



Home Office

Innovator (Appendix W workers)

Version 1.0

Contents

Contents.....	2
About this guidance.....	5
Contacts	5
Publication	5
Changes from last version of this guidance	5
Key facts	6
Requirements for all applications	9
Approved endorsers	9
Switching	9
Documents not in English	9
English language requirement.....	10
Maintenance funds	11
Level of funding	11
Verifying funding.....	11
Acceptable funds	11
Unacceptable funds.....	11
Multiple or joint accounts	12
Dependants	12
New business: Innovator entry clearance or leave to remain requirements	13
Requirements of part W3.....	13
Credibility assessment	14
Requirements of part W6 for new business endorsements	14
Endorsement letter.....	14
Investment funds.....	15
Letter from a legal representative.....	17
Financial institutions	17
Financial regulation.....	18
The home regulator	18
Money available for investment must be disposable in the UK	18
Innovator teams	18
Same Business: Entry clearance or leave to remain requirements	20
Requirements of part W3.....	20
Credibility assessment	21

Same business endorsement requirements of Part W6.....	21
Settlement applications	23
Requirements of part W4.....	23
Continuous Residence	23
Settlement endorsement requirements of Part W6.....	24
Settlement success criteria	24
Innovator teams	25
Evidence of maintenance	27
Curtailment.....	29
Change of circumstances.....	30
Grant or refuse	31
Grant or refuse entry clearance.....	32
Grant entry clearance	32
Length of leave	32
Refusing entry clearance	32
Biometrics for entry clearance	32
Appeals.....	32
Rights of appeal and administrative review - out of country applications.....	32
Further information on administrative reviews	33
Grant or refuse entry at port	34
Grant leave to enter	34
Refusal of entry.....	34
Refusal of leave to enter.....	34
Appeal rights and refusal forms	35
Entry clearance – checking endorsement validity	36
Grant or refuse entry extension of stay in UK.....	37
Grant extension	37
Refuse an extension.....	37
Appeals.....	37
Rights of appeal and administrative review - in country applications for leave to remain.....	38
Further information on administrative reviews	38
Grant or refuse indefinite leave to remain	39
Conditions of leave.....	40
Contracts of service Vs contracts for service	40
Dependants.....	42
Managing the Innovator route inbox.....	43

The endorsing body has issued an endorsement	43
The endorsing body has withdrawn their endorsement for an applicant	43
The endorsing body says the applicant has missed their regular contact.....	44
The endorsing body is asking a policy question or general query	44
The endorsing body has been removed from the list.....	44
The endorsing body says the applicant is breaching their conditions	44
An overseas post is requesting verification of an endorsement.....	45
An overseas post is notifying a case decision	45

About this guidance

This guidance tells caseworkers about the Innovator category.

It is based on the [Immigration Rules, Appendix W](#), which is for experienced business people seeking to establish an innovative business in the UK.

All migrants entering the UK as an Innovator must have a valid entry clearance under this route. If they do not, entry will be refused.

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 you can email the Economic Migration Policy team.

Border Force officers can also email Border Force OAS enquiries.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on), or have any comments about the layout or navigability of the guidance, then you can email the Guidance Rules and Forms team.

Publication

Below is information on when this version of the guidance was published:

- version **1.0**
- published for Home Office staff on **29 March 2019**

Changes from last version of this guidance

This is new guidance.

Related content

[Contents](#)

Safeguard and promote child welfare

Related external links

[Immigration Rules, Appendix W](#)

Key facts

This page shows you the key facts for the Innovator category.

Key facts	Summary
Eligibility requirements	<p>All applicants must also meet the requirements for:</p> <ul style="list-style-type: none"> • English language • maintenance funds • endorsement • age (18+) • available investment funds (where relevant) <p>Innovator teams</p> <p>Multiple Innovator migrants can apply for endorsement to be co-directors of the same company. However, these are not linked as 'team' applications and each applicant must receive their own individual endorsement from an approved endorsing body. Each applicant must also independently demonstrate that they each have a separate £50,000 available to invest for applications with a 'new business' endorsement.</p>
Application forms	<p>Application made outside UK – Visa4UK Application made inside UK – Switching or extension - Innovator Indefinite leave to remain – SET(O)</p>
Cost of application	See Fees for Home Office services
Is entry clearance mandatory?	Yes
Is biometric information required for applications made in the UK?	Yes
Entry clearance endorsement	CAT D: Innovator
Entry clearance condition code	Code 1 (+bus) (+Doc) (+Spt)
Code of leave to remain granted	4H
Conditions of leave to remain	<p>Leave under this route is subject to the following conditions:</p> <ul style="list-style-type: none"> • no recourse to public funds • registration with the police, if this is required by paragraph 326 of the Immigration Rules

Key facts	Summary
	<ul style="list-style-type: none"> • no employment other than working for the business or businesses the applicant has established, joined or taken over - working for such a business or businesses does not include any work the applicant does pursuant to (in line with) a contract of service or apprenticeship with another business whether express or implied, oral or written • no employment as a professional sports person (including as a sports coach) • study subject to the condition below <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 their study if:</p> <ul style="list-style-type: none"> • they are over age 18 (or will be over 18 by the time their leave expires) • their course is one of the following: <ul style="list-style-type: none"> ○ a doctorate or master's degree by research in one of the disciplines listed in paragraph 1 of appendix 6 of the Immigration Rules ○ a taught master's degree or other postgraduate qualification in one of the disciplines listed in paragraph 2 of appendix 6 of the Immigration Rules ○ a period of study or research in excess of 6 months in one of the disciplines listed in paragraphs 1 or 2 of appendix 6 of the Immigration Rules at an institution of higher education, where this forms part of an overseas postgraduate qualification <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</p>

Key facts	Summary
	new ATAS certificate within 28 calendar days, and must provide a printout of the new certificate to their institution promptly.
How long is leave normally granted for?	Leave is normally granted for: <ul style="list-style-type: none"> • 3 years for entry clearance • 3 years for switching • 3 years for extensions
Are dependants allowed?	Yes
Are work and study allowed?	Genuine entrepreneurial activity (no contract of service with another business) Study is allowed providing this does not prevent the migrant from meeting the extension criteria.
Is switching allowed?	Applicants can switch from the following categories: <ul style="list-style-type: none"> • Start-up • Tier 1 (Graduate Entrepreneur) • Tier 1 (Entrepreneur) • Tier 2 • a visitor who has been undertaking permitted activities as a prospective entrepreneur, as set out in appendix V
Does time spent in this category count towards indefinite leave to remain?	Yes
Is knowledge of language and life required?	Yes, for indefinite leave to remain applications.
CID case type	Innovator 2019
Immigration Rules paragraphs	Appendix W

Related content

[Contents](#)

Related external links

[Immigration Rules, Appendix W](#)
[Fees for Home Office services](#)

Requirements for all applications

This section provides details on all the mandatory evidence required for all Innovator visa applications.

Approved endorsers

All applicants must have an endorsement issued by a Home Office approved endorsing body. [A list of approved endorsing bodies can be found on GOV.UK.](#)

Switching

Switching into the Innovator route is allowed for applicants who have, or were last granted, leave as a:

- Start-up migrant
- Tier 1 (Graduate Entrepreneur) migrant
- Tier 1 (Entrepreneur) migrant
- Tier 2 migrant
- visitor who has been undertaking permitted activities as a prospective entrepreneur

Documents not in English

All documents provided with an application must be in English or Welsh. If they are not, the applicant must provide a copy of the original and a full translation which has been independently verified.

The translation must:

- confirm that it is an accurate translation of the original document
- be dated
- include the full name and signature of the translator or an authorised official of the translation company
- include the translator or translation company's contact details
- be fully certified and include details of the translator or translation company's credentials, if the applicant is applying in the UK

Related content

[Contents](#)

Related external links

[Immigration Rules, Appendix W](#)

English language requirement

The applicant must have at least a B2 level of English language ability, as defined in the Council of Europe's common European framework for language and learning.

An applicant satisfies the English language requirement by:

- being a national of a majority English speaking country
- passing an English language test
- holding a degree which is:
 - a UK Bachelor's degree, Master's degree or PhD
 - awarded by an establishment outside of the UK and is deemed by UK NARIC to meet the recognised standard of a Bachelor's degree or Master's degree or a PhD
 - deemed by UK NARIC to meet or exceed the recognised standard of a Bachelor's or Master's degree or a PhD in the UK, and is from an educational establishment in one of the following countries: Antigua and Barbuda, Australia, The Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Ireland, Jamaica, New Zealand, St Kitts and Nevis, St Lucia, St Vincent and the Grenadines, Trinidad and Tobago and the United States of America

The applicant can also meet the English language requirement, without the need to provide evidence, if they have ever been given permission to stay in the UK in one of the following categories:

- Start up
- Innovator
- Tier 1 (General)
- Tier 1 (Post Study Work)
- Tier 1 (Entrepreneur) under the rules in place before 13 December 2012
- Tier 2 (Minister of Religion)
- Tier 4 (General), supported by a Confirmation of Acceptance for Studies assigned on or after 21 April 2011

For more information, see: [English language](#).

Related content

[Contents](#)

Related external links

[Immigration Rules, Appendix W](#)

[UK NARIC](#)

[English language](#)

Maintenance funds

This section tells you the maintenance requirements for Start-up applicants.

Level of funding

For entry clearance, an applicant must show they have at least £945 of available funds, plus £630 funds for each dependant.

If the applicant cannot, you must refuse their application, even if they have met all the other requirements.

Verifying funding

To verify an applicant's funding, you must ensure:

- they have personal savings (in line with the appropriate [levels of funding](#) required) held for a consecutive 90 day period (finishing on the date of the closing balance on the statement), ending no more than 31 days before the date of their application
- the endorsing body confirms in the endorsement letter that it has awarded the appropriate amount of maintenance funding to the applicant

When the funds are in a currency other than pounds sterling, you must use the:

- rates published on the [OANDA website](#) to convert the amount
- exchange rate on the date of the application

Acceptable funds

Evidence must be in the form of cash funds held in an account (this includes savings accounts and current accounts, even when notice must be given).

Unacceptable funds

Other accounts or financial instruments such as shares, bonds, overdrafts, credit cards, pension funds, are not acceptable, regardless of notice period.

You must not consider any money earned during a time they were in breach of the UK immigration laws as evidence of maintenance funds. For example, you can only consider earnings made in the UK if the applicant had leave to enter or remain in the UK at the time they were earned, and in a category which permitted them to take that employment.

For more information on the evidence needed for maintenance, see: [maintenance funds](#).

Multiple or joint accounts

If the applicant supplies evidence of multiple accounts (on which they are named), you can take the closing balance of the account that most favours the applicant - as long as it ends no earlier than 31 days before the date of application - and use any other monies from any other accounts to make up the funds required.

If the money is in a joint account, the applicant's name must be on the account along with one or more other named individual.

Dependants

Any dependants must also provide evidence that they have access to sufficient funds, even if they are joining the applicant at a later date. For more information on what funds they need, and how to calculate if there are sufficient funds, see: [Dependants policy guidance](#).

Related content

[Contents](#)

Related external links

[Immigration Rules, Appendix W](#)

[Dependants policy guidance](#)

New business: Innovator entry clearance or leave to remain requirements

This page tells you what requirements a person must meet in order to be granted entry clearance or leave to remain as an Innovator who has been endorsed for a new business.

An applicant is considered to be endorsed for a **new business** when either:

- the applicant is making an initial application for the Innovator route and they have **not** been previously endorsed in the Tier 1 (Graduate Entrepreneur) or Start up visa routes **for the same business**
- the applicant is making an extension application where the business now being pursued is different from the one which they were endorsed for in their last grant of leave

An applicant endorsed for a new business may apply for entry clearance or leave to remain. It is possible to make an extension application from overseas if the applicant has previously held leave as an Innovator.

Before you consider an application, you must check that the:

- application is valid
- applicant's passport or travel document is genuine
- general grounds for refusal do not apply

For more information, see:

- Applications for leave to remain: validation, variation and withdrawal
- General grounds for refusal
- Biometric information: introduction

To be granted leave as an Innovator, a person must:

- [meet the general requirements in Appendix W, part W3](#)
- [meet the specific Innovator requirements in Appendix W, part W6](#)

Requirements of part W3

To be granted entry clearance or leave to remain as an Innovator, a person must:

- be at least 18 years old on the date of decision
- not fail under the general grounds for refusal
- meet the requirements for [English language](#)
- meet the requirements for [maintenance](#)

- not fail any reasonably required [credibility assessment](#)

Credibility assessment

You will not normally need to carry out a credibility assessment for Innovator applications. An endorsing body will already have assessed an applicant's business plan and caseworkers are not expected to duplicate that assessment.

A balance of probability test should only be carried out on an application if you have reason to believe that there are specific grounds to doubt a migrant's credibility. This power is primarily intended to be used where the Home Office has information that would not otherwise have been considered by an endorsing body when it has assessed a migrant's suitability for endorsement.

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

Requirements of part W6 for new business endorsements

To be granted leave as an Innovator, an applicant must also provide an endorsement letter and if applicable demonstrate that they have either invested or have available to invest £50,000 in their business.

Endorsement letter

The endorsement letter from an approved endorsing body must provide all of the following information:

- the name of endorsing body
- the endorsement reference number
- the date of issue (which must be no earlier than 3 months before the date of application)
- the applicant's name, date of birth, nationality and passport number
- a short description of the applicant's business venture and the products or services it provides (or will provide) to its customers
- the name and contact details of an individual at the endorsing body who can verify the contents of the letter to the Home Office

- the applicant’s business venture is innovative, viable and scalable in accordance with the rules set out in part W6 of Appendix W
- the endorsing body is reasonably satisfied that the applicant will spend their entire working time in the UK on developing business ventures

Investment funds

Applicants applying for an Innovator visa with a new business endorsement will need to demonstrate that they have either invested or have available at least £50,000 to invest in their new business.

The table below sets out how an applicant can demonstrate that they meet the funding requirements:

Source of funds	Evidence required
Endorsing body or other source where the endorsing body has verified the funds are available	Endorsement letter confirms available or prior investment of £50,000
A UK organisation employing at least 10 people	<p>All of the following:</p> <p>A letter which contains a signed declaration confirming:</p> <ul style="list-style-type: none"> • how they know the applicant • the amount of funding they are making available in pounds sterling (£) • confirmation that this funding has not been promised to any other person or business for another purpose <p>Name and contact details of an individual at the organisation who can verify the contents of the letter on request to the Home Office</p>
An overseas organisation, a UK organisation which employs less than 10 people or an individual third party	<p>All of the following:</p> <p>A signed declaration which contains:</p> <ul style="list-style-type: none"> • how they know the applicant • the amount of funding they are making available in pounds sterling (£) • confirmation that this funding has not been promised to any other person or business for another purpose <p>A letter from a legal representative (who is registered to practice legally in the country where the third party or the money is), confirming that the declaration and signature in the signed declaration is genuine.</p>

	<p>A bank letter, confirming that the funds are held in a regulated financial institution(s). The letter must be dated no earlier than 1 month before the date of application. If the institution is outside the UK, the letter must also confirm that the funds are transferrable to the UK.</p>
Funds held by applicant	<p>Either</p> <p>Bank statements, showing the funds are held in the UK in an institution regulated by the Financial Conduct Authority. The statements must cover a consecutive 3 months, ending no earlier than 1 month before the date of application.</p> <p>Or</p> <p>A bank letter, confirming that the funds are held in a regulated financial institution(s). The letter must be dated no earlier than 1 month before the date of application. If the institution is outside the UK, the letter must also confirm that the funds are transferrable to the UK.</p> <p>If these documents do not show that the applicant has held the funds for at least 3 months, the applicant must also provide all the evidence from the source of the funds as set out for an overseas organisation or a UK organisation which employs less than 10 people.</p>
Funds already invested in business	<p>Either of the following documents which must show the amount that has been invested:</p> <p>Business accounts, showing the name of the accountant and the date they were produced.</p> <p>Or</p> <p>Business bank statements</p>

Where evidence shows that funds are available to the applicant's business rather than to the applicant themselves or that funds have already been invested in the business the applicant must provide a company's house document showing their connection to the business. This document is not needed if the endorsement letter confirms the applicant's connection to the business.

When considering funds, you must:

- not accept any funds held in a financial institution that is listed in [Appendix P](#)

- for any evidence of funds not shown in pounds sterling (£) convert it using the spot exchange rate that appeared on the [OANDA website](#) on the date of application

Letter from a legal representative

Where a letter from a legal representative is supplied, which confirms the validity of signatures on each third-party declaration. This must confirm the letter or letters of permission from the third party or parties containing the signatures of the people stated. This can be a single letter, which covers all third party permissions, or several letters from several legal representatives.

The confirmation must come from a legal representative capable of providing the information. This means it must be from a legal representative who is allowed to practise in the country where the third parties or money is.

The letter should clearly show the:

- name of the legal representative
- registration or authority of the legal representative to practise legally in the country in which the permission or permissions, was, or were, given
- date of the confirmation letter
- names of the applicant and third party (and the team member's name if they have formed an entrepreneurial team)
- letter from the third party is signed and valid
- number of the third party's identity document, such as a passport or national identity card, and the place of issue of the identity document, and dates of issue and expiry (this is not needed from a venture capital firm, seed funding competition or UK government department or devolved government department in Scotland, Wales or Northern Ireland)

As there is no central list showing the registration or authority of legal representatives around the world, you will need to search the internet to confirm if the registration or authority is appropriate.

Financial institutions

A financial institution acts as an agent to provide financial services for its clients. Common types of financial institutions include:

- banks
- building societies
- credit unions
- stock brokerages
- asset management firms

They are responsible for transferring funds from investors to companies in need of those funds. Financial institutions fall under financial regulation from a government authority.

Financial regulation

Financial regulations are a form of control or supervision, subjecting financial institutions to:

- local requirements
- restrictions and guidelines
- maintaining the integrity of the financial system

This is handled by either a government or non-government organisation. Under UK law, most financial service firms who want to do business in the UK must be authorised by the Financial Conduct Authority (FCA) and/or the Prudential Regulation Authority (PRA).

The home regulator

The home regulator is an official financial regulatory body, appropriate for the type of financial transaction required, in the country of operation where the transaction is made.

Money available for investment must be disposable in the UK

If the money is not held in the UK, all of the funds needed for the investment must be freely transferable to the UK and able to be converted to pounds sterling.

Money held in an overseas account but in a financial institution regulated by the Financial Conduct Authority (FCA) will satisfy this requirement.

Money held overseas in an institution not regulated by the FCA must be transferrable to the UK. The applicant must provide evidence to confirm this, such as a document from the financial institution. Banks are not, however, required to guarantee that this money will be transferred.

For overseas companies not registered with the FCA, you can check for information on:

- Companies House list of overseas regulatory institutions under Worldwide registries
- the International Organization of Securities Commissions (IOSCO) general membership lists

If the funds are overseas and subject to any applicable financial sanctions regime, the migrant must provide confirmation from HM Treasury that the funds are transferable and disposable in the UK.

Innovator teams

Applicants do not need to be the sole founders of their businesses. Whilst multiple Innovators in the same company can receive endorsements each applicant must

have been endorsed in their own right. For new business applications each innovator applicant must also be able to demonstrate that they have their own unique £50,000 available to invest in the company.

Where there are co-directors in a company who are both applying for initial grants of leave on the basis of endorsements issued the innovator route you will need to be satisfied that they both have the required investment funds in their own right.

For example, if two team members are being endorsed for the same business, there must be £100,000 funds, not £50,000.

Related content

[Contents](#)

Applications for leave to remain: validation, variation and withdrawal

General grounds for refusal

Biometric information: introduction

Knowledge of language and life in the UK

ILR – calculating continuous period in UK

Applications from overstayers (non family routes)

Related external links

[Immigration Rules, Appendix W](#)

[Appendix 6 of the Immigration Rules](#)

Same Business: Entry clearance or leave to remain requirements

This section tells you what requirements a person must meet in order to be granted entry clearance or leave to remain as an Innovator who has been endorsed for a business that is the same as a business relied upon in a prior application.

A business should be considered under a **same business** endorsement application if both of the following apply:

- the applicant's last grant of leave was in the Tier 1 (Graduate Entrepreneur), Start-up or Innovator categories
- the applicant is pursuing the same business venture that was assessed in the endorsement which led to that grant of leave

The same business requirement is always determined on the basis of the business being endorsed rather than the body making the endorsement.

An applicant endorsed for the same business may apply for entry clearance or leave to remain. It is possible to make a same business application from overseas if the applicant has previously held leave as an Innovator or as a Start-up migrant.

Before you consider an application, you must check that the:

- application is valid
- applicant's passport or travel document is genuine
- general grounds for refusal do not apply

For more information, see:

- Applications for leave to remain: validation, variation and withdrawal
- General grounds for refusal
- Biometric information: introduction

To be granted leave as an Innovator, a person must:

- [meet the general requirements in Appendix W, part W3](#)
- [meet the specific Innovator requirements in Appendix W, part W6](#)

Requirements of part W3

To be granted entry clearance or leave to remain as an Innovator, a person must:

- be at least 18 years old on the date of decision
- not fail under the general grounds for refusal
- meet the requirements for [English language](#)
- meet the requirements for [maintenance](#)

- not fail any reasonably required [credibility assessment](#)

Credibility assessment

You will not normally need to carry out a credibility assessment for Innovator applications. An endorsing body will already have assessed an applicant's business plan and caseworkers are not expected to duplicate that assessment.

A balance of probability test should only be carried out on an application if you have reason to believe that there are specific grounds to doubt a migrant's credibility. This power is primarily intended to be used where the Home Office has information that would not otherwise have been considered by an endorsing body when it has assessed a migrant's suitability for endorsement.

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

Same business endorsement requirements of Part W6

The applicant must provide an Endorsement letter for a *same business* application which must confirm:

- the name of endorsing body
- the endorsement reference number
- the date of issue (which must be no earlier than 3 months before the date of application)
- the applicant's name, date of birth, nationality and passport number
- a short description of the applicant's business venture and the products or services it provides (or will provide) to its customers
- the name and contact details of an individual at the endorsing body who can verify the contents of the letter to the Home Office
- the applicant has shown significant achievements judged against the business plan assessed in their previous endorsement
- the applicant's business is registered with Companies House and the applicant is listed as a director or member of that business
- the business is active and trading

- the business appears to be sustainable for at least the following 12 months based on its assets and expected income, weighted against its current and planned expenses
- the applicant has demonstrated an active key role in the day to day management and development of the business
- the endorsing body is reasonably satisfied that the applicant will continue to spend their entire working time in the UK on developing business ventures

Related content

[Contents](#)

Settlement applications

This section tells you what requirements a person must meet in order to be granted settlement in the Innovator route.

Before you consider an application, you must check that the:

- application is valid
- applicant's passport or travel document is genuine
- general grounds for refusal do not apply

For more information, see:

- Applications for leave to remain: validation, variation and withdrawal
- General grounds for refusal
- Biometric information: introduction

To be granted settlement as an Innovator, a person must:

- [Meet the general requirements in Appendix W, part W4](#)
- [Meet the specific Innovator settlement requirements in Appendix W, part W6](#)

Requirements of part W4

To be granted settlement as an Innovator, a person must:

- be at least 18 years old on the date of decision
- the applicant's last grant of leave must have been in the Innovator category
- not fail under the general grounds for refusal
- meet the requirements for English language set out in [Appendix KOLL](#)
- not be in breach of any immigration laws
- meets the continuous residence requirement

Continuous Residence

Applicants for settlement in the innovator category must have continually resided in the UK for at least 3 years immediately prior to application. In determining if an applicant meets this requirement for continuous residency, you must be satisfied that the applicant has not had combined absences from the UK in excess of 180 days in any consecutive 12-month period.

Where an applicant has had excess absences due to their assisting in national or international humanitarian or environmental crisis overseas the time spent providing this assistance will not be counted.

All other absences should be considered when assessing continuous residency however decision makers can exceptionally allow absences where an applicant has

provided evidence of compelling or compassionate circumstances for their excessive absence. Examples of where such a decision may be appropriate include:

- natural disasters
- life threatening illness of the applicant or close family member

For further guidance on calculating the continuous period see: Indefinite leave to remain: calculating continuous period in UK.

Settlement endorsement requirements of Part W6

Where an applicant is making an application for settlement they must provide an endorsement letter which must confirm all of the following:

- the name of endorsing body
- the endorsement reference number
- the date of issue (which must be no earlier than 3 months before the date of application)
- the applicant's name, date of birth, nationality and passport number
- a short description of the applicant's business venture and the products or services it provides (or will provide) to its customers
- the name and contact details of an individual at the endorsing body who can verify the contents of the letter to the Home Office
- the applicant has shown significant achievements judged against the business plan assessed in their previous endorsement
- the applicant's business is registered with Companies House and the applicant is listed as a director or member of that business
- the business is active and trading
- the business appears to be sustainable for at least the following 12 months based on its assets and expected income, weighted against its current and planned expenses
- the applicant has demonstrated an active key role in the day to day management and development of the business
- the applicant's business venture meets at least two of the settlement success criteria

Settlement success criteria

Endorsing bodies must also confirm in their endorsement letter that an applicant has achieved at least 2 of the following:

- at least £50,000 has been invested into the business and actively spent furthering the business plan assessed in the applicant's previous endorsement
- the number of the business's customers has at least doubled within the most recent 3 years and is currently higher than the mean number of customers for other UK businesses offering comparable main products or services
- the business has engaged in significant research and development activity and has applied for intellectual property protection in the UK

- the business has generated a minimum annual revenue of £1 million in the last full year covered by its accounts
- the business is generating a minimum annual revenue of £500,000 in the last full year covered by its accounts, with at least £100,000 from exporting overseas
- the business has created the equivalent of at least 10 full-time jobs for resident workers
- the business has created the equivalent of at least 5 full-time jobs for resident workers, which have an average salary of at least £25,000 a year (gross pay, excluding any expenses)

Innovator teams

Applicants do not need to be the sole founders of their businesses. Whilst multiple Innovators in the same company can receive endorsements each applicant must have been endorsed for achievements in their own right. Where there are multiple Innovators endorsed via the same company the settlement criteria relied upon must have been multiplied by the number of Innovators associated with the business. This can be achieved by either:

Applicants each using different success criteria (4 met in total)

Example:

The applicants can demonstrate that they have:

- created 10 jobs for resident workers
- at least £50,000 has been invested in the business
- the business has generated a minimum annual gross revenue of £1million in the last full year covered by its accounts
- the business has engaged in significant research and development and has applied for intellectual property protection in the UK

Applicants doubling the minimum requirement to reach 2 individual success criteria

Example:

The applicants can demonstrate that they have:

- created 20 jobs for resident workers
- invested at least £100,000 in the business

3 success criteria met and one doubled

Example:

The applicants can demonstrate that they have:

- at least £50,000 has been invested in the business
- the business has generated a minimum annual gross revenue of £1million in the last full year covered by its accounts

- the business has engaged in significant research and development and has applied for intellectual property protection in the UK
- **created 20 jobs for resident workers**

If you have identified settlement applications from other team members in the same business, and it is not clear from the endorsement letters that enough success criteria have been met to cover all applicants, you should check this with the endorsing body.

Related content

[Contents](#)

Evidence of maintenance

This section tells you what evidence an applicant must provide as proof of maintenance to support an initial or extension application for the Innovator visa.

An applicant must provide evidence of personal savings, which cover a period of 90 consecutive days, and no more than one calendar month before submitting the application.

The documents must:

- be on the organisation's official letter-headed paper or stationery
- have the organisation's official stamp
- have been issued by an authorised official of that organisation

Evidence must be in the form of cash funds. You must not:

- include any overdraft facilities
- accept other accounts or financial instruments (such as shares, bonds and pension funds), regardless of notice

The applicant must provide one of the following:

- personal bank or building society statements covering 90 consecutive days - the most recent statement must be dated no earlier than one calendar month before the date of the application
- building society pass book covering the previous 90 day period
- a letter from the bank confirming their funds and that they have been in the bank for at least 90 days
- a letter from a financial institution regulated by the Financial Conduct Authority (FCA) and Prudential Regulation Authority (PRA) or, in the case of overseas account, the home regulator (official regulatory body for the country in which the institution operates and the funds are located), confirming funds

The information must clearly show:

- the applicant's name
- the account number
- the date of the statement
- the financial institution's name and logo
- transactions covering the 90 day period
- there are sufficient funds present in the account (the balance must always be at least £3,310 or £945, as appropriate)

You can accept as evidence:

- other bank statements printed on the bank's letterhead

- electronic bank statements from an account, if they contain all of the details listed above and:
- the applicant provides a supporting letter from the bank, on company headed paper, confirming the statements provided are authentic
- the electronic bank statement has the official bank stamp on every page

You cannot accept:

- mini-statements from automatic teller machines
- statements which simply show the balance in the account on a particular day

These are not acceptable as they do not demonstrate the applicant holds sufficient funds for the full period required.

You must not consider any money earned when the applicant was in breach of the UK's immigration laws as evidence of maintenance funds.

Related content

[Contents](#)

Related external links

[Immigration Rules Appendix W, paragraphs W3.9\(a\) to W3.9\(k\)](#)
[Immigration Rules Appendix W](#)

Curtailment

This section tells you about curtailment.

You may be asked to consider whether leave should be curtailed under paragraph W2.4 of the Immigration Rules. W2.4 provides that leave may be curtailed either:

- under paragraph 323 of part 9 of the immigration rules
- where a migrant's endorsement is withdrawn by their endorsing body or where an endorsing body loses its status as an endorsing body for the relevant category

Paragraph 39D of the Immigration Rules gives you the power to ask a person who has limited leave to enter or remain in the UK to do either or both the following:

- provide additional information and evidence to the Home Office
- attend an interview

When such a request has been made under paragraph 39D, you must consider curtailing a person's leave, if, without reasonable explanation, they do either or both of the following:

- do not provide additional information and evidence to the Home Office at the address specified in the request within 28 calendar days of the date the request is sent
- fail to attend an interview

If you curtail leave for this reason, you must do so under paragraph 323(vii) of the Immigration Rules.

For more information, see: Curtailment.

Related content

[Contents](#)

Related external links

[Appendix W of the Immigration rules](#)

Change of circumstances

This page tells you about changing the circumstances under Innovator.

The applicant must use the appropriate form to change any of the following.

To change:

- contact details
- details of criminal convictions
- representative's details
- a dependant's details

they must complete a change form. See: [Changes during your stay](#).

You must confirm the change of circumstances have been noted in a letter.

If the current grant of leave is a biometric residence permit (BRP), a new application must be sent on form NTL or TOC to change their:

- name
- date of birth
- nationality
- gender
- appearance

Related content

[Contents](#)

Related external links

[Immigration Rules Appendix W](#)

Grant or refuse

This page tells you about granting or refusing an application for an Innovator migrant.

For more information, see links in this section:

- [Granting or refusing entry clearance](#)
- [Granting or refusing entry at UK port](#)
- [Granting or refusing an extension of stay in UK](#)
- [Granting or refusing indefinite leave to remain](#)

Related content

[Contents](#)

Related external links

[Immigration rules Appendix W](#)

Grant or refuse entry clearance

This page tells you about granting or refusing an application made overseas to come to the UK through the Innovator visa.

Grant entry clearance

You must grant entry clearance if the applicant:

- meets all the relevant requirements of appendix W of the Immigration Rules
- none of the general grounds for refusal in part 9, paragraph 320 apply

Length of leave

Three years.

The endorsement is one of the following:

- Cat D Innovator Migrant Code 1 (+bus)(+sport)
- Cat D Innovator Partner Code 1 (+sport)
- Cat D Innovator Child Code 1 (+sport)

The endorsement must be valid from the date the applicant intends to travel to the UK.

Refusing entry clearance

When the applicant has not provided the required evidence that they meet all the requirements of the relevant paragraph, or if any of the general grounds for refusal in paragraph 320 applies, you must refuse the application.

Biometrics for entry clearance

Successful applicants for entry clearance are given a [biometric resident permit \(BRP\)](#). If the entry clearance application is successful, they must be given a 30-day visa to allow them to collect their BRP after they have arrived in the UK.

Appeals

See: [Appeals guidance](#).

Rights of appeal and administrative review - out of country applications

If an application for entry clearance is refused, the applicant cannot appeal against our decision. However, if they think the Home Office has made an error in considering their application, they can apply for an administrative review.

Further information on administrative reviews

See: [Ask for a visa administrative review](#)

Related content

[Contents](#)

General grounds for refusal

Visas and entry clearance

Related external links

[Immigration Rules Appendix W](#)

[Entry clearance vignettes: types, safeguarding and validity](#)

[Administrative review](#)

[Administrative review – forms for migrants outside the UK](#)

Grant or refuse entry at port

This page tells you about granting or refusing entry at a UK port to a person seeking to enter the UK through the Innovator visa.

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 the applicant gave false information to obtain the entry clearance or that 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 and on what paragraphs to use, by using the link: [General grounds for refusal](#)

Refusal of leave to enter

You must refuse a visa national who seeks entry without a valid UK visa under paragraph 320(5) of the Immigration Rules.

You must refuse a non-visa national who seeks entry in this capacity without the requisite entry clearance under Appendix W 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 operations advice and support using the Border Force National Immigration and Customs Enquiries mailbox 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 Border Force OAS Enquiries.

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. Please see the administrative review guidance for further information.

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. 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.

Related content

[Contents](#)

Related external links

[Immigration Rules Appendix W](#)

Refusal of entry clearance or leave to enter

Entry clearance – checking endorsement validity

This page tells entry clearance officers how to check the validity of endorsements. You must check the validity of any endorsement provided with an Innovator application by contacting the Innovator route inbox stating:

- the name of the applicant
- the secure reference number
- the name of the endorsing body
- the contact name on the endorsement letter

Once the Innovator route inbox manager has confirmed the validity of the endorsement, you must reply to this email stating the following:

- the decision on the application
- the date the decision was made
- the date the application was submitted

This process must be followed in all cases.

Related content

[Contents](#)

[Endorsement](#)

[List of approved endorsing bodies](#)

Grant or refuse entry extension of stay in UK

This page tells you when to grant or refuse an extension of stay to a person who seeks an extension of stay through the Innovator visa.

Grant extension

You must grant leave to remain if:

- the applicant meets all the relevant requirements of [Appendix W part 3](#) of the Immigration Rules and [Appendix W part 6](#) of the immigration rules
- none of the general grounds for refusal in paragraph 322 apply

Grant leave on code 4D.

The wording on the Biometric Residence Permit is:

Front:

INNOVATOR
LEAVE TO REMAIN
RESTRICTED WORK
BUS INVEST
NO SPORTSPERSON

Reverse:

NO PUBLIC FUNDS

Refuse an extension

You must refuse leave to remain if:

- the applicant does not meet all of the relevant requirements of [Appendix W of the Immigration Rules](#)
- any of the general grounds for refusal apply
- the applicant is in breach of immigration laws, except:
 - any period of overstaying allowed under the Immigration Rules
 - if the application was submitted before 9 July 2012

For more information, see: Applications from overstayers (non family routes).

Appeals

See: [Appeals guidance](#).

Rights of appeal and administrative review - in country applications for leave to remain

Applicants cannot appeal against our 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.

Further information on administrative reviews

See: [Administrative review modernised guidance](#).

Related content

[Contents](#)

General grounds for refusal

Related external links

[Immigration Rules Appendix W](#)

Grant or refuse indefinite leave to remain

This page tells you how to grant or refuse an application through the Innovator visa for indefinite leave to remain.

An applicant must complete a continuous residence period of 3 or 5 years in an eligible immigration category, depending on the level of investment and business activity in the UK. They must show they are engaged in business activity at the time of their application.

To qualify for indefinite leave to remain, an Innovator migrant must meet the requirements listed below:

- they meet all the requirements all of appendix W4 and appendix W6.7 of the Immigration Rules
- they must not fall for refusal under the general grounds for refusal, and must not be an illegal entrant
- they must have spent a continuous period of 3 years lawfully in the UK, with absences from the UK of no more than 180 days in any 12 calendar months during that period, with leave as an Innovator migrant
- they must have sufficient knowledge of the English language and sufficient knowledge about life in the UK, in accordance with paragraph 33BA of the Immigration Rules, unless they are under the age of 18 or aged 65 or over at the date the application is made
- they must not be in the UK in breach of immigration laws

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

Related content

[Contents](#)

Knowledge of language and life in the UK

ILR – calculating continuous period in UK

Applications from overstayers (non family routes)

General Grounds for Refusal

Related external links

[Immigration Rules Appendix W](#)

Conditions of leave

This page tells caseworkers about the conditions that an applicant must follow if they are granted leave as an Innovator migrant.

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

- they cannot use public funds
- they must register with the police, if they are required to do so by paragraph 326 of the Immigration Rules
- they cannot take up employment, other than working for the business or businesses they establish, join or take over - working for such a business or businesses does not include any work the applicant does under a contract of service or apprenticeship with another business, whether:
 - express or implied
 - oral or written
- no employment as a professional sportsperson (including as a sports coach)

Contracts of service Vs contracts for service

Migrants must only work for the business or businesses they have established, joined or taken over. Working for such a business or businesses does not include any work the applicant does pursuant to a contract of service or apprenticeship for another business, whether express or implied, oral or written.

The migrant must be employed as the director of the business they have invested in (or as a member, if the business is a partnership).

Where a migrant enters into contracts with another business in this capacity, this will normally be regarded as contracts for service.

They may not be considered to be working for their own business if the work they do is considered to be employment by another business. For example, where the migrant's work involves the business, in effect, hiring them for their labour or to fill a position or vacancy. This includes where the business hires the individual using a recruitment or employment agency.

Contracts entered into by the migrant with another business in this capacity will normally be regarded as contracts of service. This applies even if the applicant claims the work is undertaken on a self-employed basis.

You must consider all of the factors below when considering whether the applicant's work amounts to genuine self-employment or is in fact employment by another business:

- whether the applicant is in business for themselves and is responsible for the success or failure of that business and it can make either a profit or a loss

- whether the applicant can decide what work they do and when, where or how they do it
- whether the applicant can hire someone else to do the work
- whether the applicant is responsible for fixing any unsatisfactory work in their own time
- whether the applicant agrees a fixed price for the work – it does not depend on how long it takes to finish
- whether the applicant uses their own money to buy business assets, cover running costs and provide tools and equipment for their own work
- whether the applicant can work for more than one client
- whether the applicant can put in bids or give quotes to get work
- whether the applicant is under direct supervision when working
- whether the applicant submits invoices for the work they have done
- whether the applicant is responsible for their own National Insurance and tax
- whether the applicant gets holiday or sick pay when they are not working
- whether the applicant operates under a contract for services or consultancy agreement that uses terms like ‘self-employed’, ‘consultant’ or an ‘independent contractor’

You should consider all of the available evidence as a whole. A single factor may not in itself determine whether the applicant’s work is genuine self-employment.

If you consider an applicant’s work to be employment by another business, you may consider them to be working in breach of their conditions of stay. This makes them liable for curtailment and/or removal action.

Related content

[Contents](#)

Public funds

Police registration

Related external links

[Immigration Rules Appendix W](#)

[Immigration Rules - paragraph 326](#)

[Immigration Rules appendix 6](#)

Dependants

This page tells caseworkers which dependants can join a person who comes to the UK through the Innovator route.

Under [paragraphs 319A to 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 as an Innovator in this category, provided they meet the requirements of the rules:

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

For more information on the requirements that dependants must meet in order to be granted leave in line with an Innovator, see: [Family members of points-based system migrants guidance](#).

Related content

[Contents](#)

Related external links

[Family members of points-based system migrants guidance](#)

Managing the Innovator route inbox

This page tells leave to remain caseworkers how to manage the Innovator route inbox.

You must check the Innovator route inbox on a daily basis. This section gives examples of the types of emails you may receive and how to deal with them.

Once you have dealt with an email, you must move it from the Innovator inbox to the 'Endorsement Notifications' folder.

The endorsing body has issued an endorsement

They will have provided a copy of the endorsement with the email. You must update the Innovator allocation monitoring spreadsheet stored in the team's local area.

Each endorsing body has a specific number of secure reference numbers (SRNs). You must record the applicant's details against the correct SRN detailed on the endorsement.

You must record the following information and then save the spreadsheet:

- date of the endorsement
- applicant's name
- qualification details
- business intention

The endorsing body has withdrawn their endorsement for an applicant

The endorsing body can withdraw their endorsement at any time, including during the application process or after the application is approved.

You must identify what stage of the process the application is at on CID.

If there is no application currently recorded, you must record details of the endorsing body's decision on the limit monitoring spreadsheet - change the status from 'Endorsement Given' to 'Endorsement Withdrawn'.

If the application is under consideration, you must record details of the endorsing body's decision on CID comments, then record the decision on the limit monitoring spreadsheet. The following is an example of the CID wording required:

'Notification received from (state name of endorsing body) on (date) - the Endorsing Body has advised the Home Office they no longer wish to endorse the migrant (reason).'

If a grant of leave has already been made, the applicant's current leave may fall to be curtailed - you must follow the current curtailment guidance.

The endorsing body says the applicant has missed their regular contact

The applicant must make contact with the endorsing body after 6 months and 12 months. The endorsing body must advise the Home Office if the applicant has missed a contact. Update CID notes with the missed contact.

If the endorsing body states they wish to withdraw their sponsorship, follow the instructions in the [endorsing body has withdrawn their endorsement](#) section.

The endorsing body is asking a policy question or general query

If you cannot provide a direct response to the endorsing body, you must liaise with your higher executive officer (HEO) and with the Economic Migration Policy team.

You must send a holding response to the endorsing body.

Once you have received a response from the HEO, you must reply to the endorsing body.

The endorsing body has been removed from the list

If you receive notification that a body has been removed from the list of approved endorsing bodies, you must:

- update the allocation monitoring spreadsheet
- change the endorsing body status field to void then contact the curtailments team, giving them the details of any other applicants associated with that endorsing body
- provide the applicant's full name and case ID

The endorsing body says the applicant is breaching their conditions

You must establish if there is enough evidence to curtail the applicant. If there is enough evidence to prove the applicant is breaching their conditions, you must complete the curtailment in line with current procedures.

If there is not enough evidence, note CID with details of the endorsing body email and no further action is required.

An overseas post is requesting verification of an endorsement

You must check that the SRN and applicant details given by the post match the details given previously by the endorsing body which are stored on the allocation monitoring spreadsheet.

If the details match those on the spreadsheet, you must respond to the post confirming the details supplied are correct.

If the details do not match, you must send a holding response to the post and contact the endorsing body to confirm the endorsement is as issued.

You must:

- update the spreadsheet with the endorsement details if the endorsement is correct
- confirm the information with the post as received from the endorsing body

An overseas post is notifying a case decision

You must check the details of the applicant on the allocation monitoring spreadsheet, to make sure it matches, and update it with the post decision.

Related content

[Contents](#)

[Endorsement](#)

[Curtailing leave](#)