

5 Steps you should be taking to reassure and protect your employees



What you need to know

There seems little doubt now that the UK will formally leave the EU on **31st January 2020**. However, this will only be the first step in the exit process, as following its departure, the UK will enter a transition period until 31st December 2020. One of the potential consequences of Brexit may be a reduction of the available EU workforce in the UK. With approximately **2.2 million EU workers** living in the UK at the moment, a significant number may not meet the current criteria for EU nationals applying to live and work in the UK on a permanent basis and it is also the case that any non-EU family members may also face work and residence difficulties. Whatever changes are implemented, it will also be the case that EU nationals previously considering coming to work in the UK may face difficulties with post-Brexit immigration restrictions.

With all of this in mind, companies should consider putting measures in place to ensure that all necessary right to work checks for all employees, whatever their nationality, have been completed. Doing this will provide a strong starting point for reassessing Right to Work requirements should circumstances change. Employees from EU countries may also be wondering what they can do to clarify their rights to stay and work in the UK post-Brexit and may approach employers for this clarification. The answer to this will of course depend on individual circumstances, such as length of residence in the UK, relationship status and education history, so it is imperative that employees and companies have access to the right information and support where necessary.

Employment law is also an area that will inevitably be affected, with companies of all sizes across various industry sectors eager to protect themselves from any potential risks. As the negotiation and withdrawal process is expected to be lengthy and complicated, companies need to feel confident that their recruitment and screening processes are robust enough to stand up to the face of changing compliance and the potential pitfalls this may bring.

The steps UK companies should be taking to reassure and protect their employees



1. **Companies should carry out a full review of their workforce as a matter of urgency. This should also extend to the family members of EU nationals**
2. **Offer practical support and resources to employees so that they have access to up to date information – for example, hosting workshops where immigration experts are on hand to offer advice.**
3. **Right to work checks should be carried out on every employee by October 2020, before the end of the transition period in December 2020. Employees should also be encouraged to take advantage of the EU Settlement Scheme as soon as possible.**
4. **Take an active role in helping employees to consider their status and assist them to apply for the most appropriate documentation.**
5. **Review and take steps to protect your talent pipeline. If you have important staff or potential candidates based outside of the UK, you need to take urgent steps to bring them to the UK by December 2020 so that they can make use of the EU Settlement Scheme**

Being able to speak to someone and receive information about the immigration status and rights of their EU employees and the effects of Brexit on their business will provide companies with the confidence they need to concentrate on their core functions and to gain reassurance that as the UK recruitment pool and regulations change post-Brexit, they continue to remain compliant.

NSL Checking, part of the Marston (Holdings) group of companies, have been providing invaluable employment advice and support for organisations in the public and private sector since 2012. We are passionate about helping organisations protect themselves against the risk of civil penalties and litigation. If you would like to speak to one of our experts about Brexit and how it may affect your business, please get in touch and we will be more than happy to help.