

Global Immigration alert

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United Kingdom

Clarification on the employer guidance on right-to-work obligations and e-Visas

Executive summary

On 20 May 2026, the UK Home Office published updated sponsor guidance clarifying right-to-work obligations and confirming the shift towards a fully digital immigration system. The update clarifies that sponsors are only required to carry out right-to-work checks for workers they sponsor and workers they employ, removing earlier references to individuals “directly engaged” by the sponsor. While the guidance has been updated to remove this requirement, this change is temporary. The Home Office intends to reintroduce the requirement in updated guidance expected to be published in summer 2026. The revised guidance is anticipated to provide greater clarity regarding right-to-work obligations for individuals who are “directly engaged.” In addition, the guidance also confirms that most workers granted permission from 20 May 2026 will now receive an e-Visa only, with limited use of physical documents.

Background

The updated guidance replaces the version published on 8 April 2026, which suggested that right-to-work checks extended to workers “directly engaged” by sponsors. The previous guidance created uncertainty for sponsors, particularly where organizations engaged contractors or contingent workers, due to a lack of clear definitions and guidance. The Home Office has temporarily removed this requirement from the current guidance, with the intention of providing greater clarity in an updated version to be published later this year.

Key developments

- *Right-to-work checks – clarification of scope:* The Home Office has amended the guidance to confirm that sponsors must carry out right-to-work checks on workers they sponsor, and workers they otherwise employ (whether sponsored or not).
 - References to individuals “engaged” or “directly engaged” have been removed and should be disregarded. This confirms that sponsors are not required to carry out right-to-work checks for contractors or other non-employed individuals. This is subject to change.

- *Transition to e-Visas:* From 20 May 2026, most workers granted entry clearance or permission will now receive an e-Visa only. This reflects the Home Office’s move towards a fully digital system, with physical documents issued only in limited circumstances. Sponsors must ensure right-to-work checks are conducted using the Home Office online checking service where applicable.
- *Removal of Swiss Service Providers provisions:* References to Swiss Service Providers have been removed following the closure of this route on 31 December 2025. This confirms that the route is no longer available under the sponsor framework. While this change is not expected to affect most employers, it provides clarity that the route can no longer be relied upon in any capacity.

Impact on employers

These changes provide helpful clarification by confirming that, for now, right-to-work checks are only required for sponsored workers and direct employees. The removal of references to “engaged” individuals reduces uncertainty, particularly for organizations using contractors or contingent workers, who are not currently in scope. However, this position is temporary, and employers should monitor developments closely and be prepared to update processes when further guidance is issued later in 2026. The transition to e-Visas also requires employers to update onboarding processes and ensure consistent use of the Home Office online checking system. Finally, the removal of the Swiss Service Provider route confirms it is no longer available, providing clarity for workforce planning.

Sponsors may consider the following actions in response to the latest changes:

- *Review right to work processes*—Ensure checks are carried out for all sponsored workers and direct employees, in line with the clarified scope. Note that right-to-work checks are not currently required for contractors or non-employed individuals, but keep this under review as the position may change.

- Prepare for future updates-Monitor Home Office guidance closely and be ready to adjust processes if requirements relating to “directly engaged” individuals are reintroduced later in 2026.
- Update systems for e-Visas-Ensure HR and onboarding teams are using the Home Office online checking service and that processes are aligned with a digital-only system.
- Train relevant teams-Provide refresher training to ensure consistent and compliant right-to-work checks, particularly in light of the move to e-Visas.
- Update policies and documentation-Remove any references to the Swiss Service Provider route and ensure internal guidance reflects the latest position.
- Conduct periodic audits-Review current right-to-work procedures to confirm compliance and identify any gaps ahead of future changes.

Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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