



Home Office

# Graduate route

Version 2.0

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# About this guidance

This guidance tells caseworkers how to consider applications from people who wish to remain in the UK to work, or look for work, under the Graduate route of the points-based system.

This guidance is based on [Appendix Graduate](#) and [Appendix ATAS](#) of the Immigration Rules. Paragraph 6 of the [Immigration Rules](#) contains a list of defined terms.

## 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 Student Migration Policy team.

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 **1.0**
- published for Home Office staff on **05 November 2021**

## Changes from last version of this guidance

Study in the UK requirement updated on page 12 to make clear that applicants who complete a course that is longer than 12 months must have been granted at least 12 months of Student or Tier 4 (General) permission. All study that takes place during the 12 months of Student or Tier 4 (General) permission must have taken place in the UK, except for permitted study abroad programmes.

Covid-19 distance learning concessions updated on pages 12 - 13 to reflect 6 April 2022 date. Case studies 4 and 5 added to assist decision makers.

### Related content

[Contents](#)

# Validity for permission to stay applications

This page tells caseworkers the validity requirements an applicant must meet when they apply for permission to stay as a Graduate.

Before considering any application, the caseworker must check the application is valid by referring to:

- the validity requirements for the Graduate route, contained in [Appendix Graduate GR.1.1 to GR.1.6](#)

## Validity requirements

The caseworker must check the applicant has, or has last had, permission as a Student. For the purpose of this requirement, this means an applicant must either:

- currently hold valid permission on either the Student route or the Tier 4 (General) route
- have held valid permission on the Student or Tier 4 (General) routes which expired but **either** one of the paragraph 39E exceptions for overstayers applies **or** the applicant has been given a period of [exceptional assurance](#) and has not overstayed that period. In either case, the period of overstaying will be disregarded when considering their application

The caseworker must check the applicant's immigration history to make sure that the applicant has not previously been granted permission under the Doctorate Extension Scheme (DES) or held permission on the Graduate route. If they have previously been granted permission under the DES or on the Graduate route, then the application must be rejected as invalid.

If a student has previously been granted permission on the Tier 1 (Post-study work) route, International Graduate Scheme (IGS) or the Future Talent Working in Scotland Scheme, this will not prevent them from meeting the validation requirements of the Graduate route. If a student has previously been granted permission on one of these routes, the student will need to successfully complete a new eligible qualification at a Higher Education Provider with a track record of compliance and hold valid permission as a student once the route is introduced, they cannot rely on a previous qualification obtained or previous leave as a Student or under Tier 4 to access the route.

If an applicant has, in the 12 months before the date of application, been awarded a scholarship or sponsorship by a Government or international scholarship agency, covering both course fees and living costs for study in the UK (for example a Chevening or Marshall scholarship), it is a validation requirement that they must provide written consent from the financial sponsor to the application for permission to stay in the UK as a Graduate.

**Related content**  
[Contents](#)

# Suitability for permission to stay

This page tells caseworkers where to find the suitability requirements an applicant must meet to be granted permission to stay on the Graduate route.

Before considering any application, the caseworker must check the application is suitable by referring to:

- the suitability requirements for the Graduate route, contained in [Appendix Graduate GR.2.1 to 2.2](#)

## Suitability requirements

The caseworker must check that the applicant does not fall for refusal under Part 9: grounds for refusal of the Immigration Rules.

The caseworker must conduct verification checks if they have any doubts about whether the supporting documents which an applicant has submitted are genuine.

Before considering whether eligibility requirements have been met for a Graduate application, the caseworker must check the applicant is not in breach of immigration law, except for periods of overstaying which can be disregarded under [paragraph 39E](#) of the Immigration Rules.

The caseworker must not take into account any breaches of the Immigration Rules whilst the applicant was under the age of 18.

The caseworker must also check that the applicant is not on immigration bail.

### Related content

[Contents](#)

# Eligibility for permission to stay

This page tells caseworkers the eligibility requirements an applicant must meet to be granted permission to stay on the Graduate route.

The requirements for granting permission to stay can be found in:

- the eligibility requirements for the Graduate route, contained in [Appendix Graduate GR.3.1 to 6.1](#)

## Eligibility requirements

### Successful completion requirement

Caseworkers must check the [Register of Student sponsors](#) to ensure that the Student Sponsor is a higher education provider with a track record of compliance on the date of application. Sponsors which are HEPs are listed as ‘Student sponsor – track record’ on the Register of Student Sponsors.

The caseworker must check the applicant has successfully completed the course of study which was undertaken during their last grant of permission to study on the Student route, or their last permission to study prior to taking up an Student Union Sabbatical Office (SUSO) role on the Student route. Students who undertake two consecutive periods as a Student Union Sabbatical Officer after their studies will still be able to meet this requirement. Where the applicant was permitted to change their course of study under the Immigration Rules without applying for further permission as a Student, this requirement only applies to the course to which they changed. For information about when a Student can change course without applying for further permission, see Confirmation of Acceptance for Studies (CAS).

### Sponsor notification

The Student Sponsor must have notified the Home Office, by the date of application, that the applicant has successfully completed the course of study. Sponsors will normally do this by way of bulk upload. If sponsors are unable to make the notification via bulk upload, they must use the agreed exceptions process.

If a notification has not been received from the Student Sponsor, but the CAS shows that the applicant had been studying a qualifying qualification, the caseworker must not refuse the application if it would otherwise be granted. Instead, the caseworker must contact the Sponsor asking for confirmation that the student has successfully completed the course of study.

### Qualification requirement

The caseworker must check that the applicant has successfully completed a course of study for which they have been, or will be, awarded a UK bachelor’s degree, a UK postgraduate degree, or successfully completed a relevant qualification listed in



[Appendix Graduate GR.5.2](#). The definition of these terms can be found in the [Immigration Rules](#), paragraph 6.

The caseworker must check the qualification was gained during the applicant's last grant of permission to study as a Student, or in the period of permission immediately prior to a student being granted permission to undertake a role as a Student Union Sabbatical Officer. Students who undertake two consecutive periods as a Student Union Sabbatical Officer after their studies will still be able to meet this requirement.

Some professions require a person to complete a qualification in addition to, or instead of, a degree before someone is allowed to legally practice in that profession in the UK. These professions are regulated by UK law or public authority. These qualifications are eligible for the purpose of the Graduate route and include those in the list below:

- a law conversion course validated by the Solicitors Regulation Authority (referred to by its previous name of 'Joint Academic Stage Board' in the Graduate route immigration rules) in England and Wales
- the Legal Practice Course in England and Wales, the Solicitors Course in Northern Ireland, or a Diploma in Professional Legal Practice in Scotland
- the Bar Practice Course in England and Wales, or the Bar Course in Northern Ireland
- a foundation programme in Medicine or Dentistry
- a Postgraduate Certificate in Education (PGCE) or Postgraduate Diploma in Education (PGDE)

Other professional courses requiring study at UK bachelor's degree level or above in a profession with reserved activities that is regulated by UK law or UK public authority are also eligible for the purpose of meeting the qualification requirement. Professional roles that have reserved activities include (but are not limited to) medical doctors, architects, lawyers, teachers, and nurses.

If the qualification that has been successfully completed is at bachelor's degree level or above but is not included in the relevant qualification list above, the caseworker must consider if there is a legal requirement for that qualification to be gained before someone is allowed to practice in a profession with reserved activities.

If it is not clear whether or not a qualification meets the requirement, the caseworker should ask a manager or make a referral to the policy team. Sponsors can contact their premium account manager or the educators' helpdesk if they are uncertain whether or not the qualification being awarded is eligible for the Graduate route.

### **Case study 1: a non-listed qualification that meets the qualification requirement**

An applicant's sponsor has made a notification that their student has successfully completed a postgraduate diploma in architecture, which is not a qualification listed in the Rules as being eligible for the Graduate route.

To become a chartered architect, someone is required by law to complete a professional qualification that met the standards of the relevant professional body, such as Royal Institute of British Architects (RIBA) in order to be registered. This is governed by the [Architect Act 1997](#).

The pathway for a student to achieve this status could be to complete a bachelor's degree in architecture (BArch) followed by a master's degree in architecture (MArch) and finally a postgraduate diploma in architecture. Although the final qualification gained is not a degree or a relevant qualification listed above, it would meet the qualification requirement. This is because:

- it requires study at UK bachelor's degree level or above
- it is in a profession with reserved activities that is regulated by UK law

### **Case study 2: a non-listed qualification that does not meet the qualification requirement**

An applicant has submitted an application claiming that they have successfully completed a qualification that is eligible for the Graduate route. Their sponsor has not made a notification of this, but the applicant has submitted a genuine copy of their results transcript showing that they have passed a postgraduate diploma in business administration.

Business administration is not a profession with reserved activities and there is no legal requirement for someone to hold such a qualification in order to work as a business administrator.

The qualification is a postgraduate diploma, therefore it is not a degree at UK bachelor's level or above. While it is a qualification that requires study at UK degree level or above, it is not a qualification for a profession with reserved activities that is regulated by UK law or public authority and does not meet the qualification requirement under GR 5.2 (f).

This means that the applicant would not meet eligibility requirements and should be refused.

### **Case study 3: a non-listed qualification for which a sponsor has made a notification but which does not meet the qualification requirement**

An applicant's sponsor has made a notification that their student has successfully completed a postgraduate diploma in business management. The caseworker believe that this does not meet the qualification requirement as business management is not a profession with reserved activities that is regulated by UK law or public authority.

The caseworker contacts the sponsor to confirm why the notification has been made. The sponsor states that because this course comprises of some of the modules that make up their master's degree in business management, they made a notification in

error thinking that it would meet the qualification requirement because the masters programme for this subject does.

The qualification gained is not a degree at UK bachelor's level or above, listed in the rules as a relevant qualification, and does not meet the requirement at GR 5.2 (f). This means that the applicant will be refused.

## Study in the UK requirement

An applicant must have studied in the UK for a minimum period as set out in the second column of the table at GR 6.1.

Once concessions on distance learning for the Student route end, students will be required to attend face to face learning in the UK in accordance with the academic engagement policy set out in Document 2 of the [Student Sponsor guidance](#).

For the purposes of assessing the Study in the UK requirement, the caseworker must consider all periods of Student permission which were granted to study the eligible qualification that the applicant subsequently successfully completed. This means that an applicant who was unable to complete their studies in one period of Student permission, for reasons such as maternity leave or sickness, and who consequently deferred their studies and completed the course of studies at a later date with Student permission, will have all those periods counted. This also applies to a PhD Student who started their course in the UK, then left the UK overseas research (as part of their qualification), and thus either had their sponsorship withdrawn or was not granted permission as Student for that overseas period, but who subsequently returned to the UK as a Student to successfully complete their course (by, for example, conducting further research, writing up their thesis or submitting their viva). An applicant in these circumstances should not be prevented from meeting the study in the UK requirement if the total length of all those periods of permission meets the relevant requirement.

A course with a start date of 30 September 2020 and an end date of 29 September 2021 is 12 months long. A course is longer than 12 months if it starts on 30 September 2020 and ends on 30 September 2021 or later.

An applicant who made their Student or Tier 4 (General) student application before their course started and started the course before permission was granted (as permitted in Student route), will have their study time in the UK before permission being granted counted as well. This means that apart from the granted permission period, the period from course start date, as noted on their CAS, to the date of permission being granted, will also be counted. The same applies to applicants who were allowed to start their course before permission was granted due to Covid-19 concessions.

Applicants who studied a course lasting 12 months or less must have spent the full duration of the relevant period of permission course studying in the UK (or on permitted study abroad programs, where relevant) on either the Student route or former Tier 4 (General).

Applicants who complete a course that is longer than 12 months must have been granted at least 12 months of Student or Tier 4 (General) permission. All study that takes place during the 12 months of Student or Tier 4 (General) permission must have taken place in the UK, except for permitted study abroad programmes. For articulation programmes (2+1 and 2+2 programmes), a student must have successfully completed the final year of study in the UK, i.e., the final year is treated for the purpose of this application as the eligible course and the relevant requirement of study in the UK requirement applies depending on the length of such course. A student who undertakes the first year of an articulation programme in the UK and then completes the course overseas will not be eligible.

Where distance learning took place overseas between 24 January 2020 and 27 September 2021, this will not prevent the applicant meeting the studying in the UK requirement if: (a) they began their course in 2020 and entered the UK on or before 27 September 2021 and complete that course of study in the UK with permission as a Student; or (b) they began their course in 2021 and entered the UK before 27 September 2021 and complete that course of study in the UK with permission as a Student.

An applicant who studied their whole course whilst holding permission on a route other than the Student route or former Tier 4 (General) (for example, a student who undertakes a master's degree whilst holding permission as a dependant) route will not meet this requirement.

If a course lasting longer than 12 months was completed using a combination of immigration routes, then the applicant must have spent the minimum required time as a Student or Tier 4 migrant in the most recent period of permission.

## Study abroad programmes

If the Student has participated in [permitted study abroad programmes](#) this will not prevent them from meeting the study in the UK requirement.

## Covid-19 concessions

The current Covid-19 concessions permit distance learning on the Student route.

Students who began a course lasting 12 months or less in 2020 or 2021 via distance learning, and who had not previously entered the UK to study that course were able to make a Graduate application if they made a successful Student visa application and arrived in the UK either before their permission ended or by 27 September 2021, whichever was sooner. Such Students must complete their course in the UK when they enter if they have not already completed their course while they were studying overseas.

Students who began a course of 12 months or less in 2020 or 2021 who have existing permission as a Student to study that course, and who have already travelled to the UK during that period of permission, will be able to make a Graduate application as long as they are present in the UK before the end date of their permission.

Students who commence a course of 12 months or less in Autumn 2021 or Spring 2022 via distance learning from overseas must enter the UK no later than 6 April 2022 and complete that course of study in the UK with permission as a Student to be eligible for the Graduate Route. Students should travel once they are able to do so.

Students sponsored for a course lasting longer than 12 months will not be prevented from being eligible for the Graduate route as a result of any distance learning that took place either in the UK or overseas between the period of 24 January 2020 and 27 September 2021 or any distance learning which took place overseas between 27 September 2021 and 6 April 2022. If a Student's current permission expires prior to 6 April 2022, they must enter the UK prior to the expiry of their Student permission rather than 6 April 2022.

### Case Study 1: Student who began their course in 2020

An applicant started their course in the UK in January 2020 and returned to their home country in March 2020 to study remotely. They re-entered the UK on 25 September 2021 on their extant Student permission. Their Student Sponsor has confirmed that they have successfully completed their course. The applicant will meet the study in the UK requirement.

### Case Study 2: Student who entered the UK to begin their course in 2021

An applicant started their course in February 2021 and returned to their home country to study remotely in March 2021. They re-entered the UK on 15 July 2021 on their Student permission and remains in the UK to study until they make their application in March 2022 and their Student Sponsor has confirmed that they have now successfully completed their course. The applicant will meet the study in the UK requirement.

### Case Study 3: Course lasting longer than 12 months

An applicant started their course in August 2019 and returned to their home country to study remotely in January 2020. They re-entered the UK on 27 September 2021. Their Student Sponsor confirms that they have successfully completed their course in June 2022. The caseworker must count the period of distance learning towards time studying in the UK.

### Case Study 4: Course lasting longer than 12 months, started in Autumn 2021

An applicant started their course in September 2021 via distance learning. They enter the UK on 5 April 2022 on their extant Student permission. The applicant will not be prevented from meeting the study in the UK requirement.

## Case Study 5: Course lasting less than 12 months, started in Spring 2022

An applicant started their course in March 2022 via distance learning. They enter the UK on 3 April 2022 on their extant Student permission, and successfully complete their course in the UK in March 2023. The applicant will not be prevented from meeting the study in the UK requirement.

### **Related content**

[Contents](#)

# Confirmation of Acceptance for Studies (CAS)

This page tells caseworkers how to check the qualification awarded against the CAS issued for study.

“Successfully completed” and “course of study” are defined in paragraph 6 of the [Immigration Rules](#). Both definitions include courses to which a Student is permitted to change without having to make a further Student immigration application.

An applicant must have been awarded the qualification for the course listed on the CAS issued for the relevant period of Student or Tier 4 (General) permission, unless the student has changed course as permitted within the Student route. This includes:

- undertaking a different course at degree level or above, where the Student is sponsored by an HEP with a track record which confirmed at the time of change that the previous and new courses are related or support the student’s career aspirations
- adding or removing a work placement to the course
- adding or removing a study abroad programme
- leaving an integrated PhD or master’s programme with the lower level qualification (for example, leaving an integrated master’s programme with a bachelor’s qualification)
- intercalating students on medicine, dentistry and veterinary medicine and science courses
- completing a course where the sponsor has changed the course title or the course contents after issuing the CAS, but without the Student needing to make a further application

If a Student has changed course, the sponsoring institution must have notified the Home Office of the change of course via the Sponsor Management System (SMS) prior to the Graduate application being submitted. If the student is awarded a different qualification than is listed on the CAS, the caseworker must check Casework Information Database (CID) or ATLAS to confirm that the sponsor has submitted an SMS notification to confirm the change of course. If there is reason to believe a change of course has taken place, and the sponsor has not submitted an SMS notification, the caseworker must contact the sponsor to confirm that the change was permitted in accordance with the [Immigration Rules](#) and [Student Sponsor guidance](#).

Applicants do not need a new CAS to apply under the Graduate route, but they will need to provide the CAS reference for the relevant Student permission when making an application.

Information shown on the CAS which was linked to the most recent period of permission as a Student or Tier 4 (General) migrant in their immigration history is

used to determine whether or not an applicant meets relevant requirements of the Graduate route.

**Related content**

[Contents](#)



# Grant or refuse

This section tells caseworkers how to grant or refuse an application under the Graduate route of the points-based system.

## Digital status

The Graduate route allows applicants to make and submit applications using a complete digital process (AUK2). The applicant will upload their own documents, complete a live scan (similar to a 'selfie') and will receive a digital status if their application is successful.

The applicant will receive an e-mail confirming their digital status and this will include a PDF of their decision letter. The following link explains how to view and prove status: [View and prove your immigration status - GOV.UK \(www.gov.uk\)](https://www.gov.uk/view-and-prove-your-immigration-status)

Visa nationals will also receive a Biometric Residence Permit (BRP).

## BRP

For the Graduate route, the applicant needs their BRP to use the complete digital service.

They may not be able to use it for reasons such as:

- they have lost their BRP
- the chip in their BRP is damaged and hence cannot be read by the app
- they are not able to use the app
- they are unable to receive their decision by e-mail

If an applicant is unable to use the complete digital process, they can complete the application process and attend a VAC to enrol their biometrics and upload their documents (AUK1).

Applicants who are routed through the Access UK 1 path due to an exception will receive a BRP only.

## Graduate: grant permission to stay

If the applicant meets all of the requirements of [Appendix Graduate](#) of the Immigration Rules, and none of the [general grounds for refusal](#) apply, the caseworker must grant permission to stay with the appropriate conditions.

Graduates are able to travel out of, and re-enter, the UK whilst they hold valid permission as a Graduate.

## Graduate: period to grant

The period of permission to be granted to an applicant is dependent on the type of course studied and set out at [Appendix Graduate GR.8.1](#).

An applicant who has successfully completed a PhD or other doctoral qualification must be granted 3 years from the date of decision. An applicant who has successfully completed any other eligible qualification must be granted 2 years from the date of decision.

An applicant whose CAS was assigned for an integrated PhD but who successfully completes the lower postgraduate qualification must be granted 2 years from the date of decision.

## Graduate: refuse permission to stay

If the applicant has not met the requirements of [Appendix Graduate](#), the caseworker must refuse the application.

## Rights of appeal and administrative review

There are no appeal rights.

If an application for permission to stay is refused under the points-based system and the applicant thinks the Home Office has made an error in considering their application, they can apply for an [administrative review](#).

### Related content

[Contents](#)

# Graduate: refusal paragraphs

This section tells caseworkers which paragraph of the [Immigration Rules](#) they must refer to if refusing an application for entry clearance as a Graduate.

Reason for refusal	Paragraph of the Immigration Rules
Validation requirements	<a href="#">Appendix Graduate GR.1 and sub-paragraphs</a>
Suitability requirements	<a href="#">Appendix Graduate GR.2 and sub-paragraphs</a>
Points requirement	<a href="#">Appendix Graduate GR.3 and sub-paragraphs</a>
Successful completion requirement	<a href="#">Appendix Graduate GR.4 and sub-paragraphs</a>
Qualification requirement	<a href="#">Appendix Graduate GR.5 and sub-paragraphs</a>
Study in the UK requirement	<a href="#">Appendix Graduate GR.6 and sub-paragraphs</a>

## Related content

[Contents](#)

# Conditions

## Work conditions

This section tells caseworkers what type of work a Graduate can undertake in the UK.

Graduates can undertake any work in the UK, including paid and unpaid employment, self-employment and engaging in business or any professional activity. The only restriction placed on a Graduate's ability to work is a prohibition on working as a professional sportsperson.

## Professional sportsperson

Graduates are not permitted to engage in professional sport (including coaching) during their permission but are able to participate in amateur sport. Amateur sport and professional sport are defined in the [Introduction to the Immigration Rules](#) paragraph 6.

If a Graduate is engaging in any of the following activity, they may be considered to be engaging in professional sport:

- providing services as a sportsperson, playing or coaching in any capacity, at a professional or semi-professional level of sport
- receiving payment, including payment in kind, for playing or coaching that is covering all, or the majority of, their costs for travelling to, and living in the UK
- being registered to a professional or semi-professional sports team - this includes all academy and development team age groups
- representing a national team within the previous 2 years, including all youth and development age groups from under 17's upwards
- representing a state or regional team within the previous 2 years, including all youth and development age groups from under 17's upwards
- established an international reputation in their chosen field of sport
- engaging an agent or representative, with the aim of finding opportunities as a sportsperson, and/or developing a current or future career as a sportsperson

## Study conditions

This section tells caseworkers what studies a Graduate can undertake in the UK.

Study is permitted, except study with a Student Sponsor on a course which would meet the requirements of the Student route.

Any study is subject to the condition regarding the [Academic Technology Approval Scheme](#) (ATAS) as set out in the Immigration Rules.

## Related content

[Contents](#)

# Graduate: dependants

This section tells caseworkers about the requirements for dependants of Graduates.

Dependants must meet the following requirements of [Appendix Graduate](#):

- validity requirements in [Appendix Graduate GR.9.1 to 9.5](#)
- suitability requirements in [Appendix Graduate GR.10.1 to 10.2](#)
- eligibility requirements, which are:
  - relationship requirement for a dependent partner/dependent child in [Appendix Graduate GR.11 and GR.12](#)
  - care requirement for dependent child in [Appendix Graduate GR.13](#)
  - age requirement for a dependent child in [Appendix Graduate GR.14](#)

## Assessing applications for dependent partners and dependent children

If a dependent partner or dependent child is applying at the same time as the Graduate, the applications should be considered together.

Dependent partners and dependent children are not required to apply at the same time as the Graduate.

A dependent partner or child must have, or have last been granted, permission as a dependant partner or child of the main applicant or have been a child born in the UK during the last grant of Student permission.

Dependent partners and children, like Graduate applicants, are not required to meet any financial requirement. This is the case whether they apply at the same time or separately from the Graduate.

## Validity

The caseworker must check the applicant has, or has last had, permission as a Student's dependent partner or dependent child of either a Student or that Student's dependent partner, and that Student is also applying for or has been granted permission in the Graduate route. For the purpose of this requirement, this means an applicant must either currently hold valid permission as a dependant (partner or child) on either the Student route or the Tier 4 (General) route or must have held valid permission on the Student or Tier 4 (General) routes which expired within the timeframes allowed in paragraph 39E exceptions for overstayers.

The caseworker must check relevant caseworking databases to find out whether the dependant applicants meet this requirement.

Alternatively, the applicant must have been a child born in the UK during the last grant of Student permission of a Student and that Student is applying for, or has now been granted, permission to stay in the Graduate route.

If an applicant has, in the 12 months before the date of application, been awarded a scholarship or sponsorship by a Government or international sponsorship agency, covering both course fees and living costs for study in the UK (for example a Chevening or Marshall scholarship), it is a validation requirement that they must provide written consent from the financial sponsor to a further application for permission to stay in the UK as a Graduate dependant.

Applications which do not meet the requirements in [Appendix Graduate GR.9](#) should be rejected as invalid.

## Suitability

The caseworker must check that the applicant does not fall for refusal under Part 9: grounds for refusal of the Immigration Rules.

The caseworker must conduct verification checks if they have any doubts about whether the supporting documents an applicant has submitted are genuine. Before considering whether eligibility requirements have been met for a Graduate dependant application, the caseworker must check the applicant is not in breach of immigration law, except for periods of overstaying which can be disregarded under [paragraph 39E](#) of the Immigration Rules.

The caseworker must not take into account any breaches of the Immigration Rules whilst the applicant was under the age of 18.

The caseworker must also check that the applicant is not on immigration bail.

## Eligibility

### Proof of relationship for dependent partners

The rules for the relationship requirement for dependent partners can be found at [Appendix Graduate GR.11](#).

The caseworker must be satisfied that the Graduate and their dependent partner are in a genuine and subsisting relationship.

If the Graduate and the dependent partner are married or in a civil partnership acceptable forms of evidence include:

- a valid document providing record of the marriage or civil partnership such as a marriage or civil partnership certificate
- a valid overseas registration document for a same-sex relationship which is entitled to be treated as a civil partnership under the Civil Partnership Act of 2004

If the Graduate and the person applying as a dependent partner are not married or in a civil partnership, they can demonstrate a genuine and subsisting relationship by providing evidence they have lived together for 2 years. This can include:

- bank statements, council tax, or utility bills
- residential mortgage statements or tenancy agreements
- official correspondence or documents that link the Student and their partner and show they are living at the same address

This is not an exhaustive list and other documents can be used to demonstrate that a relationship is genuine and subsisting.

## Proof of relationship for dependent children

The rules for the relationship requirement for dependent children can be found at [Appendix Graduate GR.12](#).

The caseworker must be satisfied that the dependent children of a Graduate are related to the Graduate or the Graduate's dependent partner as claimed. This relationship will have been established in a previous application under the Student or Tier 4 (General) routes, which means that no further evidence is required, unless the child was born in the UK during the Student's most recent period of Student permission. If the child was born in the UK and has not previously been included in an immigration application, their relationship can be evidenced by the child's UK birth certificate that shows the name of the child and parent.

## Care requirement for dependent children

The rules for the care requirement for dependent children can be found at [Appendix Graduate GR.13](#).

The main applicant must ensure there are suitable arrangements for the child's care and accommodation in the UK which must comply with the relevant UK legislation and regulations, unless they are aged 18 or over. If the caseworker has any reason to doubt there are suitable arrangements for the child, the caseworker should enquire and find out more granting permission.

## Age requirement for dependent children

The rules for the age requirement for dependent children can be found at [Appendix Graduate GR. 14](#).

A person applying as a dependent child who is aged 18 or older on the date of application must only be granted permission if:

- they were last granted permission as a dependent child of a parent (P) who has or is applying for permission to stay as a Graduate or a dependent partner of a

Graduate (regardless of the route under which the parent (P) had permission at the time the child's last permission was granted)

A dependent child aged 16 or over must not be living an independent life as defined in the [Immigration Rules](#).

If a dependent child is 16 years or older on the date of application, the caseworker must be satisfied that the applicant is not living an independent life. The following evidence can be used to demonstrate that the dependent child is living with the Graduate or their dependent partner and relies on them for financial or emotional support:

- bank statement (which may show funds that their parent is providing to support them)
- credit card bills
- driving licence
- NHS registration document
- an official letter from their current school, college or university that confirms their address

If a dependent child is not living with the Graduate due to attending school, college or university, the caseworker will need to be satisfied that the child is not living an independent life. If the dependent child is living at a separate address the caseworker must be satisfied that this is due to study arrangements, and there is still need for the parent's financial support. Evidence of this can include:

- official confirmation of their studies from their school, college or university
- evidence that they are being financially supported by their parents up to point they are applying (for example, evidence covering a 3 month period prior to the application)

#### **Related content**

[Contents](#)



# Grant or refuse permission: dependent partner or child of a Graduate

This section tells caseworkers how to grant or refuse permission for dependants of a Graduate.

If an applicant meets all the relevant requirements, they must be granted permission in line with the expiry of the Graduate's permission unless they are a dependent child and one parent in the UK has permission that will expire before the Graduate's permission, in which case their permission should be in line with the expiry date of that parent's permission.

## Graduate: refuse dependants

If the applicant does not meet the relevant requirements in [Appendix Graduate GR.9 through to GR.13](#), the caseworker must refuse the application.

## Rights of appeal and administrative review

There are no appeal rights.

If an application for permission to stay is refused under the points-based system and the applicant thinks the Home Office has made an error in considering their application, they can apply for an [administrative review](#).

### Related content

[Contents](#)

# Dependant of a Graduate: refusal paragraphs

This section tells caseworkers which paragraphs of the [Immigration Rules](#) to use when setting out the reason an applicant as the dependant of a Graduate has been refused permission.

Reason for refusal	Paragraph of the Immigration Rules
Validity requirements	<a href="#">Appendix Graduate GR.9 and sub-paragraphs</a>
Suitability requirements	<a href="#">Appendix Graduate GR.10 and sub-paragraphs</a>
Relationship requirement for a dependent partner	<a href="#">Appendix Graduate GR.11 and sub-paragraphs</a>
Relationship requirement for a dependent child	<a href="#">Appendix Graduate GR.12 and sub-paragraphs</a>
Care requirement for a dependent child	<a href="#">Appendix Graduate GR.13 and sub-paragraphs</a>
Age requirement for a dependent child	<a href="#">Appendix Graduate GR.14 and sub-paragraphs</a>

## Related content

[Contents](#)

# Conditions of leave

This section tells caseworkers the conditions of leave for people granted permission as the dependent partner or child of a Graduate.

Partners or children of a Graduate:

- are not allowed to access public funds
- must register with the police (if they are required to do so by [part 10 of the Immigration Rules](#))
- can work in the UK, subject to the restrictions explained below
- can study, subject to the ATAS condition of [Appendix ATAS](#)

## Professional sportsperson

A person with permission as the dependent partner of a Graduate cannot work as a professional sportsperson (including as a sports coach).

## Study in a discipline covered by Appendix ATAS of the Immigration Rules

If the partner or child commences study whilst over the age of 18, they will be subject to the ATAS condition as set out in [Appendix ATAS](#).

### Related content

[Contents](#)

# Representatives

If an applicant has a UK based representative, the caseworker 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](#)

## Related content

[Contents](#)

# Requesting more information

This page tells caseworkers when, and how, to request more information or supporting documents related to Graduate applications.

Applicants should provide all the evidence on which they rely to support their application at the outset of the process. However, it is recognised that if an applicant makes an error or omission with the supporting evidence they provide, it may be appropriate for the caseworker to contact the applicant and invite them to provide additional evidence. Guidance for this can be found in the [Evidential Flexibility guidance](#).

## Related content

[Contents](#)

# Translating documents

This page tells caseworkers when they can accept translated documents for Graduate applications.

If a document is not in English or Welsh, the applicant must provide a fully certified translation from a professional translator or translation company that can be independently verified by the Home Office. The translation must include all of the following information:

- confirmation that it is an accurate translation of the document
- the date of translation
- the full name and signature of the translator or an official from the translation company
- the translator or translation company's contact details

## **Related content**

[Contents](#)