

## Government announces digital right to work checks extended until April 2022

**Following positive feedback received by the Government regarding the ability to carry out right to work checks remotely during the Covid-19 pandemic, the Government has decided to extend these temporary measures until April 2022. We look at how the changes work in practice for employers.**

- The temporary changes to right to work checks introduced by the Government on 30 March 2020 to support businesses during the pandemic, have now been extended up to and including 5 April 2022.
- While the temporary changes remain in place, employers can carry out checks by video call. During the video call, employers can ask the worker to hold up the original documents to the camera so that the employer can check them against the digital copy or the employer can use the online right to work checking service, provided the applicant has given permission to view their details.
- Job applicants and existing workers can send scanned documents or a photo of documents for checks using email or a mobile app, rather than sending original documents.
- Employers should use the Home Office Employer Checking Service if an employee or worker cannot provide any of the accepted documents.
- It is essential that employers continue to carry out right to work checks as knowingly employing anyone who does not have the right to work in the UK remains a criminal offence.

### TUC calls for at least 4 extra bank holidays

The TUC has called the number of bank holidays in England and Wales "stingy compared to other nations". The TUC is calling for all UK workers to have 12 bank holidays. Currently in the UK, there are 8 bank holidays in England and Wales, 9 in Scotland and 10 in Northern Ireland. However, the Government does not appear to have any intention of creating any additional bank holidays.

#### Did you know?

Friday 3 June 2022 will be an additional bank holiday for the UK for the Platinum Jubilee and the late May bank holiday will be moved to Thursday 2 June 2022. Contractual wording will dictate a worker's right to take time off on those days.

### Job Retention Scheme due to end on 30 September 2021

Despite rising cases of Covid-19, the Government has not announced any plans to extend the Job Retention Scheme beyond the end of September 2021. During August and September 2021, employers are required to contribute 20% to furloughed employees' wages. Employees on furlough should receive 80% of their wages for hours not worked, capped at £2,500 per month.

#### Did you know?

Employers need to consider whether their furloughed employees can return to their roles when the Job Retention Scheme ends or whether to consider other options such as redundancy, restructuring the business or lay-off.

### 'Sassy minx' comment not sexual harassment

A recruitment firm's CEO has been found not to have committed sexual harassment by an Employment Tribunal, despite using the term 'sassy minx' to an associate in front of another worker. Although the phrase was used by workers at the company to suggest they were strong, independent and confident women, the CEO said he did not know what the phrase meant.

#### Did you know?

Even if comments are not directed at a worker, this does not prevent the worker from being able to bring a sexual harassment claim. Whether a comment or phrase is found to be unlawful will depend on the circumstances of the case.

Employers must ensure they prevent illegal working in their businesses by carrying out compliant right to work checks and maintaining accurate records. Contact our 24-hour Advisory Service for up-to-date guidance on this and more.

Please contact the 24 Hour Advice Service for advice on your specific situation before acting on the information in this publication.