family permit is on a separate card/paper along with an expired passport or an identity card (current or expired), you must contact SVEC to verify their

status.

You must make a copy of their expired passport or identity card, EUSS family permit (vignette in passport or on a separate card/paper) and retain this with the response from the SVEC.

Finally, where applicable, joining family members (JFM) may apply to the EUSS. Where a JFM makes a valid application to the EUSS, they will receive a Certificate of Application (CoA), issued by the Home Office. They will be able to use their CoA for the purposes of a right to a licence check.

## Further support available for EU, EEA and Swiss citizens

If any of your existing or prospective licence applicants require further advice or support with regard to their immigration status, they can access information on GOV.UK:

[View and prove your immigration status \(eVisa\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/view-and-prove-your-immigration-status)

This also provides further information on how to prove immigration status, how to update personal details, and support available.

If a licence applicant needs help accessing or using their Home Office online immigration status services, they can contact the UKVI Resolution Centre:

Telephone: 0300 790 6268, select option 3  
Monday to Friday (excluding bank holidays), 8am to 8pm  
Saturday and Sunday, 9:30am to 4:30pm.

## Right to a licence check for Ukrainian nationals

In response to the evolving conflict in Ukraine, the Home Office has introduced visa schemes to support Ukrainian nationals, and their family members, to come to the UK.

Those who are granted a visa under these schemes are able to work, rent a home and access public services, such as medical treatment and education. As such, requirements to demonstrate immigration for a right to a licence check will apply to Ukrainian nationals.

More information on how Ukrainian nationals issued permission to stay in the UK under the Ukraine schemes can evidence their immigration status can be accessed in [An Employer's Guide to Right to Work Checks](#) on GOV.UK.

## 6. Revocation of licences

We may provide you with information, or you may obtain information from other sources, which may cause you to suspend or revoke a licence on the basis that the licence holder's right to hold a licence has changed. For example, an individual's permission to be in the UK has been curtailed, they have been served with a deportation order or they have been convicted of an immigration offence (generally, but not limited to, convictions under the Immigration Act 1971) or been subjected to an immigration penalty which has not been cancelled following an objection or appeal. An immigration penalty will have been issued because they employed an illegal worker or let premises to someone who does not have a right to rent. Please note that civil penalties may be issued to UK citizens as well as migrants who breach the relevant regulations.

Such information about breaches of immigration law may also be relevant when you consider whether an individual meets the 'fit and proper' test.

On any appeal relating to an operator or driver licence decision, whether it is to grant, revoke or suspend the licence, the court is not entitled to consider whether the licence holder should have been convicted of an immigration offence, received an immigration penalty or should have been granted by the Home Office permission to be in the UK. This is because separate rights of immigration appeal, or to have an immigration decision administratively reviewed, exist.

### Return of the licence

The licence holder is required to return the licence to you, once that licence has expired, or been suspended or revoked on immigration grounds. This is underpinned by criminal offences of failing to comply with the return requirement under existing taxi licensing legislation.

If the licence holder, without a reasonable excuse, fails within seven working days to return the licence, badge and any other evidence of identification issued by you to you, they commit an offence. The maximum fine is level three on the standard scale.

## 7. Providing information to the Home Office

These provisions, to prevent illegal working in relation to taxi and private hire licences, do not specifically mandate licensing authorities report cases to the Home Office which have been refused, or subsequently suspended or revoked, a licence on immigration grounds.

However, you are requested to provide the Home Office with this information, in order that other appropriate enforcement action may be taken against a person, including revoking their UK driving licence. This information exchange is supported by section 55 of the Immigration Act 2016 which expands the existing information sharing gateway at section 20 of the Immigration and Asylum Act 1999 (the 1999 Act) and gives public authorities a clear statutory authority to supply information or documents to the Home Office which may be used for immigration purposes. Please see the factsheet. Any information should be sent to [tphlicensing@homeoffice.gov.uk](mailto:tphlicensing@homeoffice.gov.uk).

In addition, section 20A of the 1999 Act, as amended by section 55 of the 2016 Act, places a duty on local authorities to provide Home Office immigration officials with nationality documents which are in their possession, but only when specifically requested to do so. Please see the factsheet. You may be asked by the Home Office for copies of nationality documents which you have retained as part of the licensing application if they belong to someone who is liable for removal from the UK.