



Home Office

# Temporary Work caseworker guidance

Version 23.0

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# About this guidance

This guidance tells caseworkers how to consider applications to enter or remain in the UK on the Temporary Work routes of the Immigration Rules, previously called T5 (Temporary Worker). It also tells caseworkers how to consider applications for settlement from those on the Temporary Work - International Agreement route who work as private servants in diplomatic households and who were last granted entry clearance before 6 April 2012. This is the only category of Temporary Work migrants are eligible for settlement.

“You” in this guidance means a caseworker.

The Temporary Work routes to which this guidance relates are:

- Creative Worker
- Charity Worker
- Religious Worker
- Government Authorised Exchange
- International Agreement
- Seasonal Worker

Separate guidance is available in relation to the Youth Mobility Scheme.

This guidance is designed to be used alongside the specific Temporary Work Appendices of the Immigration Rules. The rules explain the requirements an applicant must meet, and this guidance provides additional information on how to consider their application.

You may also need to refer to the following sections of the rules, where relevant:

- [Part 9: Grounds for Refusal](#)
- [Part 10: Police Registration](#)
- [Appendix ATAS](#)
- [Appendix English Language](#)
- [Appendix KOL UK](#)
- [Appendix Finance](#)

Paragraph references in this guidance refer to paragraphs in the Immigration Rules unless otherwise stated.

## Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email the Migration Policy Unit.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

## Publication

Below is information on when this version of the guidance was published:

- version **23.0**
- published for Home Office staff on **11 October 2021**

## Changes from last version of this guidance

This guidance has been updated to reflect the following changes in the Immigration Rules:

- the creation of the Temporary Work – Creative Worker route for creative workers who would previously have applied on the T5 (Temporary Worker) Creative or Sporting route, meaning that creative workers and sportspersons will no longer use the same immigration route (sporting workers who would previously have applied on the T5 (Temporary Worker) Creative or Sporting route should now use the International Sportsperson route)
- the introduction of a minimum age requirement of 18 on the Temporary Work – Charity Worker, Religious Worker and International Agreement routes
- amendments made to the Temporary Work – International Agreement route to clarify the implementation of commitments taken as part of the United Kingdom-European Union Trade and Cooperation Agreement (TCA) and the provisionally applied CARIFORUM-UK Economic Partnership Agreement (CARIFORUM). The changes make it clear that contract service suppliers (CSS) and independent professionals (IP) providing services covered by the UK-EU TCA or CSS providing services covered by CARIFORUM qualify for the route regardless of which EU or CARIFORUM state their business is based in

All Temporary Work routes have been rebranded, as shown in the table below.

Previous route name	New route name
T5 (Temporary Worker) Creative or Sporting Worker	Temporary Work - Creative Worker
T5 (Temporary Worker) Charity Worker	Temporary Work - Charity Worker
T5 (Temporary Worker) Religious Worker	Temporary Work - Religious Worker
T5 (Temporary Worker) Government Authorised Exchange Worker	Temporary Work - Government Authorised Exchange
T5 (Temporary Worker) International Agreement Worker	Temporary Work - International Agreement
T5 (Temporary Worker) Seasonal Worker	Temporary Work – Seasonal Worker

This guidance has also been updated to remove information relating to applications made before 31 December 2020, as this is no longer needed.

**Related content**

[Contents](#)

# Overview

This page provides an introduction to the Temporary Work routes.

The Temporary Work routes are:

- Creative Worker
- Charity Worker
- Religious Worker
- Government Authorised Exchange
- International Agreement
- Seasonal Worker

## Requirements

The requirements applicants must meet are split into 3 parts:

- **validity requirements** - these outline the minimum criteria that must be met for the application to be fully considered - they ensure, for example, the correct form has been used and the applicant has supplied their identity documents - applications which do not meet these requirements are invalid and may be rejected
- **suitability requirements** – these check the suitability of the applicant to be granted any form of permission, not specifically whether they qualify in the job role - applicants must not fall for refusal on general grounds or be in breach of immigration laws - applications which do not meet these requirements should be refused
- **eligibility requirements** - these are the main criteria specific to the route they are applying under - applications which do not meet these requirements should be refused

## Representatives

If an applicant has a UK based representative, you must check that the representative is approved to provide immigration advice with either:

- [the Office of the Immigration Services Commissioner](#) (OISC)
- one of the following designated authorities:
  - the [Law Society](#)
  - the [Law Society of Scotland](#)
  - the [Law Society of Northern Ireland](#)
  - the [General Council of the Bar](#)
  - the [Chartered Institute of Legal Executives](#)
  - the [Faculty of Advocates](#)
  - the [General Council of the Bar of Northern Ireland](#)

If the representative does not have the necessary permission to provide immigration advice, you must direct all communications to the applicant instead.



## Requesting more information

Applicants and their sponsors should provide all the necessary evidence and information with the application and certificate of sponsorship. If, however, there is a clear error or omission with the supporting evidence provided, it may be appropriate for you to discuss the application with a manager to consider contacting the applicant to invite them to provide additional evidence or information. Where possible, you should try to identify all areas where further information is required, so it can be requested at the same time.

## Taking a fair and proportionate approach to assessment of evidence

You must review the information on the application form and other available evidence before deciding whether you are satisfied on the balance of probabilities (it is more likely than not) a requirement is met.

If the evidence with the application is meant to show the requirement is met and you are not satisfied the evidence is genuine, you should consider the guidance on false representations.

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The information in this section has been removed as it is restricted for internal Home Office use.

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### Official – sensitive: end of section

## Format of evidence

The Immigration Rules no longer set out specific format requirements for most documents. This doesn't mean format is irrelevant – it will help you assess if a piece of evidence is genuine and if it provides the information needed for you to be satisfied a requirement is met. You must not refuse an application because the evidence is not in a particular format but may request alternative or additional evidence if you are not satisfied what the applicant (or their sponsor) has provided shows the requirements of the rules are met.

If evidence, such as a bank letter, does not include the information you would normally expect, you should consider whether to take further action to verify it.

## Where evidence is missing or inadequate

The applicant will be told what evidence to provide as part of the application process. However, sometimes evidence is missing or inadequate to enable you to assess whether the requirement is met.

You should consider seeking further information or making verification checks when, for example:

- evidence is missing (for example a missing page from a series) you believe the applicant has, or could obtain
- evidence is inadequate but could be clarified, for example, if a letter from an official financial sponsor does not include all the information you would expect

You should check any discrepancies about information on the certificate of sponsorship with the sponsor.

You may decide to ask for further information from the applicant, sponsor, or issuing institution (for example, the bank which issued the applicant's financial documents) or make verification checks in other cases if you think it would help assess whether the requirements are met. If you are not sure whether this would help, you should discuss this with your manager.

When contacting the applicant or sponsor, they should be given 10 UK working days in which to provide a response.

You do not need to contact the applicant or sponsor if evidence is missing or inadequate, but:

- you do not need the information because you can find it elsewhere, for example, from the certificate of sponsorship
- receiving it would make no difference to the decision (for example because you would still refuse the application for other reasons)

If the evidence supplied is inadequate, you do not have to offer the applicant an opportunity to provide different evidence. For example, if the applicant provides bank statements and they do not show the required level of funds or the evidence is not sufficient, you do not need to check whether the applicant has another bank account which might meet the requirement.

## Failure to supply requested information

If you request additional information from the applicant or their sponsor, you should ask them to provide it, or an explanation why they are unable to, within 10 working days of the date you send the request letter.

If you do not receive the requested information in this timeframe, you must assess whether any excuse provided is reasonable and if so, you should give the applicant

more time to respond. If the applicant does not provide a reason or the reasons given are not satisfactory you may refuse the application.

## Verification checks

You must conduct verification checks if they have any doubts about whether the supporting documents an applicant has submitted are genuine. If the application falls for refusal on other grounds, you do need to carry out verification checks, but you must explain in your decision that you reserve the right to carry out checks in any reconsideration.

## Translating documents

If the documents provided are not in English or Welsh, the applicant must provide a certified translation.

### **Related content**

[Contents](#)

# Validity for entry clearance and permission to stay applications

This page tells you where to find the validity requirements an applicant must meet when they apply for entry clearance or permission to stay on a Temporary Work route.

Before considering suitability and eligibility, you must check the application is valid.

If you are not satisfied the application meets all the validity requirements, you should consider whether to [request more information](#), reject the application or proceed to consider.

## Irish citizens

Most Irish citizens do not need permission to live and work in the UK and therefore are not eligible to apply for permission under the Immigration Rules. You must reject any application for a visa from an Irish citizen as invalid, when made at or after 11pm on 31 December 2020, except where they are subject to:

- a deportation order made under section 5(1) of the Immigration Act 1971
- an exclusion decision, or an exclusion order made under regulation 23(5) of the Immigration (European Economic Area) Regulations 2016
- a travel ban implemented under section 8B of the Immigration Act 1971

If an Irish citizen falls within one of the above categories, you should consider their application in line with the rules in the same way as any other applicant.

If further information is required, please contact the CTA Policy Team.

## The application

An application for entry clearance or permission to stay on a Temporary Work route must meet all the following requirements:

- any fee and Immigration Health Charge must have been paid (with the exception of the Seasonal Worker route, which does not require payment of the Immigration Health Charge)
- the applicant must have provided any required biometrics
- the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality
- the applicant must have a certificate of sponsorship that was issued to them no more than 3 months before the date of application

## Application fees and Immigration Health Charge

You must be satisfied that the applicant has paid the relevant application fees and any Immigration Health Charge (sometimes called the Immigration Health Surcharge or IHS). If these haven't been paid, you should write to the applicant and request these. See further guidance on the Immigration Health Charge.

Those applying from countries which are signed up to the Council of Europe Social Charter, are entitled to reduced fees. There are further details regarding the signatories to the [CESC](#).

## Biometrics and identity documents

You must be satisfied, where the applicant has provided their biometrics, these are verified against a valid passport or other travel document they have supplied.

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### Official – sensitive: end of section

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## Certificate of sponsorship

The applicant must have a certificate of sponsorship. This is a virtual document (similar to a database record) which is assigned by the sponsor. Sponsors use a secure IT system called the [sponsorship management system](#) (SMS) to assign a certificate of sponsorship.

The reference number for the certificate should be provided in the application. If the applicant has not supplied the reference number, they must provide an explanation. If you are not satisfied the sponsor has assigned a certificate to the applicant, you may reject the application. If the reason the sponsor has not yet assigned a certificate is because of delays by UKVI (for example, a delay in processing a sponsor licence application or a request for certificates of sponsorship), you may exceptionally place the case on hold pending the outcome.

You must check the certificate of sponsorship was assigned to the applicant no more than 3 months before the date of application. If it was assigned too early, the application may be rejected.

For information on how to check the certificate information, refer to [The certificate of sponsorship checking system](#). (Note the certificate of sponsorship will also need to be viewed when assessing the Eligibility requirements.)

## Government or international scholarship agency awards - Government Authorised Exchange route only

Where an applicant on the Government Authorised Exchange route has received an award covering fees and living costs from a Government or international scholarship agency in the 12 months before the date of application, the government or agency must provide written consent to the application. The letter of consent must be on the official letter-headed paper or stationery of the organisation or organisations, bearing the official stamp of that organisation and issued by an authorised official of that organisation. The documents must confirm the organisation gives the applicant consent to remain in or re-enter the UK.

## Switching into Temporary Work routes

Applicants cannot normally switch into Temporary Work routes. The only exceptions are:

- Standard Visitors (such as visitors who are not coming to the UK to enter into a marriage or civil partnership, or to transit the UK on route to another country outside the Common Travel Area) who have entered the UK and have been undertaking permitted activities in the creative sector
- Permitted Paid Engagement (PPE) Visitors, specifically a professional artist, entertainer, or musician, who has entered the UK to carry out activities directly related to their creative profession, where they have been invited by a creative organisation, agent or broadcaster based in the UK
- those who hold, or were last granted, permission as a Student (either on the Tier 4 (General) route or on the Student route) can apply to switch into the Temporary Work - Government Authorised Exchange route, provided that:
  - the applicant is, or was last, sponsored by either: a higher education provider with a track record of compliance; or an overseas higher education institution, to do a short-term study abroad programme in the UK
  - the applicant has completed a UK recognised bachelor's or postgraduate degree during their last grant of permission
  - the applicant is currently sponsored for either: a period of postgraduate professional training or work experience which is required to gain a professional qualification or registration in the same field as their degree; or an internship for up to 12 months which is directly related to their degree
  - the applicant is not filling a permanent vacancy
  - the sponsor must not intend to employ the applicant in the UK once the training or work experience is completed

To be eligible to switch, Standard Visitors and PPE Visitors must:

- be applying to switch into the Temporary Work - Creative Worker route
- hold a valid certificate of sponsorship (CoS) that was assigned before they came to the UK

Applicants cannot switch between the different Temporary Work routes; however, they can apply for extensions on the same Temporary Work route if they have not exceeded the maximum grant of permission allowed on that route.

**Related content**

[Contents](#)

# Suitability for entry clearance and permission to stay applications

This page tells you about the suitability requirements that an applicant must meet when they apply for entry clearance or permission to stay on a Temporary Work route.

If you are not satisfied that the application meets all the suitability requirements, you must refuse the application.

You must check:

- that the applicant does not fall for refusal under [Part 9: grounds for refusal](#) of the Immigration Rules
- that where the applicant is applying for permission to stay, the applicant is not:
  - in breach of immigration laws, except where [paragraph 39E](#) applies, that period of overstaying will be disregarded
  - on immigration bail

## Overstaying

You must check the applicant is not in breach of immigration laws, except where permitted by the Immigration Rules in respect of periods of overstaying. Full guidance on overstaying is available.

## Immigration bail

Any applicant who is in the UK on immigration bail is not suitable for the Temporary Work routes. These individuals do not hold permission to be in the UK.

### Related content

[Contents](#)



# Eligibility for entry clearance and permission to stay applications

This page tells you about the eligibility requirements that an applicant must meet to be granted either entry clearance or permission to stay on the Temporary Work routes. If you are not satisfied that the application meets all the eligibility requirements, you must refuse the application.

## Requirements for a grant of permission

The eligibility requirements can be found in the rules as set out below:

- entry requirement
- Tuberculosis certificate requirement (note that this does not apply to Seasonal Workers)
- sponsorship requirement
- genuineness requirement (note that this does not apply to Seasonal Workers)
- route-specific requirements, where applicable (such as the cooling-off period for Religious Workers and Charity Workers)
- financial requirement

Applications which do not meet these requirements must be refused.

## Tuberculosis certificate

Where the application is for entry clearance on a Temporary Work route, you must check that the applicant has provided a valid tuberculosis (TB) certificate with their application if they have been residing within a country listed in [Appendix T](#) of the Immigration Rules for the six months immediately preceding the application.

If the applicant has not supplied a valid TB test certificate when they are required to do so, the application should be refused.

This requirement does not apply to Seasonal Workers.

There is further information regarding which applicants are required to [obtain a TB certificate](#) before applying and the valid test centres.

## Sponsorship requirement

This page tells you about the requirements a migrant must meet to be issued a valid certificate of sponsorship (CoS) by a sponsor on a Temporary Work route.

This page tells you how to assess the CoS requirement, how to check that a CoS is valid using the CoS checking system and how to record it as used on the system.

## Checking the validity of the CoS

A valid CoS must:

- have been issued by a licensed sponsor who must be 'A-rated', unless it is an extension application to continue working for the same employer as in their last grant of permission (note – Seasonal Workers cannot extend, so this exemption is inapplicable to them)
- have a reference number which links to a CoS checking service entry that names the applicant as the migrant
- confirm the sponsor is sponsoring the migrant on the Temporary Work route they have applied for
- confirm the relevant information under the 'Sponsorship requirement' section as required by the route-specific Appendix in the Immigration Rules
- show the same details as in the applicant's passport
- have been assigned no more than 3 months before the date of the application
- have a start date no more than 3 months after the date of the application
- not have been used for a previous application, if that application was approved or refused (but not rejected or withdrawn)
- not have been withdrawn by the sponsor or cancelled by the Home Office since it was assigned

## Certificate of sponsorship checking system

When you check the CoS, you must:

- find it on the CoS checking system
- check the case type given on CID matches the type of CoS issued - you can find this on the top of the CoS
- record it as 'used' in all approval and refusal cases
- not mark it as 'used' if you are rejecting, withdrawing, or voiding the application, because the decision has not been made and they could use it again

## Check the current status of the CoS

If the status of CoS on the checking system is:

- assigned, you may continue to assess the application
- suspended, you must:
  - not decide the case
  - keep it on hold
- withdrawn, you must refuse the application if the sponsor does not issue another CoS because it is no longer valid
- used, you must refuse the application if the sponsor does not issue another CoS because it is no longer valid

Status of CoS on the checking system	What you must do
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Status of CoS on the checking system	What you must do
Assigned	Continue to assess the application.
Suspended	<ul style="list-style-type: none"> <li>not decide the case</li> <li>keep it on hold</li> <li>contact the sponsor licensing unit (SLU) to find out if they will be re-instating the sponsor or if it will be suspended indefinitely, and what information can be shared with the applicant</li> </ul> <ul style="list-style-type: none"> <li>If they do not issue a new CoS, you must refuse the application.</li> </ul>
Withdrawn	Refuse the application if the sponsor does not issue another CoS because it is no longer valid.
Used	<ul style="list-style-type: none"> <li>check to see if a new CoS has been issued</li> <li>if not, you must refuse the application because there is no valid CoS</li> </ul>

## Licensed sponsor

The sponsor must hold a valid Temporary Work sponsor licence in the route the applicant is applying for. The sponsor must also be A-rated, unless the applicant is applying for an extension to continue working for the same sponsor. See the [sponsorship guidance](#) for more details.

You must confirm these requirements are met by accessing the [Certificate of Sponsorship Checking System](#). You can contact the Sponsor Licensing Unit (SLU) to find out more information about the status of a sponsor's licence if needed.

If the applicant's sponsor loses its licence while the application is under consideration, you have a duty to inform the applicant promptly.

You must only inform the applicant their sponsor no longer has a licence, not the reasons why. The only exception is if the licence was revoked for reasons directly linked to this particular application, and those reasons therefore have particular relevance to the refusal – for example, you are refusing on genuine vacancy grounds (see below) as well as the fact the sponsor is no longer licensed.

## Temporary Work: searching the certificate of sponsorship checking system

You can access the CoS checking system using your user name and password. To access the search function, click 'CoS check.' The CoS checker times out every 30 minutes, so you may need to log in again after this time.

You can search the system for the CoS using the either:

- CoS number
- applicant details
- sponsor details

The more information you provide, the narrower the search will be.

### Searching using applicant's details

If you select this option, you can search by:

- passport or travel document number
- family name
- given name
- nationality
- date of birth
- gender

### Searching using sponsor details

If you select this option, you can search by:

- sponsor licence number
- sponsor name
- sponsor's address
- sponsor's postcode

### Genuineness requirement

When applying for entry clearance or permission, you must be satisfied that the applicant:

- genuinely intends to undertake the role described on the certificate of sponsorship (CoS)
- is capable of undertaking the role described on the CoS
- does not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted within the conditions of grant

To assess this, you may request:

- additional information and evidence, and refuse the application if the information or evidence is not provided (you must receive any documents requested at the address given in the request within 10 working days of the date the request is made)
- the applicant attends an interview, and refuse the application if they fail to comply with such request without giving a reasonable explanation

To make the above assessment, you may take into account the applicant's:

- knowledge of the role
- relevant experience of the skills needed to do the role
- knowledge of the sponsor in the UK
- explanation of how they were recruited
- any other relevant information

You will not usually need to undertake further checks to establish that these requirements are met. You should ask them to do so only after you have assessed whether the application should be refused with the information already available and when:

- you have concerns individual sponsors are assigning unusually large numbers of CoS for the same type of role
- there are reasonable grounds to suspect the applicant will not be working in the role described on the CoS
- the job description on the CoS is unusual for the route the applicant is applying under
- intelligence suggests applicants are linked to:
  - extremism
  - terrorism
  - modern slavery
  - other illegal activity

The genuineness test does not apply to applicants under the Seasonal Worker route.

### **Related content**

[Contents](#)

# Financial requirement

This page explains how to assess the financial requirement (previously known as maintenance). You should refer to [Appendix Finance](#).

An applicant will automatically meet the financial requirement listed when they are applying for permission to stay in the UK, having been in the UK for at least 12 months with permission on the date of application (which means that Seasonal Workers and Charity Workers will automatically be unable meet the requirement in this way).

However, if the above does not apply the applicant must meet either of the below requirements:

- the applicant must have funds of at least £1,270, that they have held for a period of 28 days as specified in [Appendix Finance](#)
- the applicant's A rated sponsor must confirm on the certificate of sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment for an amount of at least £1,270

You must refuse the applicant if they cannot fulfil the financial requirements, even if they meet all other requirements of the Immigration Rules.

If the applicant's sponsor has certified maintenance on the CoS, no further evidence is required.

## Related content

[Contents](#)

# Route-specific requirements

## Creative Workers

The requirements for this route are listed in Appendix Temporary Work - Creative Worker of the Immigration Rules. This route is for applicants who are entering the UK to work in the creative sector.

## Creative Worker visa concession

Applicants must get entry clearance before they come to the UK unless they are a non-visa national seeking entry for a period of 3 months or less under the Creative Worker visa concession. Applicants must meet all the eligibility criteria set out in CRV 3.2. including having a previously arranged Certificate of Sponsorship (CoS) from an approved sponsor, which is then activated at the border.

## Certificates of Sponsorship

When a sponsor issues a CoS, they confirm certain points, including:

- that the applicant is seeking entry or permission to stay in the UK to work or perform in the creative sector
- either:
  - the applicant will comply with their relevant Code of Practice under Appendix Creative Worker Codes of Practice, where one exists for their occupation
  - the role appeared in the shortage occupation list in Appendix Shortage Occupation Lists
  - before assigning the CoS, the sponsor took into account the needs of the resident labour market in that field and was satisfied that the work could not be carried out by a settled worker

To issue a CoS for migrants to perform or work in dance, theatre, opera, film, television, or as a fashion model, sponsors must follow the requirements listed in Appendix Creative Worker Codes of Practice.

The sponsor must indicate on the CoS how they have considered the resident labour market by:

- ticking the relevant box on the CoS, and either:
  - providing details of how the resident labour market was considered
  - providing details of any other acceptable way as described in the creative codes of practice, such as stating the performer is internationally established

## Group certificates of sponsorship

Sponsors can issue a group CoS for a performer and their entourage. An entourage can include people whose work is directly related to the employment of an

entertainer, artist, dancer, musician or model or to a dramatic production. Members of an entourage must have proven technical or other specialist skills.

## Multiple engagements or performances: certificates of sponsorship

A Creative Worker may need to perform or work at a number of venues.

If they have a single sponsor, for example an agent, and there are no more than 14 calendar days between each engagement, the sponsor can issue a single CoS to cover the whole period.

If, however, they have multiple sponsors, for example individual venues, producers or promoters, each sponsor must issue a CoS to cover their own show (see CRV 4.4.).

Regardless of whether the worker has a single sponsor or multiple sponsors, there must not be more than 14 calendar days between each engagement in the UK. However, any time spent outside the UK by the worker will not count towards this 14-day period, including the dates of their departure from and return to the UK (see CRV 4.3. in relation to workers with single sponsors and the definition of 'consecutive engagements' in relation to workers with multiple sponsors).

## Charity Workers

The requirements for this route are listed in Appendix Temporary Work - Charity Worker of the Immigration Rules. This route is for those wanting to undertake unpaid voluntary fieldwork which contributes directly to the achievement or advancement of the sponsor's charitable purpose in the UK, for a maximum period of 12 months.

'Voluntary fieldwork' is defined as activities which would not normally be offered at a waged or salaried rate, and which contribute directly to the achievement or advancement of the sponsor's charitable purpose. It does not include work in support of the sponsor's charitable purpose including, for example, routine back office administrative roles, retail or other sales roles, fund-raising roles and roles involved in the maintenance of the sponsor's offices and other assets.

This route cannot be used to temporarily fill a position which is required on a permanent basis.

Applicants on the Charity Worker route must be aged 18 or over on the date of application.

When a sponsor issues a CoS, they confirm certain points, including that the applicant:

- will be undertaking voluntary fieldwork which contributes directly to the achievement or advancement of the sponsor's charitable purpose



- will not receive any form of payment or remuneration, including benefits in kind except reasonable expenses outlined in [section 44](#) of the National Minimum Wage Act
- will not be filling a permanent position, including on a temporary basis

There is a 'cooling off period' which requires an applicant who is applying for entry clearance on this route to have not had permission as either a Religious Worker or a Charity Worker at any time during the 12 months immediately before the date of application, unless they can show that they were not in the UK at any time during those 12 months (CW 3.3.).

## Religious Workers

The requirements for this route are listed in Appendix Temporary Work - Religious Worker in the Immigration Rules. This route is for applicants coming to work temporarily in the UK for a maximum of 24 months as:

- religious workers undertaking supporting activities, without leading a congregation in performing rites, rituals and preaching the essentials of the creed (such applicants should instead apply on the T2 Minister of Religion route)
- visiting religious workers who:
  - are employed overseas doing the same work as they are seeking to come to do in the UK (although the exact detail of their duties in the UK may differ)
  - have ongoing employment, and the time spent in the UK is consistent with their employment
- members of religious orders, for example monastic communities of monks, nuns, or similar religious communities

Applicants on the Religious Worker route must be aged 18 or over on the date of application.

When a sponsor issues a CoS, they confirm certain points, including:

- that the role involves performing religious duties within, or directed by the sponsor's organisation, to support the activities of the religious institution
- that the religious duties do not include work which falls under a role of a Minister of Religion (which means the applicant must not have core duties of leading a congregation in performing the rites and rituals of the faith and in preaching the essentials of the creed)
- whether the applicant is a member of the sponsor's order, if the sponsor is a religious order
- that the applicant will receive pay and conditions at least equal to those given to settled workers in the same role; and
- that the pay complies with or is exempt from the National Minimum Wage; and
- that the sponsor has met the resident labour consideration requirements, namely that either:
  - the role the migrant will be doing is supernumerary and they will not be filling a vacant position that could otherwise be filled by a settled worker

- the role the migrant will be doing involves living mainly within and being a member of a religious order, which is a lineage of communities or of people who live in some way set apart from society in line with their specific religious devotion, for example, an order of nuns or monks
- the sponsor holds national records of all available individuals, details of those records and confirms that the records show that no suitable settled worker is available to fill the role
- a national recruitment search was undertaken, providing the details outlined at RW 4.2.(d)

There is a 'cooling off period' which requires an applicant for entry clearance on this route to have not had permission as either a Religious Worker or a Charity Worker at any time during the 12 months immediately before the date of application, unless they can show that they were not in the UK at any time during those 12 months (RW 3.3.).

## Government Authorised Exchange (GAE)

The requirements for this route are listed in Appendix Temporary Work - Government Authorised Exchange of the Immigration Rules. This route is for applicants coming to the UK for up to 24 months for approved exchange schemes that aim to share knowledge, experience, and best practice.

This route cannot be used to fill job vacancies or bring unskilled labour to the UK.

### GAE sponsor

Individual employers and organisations are not allowed to sponsor migrants on this route, even if they are licensed as sponsors under other categories of Temporary Work.

A Temporary Work - GAE sponsor must be an overarching body that manages the exchange scheme and has the support of a UK government department.

When a sponsor issues a CoS, they confirm certain points, including:

- that the role meets the requirements of the individual exchange scheme as set out in Appendix GAE schemes
- that the role will not fill a vacancy in the UK workforce
- that the role appears in Table 1 or Table 2 of Appendix Skilled Occupations
- whether the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies

### ATAS Requirement

For applications on the GAE route made from 21 May 2021, applicants must provide a valid ATAS certificate if all of the following apply:

- they are being sponsored on the Government Authorised Exchange route by a sponsor which is also a [licensed Student sponsor](#) (these will mainly be universities); and
- they are **not** one of the exempt nationals listed in paragraph ATAS 3.1; and
- their job is in one of the occupation codes listed in paragraph ATAS 1.2(a); and
- the job includes an element of PhD-level research in a relevant subject (and these subjects are listed in paragraph ATAS 4.1).

The details are set out in [Appendix ATAS](#). Sponsors should confirm on the applicant's CoS whether the ATAS requirement applies. If the first three bullet points above apply, but the sponsor has not provided a note to say whether the ATAS requirement applies and the applicant has not provided an ATAS certificate, you should contact the sponsor to confirm whether the requirement applies. If the sponsor fails to provide the necessary confirmation, you should consider refusing the application (paragraph GAE 5.4.(d)).

If the sponsor confirms the ATAS requirement applies, and the applicant has not provided an ATAS certificate, you should consider contacting the applicant (see [Requesting more information](#)). Processing an ATAS application takes at least 20 working days, and can take 30 or more working days between April and September. You should allow the standard 10 working days for the applicant to respond, but consider extending the deadline if the applicant confirms they have submitted their ATAS application and are waiting for a response.

If an applicant does not provide a copy of a valid ATAS certificate when required, you should consider refusing the application (paragraph GAE 3.2A).

## Seasonal Workers

The requirements for this route are listed in Appendix Temporary Work - Seasonal Worker of the Immigration Rules. This route is for migrants coming to the UK as seasonal workers in the edible horticulture sector through an approved scheme operator.

The 'edible horticulture sector' means those growing:

- protected vegetables – those grown in glasshouse systems
- field vegetables – those grown outdoors, including vegetables, herbs, leafy salads, and potatoes
- soft fruit – those grown outdoors or under cover (for example, in glasshouses or polytunnels), such as strawberries, raspberries, blackcurrants, blueberries and all ribes and rubus species
- top fruit (orchard fruit) – trees that bear fruit, such as apples, plums, cherries, and apricots
- vine and bines – both twining or climbing flexible stems of certain plants – for example, hops is a bine, and grapes is a vine
- mushrooms – typically covers *Agaricus bisporus* species but can also include more exotic species; typically grown indoors

'Seasonal work' means employment which fluctuates or is restricted according to the season or time of the year.

This pilot is subject to an annual quota of 30,000, set by the Home Office, and split between the scheme operators.

Applicants can come to the UK for a maximum period of 6 months' employment in the UK within any 12-month period under the scheme.

The applicant must be 18 or over on the date of application.

The applicant must have a Certificate of Sponsorship, which must:

- confirm the applicant's name, that they are being sponsored as a Seasonal Worker, details of the job and salary the sponsor is offering them
- include a start date, stated by the sponsor, which is no more than three months after the date of application
- not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn)
- not have been withdrawn by the sponsor or cancelled by the Home Office
- confirm the role meets all relevant legislation, such as the National Minimum Wage, the relevant Agricultural Wages Order rate where this applies, and the Working Time Regulations
- confirm the role is in the edible horticulture sector

## International Agreement

The requirements for this route are listed in Appendix Temporary Work - International Agreement of the Immigration Rules. This route is for employment or to provide a service covered under international law or under an international treaty, including:

- employees of overseas governments and international organisations
- private servants in diplomatic households
- as a contractual service supplier (CSS) or independent professional (IP) under sectoral commitments the UK has taken in the General Agreement on Trade in Services (GATS) or another trade agreement between the UK and another country and/or countries covering services

Applicants on the International Agreement route must be aged 18 or over on the date of application.

## ATAS requirement

For applications on the International Agreement route made from 21 May 2021, applicants must provide a valid ATAS certificate if all of the following apply:

- they are being sponsored on the International Agreement route by a sponsor which is also a [licensed Student sponsor](#) (these will mainly be universities); and
- they are **not** one of the exempt nationals listed in paragraph ATAS 3.1; and
- their job is in one of the occupation codes listed in paragraph ATAS 1.2(a); and
- the job includes an element of PhD-level research in a relevant subject (and these subjects are listed in paragraph ATAS 4.1)

The details are set out in [Appendix ATAS](#). Sponsors should confirm on the applicant's CoS whether the ATAS requirement applies. If the first 3 bullet points above apply, but the sponsor has not provided a note to say whether the ATAS requirement applies and the applicant has not provided an ATAS certificate, you should contact the sponsor to confirm whether the requirement applies. If the sponsor fails to provide the necessary confirmation, you should consider refusing the application (paragraph IA 4.1A).

If the sponsor confirms the ATAS requirement applies, and the applicant has not provided an ATAS certificate, you should consider contacting the applicant (see [Requesting more information](#)). Processing an ATAS application takes at least 20 working days, and can take 30 or more working days between April and September. You should allow the standard 10 working days for the applicant to respond, but consider extending the deadline if the applicant confirms they have submitted their ATAS application and are waiting for a response.

If an applicant does not provide a copy of a valid ATAS certificate when required, you should consider refusing the application (paragraph IA 5.1A).

## Issuing a CoS to a contractual service supplier or independent professional

When a sponsor issues a CoS to a CSS or IP, they guarantee that service falls within scope of the commitments in the relevant agreement under which they are supplying a service. Decision makers are required to check that the sector the service is being supplied in is included in the relevant agreement via the tables in [Annex IAW1](#) of the Sponsor an International Agreement Worker guidance. The applicant must be either:

- a contractual service supplier who is employed by a company based outside the UK that has a contract to supply services to their sponsor in the UK
- an independent professional who is established as self-employed outside the UK, with no commercial presence inside the UK and who has a contract to supply services to their sponsor in the UK

### Contractual service suppliers (CSS)

If the applicant is a contractual service supplier:

- the employer must be based outside the UK in a country or territory which is a signatory to the trade agreement under which they are supplying services and

have no existing commercial presence (for example, a branch or subsidiary) in the UK

- they must be one of the following:
  - a national of the country in which the overseas undertaking is established
  - where the application is covered by a commitment in the General Agreement on Trade in Services and the overseas undertaking is established in a country which has made a notification under with Article XXVIII(k)(ii)(2) of that agreement, a permanent resident of that country - (the countries that have made a notification under Article XXVIII(k)(ii)(2) of the General Agreement on Trade in Services (GATS) are Armenia, Australia, Canada, New Zealand, Switzerland)
  - where the application is covered by a commitment in the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services Mobility, a permanent resident of Switzerland
  - where the application is covered by a commitment in the United Kingdom-European Union Trade and Cooperation Agreement, a national of any Member State of the European Union or a person permanently residing in the Republic of Latvia who is not a citizen of the Republic of Latvia or any other state but who is entitled, under the law of the Republic of Latvia, to receive a non-citizen's passport
  - where the application is covered by a commitment in the CARIFORUM-United Kingdom Economic Partnership Agreement, a national of any CARIFORUM State that has provisionally applied or brought into force that agreement. they must submit evidence proving their nationality, permanent resident status or other status, as applicable - evidence could include a passport or birth certificate or an official permanent resident visa, permit or card
- the sponsor must be the final consumer of the services provided under the contract which must have been awarded through an open tendering procedure or other procedure that guarantees the bona fide character of the contract. The period of the contract awarded to the applicant's employer must not exceed 12 months
- they must have been an employee of the company for at least the 12 months immediately before the date of their application for entry clearance and provide evidence of this employment in the form of:
  - formal payslips from their employer and showing their employer's name; or
  - payslips accompanied by a letter from their employer, on the employer's headed paper and signed by a senior official, confirming the payslips are authentic
  - personal bank or building society statements or building society book which cover the 12 months (ending no more than 31 days before the date of application) which show transactions by the overseas undertaking covering the full specified period (but the statements must not be mini-statements obtained from an Automated Teller Machine)
- they must have a degree or equivalent level technical qualification unless any of the following apply:

- if supplying fashion model services, or entertainment services other than audio-visual services under the CARIFORUM-UK economic partnership agreement no qualifications are required
- if supplying chef de cuisine services an advanced technical qualification is required
- if supplying advertising and translation services the applicant must have any relevant qualifications
- if supplying management consulting services and services related to management consulting the applicant must have a university degree
- they must have specific professional qualifications or registrations to provide some services in the UK if this is required by relevant legislation, regulations or is a sector requirement
- they must have 3 years professional experience in the sector in which they are supplying services unless they are supplying chef de cuisine services under the CARIFORUM-UK Economic Partnership Agreement, in which case, they must have at least 6 years relevant experience at the level of chef de cuisine
- if they were granted entry clearance or permission under this route and are applying for permission to stay they must meet all of the above requirements unless the Certificate of Sponsorship has been issued by the same sponsor, and for the purpose of the same contract to provide services

## Independent professional (IP)

If the applicant is an independent professional:

- they must be established as self-employed in a country or territory which is a signatory to the trade agreement under which they are supplying services and have no commercial presence in the UK
- they must be one of the following:
  - a national of the country in which their self-employment is established
  - where the application is covered by a commitment in the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services Mobility, a permanent resident of Switzerland
  - where the application is covered by a commitment in the United Kingdom-European Union Trade and Cooperation Agreement, a national of any Member State of the European Union or a person permanently residing in the Republic of Latvia who is not a citizen of the Republic of Latvia or any other state but who is entitled, under the law of the Republic of Latvia, to receive a non-citizen's passport
- they must submit evidence proving their nationality, permanent resident status or other status, as applicable. Evidence could include a passport or birth certificate or an official permanent resident visa, permit or card
- the sponsor must be the final consumer of the services provided under the contract which must have been awarded through an open tendering procedure or other procedure that guarantees the bona fide character of the contract - the period of the contract awarded to the independent professional must not exceed 12 months



- they must have a university degree or technical qualification which proves they have knowledge of an equivalent level to a degree
- have specific professional qualifications or registrations to provide some services in the UK if required by relevant legislation, regulations or is a sector requirement
- they must have 6 years professional experience in the sector in which they are supplying services
- if they were granted entry clearance or permission under this route and are applying for permission to stay they must meet all of the above requirements unless the Certificate of Sponsorship has been issued by the same sponsor, and for the purpose of the same contract to provide services

## Employees of overseas governments and international organisations

When a sponsor issues a CoS to employees of overseas governments and international organisations, they confirm certain points, including that the applicant:

- is under a contract of employment with the overseas government or international organisation and wants to come to the UK to provide a service covered under international law
- will not take up any job for the sponsor, other than the one for which the certificate of sponsorship was issued

The CoS must confirm whether the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies.

## Private servants in diplomatic households

When a sponsor issues a CoS to private servants in diplomatic households, they confirm certain points, including that the applicant:

- will be employed by and as a private servant in the household of either:
  - a member of staff of a diplomatic or consular mission who has diplomatic privileges and immunity as defined by the Vienna Convention on Diplomatic Relations
  - an official employed by an international organisation with certain privileges and immunities under UK or international law
- intends to work full-time in domestic employment
- will not take up any other form of job for the sponsor other than as a private servant in the specified household
- is not related to the sponsor or the sponsor's spouse, either by blood or by marriage - this includes but is not limited to the spouse or unmarried partner, child, parent, grandparent, or sibling of either the sponsor or the sponsor's spouse
- will leave the UK when their permission to stay has expired



The CoS must confirm whether the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies.

Applicants must provide written evidence of the terms and conditions of their employment in the UK in the form set out in [Appendix Domestic Worker Statement](#) of the Immigration Rules. This must be signed by the applicant and their employer, who must be a diplomat, or an official employed by an international organisation. It must confirm that the applicant will be paid at least the national minimum wage. In addition, the employer must provide a declaration that the work the applicant will do will not be within the meaning of paragraph 57 of the National Minimum Wage Regulations 2015.

Applicants who spend a continuous period of 5 years on this route are eligible to apply for indefinite leave to remain (settlement).

Applicants may change employer, but if they do so, the alternative employment must be as a domestic worker in a private household and for whichever is the shorter period of: 6 months or the period left of their leave.

## Compliance with UK employment laws: National minimum wage (“NMW”)

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### Official – sensitive: start of section

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The information in this section has been removed as it is restricted for internal Home Office use.

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### Official – sensitive: end of section

Private servants in diplomatic households should be paid at least the [NMW](#).

Employers of private servants in diplomatic households must provide a statement confirming that the work carried out in the UK does not meet the terms of [paragraph 57 of the National Minimum Wage Regulations 2015](#). This section provides an exemption from the NMW for those living as part of the family.

All private servants in diplomatic households must hold a contract using the template provided in [Appendix Domestic Worker Statement](#). This contract was revised in April 2015 and must be completed in full for all applications for entry clearance and permission to stay.

You must check that the salary arrangements meet the requirements of the National Minimum Wage Regulations. These rates are amended, usually annually, so you must make sure that you are using the correct rates. There is a calculator at

[GOV.UK](#), that can be used to check whether salaries meet the relevant rates. You must make sure that salaries quoted in monthly (or other) time periods are prorated to a weekly sum. The calculation for this would be to take a monthly sum, multiply it by 12, and divide by 52.

Please note that the only amount that may be offset against the NMW is an accommodation offset. The amount is specified in related link [GOV.UK - National minimum wage: accommodation](#). Allowances for items such as food, travel, phone calls, and so on, cannot be offset against the NMW entitlement.

Where you are not satisfied that the NMW entitlement is met, the application should be refused.

## Period of stay

The maximum period of entry clearance that can be granted on this route is 24 months at a time.

However, private servants in diplomatic households may apply to extend their stay for 24 months at a time up to a total of 5 years.

A CSS or IP can be granted up to a maximum length of stay of 6 months in any 12-month period, unless they are:

- providing services under the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services Mobility, in which case they can be granted up to a maximum length of stay of 12 months in any 24-month period
- providing services under the UK-EU Trade and Co-Operation Agreement, in which case they can be granted up to a maximum of 12 months

## Related content

[Contents](#)

# Temporary Work: dependants

A dependent partner and dependent children can apply on this route. Please see the dependants guidance.

The following dependants are allowed to come to the UK to join a person granted entry clearance or permission to stay on the Temporary Work routes, provided they meet the requirements of the rules:

- dependent partner
- dependent children

## **Related content**

[Contents](#)

# Age and parental consent requirement

This page tells you how to consider the age and parental consent requirements for each route.

Where the route permits applicants to be under 18 years of age on the date of application, the following requirements must be met:

- the application must be supported by the applicant's parents or legal guardian, or by just one parent if that parent has sole legal responsibility for the child
- the applicant's parents or legal guardian, or just one parent if that parent has sole responsibility for the child, must confirm that they consent to the arrangements for the applicant's travel to and reception arrangements in the UK (for entry clearance applications) and to the applicant's living and care arrangements in the UK (for all applications)

Temporary Work route	Age requirement
Creative Worker	No minimum age
Charity Worker	The applicant must be no less than 18 years of age on the date of application
Religious Worker	The applicant must be no less than 18 years of age on the date of application
Government Authorised Exchange	No minimum age
International Agreement	The applicant must be no less than 18 years of age on the date of application
Seasonal Worker	The applicant must be no less than 18 years of age on the date of application

## Related content

[Contents](#)

# Grant or refuse

This section tells you how to grant or refuse an application.

The actions you must take will differ dependant on the type of application under consideration:

- [entry clearance](#)
- [entry at UK port](#)
- [leave to remain](#)

## Dates of permission granted

You should grant entry clearance with effect from either the date of decision or a date requested by the applicant, whichever is later.

Permission to stay should be granted with effect from the date of decision.

In both circumstances, the end date of permission must be 14 days after the end date stated on the applicant's certificate of sponsorship.

If the end date on the certificate passed 14 or more days before you make the decision, you cannot grant permission.

For applications for permission to stay, you may exceptionally grant 14 days permission to stay to allow the applicant to make a further application or leave the UK without becoming an overstayer. You should only do this because of delays outside the applicant's control, such as:

- Home Office process delays
- suspension then reinstatement of their sponsor's licence

### Related content

[Contents](#)

# Grant or refuse entry clearance

This page tells you how to grant or refuse an application for entry clearance on the Temporary Work routes.

## Grant entry clearance

You must grant entry clearance if the applicant meets all the requirements listed in the relevant Appendix.

## Length of grant

Entry clearance must be valid from the date the applicant intends to travel to the UK.

You may grant entry clearance up to the maximum period allowed for entry on the route, as set out in the table below.

Temporary Work route	Period of grant: applications for entry clearance	Period of grant: applications for permission to stay	Maximum time permitted on route
Government Authorised Exchange	<ul style="list-style-type: none"><li>• 24 months if coming for research, an overseas language programme, or a training programme</li><li>• up to 12 months if coming for work experience</li><li>• the expiry date given in your certificate of sponsorship plus up to 14 days before and after the period of permission granted</li></ul> <p>whichever is shorter</p>	If you were initially granted less than the maximum initial grant period permitted, up to the balance of the period allowed	<p>24 months if coming for research, an overseas language programme, or a training programme</p> <p>Up to 12 months if coming for work experience</p>

Seasonal worker	<ul style="list-style-type: none"> <li>• a maximum period of 6 months stay in the UK in any 12-month period</li> <li>• the expiry date given in your certificate of sponsorship plus up to 14 days before and after the period of permission granted</li> </ul> <p>whichever is shorter</p>	No extension permitted under the Immigration Rules	6 months in any 12-month period
Charity Worker	<ul style="list-style-type: none"> <li>• 12 months</li> <li>• the expiry date given in your certificate of sponsorship plus up to 14 days before and after the period of permission granted</li> </ul> <p>whichever is shorter</p>	If you were initially granted less than the maximum initial grant period permitted, the balance of the period allowed	12 months, please note there is a 12-month cooling off period for this route, as per CW 3.3.
Creative Worker	<ul style="list-style-type: none"> <li>• 12 months</li> <li>• the expiry date given in your certificate of sponsorship plus up to 14 days before and after the period of permission granted</li> </ul> <p>whichever is shorter.</p>	If you were initially granted less than the maximum initial grant period permitted, up to the balance of the period allowed	12 months if changing employer or 24 months for the same employer as your last grant of permission
Creative Worker concession	A maximum of 3 months	No extension	3 months
Religious	<ul style="list-style-type: none"> <li>• 24 months</li> </ul>	If you were	24 months, please note

worker	<ul style="list-style-type: none"> <li>the expiry date given in your certificate of sponsorship plus up to 14 days before and after the period of permission granted</li> </ul> <p>whichever is shorter.</p>	initially granted less than the maximum initial grant period permitted, the balance of the period allowed.	there is a 12-month cooling off period for this route, as per RW 3.3.
International Agreement	<p>For private servants in a diplomatic household or employees of an overseas government or organisation:</p> <ul style="list-style-type: none"> <li>24 months</li> <li>the expiry date given in your certificate of sponsorship plus up to 14 days before and after the period of permission granted</li> </ul> <p>whichever is shorter.</p> <p>For contractual service suppliers or independent professionals the applicant will be granted either the period of the role on the Certificate of Sponsorship plus 14 days before and 14 days after that period or, if shorter:</p> <p>12 months if providing a service under the UK-EU</p>	If you were initially granted less than the maximum initial grant period permitted, the balance of the period allowed	<p>Private servants in diplomatic households may apply to extend their stay for 24 months at a time up to a total of 5 years.</p> <p>Contractual service suppliers or independent professionals may be granted permission for no more than:</p> <ul style="list-style-type: none"> <li>12 months if providing a service under the UK-EU Trade and Co-Operation Agreement</li> <li>12 months in any 24-month period if providing a service under the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services (the relevant 24-month period includes the period of permission the applicant is applying for)</li> <li>6 months in any 12-</li> </ul>



	<p>Trade and Cooperation Agreement 12 months in any 24-month period if providing a service under the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services Mobility 6 months in any 12-month period in all other cases</p>		<p>month period in all other cases (the relevant 12-month period includes the period of permission the applicant is applying for)</p>
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## Temporary Work: Creative Workers

For applicants seeking entry for multiple engagements or performances, you may grant entry clearance to cover the whole period, providing there are not more than 14 calendar days between periods of engagements. Any time the worker spends outside the UK will not count towards the 14 days.

### Digital status

European Economic Area (EEA) or Swiss nationals making an application using the UK Immigration: ID Check app will be given digital status if they are granted permission.

Other EEA, Swiss and non-EEA nationals making an application will be given a biometric residence permit if they are granted permission for longer than 6 months. If the entry clearance application is successful, they must be given a 30-day visa to allow them to collect their BRP after they have arrived in the UK.

### Biometric information

You must check the biometric residence permit (BRP) system before you submit a BRP card production request.

### Refuse entry clearance

You must refuse the application if you are not satisfied the applicant has met all the suitability and eligibility requirements of the relevant Temporary Work Appendix, or if any of the grounds for refusal in [Part 9: Grounds for Refusal](#) apply.

## Rights of appeal and administrative review: entry clearance applications

If an application for entry clearance is refused, the applicant cannot appeal against our decision. However, if they think the Home Office has made an error in considering their application, they can apply for an [administrative review](#).

### **Related content**

[Contents](#)

# Grant or refuse entry at UK port

This page tells you how to grant or refuse entry at a UK port for applications made under a Temporary Work route.

## Granting permission to enter

Before you grant permission to enter, you must be satisfied that:

- the applicant has valid entry clearance or permission to stay on a Temporary Work route, unless they are applying for permission on the Creative Worker route and CRV 3.2. applies
- there are no reasons to believe the applicant provided false information to obtain the entry clearance or permission to stay in the UK, nor that circumstances have changed since it was issued
- none of the general grounds for refusal in [Part 9: Grounds for Refusal](#) of the Immigration Rules apply

## Refusing permission to enter

The Border Force officer must take into account the applicant's continuing permission if they are considering refusing them after their return from a short absence abroad.

If you are considering cancelling an applicant's entry clearance or permission to stay on any Temporary Work route, you must refer to [Part 9 of the Immigration Rules](#).

If the applicant is subject to a deportation order, any permission they have been granted is cancelled. The Border Force officer must refuse under paragraph 9.2.1.(c) of the Immigration Rules. The Border Force officer must also refer to Border Force operational policy, before they make a decision.

The Border Force officer must also refer to Border Force operational policy, if they are considering a refusal on the grounds of:

- national security
- public policy
- sensitive information
- where the decision may affect relations with another country

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**Official – sensitive: start of section**

The information in this section has been removed as it is restricted for internal Home Office use.

**Official – sensitive: end of section**

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## On entry refusal codes

Refusal codes are:

- Lack of required non-settlement entry clearance – E4
- Other reasons – Z1

## Creative Worker: no entry clearance

To enter without entry clearance, passengers must:

- be non-visa nationals
- be seeking permission to enter on the Creative Worker route for 3 months or less
- be able to present a valid certificate of sponsorship (CoS) reference number and proof of funds
- not satisfy any of the general grounds for refusal in [Part 9: Grounds for Refusal](#) of the Immigration Rules

## Check the certificate of sponsorship (CoS)

You must [check the CoS number is valid](#) by searching the sponsorship management system (SMS). If the number is not valid, you must refuse permission to enter.

If the number is valid and you grant permission to enter, you must confirm that the CoS has been used on SMS. You do not need to do this if the passenger is re-entering the UK on a CoS which has been used.

## Financial requirements

For information on the financial requirements for Temporary Work routes, see the full guidance on financial requirements.

## Granting permission to enter

You must grant permission to enter on code 4 if both of the following apply:

- the requirements in the relevant Temporary Work Appendix have been met
- none of the general grounds for refusal in [Part 9: Grounds for Refusal](#) of the Immigration Rules apply

## Length of grant

Passengers can enter the UK up to 14 days before the date they start their job (the start date is the date given by their sponsor on the CoS), and they can remain for either:

- up to 14 days after the last job
- a maximum period of 3 months

For passengers seeking entry for multiple engagements or performances, you must grant permission to cover the whole period, providing there are not more than [14 calendar days between periods of engagements](#), but any time spent outside the UK will not be counted towards these 14 days.

Passengers who enter on this route in this way without entry clearance cannot extend their stay in the UK.

## Refusing permission to enter

For more information on refusing permission to enter, see [Part 9: Grounds for Refusal](#).

## Dependants

You can grant entry on code 1 (for the same period as the main applicant) to the partner or child of a Temporary Work - Creative Worker route applicant who seeks entry without entry clearance providing they:

- are not a visa national
- are seeking entry at the same time as the person they are a dependant of, and who meets the requirements at CRV 3.2

### Related content

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# Grant or refuse permission to stay

This page tells you how to grant or refuse permission to stay on the relevant Temporary Work route.

## Grant permission to stay

You can grant permission to stay on code 4 conditions if the applicant meets all the requirements.

## Biometric information

Successful applicants for permission to stay are given a [biometric resident permit \(BRP\)](#). You must check the biometric residence permit (BRP) system before you submit a BRP card production request.

## Rights of appeal and administrative review

If an application for permission to stay is refused, applicants cannot exercise a right of appeal in country. However, if they think the Home Office has made an error in considering their application, they can apply for an administrative review. Details of how to make an administrative review application must be included in the decision letter.

If the applicant raises consideration of any of human rights, section 47 and section 55, see:

- Safeguard and promote child welfare
- [Section 55 and the child's best interests](#)
- Human rights considerations: Article 8
- ISG 01 19 13 Removal decisions under section 47 of the Immigration, Asylum and Nationality Act 2006

## Length of grant

### Creative Workers

If the sponsor is the same sponsor as in the application which led to the applicant's last grant of permission, you may grant permission to stay whichever is the shorter of:

- a period ending 14 days after the final engagement, if the applicant has consecutive engagements
- the period of the role stated on the CoS plus 14 days, if the applicant does not have consecutive engagements
- 12 months
- 24 months, less any time the applicant has already spent in the UK since they were last granted permission as a Creative Worker

If the sponsor is a different sponsor as in the application which led to the applicant's last grant of permission, you may grant permission to stay whichever is the shorter of:

- a period ending 14 days after the final engagement, if the applicant has consecutive engagements
- the period of the role stated on the CoS plus 14 days, if the applicant does not have consecutive engagements
- 12 months, less any time the applicant has already spent in the UK since they were last granted permission as a Creative Worker

Applicants who entered the UK on the Temporary Work Creative Worker route without entry clearance for 3 months or less cannot extend their permission in the UK.

## Charity Workers

You may grant permission to stay whichever is the shorter of:

- the period of the role stated on the CoS, plus 14 days
- 12 months, less any time the applicant has already spent in the UK since they were last granted permission as a Charity Worker

## Religious Workers

You may grant permission to stay whichever is the shorter of:

- the period of the role stated on the CoS, plus 14 days
- 24 months, less any time the applicant has already spent in the UK since they were last granted permission as a Religious Worker

## Government Authorised Exchange (GAE)

You may grant permission to stay whichever is the shorter of:

- the period of the role stated on the CoS, plus 14 days
- the difference between the period the applicant has already spent in the UK since they were last granted permission on the GAE route and either:
  - 24 months (if on a Research and training programme or Overseas Government language programme)
  - 12 months (if on a work experience programme)
  - 10 months (if on the Jamaica Nursing Exchange programme)

## International Agreement (IA)

If the application is as a private servant in a diplomatic household or employee of an overseas government or international organisation, you may grant permission to stay whichever is the shorter of:

- the period of the role stated on the CoS, plus 14 days before that period and 14 days after that period
- 24 months, less any time the applicant has already spent in the UK since they were last granted permission on the IA route

If the application is as a private servant in a diplomatic household and they have spent more than three years continuously in the UK on the IA route, you may grant permission to stay whichever is the shorter of:

- the period of the role stated on the CoS, plus 14 days before that period and 14 days after that period five years, less any time the applicant has already spent in the UK since their first grant of permission on the IA route

If the application is as a contractual service supplier or independent professional, you may grant permission to stay whichever is the shorter of:

- the time given on the CoS, plus both:
  - up to 14 days before the beginning of the period of the role on the certificate of sponsorship
  - 14 days after the period of the role on the certificate of sponsorship
- the difference between the period the applicant has already spent in the UK since they were last granted permission on the Temporary Worker – International Agreement route and either:
  - 12 months for those providing a service under the UK-EU Trade and Cooperation Agreement
  - 12 months for those providing a service under the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services Mobility
  - 6 months in all other cases

Contractual service suppliers and independent professionals that are not nationals of a Member State of the European Union or a person permanently residing in the Republic of Latvia who is not a citizen of the Republic of Latvia or any other state but who is entitled, under the law of the Republic of Latvia, to receive a non-citizen's passport may not be granted permission for a total period of:

- if the applicant is a Swiss national or permanent resident covered by a relevant commitment in the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services Mobility, more than 12 months in any 24-month period (the relevant 24 months includes the period of permission the applicant is applying for)
- in all other cases, more than six months in any 12-month period (the relevant 12 months includes the period of permission the applicant is applying for)

## Conditions of grant

This page tells you about the conditions of grant that apply to an applicant granted entry clearance or permission on the Temporary Work routes.



Applicants granted entry clearance or permission on a Temporary Work route are subject to the following conditions:

- they can only work for the sponsor in the job stated on their Certificate of Sponsorship (CoS) – exceptions to this are:
  - supplementary employment, which is permitted for Creative Workers, Religious Workers, applicants on the GAE route, and applicants on the International Agreement route as an employee of an overseas government or international organisation
  - Charity Workers – applicants can undertake voluntary work with another organisation
  - Government Authorised Exchange and Seasonal Workers – applicants can work for any person the sponsor tells them to, providing the work is permitted by the scheme
  - private servants in diplomatic households may take employment as a domestic worker in a different household from the one specified in their CoS
- they cannot access public funds
- they must register with the police, if required to do so by [Part 10: Police Registration](#) of the Immigration Rules
- applicants who are 18 years old or over need to apply for an Academic Technology Approval Scheme (ATAS) certificate if they wish to undertake study covered by [Appendix ATAS](#) of the Immigration Rules

## Supplementary employment

As well as the job specified on the CoS, an applicant (except: Charity Workers, Seasonal Workers and applicants on the International Agreement route who are private servants in diplomatic households who entered the UK under the Immigration Rules in place on or after 6 April 2012, contract service suppliers or independent professionals) can do supplementary work if it is:

- a job that is either:
  - on the shortage occupation list in Appendix Shortage Occupation Lists of the Immigration Rules
  - in the same occupation code and at the same level as the work for which the CoS was assigned
- no more than 20 hours a week
- outside the working hours covered by the CoS

If the extra work meets the above requirements, the applicant does not need to inform the Home Office before taking extra work.

### Related content

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# Temporary Work: settlement requirements

The only Temporary Work migrants eligible for settlement are those on the International Agreement route who work as private servants in diplomatic households and who were last granted entry clearance before 6 April 2012.

This page explains how to assess settlement applications on the Temporary Work - International Agreement route for people working as private servants in diplomatic households.

Before you consider an application on the Temporary Work - International agreement route for people who work as private servants in diplomatic households, you must check that the:

- application is valid
- applicant's passport or travel document is genuine
- applicant's immigration history on internal systems and previous case notes
- application has no general grounds for refusal
- application and biometric information are registered and verified

If you have any doubts whether the applicant's supporting documents are genuine, you must do verification checks.

If the applicant previously applied on the Temporary Work - International Agreement route as a private servant in a diplomatic household and was last granted entry clearance before 6 April 2012, they can apply for settlement when they have been in the UK for a continuous period of 5 years on that route.

## Requirements for settlement

You must grant settlement if:

- the applicant meets all the requirements of paragraphs IA 15.1. to IA 15.4.
- none of the general grounds for refusal of the Immigration Rules apply
- the applicant has spent a continuous period of 5 years in the UK lawfully with permission on the Temporary Work - International Agreement route, working as a private servant in a diplomatic household
- the applicant has sufficient knowledge of the [Appendix English Language](#) and about life in the UK, with reference to [Appendix KOL UK](#) of the Immigration Rules – this is unless the applicant is either:
  - under the age of 18
  - aged 65 or over at the time the application is made

The applicant must not in breach of immigration laws, unless either:

- the application is made within 14 days of the applicant's permission expiring and the Secretary of State considers there is a good reason beyond the control of the applicant or their representative, provided in or with the application, why the application could not be made in time, the overstaying will be disregarded
- the application is made following the refusal of a previous application for permission which was made in-time or to which the exception outlined here applied; and within 14 days of:
  - the refusal of the previous application for permission
  - the expiry of any permission which has been extended by section 3C of the Immigration Act 1971
  - the expiry of the time limit for making an in-time application for administrative review or appeal (where applicable)
  - any administrative review or appeal being concluded, withdrawn, or abandoned or lapsing

The threshold for what constitutes 'good reason' is high and will depend on the individual circumstances of the case, but, for example, may include delays resulting from unexpected or unforeseeable circumstances such as the following:

- serious illness which meant that the applicant or their representative were unable to submit the application in time (where supported by appropriate medical documentation)
- travel or postal delays which meant that the applicant or their representative were unable to submit the application in time
- inability to provide necessary documents: this would only apply to exceptional or unavoidable circumstances beyond their control, such as the Home Office being at fault in the loss of, or delay in returning, travel documents, or delay in obtaining replacement documents following loss as a result of theft, fire or flood (where supported by evidence of the date of loss and the date replacement documents were sought)

## **Related content**

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# Temporary Work: grant or refuse settlement

This page tells you about settlement on the Temporary Work - International Agreement route for people working as private servants in diplomatic households. You should consider whether to request further information, reject the application, or (on a discretionary basis) proceed with the consideration of the application.

The only Temporary Work migrants eligible for settlement are those who are on the International Agreement route and they must both work as private servants in diplomatic households and have been last granted entry clearance before 6 April 2012.

## Grant settlement

You must grant settlement if:

- the applicant meets all the requirements of paragraphs IA 15.1. to IA 15.4. as follows:
  - none of the general grounds for refusal in [Part 9: Grounds for Refusal](#) apply
  - the applicant has spent a continuous period of 5 years in the UK lawfully, with permission in the Temporary Work - International Agreement category, working as a private servant in a diplomatic household
  - the applicant has sufficient knowledge of the [English Language](#) and about life in the UK, with reference to [appendix KoLL of the Immigration Rules](#)
- absences of employment may be addressed in the application by providing a letter from the employer which gives the reason for and the length of absences from employment, including periods of annual leave:
  - where the absence was due to a serious or compelling reason, the applicant must provide a personal letter which includes full details of the reason for the absences
  - it must also include all original supporting documents about those reasons – for example medical certificates, birth or death certificates, and the reasons which led to the absence from the UK

## Refuse settlement

You must refuse settlement if:

- the applicant does not meet the requirements of paragraph IA15 of the Immigration Rules
- any of the general grounds for refusal in Part 9 of the Immigration Rules apply

For more information on appeal rights and administrative review, see: Administrative review.

## Rights of appeal and administrative review: in country applications for leave to remain made before 2 March 2015

If the application was made before 2 March 2015, depending on their appeal rights, applicants may be able to submit an appeal if they want to challenge a refusal decision for leave to remain (permission to stay in the UK). Details of whether and how they can appeal against the Home Office decision must be included in the decision letter.

## Rights of appeal and administrative review: in country applications for leave to remain made on or after 2 March 2015

If the application was made on or after 2 March 2015, applicants cannot appeal against the Home Office decision. If they think the Home Office has made an error in considering their application, however, they can apply for an administrative review. Details of how to make an administrative review application must be included in the decision letter.

## Administrative review

If an application for settlement is refused, the applicant cannot appeal against the decision. However, if they think the Home Office has made an error in considering their application, they can apply for an [administrative review](#) under [Appendix AR: Administrative Review](#).

### Related content

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