



Home Office

# Tier 1 (Exceptional talent)

Version 17.0

# Contents

Contents.....	2
About this guidance.....	5
Contacts .....	5
Publication .....	5
Changes from last version of this guidance .....	5
Tier 1 Exceptional talent: key facts.....	6
Tier 1 (Exceptional talent): entry and extension requirements .....	9
Requirements of paragraph 245A and 245BB .....	9
Requirements of paragraph 245BD .....	10
Requirements of paragraph 245BF.....	10
Tier 1 (Exceptional talent): limits .....	12
Tier 1 (Exceptional talent): initial application points.....	14
Tier 1 (Exceptional talent): initial application stage 1 .....	15
Supporting documents.....	15
Tier 1 (Exceptional talent): initial application – endorsement review .....	16
Responses taking longer than 28 days.....	16
Relevant letter .....	16
Overturned decisions.....	17
Tier 1 (Exceptional talent): initial application: stage 2 .....	18
Tier 1 (Exceptional talent): caseworker actions: stage 1 .....	20
Missing evidence .....	20
Referring a case to the DCB.....	20
Format of evidence .....	23
Asking the DCB to consider an application.....	24
Fast track applications: Tech Nation.....	25
Fast track applications: the science bodies .....	25
Response from DCB.....	25
Relevant letter .....	26
Isle of Man applicants.....	26
Tier 1 (Exceptional talent): caseworker actions stage 2 .....	27
In UK applications.....	27
Stage 2 application received.....	27
Missing evidence .....	27

Switching into this category in the UK.....	27
Refusing an application .....	28
Relevant letters.....	28
Caseworker actions: extension applications.....	29
The endorsement has not been withdrawn .....	29
Missing evidence .....	29
Refusing an application .....	29
Relevant letters.....	29
Tier 1 (Exceptional talent) managing the mailboxes.....	31
Tier 1 (Exceptional talent): The Isle of Man.....	32
Application process.....	32
Caseworker actions .....	32
Tier 1 (Exceptional talent) extension application points.....	33
Tier 1 (Exceptional talent) documents required for an extension or settlement.....	34
Evidence of earnings in expert field .....	34
Salaried employee or a director of a limited company .....	34
Applicant has worked in a self-employed capacity .....	35
Sponsored researchers .....	35
Applicant is still endorsed by the relevant DCB .....	35
Tier 1 (Exceptional talent) settlement points .....	37
Tier 1 (Exceptional talent) curtailing leave.....	38
Tier 1 (Exceptional talent) change of circumstances.....	39
Tier 1 (Exceptional talent) grant or refuse an application .....	40
Tier 1 (Exceptional talent) grant or refuse entry clearance (stage 2).....	41
Submitting applications.....	41
Grant entry clearance .....	41
Length of entry clearance .....	41
Refusing entry clearance .....	42
Biometric information for entry clearance .....	42
Rights of appeal and administrative review - out of country applications.....	42
Updating the limit monitoring spreadsheet.....	42
Tier 1 (Exceptional talent) grant or refuse entry at a UK port .....	44
Grant leave to enter .....	44
Refusal of entry.....	44
Refusal of leave to enter.....	44
Appeal rights and refusal forms .....	45
Landing card codes .....	45

Tier 1 (Exceptional talent) grant or refuse an extension of stay in the UK.....	46
Grant extension .....	46
Length of leave .....	46
Refuse an extension .....	47
Rights of appeal and administrative review .....	47
Tier 1 (Exceptional talent) grant or refuse entry clearance for an extension of stay .	48
Grant entry clearance .....	48
Length of entry clearance .....	48
Refusing entry clearance .....	48
Biometric information for entry clearance .....	49
Rights of appeal and administrative review - out of country applications.....	49
Updating the limit monitoring spreadsheet.....	49
Tier 1 (Exceptional talent) grant or refuse settlement.....	50
Tier 1 (Exceptional talent) conditions of leave .....	51
Tier 1 (Exceptional talent) dependants.....	52

# About this guidance

This guidance tells you about Tier 1 (Exceptional talent) category of the points-based system (PBS).

This guidance is based on the [Immigration Rules part 6A](#), paragraphs 245B to 245BF.

This category is for highly skilled people in the fields of science, humanities, engineering, the arts (encompassing culture, fashion, architecture, film and television), and digital technology who wish to work in the UK.

Applicants will already be internationally recognised at the highest level as leaders in their particular field.

Applicants may also qualify if they have already demonstrated exceptional promise and are likely to become leaders in their particular field.

## 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 Economic 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 publication:

- version **17.0**
- published for Home Office staff on **10 January 2019**

## Changes from last version of this guidance

This version applies a number of changes following the Immigration Rules change of 10 January 2019.

### Related content

[Contents](#)

# Tier 1 Exceptional talent: key facts

This page provides an overview of the route.

## Category: Tier 1 (Exceptional talent)

Eligibility requirements	<p>This category is for highly skilled people in specific, recognised fields who wish to work in the UK.</p> <p>Applicants will already be internationally recognised at the highest level as leaders in their particular field, or have already demonstrated exceptional promise and are likely to become leaders in their particular field.</p>
Application forms	<p>Stage 1 (DCB endorsement): <a href="#">apply online</a></p> <p>Stage 2 (Home Office consideration): (In UK): <a href="#">apply online</a></p> <p>(Overseas): either <a href="#">apply online</a> or using a VAF 2 (only for applicants in North Korea).</p> <p>Extension: (In UK): <a href="#">apply online</a></p> <p>(Overseas): either <a href="#">apply online</a> or using a VAF 2 (only for applicants in North Korea).</p> <p>Applicants applying for the <a href="#">Isle of Man's</a> Tier 1 (Exceptional Talent) route use the same stage 1 and stage 2 out of country process as those applying to the UK route. Applications for applicants already in the Isle of Man apply directly to their Immigration Service for stage 2.</p>
Cost of application	<a href="#">Fees for Home Office services</a>
Is biometric information required?	Yes
Code of leave to enter or remain granted	Code 4B

<p>Conditions of leave to enter or remain</p>	<p>Leave to enter or remain under this route is subject to the following conditions:</p> <ul style="list-style-type: none"> <li>• no recourse to public funds</li> <li>• registration with the police, if this is required by <a href="#">paragraph 326</a> of the Immigration Rules</li> <li>• no employment as a doctor or dentist in training or as a professional sportsperson (including as a sports coach)</li> <li>• study subject to the following restriction:</li> </ul> <p>The migrant is allowed to study, but they must obtain an Academic Technology Approval Scheme (ATAS) certificate for the course or research they intend to undertake and present it to their education institution before they start if:</p> <ul style="list-style-type: none"> <li>• they are over age 18 (or will be over 18 by the time their leave expires)</li> <li>• their course is one of the following: <ul style="list-style-type: none"> <li>○ a doctorate or master’s degree by research in one of the disciplines listed in paragraph 1, <a href="#">appendix 6</a> of the Immigration Rules</li> <li>○ a taught master’s degree or other postgraduate qualification in one of the disciplines listed in paragraph 2, <a href="#">appendix 6</a> of the Immigration Rules</li> <li>○ a period of study or research in excess of 6 months in one of the disciplines listed in paragraphs 1 or 2, <a href="#">appendix 6</a> of the Immigration Rules at an institution of higher education where this forms part of an overseas postgraduate qualification</li> </ul> </li> </ul> <p>If their course (or research) completion date is postponed or delayed for more than 3 calendar months or there are any changes to the course contents (or the research proposal), they must apply for a new ATAS certificate within 28 calendar days. They must also provide a printout of the new certificate to their institution promptly.</p>
<p>How long is leave to enter normally granted for?</p>	<p>Either:</p> <ul style="list-style-type: none"> <li>• 1 year and 4 months</li> <li>• 2 years and 4 months</li> <li>• 3 years and 4 months</li> <li>• 4 years and 4 months</li> <li>• 5 years and 4 months</li> </ul>

	As requested by the applicant.
How long is leave to remain normally granted for?	<p>Either:</p> <ul style="list-style-type: none"> <li>• 1 year</li> <li>• 2 years</li> <li>• 3 years</li> <li>• 4 years</li> <li>• 5 years</li> </ul> <p>As requested by the applicant.</p>
Are dependants allowed?	Yes
Work and study allowed?	Yes, subject to the Academic Technology Approval Scheme (ATAS) restrictions described above.
Switching into this category allowed?	<p>Switching into the Tier 1 (Exceptional talent) category is only allowed if the applicant has leave, or has last been granted leave, as a:</p> <ul style="list-style-type: none"> <li>• Tier 1 migrant</li> <li>• Tier 2 migrant</li> <li>• Tier 5 (Temporary worker) migrant, sponsored in the government authorised exchange sub-category in an exchange scheme for sponsored researchers</li> </ul> <p>There is no provision in the Immigration Rules for a person already in the UK in any other category of stay to switch in-country into the Tier 1 (Exceptional talent) category.</p>
Does this category lead to settlement (indefinite leave to remain)?	Yes
Immigration Rules paragraphs	<a href="#">Paragraph 245B – 245BF</a>

**Related content**

[Contents](#)



# Tier 1 (Exceptional talent): entry and extension requirements

This page tells you the requirements a person must meet to be granted either entry clearance, leave to remain or indefinite leave to remain as a Tier 1 (Exceptional talent) migrant.

The initial application for the Tier 1 (Exceptional talent) category is split into 2 parts:

- stage 1 is an application to the Home Office for endorsement by a designated competent body (DCB). This is the same process for people applying both in and out of the UK
- stage 2 is the application for entry clearance or leave to remain using the endorsement

Stage 1 is **not** an application for leave to remain or entry clearance, so you only need to check that the application is accompanied by the correct fee to make sure it is valid.

Before you consider a stage 2 application you must check:

- the stage 2 application is valid
- the applicant's passport or travel document is genuine
- there are no general grounds for refusal
- both the application and biometric information are registered and verified

## Requirements of paragraph 245A and 245BB

To be granted entry clearance as a Tier 1 (Exceptional talent) migrant, a person must score a minimum of 75 points for attributes and must:

- have last been granted entry clearance or leave to remain as a:
  - Tier 4 student
  - student
  - student nurse
  - student re-sitting an examination
  - student writing up a thesis
  - postgraduate doctor or dentist
- currently be sponsored by a government or international scholarship agency, or was being sponsored by a government or international scholarship agency, and that sponsorship came to an end 12 months ago or less

They must provide:

- unconditional written consent of the sponsoring government or agency with the application

- any specified documents needed to show this requirement has been met

## Requirements of paragraph 245BD

To be granted leave to remain as a Tier 1 (Exceptional talent) migrant, a person must:

- not fall for refusal under the general grounds for refusal
- not be an illegal entrant
- score a minimum of 75 points under paragraphs 1 to 6 of [appendix A](#)
- have, or have last been granted, entry clearance, leave to enter or remain as a:
  - Tier 1 migrant
  - Tier 2 migrant
  - Tier 5 (Temporary worker) migrant, sponsored in the government authorised exchange sub-category in an exchange scheme for sponsored researchers
- not be in the UK in breach of immigration laws, except that any period of overstaying allowed under the immigration rules will be disregarded

Applicants for entry clearance and leave to remain are also subject to the following conditions. They:

- must register with the police if this is required under [paragraph 326](#) of the rules
- are not allowed recourse to public funds
- cannot be employed as a:
  - doctor or dentist in training
  - professional sportsperson (including as a sports coach)
- can only study subject to the following restrictions set out in this guidance (see [Key facts](#) page)

## Requirements of paragraph 245BF

In order to be granted indefinite leave to remain as a Tier 1 (Exceptional talent) migrant, a person must:

- not fall for refusal under the general grounds for refusal
- not be an illegal entrant
- score a minimum of 75 points under paragraphs 1 to 6 of [appendix A](#)
- have spent a continuous period of either 3 years lawfully in the UK if they were last endorsed under exceptional talent criteria or 5 years lawfully in the UK if they were last endorsed under exceptional promise criteria as follows:
  - the applicant must have, or have last been granted, leave as a Tier 1 (Exceptional talent) migrant
  - the continuous period must have been spent with leave as a Tier 1 migrant or Tier 2 migrant - this cannot include time with leave as a Tier 1 (Graduate entrepreneur) migrant, Tier 1 (Post-study work) migrant or Tier 2 (Intra-company transfer) migrant

- the applicant must not have had absences from the UK of more than 180 days in any 12 calendar months during the continuous period
- have sufficient knowledge of both the English language and life in the UK, unless the applicant is under the age of 18 or aged 65 or over at the date of application
- not be in the UK in breach of immigration laws, except that any period of [overstaying](#) allowed under the immigration rules will be disregarded

**Related content**

[Contents](#)

# Tier 1 (Exceptional talent): limits

This page tells you about the limit of approvals allowed in the Tier 1 (Exceptional talent) category.

The Tier 1 (Exceptional talent) limit is 2,000 endorsements in total each year (beginning on 6 April and ending on 5 April).

The first 1000 endorsements are assigned to the designated competent bodies (DCBs) in 2 phases. Half the number is available from 6 April to 30 September each year, and the remaining half will be made available from 1 October to 5 April each year. Any unused endorsements from phase 1 are carried over into phase 2 but unused endorsements cannot be carried over from one limit year to another.

The 1000 endorsements will be allocated as follows:

- Arts Council England – 250 places
- The Royal Society – 250 places
- The Royal Academy of Engineering – 150 places
- The British Academy – 150 places
- Tech Nation – 200 places

The second 1000 places within the limit can be used by any DCB, if it has used all of its allocated places. The extra 1000 places are allocated on a 'first come, first served' basis, based on the date of application.

A place in the limit is filled if the applicant is endorsed by the DCB (at [stage 1](#)) and is later granted entry clearance or leave to remain under Tier 1 (Exceptional talent) (at [stage 2](#)). A place in the limit is also filled by applicants who successfully apply under the [Isle of Man](#)'s Tier 1 (Exceptional Talent) route.

If an applicant is endorsed but their application for leave is unsuccessful, their place is returned to the limit, unless the applicant successfully challenges the refusal decision through an administrative review (if applicable), appeal, pre-action protocol or judicial review.

Alternatively, if the applicant's endorsement is still within the 3-month validity period, it can be reused by the applicant following the refusal of a leave application.

For example, if an applicant is refused leave to remain in the UK because they are unable to switch into Tier 1 (Exceptional talent), the endorsement can be reused for an entry clearance application if it remains valid.

If the endorsement is no longer valid, the place is returned to the limit. The applicant must get a new endorsement if they submit a new leave application in these circumstances.

Extension applications and settlement applications are not counted against the limit.

Arts Council England are the endorser for applicants considered by the Producers Alliance for Cinema and Television (PACT), the British Fashion Council (BFC) and the Royal Institute of British Architects (RIBA). Any endorsements given via PACT, BFC or RIBA will be taken from the allocation given to Arts Council England.

**Related content**

[Contents](#)

# Tier 1 (Exceptional talent): initial application points

This page tells you how points are scored in the attributes requirement for an initial application under the Tier 1 (Exceptional talent) category.

Attributes: pass mark = 75 points	Points available
<p>Endorsed by designated competent body (DCB) according to that body's criteria.</p> <p>The full <a href="#">Policy Guidance</a> contains information on the criteria for:</p> <ul style="list-style-type: none"><li>• the arts (including culture, fashion, architecture, film and television)</li><li>• sciences (including medicine and humanities)</li><li>• digital technology</li></ul>	75

There is no maintenance or English language requirement for initial applications.

Applicants make an initial application in this category in 2 stages:

- [initial application: stage 1](#)
- [initial application: stage 2](#)

## Related content

[Contents](#)

# Tier 1 (Exceptional talent): initial application stage 1

This page tells you about the initial application: stage 1 in the Tier 1 (Exceptional talent) category.

Applicants must [apply online](#). They must also send the [supporting documents](#), including the [Tech Nation application form](#) if they are applying under the digital technology criteria, once they have submitted their online application.

You must [send the relevant documentation](#) to the applicant's chosen designated competent body (DCB), who will then tell you if the applicant meets its endorsement criteria.

You must update the limit monitoring sheet with all actions to record the progress of the application.

## Supporting documents

The applicant must provide the documents specified by their chosen DCB unless they are a digital technology applicant. Digital technology applicants must upload their supporting documents via the [Tech Nation application form](#). They are requested not to send evidence to the Home Office.

Although you must accept copies of specified documents, if you have any reason to think they are not genuine, you can request the originals. The documents must be scanned before being emailed to the DCB.

The applicant guidance states that the Home Office will return unrequested original documents if the applicant has provided a suitable pre-paid return delivery envelope. If the applicant is unable or unwilling to comply, but is requesting the return of their original documents, you should discuss what action to take with your manager.

If you have requested original documents, and the applicant has not provided a return method of delivery, these must be returned to the applicant at the Home Office's expense.

You must inform the applicant if they have been successful in gaining an endorsement using the email address given on their application form.

Further details on the consideration of initial stage 1 applications can be found under [caseworker actions initial applications: stage 1](#).

## Related content

[Contents](#)

# Tier 1 (Exceptional talent): initial application – endorsement review

This page tells you about the endorsement review for stage 1 applications in the Tier 1 (Exceptional talent) category.

If applicants are unsuccessful at stage 1, they can request a review of the decision. They must submit this on the endorsement review form within 28 days of the date of refusal and email it to the Exceptional Talent Endorsements inbox.

You must forward both this form and the original completed endorsement form to the relevant designated competent body (DCB) as soon as possible, as you must respond to endorsement reviews within 28 days. You must update the limit monitoring sheet with details of the endorsement review.

When a response is received from the DCB you must:

- update the limit monitoring sheet
- send a [letter](#) to the applicant by email

If you receive the form over 28 days after the date of refusal, you must consider if there are any exceptional circumstances to accept the endorsement review. If there are not, you must email the applicant to inform them the endorsement review will not be accepted. Using the [relevant letter](#).

For copies of the endorsement forms see:

- request for endorsement: Arts Council
- request for endorsement: Science Bodies
- request for endorsement: Tech Nation

## Responses taking longer than 28 days

If it is clear that a response will take longer than 28 days, you must contact the applicant to tell them there has been a delay and provide an indication of when you expect a response.

## Relevant letter

The relevant letter used to inform applicants of the decision is Tier 1 (Exceptional talent) - ICD.4609 on document generator on CID.

This is used for both successful and unsuccessful endorsement reviews, as well as to inform applicants their endorsement review has not been accepted. You must copy this into a Word document, save it as a PDF and attach the PDF to the email to



the applicant. Where the endorsement review was unsuccessful, you must include details of the DCB response in the refusal letter.

## **Overtured decisions**

If the DCB overturns its original decision, you must not create a new case on CID.

Below the previous refusal decision on the case maintenance screen you must insert 'Review Endorsement Decision' as a new decision.

You must then insert a further decision below this showing the application is 'Endorsed'. This means a full audit trail of the case is recorded.

### **Related content**

[Contents](#)

# Tier 1 (Exceptional talent): initial application: stage 2

This page tells you about the initial application: stage 2 in the Tier 1 (Exceptional talent) category.

When the applicant receives their endorsement, they can make a full application for entry clearance or leave to remain. A different process exists for applicants applying for the [Isle of Man](#)'s Tier 1 (Exceptional talent) route. All applicants must include their endorsement letter with the application form.

Applicants may submit a stage 2 application without submitting a stage 1. If this occurs, you must accept the stage 2 application, place it on hold and contact the applicant to advise that a stage 1 application must be submitted within 14 days. If an application is received within 14 days, you must hold stage 2 until a decision is made on stage 1. If no application is submitted within 14 days, you should refuse stage 2, unless directed otherwise by a line manager. Where it is unclear if a stage 2 application has been submitted, you must email the Tier 1 Exceptional Talent caseworking team in Sheffield to confirm.

Applicants may choose to submit their stage 2 application before the stage 1 application is concluded, for example, if the applicant is in the UK and their leave is due to expire and they want to make sure they do not overstay in the UK. If this occurs, you must hold the stage 2 application until a decision is made on the stage 1 application.

The applicant is awarded [75 points for attributes](#) at this stage.

The applicant must send the endorsement letter to the Home Office. This must be a printed copy of the letter emailed to them following stage 1 of their application and dated no earlier than 3 months before the date of the stage 2 application.

You must update the limit monitoring sheet with any actions to record the progress of the application.

If you are based outside the UK and have made a decision on an entry clearance application, you should email the Tier 1 Exceptional Talent caseworking team in Sheffield to make sure the limit monitoring spreadsheet is updated.

If the application was made inside the UK at a Premium Service Centre, you must email the Tier 1 Exceptional Talent caseworking team with your decision so the spreadsheet can be updated appropriately.

The Exceptional Talent caseworking team in Sheffield must ensure that the limit is monitored appropriately. This includes regularly running reports from the Case Records System (CRS) to confirm outcomes of cases submitted overseas and updating the limit monitoring spreadsheet in line.

Further details on the consideration of initial stage 2 applications can be found under [Caseworker actions initial applications: stage 2](#).

**Related content**

[Contents](#)

# Tier 1 (Exceptional talent): caseworker actions: stage 1

This page tells you the steps to take when you consider documentation submitted under the Tier 1 (Exceptional talent) category.

For overseas applications, you must check the Tier 1 (Exceptional talent) Administration inbox on a daily basis to check for queries linked to Stage 2 applications submitted overseas, for example where a stage 2 application is received without a corresponding stage 1 application.

For in UK (in-country) applications, you must check the application received is valid.

## Missing evidence

If the application is valid you must contact the applicant and give them 14 days to provide the requested document or documents.

If the applicant fails to supply, or they cannot get, the requested evidence, you must still refer the case to the designated competent body (DCB), but you must tell them missing evidence was requested and has not been received, or that the applicant cannot provide it.

Tech Nation applicants are not required to submit copies of their specified evidence to the Home Office and, therefore, applications should not be placed on hold.

## Referring a case to the DCB

You must fill in the applicant's basic details and create a unique reference number (URN) on the limit monitoring sheet in the shared drive. The URN is a consistent way of identifying the applicant's information and is made up of the following details:

- URN
- current year
- designated competent body (DCB) abbreviation
- 4-digit applicant number

For example, the first Arts Council England application in the 2018/ 19 limit year would be allocated the following URN: URN2018AC0001.

You must check all the relevant documents have been supplied. Different documents are required for different DCBs.

## Arts Council England

For an Arts Council England (ACE) application, the requirements differ depending on which body will assess the application. This will be either ACE, the Producers Alliance for Film and Television (PACT), the British Fashion Council (BFC) or the Royal Institute of British Architects (RIBA). The application form will indicate which sub-endorser will consider the application.

ACE applicants must provide:

- 3 letters of endorsement:
  - one letter must be from a UK based arts or cultural organisation, institution or company
  - one letter must be from an arts or cultural organisation, institution or company, which may or may not be UK based
  - the last one must be from either a third arts organisation (based either in the UK or overseas) or from an eminent individual with internationally recognised expertise in the applicant's specialist field
- up to 10 pieces of supporting documentation (which will be listed on the Stage 1 application form)

PACT applicants must provide:

- 3 letters of endorsement as described above for ACE applicants
- evidence of each award they were nominated for or won, including
  - full details of the production nomination or award, including category and year of nomination or award
  - evidence of the applicant's involvement if the nomination or award was as part of a group
  - evidence of the credit the applicant received for the nomination or award
  - if the applicant is claiming credit for an award where they made a significant and direct contribution, evidence of their significant and direct contribution to the win or nomination

BFC applicants must provide:

- 3 letters of endorsement from established organisations, institutions or companies with a national or international reputation and recognised expertise in fashion
  - if applying under Exceptional Talent criteria, at least one of these letters must be from a UK organisation
- up to 10 pieces of supporting documentation (which will be listed on the Stage 1 application form)

RIBA applicants must provide:

- 3 letters of endorsement as described above for ACE applicants
- evidence of each award they were nominated for or won, including
  - full details of the nomination or award, including category and year of nomination or award
  - evidence of the applicant's involvement if the nomination or award was as part of a group

- evidence of the credit the applicant received for the nomination or award
- if the applicant is claiming credit for an award where they made a significant and direct contribution, evidence of their significant and direct contribution to the win or nomination
- up to 10 pieces of supporting documentation (which will be listed on the Stage 1 application form)

## Science bodies

For the British Academy, Royal Society, Royal Academy of Engineering applications, non-fast track applicants must provide a:

- letter of recommendation from an eminent person in the UK
- CV

A written recommendation from a reputable UK organisation may be also supplied. This is one of three possible options under the exceptional talent qualifying criteria. The letter is not required for exceptional promise applicants.

Applicants may qualify to be considered under one of two fast track processes. They will indicate this on their form. These applicants go through a different consideration process, as they have already been subject to peer review. They also have different evidential requirements.

For fast-track applications on a named fellowship, applicants must hold a letter of acceptance from UK Research and Innovation (UKRI) and its Councils, the Wellcome Trust, the British Heart Foundation, Cancer Research UK or UK National Academies research fellowships showing they have been awarded specific research fellowships/ awards and research leadership positions. Applicants must provide confirmation of the award which you must forward to the DCB for consideration.

A full list of the fellowships eligible for the accelerated process is published at <https://royalsociety.org/about-us/competent-body/>.

For fast track applications for a senior appointment, applicants must have been appointed to eligible senior academic or research positions at UK Higher Education Providers (HEP) or research institutes. They are required to provide a mandatory statement of guarantee from the Director of Human Resources or equivalent of the appointing HEP or research institute. Full details of the evidence can be found in the policy guidance.

A list of eligible HEPs and research institutes is published at <https://royalsociety.org/about-us/competent-body/>

## Tech Nation

For Tech Nation applications, applicants must provide:

- 2 letters of recommendation from a recognised resident expert

- a CV
- up to 10 pieces of information to demonstrate that they meet one of the key and 2 of the qualifying criteria:
  - if the applicant has had any active or dissolved digital technology businesses in the last five years, or evidence of share ownership through business in a digital technology sector company, their 10 documents must include evidence of this.

Tech applications may qualify to be considered under a fast track process. The applicant should state on their Tech Nation online application form if they want to be considered under the [fast track process](#).

As the Tech Nation online application form allows applicants to upload a copy of their evidence directly, there will be no need for you to scan any documents to email to Tech Nation. Applicants are not required to provide evidence to the Home Office, though if any photocopies are provided, these should be retained on file at the Home Office.

## Format of evidence

The Immigration Rules for Arts Council England specify that evidence **cannot** include:

- objects
- DVDs
- CDs
- digital files
- web links

If an applicant wants to use the content of a webpage as one of their 10 permitted supporting documents, they **must provide a printed copy** of the page which clearly shows the hyperlink for the page. The science bodies list exactly what documents must be provided, so applicants are unlikely to supply objects.

Tech Nation applicants should not send you objects, for example:

- books
- DVDs
- CDs
- memory sticks

If they submit objects as part of their application, you must contact the DCB to tell them objects have been received and confirm which address the items must be sent to.

If it is not clear from the application, you must also contact the applicant to confirm whether they want you to return the objects once the DCB has finished their assessment.

If an Arts Council England applicant has sent you objects, you must contact the applicant and explain that the evidence will not be sent to the DCB and ask whether they want you to return the evidence.

If applicants do want you to return the objects, you must speak to your manager to arrange an appropriate method of tracked mail postage. Objects which are not to be returned will either be sent to the appropriate DCB to be stored in their libraries (if required), or disposed of appropriately.

## Asking the DCB to consider an application

You must send referrals to all DCBs, except Arts Council England, as soon as possible. At their request, **Arts Council England applications must be batched together and only sent on Wednesdays**. If the decision is urgent, you must first contact Arts Council England to check they are happy to receive an application outside of the normal batching day.

You must create an endorsement form for the relevant DCB and save it in the T1ET folder for that individual using the unique reference number (URN) as the file name.

For copies of the forms see:

- request for endorsement: Arts Council
- request for endorsement: Science Bodies
- request for endorsement: Tech Nation

You must attach both the relevant sections of the stage 1 form and the relevant supporting evidence to an email to send to the DCB.

---

### Official – sensitive: Start of section

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

---

### Official – sensitive: End of section

The maximum file size that can be emailed to the DCB is 7MB. If the documentation is larger you must send it in as few emails as possible.

You must not send scans as individual pages, but group them into files. For example, a 3 page letter must not be saved as 3 separate documents.



The email is then saved in the Tier 1 Exceptional Talent Administration mailbox in Outlook.

## Fast track applications: Tech Nation

Tech Nation operates a fast-track option for applicants who fall under one of the following categories:

- Regional location – For applicants who can provide evidence that they intend to settle and work outside of Greater London and can demonstrate how this is linked to their plans for employment or entrepreneurship
- Experience of scale – for applicants who can provide evidence that they are an existing member of a senior management team or C-suite (CEO, CTO, CFO, COO, CMO) and are able to demonstrate extensive experience in scaling a digital technology business: this fast track option only applies if you are applying under the ‘exceptional talent’ criteria (not ‘exceptional promise’)
- Accelerator participant – for applicants who can provide evidence of being accepted onto a recognised UK accelerator programme as named in the [Tier 1 \(Exceptional Talent\) Policy guidance](#)

If an applicant is requesting that their application is fast-tracked, their Tech Nation application form will show this.

## Fast track applications: the science bodies

The science Bodies operate 2 fast-track application processes for both:

- applicants who hold a fellowship named in the Tier 1 (Exceptional Talent) policy guidance
- applicants who have been appointed to eligible senior academic or research positions at UK Higher Education Institutions (HEI) or research institutes

If an applicant is requesting that their application is fast-tracked, their application form will show this.

Applicants who have requested that their application is fast-tracked because they hold a fellowship must provide confirmation from the funding body. Applicants who have requested that their application is fast-tracked as a senior academic or researcher must provide a letter from the HR Director or equivalent of the appointing HEI or research institute. It is for the relevant DCB to decide whether the evidence is acceptable.

Where the DCB decides that the applicant does not meet the requirements to be fast-tracked, it will advise the Home Office. You must then contact the applicant and request the full information required from non-fast track applicants.

## Response from DCB

When you receive a response, you must resave the endorsement form over the top of the old one. You must then update the limit monitoring sheet with the DCB decision, and insert a hyperlink to the completed form into the relevant column of the sheet.

## Relevant letter

The relevant letter used to inform applicants of the decision is the Tier 1 (Exceptional talent) ICD.4609.

This is used for successful and unsuccessful applications, and you must copy this into a Word document, save as a PDF and attach the document to the email to the applicant. Where the application is refused, you must include the 'Request for Endorsement' form in the email. Any details of the individual at the DCB which made the decision must be redacted and the form saved as a PDF.

## Isle of Man applicants

If an applicant has successfully been endorsed under the [Isle of Man](#) Tier 1 (Exceptional talent) route, you must contact the [Isle of Man](#) to advise them.

You should provide:

- the applicant's name
- the date of birth
- confirmation of the DCB who endorsed the application
- the date of the endorsement

### Related content

[Contents](#)

# Tier 1 (Exceptional talent): caseworker actions stage 2

This page tells you the steps to take when you consider a stage 2 application –for Home Office consideration – under the Tier 1 (Exceptional talent) category.

## In UK applications

You must check the application has been validated.

## Stage 2 application received

You must update the limit monitoring sheet in the shared drive, to show the stage 2 application has been received and further update it when a decision is made, including where the applicant is applying under the [Isle of Man](#) Tier 1 (Exceptional talent) route.

## Missing evidence

If evidence which is required is missing, it may be appropriate to request it under evidential flexibility.

## Switching into this category in the UK

An applicant can apply for leave to remain in the UK (including switching from one immigration category to another) if they are here with permission to stay as a:

- Tier 1 migrant
- Tier 2 migrant
- Tier 5 (Temporary worker – government authorised exchange) migrant, in an exchange scheme for sponsored researchers

To confirm a Tier 5 (Temporary worker – government authorised exchange) applicant is in an exchange scheme for sponsored researchers, you may have to:

- check Metastorm
- check the central records system (CRS)
- request the visa application form (VAF)
- contact the applicant's current sponsor.

If you contact the applicant's current sponsor, you must not tell them the applicant has made a Tier 1 (Exceptional talent) application. If the sponsor queries the reason for the request, you must tell them you are checking the immigration status of the applicant.

Applicants who were last granted leave in the above categories are only able to switch if they still have valid leave or have overstayed for a period allowed by the immigration rules.

There is no provision in the Immigration Rules for a person already in the UK in any other category to switch into the Tier 1 (Exceptional talent) category.

You must grant leave to remain from the date you make the decision, not the date the applicant's previous leave expires.

## Refusing an application

For both [in country](#) and [out of country](#) applications, you must assess any potential general grounds for refusal.

In any application that is refused because the designated competent body (DCB) did not recommend endorsement, the stage 1 decision letter (ICD.4609) must be bundled. There is no requirement to bundle the endorsement form. However, you must place a copy on the file in case the decision is challenged by the applicant.

## Relevant letters

The relevant letters to use to inform applicants of the decision for in the UK applicants are:

- Tier 1 (Exceptional talent) approval letter and leaflet combined migrant – ICD.4572
- Tier 1 (Exceptional talent) refusal notice – ICD.4574.IA

Where the applicant has a representative, ICD.4947 should be used in addition to the letters above.

For Tech Nation applicants who are approved you must include the standard wording in ICD.4572 that invites applicants to join the Tech Nation Alumni group. The standard wording must be deleted for applicants endorsed by any other DCB.

The Tier 1 (Exceptional talent) letter used on out of country cases is available on Sharepoint.

### Related content

[Contents](#)

# Caseworker actions: extension applications

This page tells you how to consider an extension application under the Tier 1 (Exceptional talent) category.

In UK extension applications are submitted [online](#). You must check the application is [valid](#).

Out of country extension applications are submitted on a separate [online](#) system.

## The endorsement has not been withdrawn

The designated competent body (DCB) must not have withdrawn the endorsement given on the initial application.

If the DCB no longer wishes to endorse the applicant, they must inform the Home Office through the Tier 1 (Exceptional talent) administration mailbox. You must record this information on the limit monitoring spreadsheet.

If you do not have access to this spreadsheet, you must contact the Tier 1 (Exceptional talent) team in Sheffield.

## Missing evidence

If any required evidence is missing, it may be appropriate to request this under evidential flexibility.

## Refusing an application

For [in country](#) and [out of country](#) applications you must assess any potential general grounds for refusal.

## Relevant letters

The relevant letters to use to inform applicants of the decision are:

- Tier 1 (Exceptional talent) approval letter and leaflet combined migrant - ICD.4572

Where the applicant has a representative, ICD.4947 should be used in addition to the letter above.

The Tier 1 (Exceptional talent) letter used on out of country cases is available on Sharepoint.

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

# Tier 1 (Exceptional talent) managing the mailboxes

This page tells you the steps to take to manage the Tier 1 (Exceptional talent) mailboxes.

There are 2 mailboxes for Tier 1 (Exceptional talent): one primarily for communicating with applicants and the other for administration purposes.

Overseas posts may use the administration mailbox to query stage 1 endorsements, including where an application is outstanding, or when considering an extension application, to confirm that the designated competent body (DCB) has not withdrawn its endorsement.

This mailbox must also be used by caseworkers in the Isle of Man when checking endorsements under their Tier 1 (Exceptional talent) route. The administration mailbox must be checked twice daily and action taken as appropriate.

If the DCB has withdrawn its endorsement of an applicant who was previously approved, it uses the administration mailbox to tell the Home Office. You must update the limit monitoring spreadsheet and CID with this information. In addition, curtailment may be appropriate.

CID should be updated with relevant information as a priority to allow posts to check this data using I-Search. This reduces the number of queries sent to the administration mailbox and speeds up the consideration time for entry clearance applications.

The external mailbox is used to inform applicants of the progress and outcome of their stage 1 application. It is the applicant's main way of communicating with the Home Office. The mailbox must be checked frequently and appropriate action taken.

All caseworkers who consider in UK applications must be given access to the relevant mailboxes. If you do not have access, you must request this from your line manager.

## **Related content**

[Contents](#)

# Tier 1 (Exceptional talent): The Isle of Man

This page tells you how to deal with applications under the Isle of Man Tier 1 (Exceptional talent) category.

The Isle of Man has their own separate immigration rules. They introduced a Tier 1 (Exceptional talent) route in March 2016. They make use of the UK designated competent bodies (DCBs) to consider their applications.

## Application process

Stage 1 applications are handled by UK Visas and Immigration (UKVI) in the same way as applications under the UK version of the exceptional talent route.

Stage 2 applications are handled differently, depending on where the applicant is located. If they apply for entry clearance, this is submitted using [Visa4UK](#). This should then be forwarded to the Isle of Man for consideration. Once considered, the entry clearance officer must issue a vignette for any successful application (the Isle of Man do not currently use biometric enrolment).

If the applicant is already in the Isle of Man, they must apply directly to the [Isle of Man immigration authorities](#). UKVI have no involvement in these applications and the Isle of Man should inform UKVI of the outcome.

Extension applications will also be considered by the Isle of Man immigration authorities.

## Caseworker actions

You must tell the applicant of your decision using letter ICD.4069 once you have completed the stage 1 application. You must select the correct option to tell the applicant how to apply for stage 2 for the Isle of Man.

You must update the limit monitoring sheet after a decision is made on any stage 2 application.

### Related content

[Contents](#)



# Tier 1 (Exceptional talent) extension application points

This page tells you how points are scored in the attributes requirement for an extension application in the Tier 1 (Exceptional talent) category.

Attributes: pass mark = 75 points	Points available
<p>During their most recent period of leave as a Tier 1 (Exceptional talent) migrant, the applicant has earned money in the UK as a result of employment or self employment in their expert field as previously endorsed by a designated competent body (DCB), and that DCB has not withdrawn its endorsement of the applicant.</p> <p>For more information, see <a href="#">Documents required for an extension or settlement</a>.</p>	75

You must remember that applicants can extend their leave from outside the UK. The requirements are the same regardless of where the applicant submits their extension application.

## Related content

[Contents](#)

# Tier 1 (Exceptional talent) documents required for an extension or settlement

This page tells you the documents that an applicant must provide with their application for an extension of leave or application for settlement (indefinite leave to remain).

You must only accept specified documents as evidence that an applicant has earned money in the UK as a Tier 1 (Exceptional talent) migrant. Money must be from employment or self-employment in their expert field. The expert field must be the same as previously stated when the applicant was endorsed by a designated competent body (DCB).

## Evidence of earnings in expert field

One of the following must be provided by all applicants:

- a contract of service or work between the applicant and a UK employer or institution which indicates the field of work they have undertaken
- a letter on the UK institution or employer's official headed paper confirming the applicant has earned money in their expert field

## Salaried employee or a director of a limited company

At least one of the following must be provided:

- payslips in one of the following formats:
  - formal payslips
  - on the organisation's official letter-headed paper or stationery – if not on headed paper they must have the organisation's official stamp
  - printouts of online payslips must be provided with a letter from the applicant's employer, on the company's headed paper, confirming the applicant's earnings
- personal bank statements showing payments made to the applicant from their employer or a limited company of which they are a director, in the following format:
  - statements printed on the bank's letter-headed paper
  - electronic bank statements either with a supporting letter from the bank, on company headed paper, confirming the statements provided are authentic, or a printed statement with the official bank stamp on every page
- an official tax document produced by Her Majesty's Revenue & Customs (HMRC) or employer, showing earnings on which tax has been paid or will be paid in a tax year – for these purposes, official tax documents are defined as:
  - a document produced by HMRC showing details of declarable taxable income on which tax has been paid or will be paid in a tax year (for example, a tax refund letter or tax demand)

- a document produced by an employer as an official return to HMRC, showing details of earnings on which tax has been paid in a tax year (for example, a P60)
- a document produced by a person, business, or company as an official return to HMRC, showing details of earnings on which tax has been paid or will be paid in a tax year: this must have been approved, registered, or stamped by HMRC
- dividend vouchers showing the amount of money paid by the company to the applicant, normally from its profits: they should confirm both the gross and net dividend paid and a separate dividend voucher or payment advice slip must be provided for each dividend payment

## **Applicant has worked in a self-employed capacity**

At least 1 of the following must be provided:

- a letter from the applicant's accountant which confirms the amount of salary the applicant earned in the following format:
  - on headed paper, confirming the gross and net pay for the period claimed
  - with a breakdown of salary, dividends, profits, tax credits and dates of net payments earned
  - if earnings are a share of the net profit of the company, the letter must also explain this
  - all accountants must be either fully qualified chartered or certified accountants who are members of a registered body in the UK
- company or business accounts that clearly show the net profit of the company or business, which must show:
  - both a profit and loss account (or income and expenditure account if the organisation is not trading for profit), and the balance sheet must be signed by a director
  - the account meets statutory requirements and clearly shows the net profit made over the earnings period to be assessed

## **Sponsored researchers**

Applicants must provide evidence of funding from an institution, not necessarily in the UK. This can be in the form of a letter on official headed paper confirming the details of funding. It must include the:

- applicant's name
- name of sponsor
- name of the host institution where the applicant will be based
- details of the funding provided, including the amount of funding

## **Applicant is still endorsed by the relevant DCB**

There are no documentary requirements to demonstrate applicants are still endorsed by the relevant DCB.

If the relevant DCB decides to withdraw its endorsement of a migrant they will inform the Tier 1 (Exceptional talent) caseworking team based in Sheffield who will update the limit monitoring spreadsheet to record this information. CID must also be updated with details.

If you are considering an extension or settlement application, there are no comments on CID indicating an endorsement has been withdrawn and you do not have access to the limit monitoring spreadsheet, you must contact the Tier 1 (Exceptional talent) administration mailbox to confirm the endorsement is still valid.

#### **Related content**

[Contents](#)

# Tier 1 (Exceptional talent) settlement points

This page tells you how points are scored in the attributes requirement for a settlement (indefinite leave to remain) application in the Tier 1 (Exceptional talent) category.

<b>Attributes: pass mark = 75 points</b>	<b>Points available</b>
<p>During their most recent period of leave as a Tier 1 (Exceptional talent) migrant, the applicant has earned money in the UK as a result of employment or self-employment in their expert field as previously endorsed by a designated competent body (DCB), and the DCB has not withdrawn its endorsement of the applicant.</p> <p>For more information, see <a href="#">Documents required for an extension or settlement</a>.</p>	75

Applicants must have spent a continuous period of either 3 years lawfully in the UK, if they were granted under exceptional talent criteria, or 5 years if granted under exceptional promise criteria. Applicants are able to have absences from the UK of no more than 180 days in any continuous 12 calendar months during that period. They may combine leave spent in the following categories but time spent in any other category (including Tier 1 (Graduate entrepreneur), Tier 1 (Post-study work), Tier 2 (Intra-company transfer) and Tier 5 (Temporary worker)), cannot be included in the qualifying period:

- Tier 1 (General)
- Tier 1 (Entrepreneur)
- Tier 1 (Investor)
- Tier 2 (General)
- Tier 2 (Minister of religion)
- Tier 2 (Sportsperson)

The applicant must also:

- not fall for refusal under the general grounds for refusal, and must not be an illegal entrant
- have enough knowledge of the English language and life in the UK, in line with appendix KoLL of the Immigration Rules, unless they are under the age of 18 or aged 65 or over at the date the application is made
- not be in the UK in breach of immigration laws, except that any period of overstaying allowed by the immigration rules will be disregarded

## Related content

[Contents](#)

# Tier 1 (Exceptional talent) curtailing leave

This page tells you about curtailing the leave of a Tier 1 (Exceptional talent) migrant.

You can curtail a person's leave in this category if the designated competent body (DCB) that endorsed the application for the current grant of leave withdraws the person's endorsement.

There is separate curtailment guidance which explains additional reasons which may result in the curtailment of an applicant's leave.

## **Related content**

[Contents](#)

# Tier 1 (Exceptional talent) change of circumstances

This page tells you where to find more information on changes of circumstances for a Tier 1 (Exceptional talent) migrant.

The applicant is required to undertake different actions depending on whether they are inside or outside the UK and whether they have a biometric residence permit (BRP). There are more details on how to report a change of circumstances available on [GOV.UK](https://www.gov.uk).

## **Related content**

[Contents](#)

# Tier 1 (Exceptional talent) grant or refuse an application

This page tells you about granting or refusing different types of application for Tier 1 (Exceptional talent).

You must complete different actions depending on the type of application that has been made:

- [Grant or refuse entry clearance \(stage 2\)](#)
- [Grant or refuse entry at a UK port](#)
- [Grant or refuse an extension of stay in the UK \(stage 2\)](#)
- [Grant or refuse entry clearance for an extension of stay](#)
- [Grant or refuse settlement \(indefinite leave to remain\)](#)

## **Related content**

[Contents](#)



# Tier 1 (Exceptional talent) grant or refuse entry clearance (stage 2)

This page tells you about granting or refusing a stage 2 application made overseas to come to the UK in the Tier 1 (Exceptional talent) category.

## Submitting applications

Tier 1 (Exceptional talent) applicants can submit applications at the visa application centre in the country or territory where they are situated at the time of the application, provided that:

- the visa application centre has been designated by the Secretary of State to accept applications for entry clearance for that purpose and from that category of applicant
- the applicant is able to demonstrate to the entry clearance officer that they have authority to be living in that country or territory in accordance with its immigration laws
- when they were given authority to live in that country or territory, it was for a period of more than 6 months – applicants who are known to the authorities of that country or territory but who have not been given permission to live in that country or territory will not be eligible to make an application

## Grant entry clearance

You must issue entry clearance if:

- the applicant meets all the requirements of paragraph 245B-245BC of the Immigration Rules
- none of the general grounds for refusal in paragraph 320 apply

## Length of entry clearance

Applicants can select one of the following options:

- 1 year, 4 months
- 2 years, 4 months
- 3 years, 4 months
- 4 years, 4 months
- 5 years, 4 months

Applicants must have paid the correct Immigration Health Surcharge (IHS) for the period of time they requested on their stage 2 application. For example, if they paid the IHS for one year but request a 3 year 4 month grant, you must refuse the application.

For more information on the IHS, including how to check that the applicant made the correct payment, see: [Immigration Health Surcharge](#).

The endorsement is always one of the following and must be valid from the date the applicant intends to travel to the UK:

- Tier 1 - Exceptional Talent Migrant - 245BB - Code 1 (+doc) (+sport)
- Tier 1 - Exceptional Talent Partner - 319C - Code 1 (+doc)
- Tier 1 - Exceptional Talent Child - 319H - Code 1

## Refusing entry clearance

You must refuse the application:

- when the applicant has not provided the required evidence to show they meet all the relevant paragraph of the rules
- if any of the general grounds for refusal in paragraph 320 apply

The only exception to this is if the applicant indicates they have submitted their stage 1 application and is awaiting a response from the Home Office. In this situation, the overseas post must contact the Tier 1 Exceptional talent caseworking team in Sheffield, to establish what action has been taken on the stage 1 application.

## Biometric information for entry clearance

Successful applicants for entry clearance are not given a vignette in their passport for the full length of the grant. If successful, they must be given a 30-day visa to allow them to collect their biometric residence permit (BRP) after they have arrived in the UK. For more information on this, please see the [Biometric Residence Permits](#) page on GOV.UK.

## Rights of appeal and administrative review - out of country applications

If an application for entry clearance is refused under the points-based system, the applicant cannot appeal against the decision. However, they may apply for an administrative review if they think the Home Office has made an error in considering their application.

For further information on administrative review, please see: [Ask for a visa administrative review](#).

## Updating the limit monitoring spreadsheet

Once you have made a decision on a case you should contact the Tier 1 Administration mailbox so the limit monitoring spreadsheet can be updated. This includes applications which are overturned at appeal or administrative review.

**Related content**

[Contents](#)

# Tier 1 (Exceptional talent) grant or refuse entry at a UK port

This page tells you about granting or refusing entry at a UK port to a person seeking to enter the UK in the Tier 1 (Exceptional talent) category.

## Grant leave to enter

Before you grant leave to enter, you must be satisfied:

- the applicant has valid entry clearance
- there are no reasons to believe that:
  - the applicant gave false information to obtain the entry clearance
  - circumstances have changed since it was issued
- none of the general grounds for refusal in paragraphs 320 to 321 of the Immigration Rules apply

## Refusal of entry

You must refuse entry if:

- the applicant does not have an entry clearance
- the applicant has not provided the required evidence that they meet all the requirements of the relevant paragraph of the Immigration Rules
- any of the general grounds for refusal in paragraphs 320 to 321 apply: you must read the guidance on general grounds for refusal

## Refusal of leave to enter

A visa national who seeks entry without a valid UK visa must be refused under [paragraph 320\(5\) of the Immigration Rules](#). A non-visa national seeking entry in this capacity without the requisite entry clearance must be refused under [paragraph 245BA of the Immigration Rules](#).

If you consider refusing an applicant following their return from a short absence abroad, you must consider the refusal under [paragraph 321A of the Immigration Rules](#). You must take into account the applicant's continuing leave.

If the applicant is subject to a deportation order, any leave that they have been granted is cancelled. You must refuse under [paragraph 320\(2\) of the Immigration Rules](#). You must also refer to Border Force national immigration and customs enquiries (BF NICE) before you make a decision.

If you consider a refusal on the grounds of national security, public policy, sensitive information or where the decision may affect relations with another country, you must refer to BF NICE.

---

**Official – sensitive: Start of section**

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

---

**Official sensitive - End of section**

---

## Appeal rights and refusal forms

An applicant who has valid entry clearance (EC) or a biometric residence permit (BRP), which is cancelled at the border will not have a right of appeal against that decision. Where an EC or a BRP is cancelled, the applicant may have a right to administrative review of that decision.

Where there is a right to administrative review at the border, you must serve an 'IS82 No RD AR' in UK port cases and, at the juxtaposed controls, you must serve an 'IS82 JUXT AR'.

Where the applicant has an EC or BRP and is having their leave cancelled at the border and does not qualify for administrative review, you must serve an 'IS82 RD no AR' in UK port cases and, at the juxtaposed controls, you must serve the 'IS82 JUXT No AR'.

Where the applicant does not hold an EC or BRP, there is no right to administrative review. You must serve the applicant an 'IS82 No AR RLE' in UK port cases, and an 'IS82 JUXT No AR RLE' at the juxtaposed controls.

If the applicant is the subject of an extant deportation order, they do not have a right of appeal before removal. You must serve them with form IS82A.

IS82A and IS82C can be found on CID.

## Landing card codes

The relevant landing card codes are:

- Tier 1 (Exceptional talent) – T1T
- Tier 1 (Dependant) – T1R

### Related content

[Contents](#)

# Tier 1 (Exceptional talent) grant or refuse an extension of stay in the UK

This page tells you when to grant or refuse an extension of stay to a person who seeks an extension of stay under the Tier 1 (Exceptional talent) category of the points-based system.

## Grant extension

You must grant leave to remain if:

- the applicant meets all the requirements of [paragraph 245BD of the Immigration Rules](#)
- none of the [general grounds for refusal in paragraphs 322\(1\) to 322\(12\)](#) apply

You must grant leave on code 4B.

The wording on the biometric residence permit (BRP) is:

‘Front:

T1 MIGRANT TALENT  
LEAVE TO REMAIN  
RESTRICTED WORK  
NO DR/DEN TRAIN  
OR SPORTSPERSON

Reverse:

NO PUBLIC FUNDS’

## Length of leave

Applicants can select one of the following options:

- 1 year
- 2 years
- 3 years
- 4 years
- 5 years

Applicants must have paid the correct Immigration Health Surcharge (IHS) for the period of time they requested on their stage 2 application. For example, if they paid the IHS for one year but request a 3-year grant, you must request an additional IHS payment.

For more information on the IHS, including how to check that the applicant made the correct payment, see: Immigration Health Surcharge.

## Refuse an extension

You must refuse leave to remain if:

- the applicant does not meet all of the requirements of [paragraph 245BD of the Immigration Rules](#)
- any of the general grounds for refusal apply
- the applicant is in breach of immigration laws, except for any period of overstaying allowed by the immigration rules which will be disregarded

## Rights of appeal and administrative review

Applicants 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. Details of how to make an administrative review application must be included in the decision letter.

### Related content

[Contents](#)

# Tier 1 (Exceptional talent) grant or refuse entry clearance for an extension of stay

This page tells you about granting or refusing an extension application made overseas to return to the UK in the Tier 1 (Exceptional talent) category.

## Grant entry clearance

You must issue entry clearance if the applicant:

- meets all the requirements of [paragraph 245B-245BC of the Immigration Rules](#)
- none of the general grounds for refusal in [paragraph 320](#) apply

## Length of entry clearance

Applicants can select one of the following options:

- 1 year, 4 months
- 2 years, 4 months
- 3 years, 4 months
- 4 years, 4 months
- 5 years, 4 months

Applicants must have paid the correct Immigration Health Surcharge (IHS) for the period of time they requested on their stage 2 application. For example, if they paid the IHS for one year but request a 3-year grant, you must refuse the application.

For more information on the IHS, including how to check that the applicant made the correct payment, see: [Immigration Health Surcharge](#).

The endorsement is one of the following and must be valid from the date the applicant intends to travel to the UK:

- Tier 1 - Exceptional Talent Migrant - 245BB - Code 1 (+doc) (+sport)
- Tier 1 - Exceptional Talent Partner - 319C - Code 1 (+doc)
- Tier 1 - Exceptional Talent Child - 319H - Code 1

## Refusing entry clearance

You must refuse the application when:

- the applicant has not provided the required evidence to show they meet all the relevant paragraphs of the rules
- any of the general grounds for refusal in [paragraph 320](#) apply



## Biometric information for entry clearance

Successful applicants for entry clearance are not given a vignette in their passport for the full length of the grant. If successful, they must be given a 30-day visa to allow them to collect their biometric residence permit (BRP) after they have arrived in the UK. For more information on this please see the [Biometric Residence Permits](#) page on GOV.UK.

## Rights of appeal and administrative review - out of country applications

If an application for entry clearance is refused under the points-based system, 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. For further information on administrative reviews, please see: [Ask for an administrative review](#).

## Updating the limit monitoring spreadsheet

Once you have made a decision on your case you should contact the Tier 1 Administration mailbox so the limit monitoring spreadsheet can be updated. This includes applications which are overturned at appeal or administrative review.

### Related content

[Contents](#)

# Tier 1 (Exceptional talent) grant or refuse settlement

This page tells you how to grant or refuse an application under the Tier 1 (Exceptional talent) category of the points-based system for settlement (indefinite leave to remain).

To qualify for settlement, a Tier 1 (Exceptional talent) migrant must meet the requirements listed below.

The applicant must:

- not fall for refusal under the general grounds for refusal, and must not be an illegal entrant
- have spent a continuous period of either 3 years lawfully in the UK if they were last endorsed under exceptional talent criteria or 5 years lawfully in the UK if they were last endorsed under exceptional promise criteria – they must:
  - have, or have last been granted, leave as a Tier 1 (Exceptional talent) migrant
  - spent the continuous period with leave as a Tier 1 migrant (excluding as a Tier 1 (Graduate entrepreneur) migrant or Tier 1 (Post-study work) migrant), or as a Tier 2 migrant (excluding as a Tier 2 (Intra-company transfer) migrant)
  - not have had absences from the UK of more than 180 days in any continuous 12 month period during the qualifying period
- have a minimum of 75 points under [paragraphs 1 to 6 of appendix A](#)
- have enough knowledge of the English language and life in the UK, in line with appendix KoLL of the Immigration Rules, unless they are under the age of 18 or aged 65 or over at the date the application is made
- not be in the UK in breach of immigration laws, except that any period of overstaying allowed by the immigration rules will be disregarded

If the applicant meets all the above criteria, you must grant their application.

If the applicant does not meet the above criteria, you must refuse their application.

Refusal wording is available from indefinite leave refusal wording.

Please note that the introduction of accelerated settlement for exceptional talent applicants applies retrospectively. Applicants granted before 11 January 2018 can still benefit from the 3-year settlement period if they were endorsed under the Exceptional Talent criteria.

## Related content

[Contents](#)

# Tier 1 (Exceptional talent) conditions of leave

This page tells caseworkers about the conditions linked to a grant of leave in the Tier 1 (Exceptional talent) route.

Applicants granted leave in this category are subject to the following conditions:

- they cannot use public funds
- they must register with the police, if required to do so by paragraph 326 of the Immigration Rules
- they cannot work as a doctor or dentist in training or as a professional sportsperson (including as a sports coach)

## **Related content**

[Contents](#)

# Tier 1 (Exceptional talent) dependants

This page tells caseworkers which dependants can join a person who comes to the UK in the Tier 1 (Exceptional talent) category of the points-based system.

Under [paragraphs 319A-319K of the Immigration Rules](#), the following dependants are allowed to come to the UK to join a person granted entry clearance or leave to remain in this category, provided they meet the requirements of the rules:

- spouse, civil partner, unmarried or same-sex partner
- dependant children

For more information on the requirements that dependants must meet in order to be granted leave in line with a Tier 1 (Exceptional talent) migrant, see: family members of points-based system migrants.

## **Related content**

[Contents](#)