

Request for a change of conditions of leave granted on the basis of family or private life

Eligibility for requesting an amendment to the conditions of leave

You should only complete this notification if:

1. You were granted leave to remain in the UK on the basis of your family or private life under Appendix FM or paragraph 276ADE of the Immigration Rules, or leave outside the Rules on the basis of exceptional circumstances relating to family or private life; and
2. You still have existing leave in this category; and
3. You wish to request the removal of the condition of your leave which specifies that such leave is subject to no recourse to public funds.

You may make this request in the following circumstances:

1. Since being granted leave to remain your financial circumstances have changed and you have become destitute, or there are now particularly compelling reasons relating to the welfare of your child on account of your very low income, or there are now exceptional circumstances in your case relating to your financial circumstances; or
2. You were destitute, or there were particularly compelling reasons relating to the welfare of your child on account of your very low income, or there were exceptional circumstances in your case relating to your financial circumstances, at the time your application was being considered but you failed to provide evidence of this and you now wish to send in this evidence.

This request is restricted to an amendment to your conditions of leave only. You may not request any other type of reconsideration using this process. If your family circumstances have changed, for example your relationship with your partner has broken down and that is the reason that you have become destitute, you should submit a new FLR (FP) application for leave to remain, and apply for a fee waiver if you cannot afford to pay the application fee.

The policy on access to public funds

The policy for those granted leave to remain on the basis of their family or private life is that leave will be granted subject to a condition of no recourse to public funds, unless:

1. the applicant has provided satisfactory evidence that they are destitute; or
2. the applicant has provided satisfactory evidence that there are particularly compelling reasons relating to the welfare of a child on account of the child's parent's very low income; or

3. the decision maker exercises discretion not to impose, or to lift, the no recourse to public funds condition code because the applicant has established exceptional circumstances in their case relating to their financial circumstances which, in the view of the decision maker, require the no recourse to public funds condition code not to be imposed or to be lifted..

A person is destitute if:

1. They do not have adequate accommodation or any means of obtaining it (whether or not their other essential living needs are met); or
2. They have adequate accommodation or the means of obtaining it, but cannot meet their other essential living needs.

If you do not meet the terms of the policy, we will not amend the conditions of your leave to allow you recourse to public funds. You already have permission to work in the UK.

Where we accept that you have met the terms of the policy, we will amend your conditions of leave and grant you recourse to public funds. There will be no other change to your existing leave. This change of conditions will not give you an extension of the period of leave granted. If your leave is expiring, you will need to put in a new application for further leave.

If it is accepted that you meet the terms of the policy and the conditions of your leave are changed to remove the restriction of no recourse to public funds, please note that this will apply only for the length of your remaining leave. Any decision on whether you qualify for further leave, and the conditions to be attached to it, will be considered on the basis of your circumstances at the time you make that application.

This is not an application for any specific welfare benefit and a grant of leave with recourse to public funds does not guarantee eligibility for any specific benefit. If you are granted recourse to public funds, you will still need to apply to the relevant government department (such as the Department for Work and Pensions or HM Revenue and Customs) and will need to meet the relevant entitlement conditions for any benefit or tax credit for which you apply. The Home Office is not able to intervene in any discussion or dispute on this matter, and any representations in relation to your eligibility to receive a specific benefit would need to be made to the relevant government department.

Evidence required

In order to make the request for an amendment to the conditions of your leave you must provide:

1. A completed notification form;
2. Your existing Biometric Residence Permit (BRP) (where relevant), and passport (including your Leave to Remain vignette where relevant);

3. Documentary evidence that you meet the policy on granting recourse to public funds.

It is up to you to provide sufficient evidence to satisfy the caseworker that you meet the terms of the policy. If insufficient evidence is provided, the conditions of your leave will not normally be changed.

You should provide evidence of your financial circumstances and living arrangements. This could include documents such as:

- Bank statements
- Savings account statements
- Pay slips
- Information about level of your rent and bills
- Tenancy agreement or mortgage statement
- Utility and other relevant bills
- P45 / P60
- Letter confirming employment (the person writing should state their position in the company and provide contact details)
- Letter from Local Authority confirming that support is being provided
- Letter from registered charity or other organisation providing support
- Letter from family or friends who are providing support
- Letter confirming that you or your spouse or partner is in receipt of public funds.

You will need to explain what your current financial circumstances are, how these may have changed, and how you are currently maintaining yourself.

If you need more space than the form provides, please attach additional sheets of paper at the end.

Biometric residence permits (BRP)

If you meet the requirements for an amendment to the conditions of your leave to allow recourse to public funds, we will send you a letter giving information about enrolling your biometric information. That letter will allow you to enrol your biometric information without having to pay a fee.

If you have children under 16 who are included in the notification, they will also need to enrol their biometric information, in the presence of a responsible adult. If you cannot accompany your children when they have their fingerprints and photograph taken you must nominate a responsible adult who will accompany them. The accompanying adult will need to provide evidence of their identity and have a letter confirming that they are authorised to accompany the child.

If we change the conditions of your leave to remain we will issue you a new biometric residence permit.

April 2015

Please send this completed form, your BRP, passport, and accompanying evidence of your financial circumstances to:

**TMT 20
PO Box 3468
Sheffield
S3 8WA**

You do not need to pay a fee in order to make a request for a change of conditions of leave granted on the basis of family or private life.

Request for a change of conditions of leave granted on the basis of family or private life

Please answer all of the questions on this form.

Section 1 – Personal Details

Title:

Name:

Surname:

Maiden name / Name used on application form if different from above:

Current address:

Email address:

Date of birth:

Nationality:

HO reference number:

Passport or travel document number:

Name of spouse/partner:

Date of Birth of spouse/partner:

Spouse/partner's HO reference number (if relevant):

Biometric residence permit details (if you have one):

Name in which you applied for a biometric residence permit:

Date on which and place where fingerprints were taken:

Disability

Do you consider yourself to be disabled? Yes / No

Are any of your dependent family members disabled? Yes / No

If yes, please provide full details of your or your dependent family member's disability (and enclose relevant documentary evidence of this) and of any impact this has on your financial circumstances:

Section 2 – Dependent family members

Please complete this section for any children under the age of 18, or any other dependent family members, who are living with you in the UK, providing details on a separate sheet of paper if you have more than 2 dependants:

1) Name:

Place of birth:

Date of birth:

Sex: male / female

Nationality:

HO reference number (if relevant):

Biometric residence permit details (if your dependant has one):

Name in which your dependant applied for a biometric residence permit:

Date on which and place where fingerprints were taken:

2) Name:

Place of birth:

Date of birth:

Sex: male / female

Nationality:

HO reference number (if relevant):

Biometric residence permit details (if your dependant has one):

Name in which your dependant applied for a biometric residence permit:

Date on which and place where fingerprints were taken:

Section 3 – Representative

Do you give UK Visas & Immigration permission to contact you via an immigration adviser, refuge or advice agency?

Yes / No

Name of representative:

Address:

Telephone:

Email:

Section 4 – Details of your financial circumstances

1. Are you destitute?

Yes / No

Destitution means that you:


- a) do not have adequate accommodation or any means of obtaining it (whether or not your other essential living needs are met); or
- b) you have adequate accommodation or the means of obtaining it, but cannot meet your other essential living needs.

2. How and when did you become destitute? Please explain the nature of your financial circumstances at the time you made the application for leave to remain, and the nature of your financial circumstances now. If there has been a change please explain how this came about.

3. How are you currently maintaining yourself and any dependent family members? If you are receiving support from a Local Authority, charity or other organisation, or from friends or family, please state this here and explain what support is being provided and for how long you have been receiving this. If this support is ending please state this and explain why this is the case.

4. Are there any particularly compelling welfare reasons relating to your child or children that you would like us to consider? Please explain.

5. What evidence are you enclosing with your notification? Please list the documents you are including. Please ensure you include your Biometric Residence Permit (BRP) and passport as well.



6. Is there anything else which you would like us to take into account?



If you need more space for any of the questions please provide details on a separate sheet of paper.

Declaration

In this request I notify UK Visas & Immigration of my financial circumstances for the purpose of requesting a change of the conditions of leave for myself and my dependants listed on this form. The information I have given on this form is complete and true to the best of my knowledge and belief.

I understand that this is not an application for public funds and that, if the conditions of my leave are changed to remove the restriction preventing my recourse to public funds, I will have to apply for public funds separately and meet the eligibility requirements of these.

I declare that I continue to meet the requirements for leave to remain on the basis of family or private life.

I confirm that I also apply for a biometric immigration for myself and any dependants who are applying with me. I understand that the Home Office may make enquiries about any responsible adult nominated by me to be present when any child under the age of 16 applying with me has their fingerprints and/or photograph taken.

I understand that all information provided by me to UK Visas & Immigration will be treated in confidence; that it may be disclosed to other government departments, agencies, local authorities, the police, foreign governments and other bodies for immigration purposes or to enable them to perform their functions; and that, if such bodies provide UK Visas & Immigration with any information about me which may be relevant for immigration purposes, it may be used in reaching a decision following this notification.

I understand that my details may in certain circumstances be passed to fraud prevention agencies to prevent and detect fraud and money laundering. I also understand that such agencies may provide UK Visas & Immigration with information about me. Further details explaining when information may be passed to or from fraud prevention agencies and how that information may be used can be obtained from the Home Office website.

I am aware that it is an offence under the Immigration Act 1971, as amended by the Immigration and Asylum Act 1999 and the Nationality, Immigration and Asylum Act 2002, to make to a person acting in execution of any of those Acts a statement or representation which I know to be false or do not believe to be true, or to obtain or to seek to obtain leave to remain in the United Kingdom by means which include deception.

Signature:

Date: