

# Ukrainian nationals and right to work checks

## Introduction

In response to the evolving conflict in Ukraine, the Home Office has introduced visa schemes to support Ukrainian nationals, and their family members, to come to the UK.

Those who are granted a visa under these schemes are able to work, rent a home, and access public services, such as medical treatment and education.

On 14 February 2022, the Government announced changes to make it easier for dependants of British citizens who were resident in Ukraine to apply for a Standard Family Visa, including waiving application fees. Successful applications resulted in the person being issued with a visa in their passport. The visa allows travel to the UK, where they then collect a Biometric Residence Permit (BRP).

If the requirements for a Standard Family Visa were not met, then a visa could be issued stating Leave Outside the Rules (LOTR). This allowed for travel to the UK where a BRP would be available to collect. On 1 March 2022, the scheme was extended to include family members who were not living in the Ukraine as a family unit.

## The Ukraine Schemes

On 4 March 2022, the Government launched the [Ukraine Family Scheme](#), and the Standard Family Visa concession closed. The Ukraine Family Scheme allows immediate and extended family members of British Nationals and people settled in the UK to come to the country. Applicants must be applying to join or accompany their UK-based family member; must be Ukrainian or the immediate family member of a Ukrainian national who is applying to the Scheme; and must have been residing in Ukraine on or immediately before 1 January 2022.

On 18 March, the Government also launched the [Homes for Ukraine Scheme](#). This scheme enables Ukrainian Nationals (with immediate family members who can be non-Ukrainian nationals), to be sponsored by UK residents, where those residents have suitable accommodation, for at least six months and have at least six months' leave to be in the UK.

Both schemes are fee free and do not include salary or language requirements for applicants.

Under both schemes, successful applicants are able to stay in the UK for up to three years.

In each scheme individuals are able to work and access benefits in the UK.

## Ukrainians with a valid Ukrainian Passport

A concession to the Ukraine Schemes was introduced on 15 March 2022, which allows those with a valid Ukraine passport to submit an application to either Scheme without attending an overseas Visa Application Centre (VAC) to submit biometrics. Those who are assessed without submitting their biometrics are issued with a permission to travel letter.

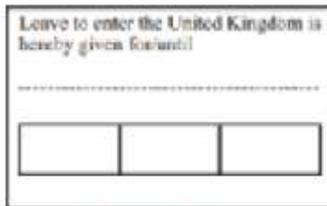
On arrival, Border Force stamp the passport with permission to enter the UK, valid for six months with no restrictions on taking employment or recourse to public funds – Leave Outside the Rules (LOTR). This is a Code 1A or Amended Code 1 endorsement.

Where Border Force have granted LOTR for six months, the individual will need to obtain a Biometric Residence Permit (BRP) which will be endorsed with up to 36-month permission to stay. This can be done at any point during the six-months validity of the stamp.

Those with a stamp or a visa in their valid Ukrainian passport, granting permission to stay under the Ukrainian Schemes, have a time-limited right to work. If an employer manually checks this document as outlined in this guidance and records it correctly, this will give them a time-limited statutory excuse. These endorsements are already included in the acceptable documents for a **manual** check under [Annex A of the Employers Guide](#), List B, Group 1, Number 1.

Employers will need to carry out a follow-up check of those individuals who have time-limited permission to work in the UK. This should occur when their previous permission comes to an end. All Ukrainian nationals arriving under the Schemes should obtain a BRP granting them up to 3 years (36 months) leave. BRP holders will need to use the Home Office online checking service as set out in this guidance to prove their right to work in the UK.

## Example Code 1A and Code 1 stamps, endorsed with an Immigration Officer's date stamp

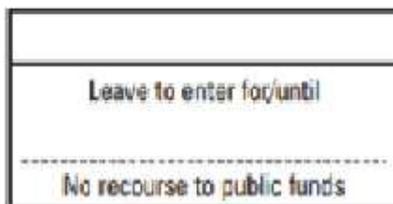


Code 1A Stamp



Immigration Officer's Date Stamp

In a small number of cases, when the Schemes went live, a Code 1A was not available, in place of this a Code 1 was used with the "no recourse to public funds" scored out in ink and possibly initialled by the Officer.



Code 1 Stamp



Immigration Officer's Date Stamp

Similarly, a Code1/Code 1A may have been endorsed in Ukrainian passports, if those individuals had entry stamps to Ireland from 25 February 2022 The stamps were manually amended from 'Leave to enter' to 'Leave to remain' possibly with the Officer's initials.

There may be situations in which you identify an individual who has an Irish entry stamp in their passport but does not have a Code 1/Code 1A stamp and does not hold any other form of permission to stay in the UK. In these situations, you must point the individual to the Home Office to make an application to stay in the UK.

Any prospective employee who is a Ukrainian national, who has not applied for permission to stay in the UK, will not have a right to work. This means you should not employ them until they have taken action to regularise their status in the UK.

## Example Ukraine Scheme Entry Clearance Vignette / Visa



### Ukrainian nationals who do not have a valid Ukrainian passport

If an individual does not have a valid Ukrainian passport, they will be required to provide their biometric information at a VAC and will then be provided with an entry clearance vignette attached to a 'Form for Affixing the Visa' (FAV). Shortly after arrival, a BRP is available for collection, and this can be used to access the Home Office online checking service as set out in guidance to prove a right to work. Where necessary, individuals can use their FAV document as proof of their right to work, in conjunction with confirmation from the Home Office Employer Checking Service (ECS) in the form of a Positive Verification Notice (PVN).

Therefore, once an individual with an entry clearance vignette attached to a FAV is in the UK, they are expected to collect their BRP urgently, which can be used for right to work checks as normal, and a statutory excuse obtained for the full period of permission to stay. This means, once they have collected their BRP employers are not required to make a check with the ECS. Where employers contact the ECS and Home Office systems show that the individual has a BRP available, employers will receive a response from the ECS directing them to advise the individual to collect their BRP and prove their right to work using the Home Office online checking service. In this scenario ECS will not issue a PVN to provide a statutory excuse and employers should use the online checking service.

## Example of a Form for Affixing the Visa (FAV)

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND  
ROYAUME-UNI DE GRANDE BRETAGNE ET D'IRLANDE DU NORD

FORM FOR AFFIXING THE VISA  
FEUILLET POUR L'AFFIXATION D'UN VISA

 21 UK

ISSUING AUTHORITY/AUTORITE DE DELIVRANCE

(1) Name/Nom (2) Residence/Residence

Stamp  
Cachet

(3) Date of issue/Date de délivrance

(4) Passport number/Numéro de passeport

Signature  
Signature

Date/Date

Visa Stamp  
Visa Cachet

