

## **CONSIDERING AN APPLICATION AND EVIDENCE REQUIRED TO SUPPORT AND SCORE AN APPLICATION**

Required documents to support points claimed/English language skills

Exceptional consideration

Original documents required

A translation must be provided if the documentation is not in English

Case comments for sections where photocopies have been provided

Only completed sections on the forms should be assessed.

What happens if an applicant claims a certain number of points but qualifies for less?

What happens if an applicant claims a certain number of points but qualifies for more?

If the application reaches 75 points before all sections have been caseworked.

Process to follow when the scoring has reached 75 points

Wording for the scoreboard screen

Wording for actions screen

Annex A - List of required documents

### **Required documents to support points claimed/English language skills**

Applicants must submit full documentary evidence to support their application as specified in the HSMP1 application form and guidance notes. Please see Annex A of this section of instructions for a full list of the required evidence. Documents are also specified in the Immigration Directorate Instructions (IDI) and in the Immigration Rules to be used for HSMP extension applications.

### **Exceptional consideration**

Where there are exceptional reasons as to why an applicant cannot provide the specified documents they can request exceptional consideration. This alternative documentation is specified in the HSMP1 application form and guidance notes (and Annex A of this section of instructions), and is only acceptable if the applicant has been affected by extenuating circumstances beyond their control. This includes extreme situations such as war or natural disaster, but can also include circumstances directly related to the individual such as the theft of a qualification certificate or their most recent employer going out of business.

Before considering a request for exceptional consideration, caseworkers should check that applicants have:

- Indicated on the application form their request for exceptional consideration; and
- Provided reasons for the request for exceptional consideration; and
- Provided evidence of the exceptional circumstances; and
- Submitted the **specified alternative** evidence as outlined in the HSMP1 application form and guidance notes (and Annex A of this section of instructions).

Caseworkers should seek the agreement of an EO before accepting the alternative documentation submitted in exceptional circumstances.

### **Original documents required.**

Applicants and representatives are required to submit original documentation with the application. Photocopies cannot be considered and points should not be awarded for any section apart from the Age Assessment where photocopies have been submitted. Copies of employment/service contracts for applicants claiming Previous Earnings

whilst working as either an Independent Contractor or on a Self-Employed basis are also acceptable.

**NB.** Caseworkers can accept a fully notarised photocopy of the personal details page of the applicant's passport when submitted as evidence of the Age Assessment section of the application form.

### **A translation must be provided if the documentation is not in English**

Where a document is not in English the original must be accompanied by a fully certified **translation** by a recognised translator. If the individual is overseas the local British High Commission or Embassy can provide them with a list of local translators to applicants.

### **Case comments for sections where photocopies have been provided**

The caseworker should note brief comments of what evidence has been provided for such a section and then note at the end of the comments 'As the evidence supplied for this section is photocopied points cannot be awarded'. When creating the refusal letter the caseworker should use the appropriate refusal bullet point (please see the chapter on wording for refusal letters under the 'General refusal' bullet points – 'Originals not supplied') in the appropriate scoring section of the letter.

### **Only completed sections of the forms should be assessed.**

All sections of the application form for which the applicant is claiming points must be completed. Caseworkers are not required to consider or award points for any section of the form that has not been completed. However, where it is clear that the applicant intended to claim but has not ticked every relevant box on the application form, and there is no doubt that the evidence supplied is exclusively to support that criterion, the section should be caseworked accordingly.

### **What happens if an applicant claims a certain number of points but qualifies for less?**

Where an applicant has claimed a certain number of points, but the evidence they have provided qualifies them for a lower score we will award them the points for which they qualify. This applies to all scoring areas that have more than one scoring band.

When creating the refusal letter the caseworker should use the appropriate refusal bullet point (please see the chapter on wording for refusal letters under the 'General refusal' bullet points') in the appropriate scoring section of the letter.

### **What happens if an applicant claims a certain number of points but qualifies for more?**

Where an applicant has claimed a certain number of points, but the evidence they have provided qualifies them for a higher score we will award them the points for which they qualify. This applies to all scoring areas which have more than one scoring band.

### **If the application reaches 75 points before all sections have been caseworked.**

Once the application has scored 75 points the caseworker does not need to continue fully caseworking the remaining points scoring sections.

The caseworker should make a short note on the scoreboard and note on the Actions Screen the further points claimed by the applicant or representative and then complete the approval caseworking process.

Caseworkers should always assess the English Requirement section of the application once the points scoring sections have been considered. If the applicant does not meet the English language requirement, the caseworker should assess all scoring categories for which the applicant has claimed points.

**Process to follow when the scoring has reached 75 points**

Put the figure claimed in the 'Points Claimed' box

**Wording for the scoreboard screen**

This should be added to each scoring area not caseworked due to the score already reaching 75 points.

'Area not considered as 75 points already met'

**Wording for actions screen**

This should be added to the actions box. The caseworker should list all the areas that the applicant claimed points for but has not been considered.

'The following points scoring areas have not been considered as the 75 points requirement has already been met:'

**Annex A - List of required documents** [option 1 – table form]

- MBA
- Qualifications
- Previous earnings
- UK experience
- Age assessment
- English language

**MBA**

<b>Required evidence for those with an MBA</b>
Original MBA certificate showing: <ul style="list-style-type: none"><li>• Date of award;</li><li>• Institution;</li><li>• Name of applicant.</li></ul>
<b>For those who have just graduated and have yet to receive their MBA</b>
Original letter on headed paper from authorised Institute official showing: <ul style="list-style-type: none"><li>• Name;</li><li>• Qualification awarded;</li><li>• Date awarded.</li></ul> and Academic transcript showing: <ul style="list-style-type: none"><li>• Name of applicant;</li><li>• Institution;</li><li>• Course details;</li><li>• Confirmation of award.</li></ul>

**Qualifications – points can only be claimed for a single qualification.**

**Required evidence for those with an academic qualification**

Original academic certificate showing:

- Title of the award;
- Date of award;
- Institution;
- Name of applicant.

**Exceptional evidence for those with an academic qualification, i.e. if the required documents are not available and there are exceptional circumstances to justify this, applicants may provide documents from the alternative list below**

Original letter on headed paper from authorised Institute official showing:

- Name;
- Qualification awarded;
- Date awarded.

and

Academic transcript showing:

- Name of applicant;
- Institution;
- Course details;
- Confirmation of award.

**Required evidence for those with a professional/vocational qualification**

Original award certificate showing:

- Title of award;
- Date of award;
- Institution;
- Name of applicant

And

Letter from UK professional body confirming qualification's equivalence to UK academic level showing:

- Name of award including country and awarding body;
- Equivalence of award to UK academic levels.

**Exceptional evidence for those with a professional/vocational qualification i.e. if the required documents are not available and there are exceptional circumstances to justify this, applicants may provide documents from the alternative list below**

Original letter on headed paper from authorised Institution official showing:

- Name;
- Qualification awarded;
- Date awarded.

And

Letter from UK professional body confirming qualification's equivalence to UK academic level showing:

- Name of award including country and awarding body;
- Equivalence of award to UK academic levels.

### **Required evidence for those who have just graduated**

Letter from institution on headed paper showing:

- Name of applicant;
- Qualification awarded;
- Date of award;
- Date certificate will be issued

and

Academic transcript showing:

- Name of applicant;
- Institution;
- Course details;
- Confirmation of award.

### **Previous Earnings**

#### **Required evidence for those who have been in salaried employment**

Both the following covering the full period claimed for:

- Income tax returns;
- Wage slips.

#### **Evidence for those who can produce only one or neither of the above**

If only one item from the above is provided, one from the list below. If neither of the above is provided, both the following to cover the full period claimed:

- Bank statements covering the period claimed for;
- Letter from employer stating salary

#### **Required evidence for those who worked in a country with no tax system**

Two from the following to cover the full period claimed:

- Bank statements;
- Wage slips;
- Letter from employer stating salary.

#### **Required evidence for independent contractors**

All of the following four to cover the full period claimed:

- Income tax return (for applicants coming from a country with a tax system);
- Contracts from employers covering the total amount of earnings claimed;
- Invoices to total the full amount claimed; and
- Bank statements showing incoming payments covering the full amount claimed.

If the required documents above do not provide two forms of corroborating evidence, the applicant has been prompted to provide one of the following documents listed below;

- An accountant's letter confirming the gross and net pay for the period claimed
- Invoice explanations/payment summaries

### **Required evidence for those who have been self-employed**

Both the following to cover the full period claimed:

- Applicant's individual personal income tax return; and
- Applicant's personal bank statements;

Plus one of the following combinations of documents covering the full period claimed:

- Company audited accounts PLUS Company Tax return (one of these documents must confirm the total payment claimed by the applicant); OR
- Unaudited business/management accounts confirming the total payment claimed by the applicant PLUS either
- Business bank statements AND a business tax return; OR
- Copies of contracts totalling the full amount payable to the individual AND corroborating invoices detailing payment to the individual.

If the required documents above do not provide two forms of corroborating evidence, the applicant has been prompted to provide supplementary supporting evidence from the following documents listed below;

- An accountant's letter confirming the gross and net pay for the period claimed
- Invoice explanations/payment summaries
- Company bank statements where they have not been provided as a required document
- Where the applicant is one of a number of shareholders managing the company, the applicant should provide a covering letter from their accountant on business letterhead to confirm their shareholding stake within the company

### **Required evidence for those who have been students in the past 12 months**

Salaried or self employed requirements as above plus original signed and headed letter from the awarding Institute showing:

- Name of applicant;
- Dates of study;
- Number of hours studied per week.

**UK Experience** - points may be claimed for either previous earnings or for previous full time study.

### **Required evidence for those claiming points for previous earnings**

Evidence will be assessed for that sent in to qualify for Previous Earnings criteria.

### **Required evidence for those claiming points for previous full time study**

Original Home Office granting letter; and

Original letter on headed paper from authorised Institute official showing that:

- The applicant achieved a qualification at UK degree level or above; and

- The degree involved study for at least one full academic year or three continuous terms making up one full year; and
- This was during the previous five years

**Exceptional evidence for those claiming points for previous full time study i.e. if the required documents are not available and there are exceptional circumstances to justify this, applicants may provide documents from the alternative list below**

If the Home Office letter is unavailable:

- Notarised copy of personal details page of the applicant's passport; and
- Notarised copy of the page in the applicant's passport that was previously endorsed with the student stay.

NB The original letter on headed paper from authorised Institute official is still required, showing:

- Name;
- Qualification awarded;
- Confirmation of full time study; and
- Date awarded.

### **Age Assessment**

**Required evidence for those claiming points under the age assessment**

One of the following must be produced:

- Original birth certificate;
- Original full driving licence.

**Exceptional evidence required for those claiming points under the age assessment i.e. if the required documents are not available and there are exceptional circumstances to justify this, applicants may provide documents from the alternative list below.**

- Notarised copy of the personal details page of the applicant's passport.

### **English Language**

**Required evidence for those claiming an IELTS report to fulfil English criteria**

IELTS test report at Level 6 or above gained in the two years prior to the application

**Required evidence for those claiming a degree taught in English to fulfil criteria**

Both of the following:

Original degree certificate; and

Original letter on headed paper from the institution confirming the degree was taught in English showing:

- Name;
- Qualification awarded;

- Date awarded.

**Exceptional evidence for those claiming a degree taught in English to fulfil criteria i.e. if the required documents are not available and there are exceptional circumstances to justify this, applicants may provide documents from the alternative list below**

Both of the following:

Original letter on headed paper from the institution confirming the degree was taught in English showing:

- Name;
- Qualification awarded;
- Date awarded.

Academic transcript showing:

- Name of applicant;
- Institute;
- Course details;
- Confirmation of award.

**Exceptional alternative evidence for applicants without either of the above only to be accepted if the applicant has gained an English language certificate prior to applying for the HSMP.**

An English Language certificate equivalent to IELTS 6 according to NARIC gained prior to making the application.

Alternative Annex A – Option 2, not in table form.

MBA

Qualifications:

- Academic qualification
- Professional qualification
- Just graduated

Previous earnings

- No tax system
- Independent contractor
- Self-employed
- Students

UK experience

Age assessment

English language

**MBA**

**Required evidence for those with an MBA:**

- Original MBA certificate showing:
  - Name of applicant;
  - Date of award;
  - Institution.

**For those who have just graduated and have yet to attend the graduation ceremony or receive their MBA certificate:**

- Original letter on headed paper from authorised Institute official showing:
  - Name of applicant;
  - Date of award;
  - Qualification awarded.

**AND**

- Academic transcript showing:
  - Name of applicant;
  - Institution;
  - Course details;
  - Confirmation of award.

**Qualifications - points can only be claimed for a single qualification**

**Required evidence for those with an academic qualification**

- Original academic certificate showing:
  - Name of applicant;
  - Date of award;
  - Institution;
  - Title of award.

**Exceptional evidence for those with an academic qualification**

- Original letter on headed paper from authorised Institute official showing:
  - Name of applicant;
  - Date of award;
  - Qualification awarded.

**AND**

- Academic transcript showing:
  - Name of applicant;
  - Confirmation of award;
  - Institution;
  - Course details.

**Required evidence for those with a professional/vocational qualification**

- Original award certificate showing:
  - Name of applicant;
  - Date of award;
  - Institution;
  - Title of award.

**AND**

- Letter from UK professional body confirming qualification's equivalence to UK academic level showing:
  - Name of award including country and awarding body;
  - Equivalence of award to UK academic levels.

**Exceptional evidence for those with a professional/vocational qualification**

- Original letter on headed paper from authorised Institution official showing:
  - Name of applicant;
  - Date of award;
  - Qualification awarded.

**AND**

- Letter from professional body confirming qualification's equivalence to UK academic level showing:
  - Name of award including country and awarding body;
  - Equivalence of award to UK academic levels.

**Exceptional evidence for those who have just graduated and have yet to attend their graduation ceremony or receive their certificate.**

- Letter from institute on headed paper (academic reference) showing:
  - Name of applicant;
  - Date of award;
  - Qualification awarded;
  - Date certificate will be issued.

AND

- Academic transcript showing:
  - Name of applicant;
  - Confirmation of award;
  - Institution;
  - Course details.

**Previous earnings**

**Required evidence for those who have been in salaried employment**

- **BOTH** the following covering the full period claimed for:
  - Income Tax returns;
  - Wage slips.

**Evidence for those who can produce only one or neither of the above**

- If only one item from the above is provided, one from the list below. If neither of the above is provided, both the following to cover the full period claimed for:
  - Bank statements covering the period claimed for;
  - Letter from employer stating salary.

**Required evidence for those who worked in a country with no tax system**

- Two of the following must be provided to cover the full period claimed;
  - Bank statements;
  - Wage slips;
  - Letter from employer stating salary.

**Required evidence for independent contractors**

- All of the following four to cover the full period claimed:
  - Income tax return (for applicants coming from a country with a tax system);
  - Contracts from employers covering the total amount claimed;
  - Invoices to total the full amount claimed; and
  - Bank statements showing incoming payments covering the full amount claimed.

If the required documents above do not provide two forms of corroborating evidence, the applicant has been prompted to provide one of the following documents listed below;

- An accountant's letter confirming the gross and net pay for the period claimed
- Invoice explanations/payment summaries

**Required evidence for those who have been self-employed**

- Both the following to cover the full period claimed:
  - Applicant's individual personal income tax return; and
  - Applicant's personal bank statements;
- Plus one of the following combinations of documents covering the full period claimed:
  - Company audited accounts PLUS Company Tax return (one of these documents must confirm the total payment claimed by the applicant); OR
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  - Business bank statements AND a business tax return; OR
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If the required documents above do not provide two forms of corroborating evidence, the applicant has been prompted to provide supplementary supporting evidence from the following documents listed below;

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- Company bank statements where they have not been provided as a required document
- Where the applicant is one of a number of shareholders managing the company, the applicant should provide a covering letter from their accountant on business letterhead to confirm their shareholding stake within the company

**Required evidence for those who have been students in the past 12 months**

- Salaried or self-employed requirements as above plus original signed and headed letter from the awarding Institute showing:
  - Name of applicant;
  - Dates of study;
  - Number of hours studied per week.

**UK Experience - points may be claimed for either previous earnings or for previous full-time study**

**Required evidence for those claiming points for previous earnings**

- Evidence will be assessed for that sent in to qualify for Previous Earnings criteria.

**Required evidence for those claiming points for previous full-time study**

- Original Home Office granting letter;
- AND
- Original letter on headed paper from authorised Institute official showing:
    - Name;
    - Qualification awarded;
    - Confirmation of full time study; and
    - Date awarded.

**Exceptional evidence for those claiming points for previous full-time study**

- If the Home Office letter is unavailable:
  - Notarised copy of personal details page of the applicant's passport;

AND

  - Notarised copy of the page in the applicant's passport that was previously endorsed with the student stay.

**Age Assessment**

**Required evidence for those claiming points under the age assessment**

- One of the following must be produced:
  - Original birth certificate;
  - Original full driving licence.

**Exceptional evidence required for those claiming points under the age assessment**

- Notarised copy of the personal details page of the applicant's passport.

**English Language**

**Required evidence for those claiming an IELTS report to fulfil English criteria**

- IELTS test report at Level 6 or above gained in the two years prior to the application

**Required evidence for those claiming a degree taught in English to fulfil criteria**

Both of the following:

- Original degree certificate;

AND

- Original letter on headed paper from the institution confirming the degree was taught in English showing:

- Name;
- Qualification awarded;
- Date awarded.

**Exceptional evidence for those claiming a degree taught in English to fulfil criteria**

- Both of the following:

- Original letter on headed paper from the institution confirming the degree was taught in English showing:

- Name;
- Qualification awarded;
- Date awarded.

AND

Academic transcript showing:

- Name of applicant;
- Institute;
- Course details;
- Confirmation of award.

**Exceptional alternative evidence for applicants without either of the above**

- An English Language certificate equivalent to IELTS 6, certifiable by NARIC, and which was gained prior to making the application.