



Home Office

Start-up and Innovator visas: Guidance for endorsing bodies

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Contents

| | |
|--|-----------|
| Contents | 2 |
| 1. Introduction | 3 |
| Start-up..... | 3 |
| Innovator..... | 3 |
| The role of endorsing bodies | 4 |
| The role of the Home Office..... | 4 |
| Who can be endorsed?..... | 5 |
| How will applicants choose an endorsing body? | 5 |
| 2. Becoming an endorsing body | 7 |
| Who can be an endorsing body? | 7 |
| How to become an endorsing body | 8 |
| Endorsement places | 9 |
| Requesting places | 10 |
| Managing enquiries | 11 |
| 3. Endorsing applicants | 12 |
| Team members..... | 12 |
| Types of endorsement..... | 12 |
| Endorsement criteria: Start-up..... | 14 |
| Endorsement criteria: Innovator – new businesses | 15 |
| Endorsement criteria: Innovator – same business as previous endorsement..... | 16 |
| Endorsement criteria: Innovator – settlement in the UK..... | 17 |
| How to issue an endorsement | 18 |
| What if an applicant challenges your decision not to endorse them? | 19 |
| 4. Monitoring and reporting | 21 |
| What are endorsing bodies' responsibilities?..... | 21 |
| What happens if you withdraw your endorsement from an individual? | 22 |
| What are the consequences of non-compliance? | 22 |
| What if you no longer wish to be an endorsing body? | 23 |
| 5. Further information | 24 |
| Changes to the Start-up and Innovator visa categories | 24 |
| Contact details | 24 |
| Annex A: Endorsement letter template | 25 |

1. Introduction

The Start-up and Innovator visa categories are for non-EEA nationals wishing to set up a business in the UK. To qualify for a visa in either category, applicants must first obtain an endorsement from an approved endorsing body. These include leading business organisations and higher education institutions.

This guidance provides you with support in your role as an endorsing body within the Start-up and/or Innovator visa categories. Endorsement is based on the principle that it is you, rather than the Home Office, who are best placed to assess and identify innovative business ideas and talent.

In this document, 'we', 'us' and 'our' refer to the Home Office. 'You' and 'your' refer to endorsing bodies. 'Visa' refers to any type of entry clearance or leave to remain.

Start-up

The **Start-up** category is for early-stage, but high potential, entrepreneurs who are starting a business in the UK for the first time. They may have already begun setting up their business, but it should not yet have commenced trading. The only exceptions to this are if the applicant has already been granted leave under the Start-up or Tier 1 (Graduate Entrepreneur) categories, or under the Tier 4 doctorate extension scheme.

Applicants do not need any funds to invest in their business at this stage.

It offers a one-off, 2-year visa, during which applicants will spend the majority of their time developing their businesses but can also take on other work outside of their businesses, to support themselves.

Successful applicants can bring their family members (spouses/partners and children under 18) to the UK. At the end of 2 years, they can switch into the Innovator category (see below) to extend their stay and develop their businesses in the UK.

Innovator

The **Innovator** category is for more experienced businesspeople seeking to establish a business in the UK.

Applicants will usually need a minimum £50,000 funding available to invest in their business (This **does not** have to come from their endorsing body, although some endorsing bodies may choose to offer this funding).

Innovators must work entirely on developing their business ventures and may **not** take on other employment outside their business. This includes anything which effectively amounts to employment, such as using their own business to hire out their labour to another employer.

Successful Innovators are granted leave for 3 years at a time and can bring their family members to the UK. After 3 years, Innovators can apply to extend their stay for a further 3 years or to settle permanently in the UK. Each of these 3 stages (initial application, extension, settlement) requires endorsement from an endorsing body.

The role of endorsing bodies

As an endorsing body, we ask you to:

- **Issue endorsements** based on the criteria in this guidance. You will have your own measures of what makes a good business idea, and the freedom to apply these criteria as you think best. Your endorsement will be in the form of an endorsing letter (a suggested template for which can be found in **Annex A** of this guidance), which the applicant will use to support their visa application.
- **Stay in contact** with the business founders you endorse at checkpoints after 6, 12 and (in the Innovator category) 24 months, and let us know if you are not satisfied with their progress.
- **Let us know** if you have any reason to believe someone you have endorsed is working in breach of their visa conditions, although we will not ask you to police this actively.
- In the Innovator category, **issue further endorsements** for extension and settlement applications. In most cases, we expect innovators will be endorsed at these stages by the same body that endorsed their original application, but they may also be endorsed by a different body – for example, if the original endorsing body is no longer taking part in the category.

The role of the Home Office

We do **not** ask you to:

- **Make any immigration decisions.** Your role in endorsing applicants is to assess applicants' business ideas and their viability. An endorsement is not a visa. Once someone has received an endorsing letter, they must use it to make an application to the Home Office. We will carry out our usual checks against the individual and other requirements of the category such as English language ability (B2 – upper intermediate level) and maintenance funds (£945 per applicant and each of their family members) for applicants to support themselves.
- **Police the immigration system.** While we ask you to let us know if someone you have endorsed is no longer pursuing their business ideas or is missing a checkpoint, we do not expect you to monitor them continually. We will make the final decision whether to curtail a visa if an individual is not pursuing their business ideas. We will not hold it against you if an individual is working in breach of their visa conditions.

- **Be subject to the same rules and compliance activity** that we ask of sponsoring employers in other categories, such as Tier 2 of the Points-Based System. If you hold a licence under any other part of the immigration system, it will not be affected in any way by your activities as an endorsing body.

Who can be endorsed?

The Start-up and Innovator categories are for people setting up a new business in the UK which is innovative, viable and scalable, with the ultimate aim that the business has the potential to become fully integrated and a contributing part of the UK economy. Applicants can be:

- Working on their own as a sole founder, or working together as part of an entrepreneurial team
- Presenting a new business idea – the business may or may not already exist, but should not yet have fully started trading
- Presenting an idea in any sector – there are no restrictions (for example, relating to property development, as under the previous Tier 1 (Entrepreneur) category), providing you are satisfied the idea is sufficiently innovative, viable and scalable
- Developing other businesses as well as their main idea

The categories are **not** designed for people who are:

- Establishing a business which is not innovative, viable and scalable
- Joining an already trading business – the Tier 2 skilled work route may be more appropriate
- Seeking to invest in an already trading business – the Tier 1 (Investor) category may be more appropriate

How will applicants choose an endorsing body?

Lists of endorsing bodies in each category are published on the Start-up and Innovator sections of the gov.uk website and are updated regularly. These lists can include a link to your website and a short line of text to provide potential applicants with an overview of your activities as an endorsing body. Please let us know if you wish to make any changes to your link / text, and we will include them in our next update.

The Home Office provides general guidance to potential applicants about the Start-up and Innovator categories but will not advise them how to choose a particular endorsing body. It is up to you as endorsing bodies to decide how you wish to market your involvement in the categories and what types of business ideas you wish to endorse. If you would like us to review any marketing material you create to check that it accurately reflects the Immigration Rules, please let us know, but we cannot create this material for you.

You may decide whether to accept open applications or only to issue endorsements to business founders you are already working with through your existing activities. If you choose to accept open applications, we recommend that you set out clearly any parameters you wish to apply on the types of business you will endorse, so that you do not receive unsuitable applications.

2. Becoming an endorsing body

The lists of endorsing bodies are not fixed. Organisations can be invited to, or can request to, become an endorsing body at any time.

Who can be an endorsing body?

Endorsing bodies include leading incubators, accelerators, government agencies and business development organisations. The main requirement is that you must have a proven track record of supporting UK entrepreneurs, including resident workers (We may waive this requirement if you can show a connection to another body which has its own track record.).

This means you provide funding, mentoring or other forms of support to help entrepreneurs get their businesses up and running. You must have a record of supporting UK entrepreneurs with innovative ideas, who are looking to grow their business.

We do not accept requests from organisations who only provide professional services to businesses, for example accountancy, as we do not consider that such organisations would have the capability to assess a business case effectively to ensure it is sufficiently innovative, viable and scalable.

We will not accept requests to become an endorsing body from organisations which do not also support British citizen entrepreneurs, and which have been set up purely to facilitate immigration. Partnerships with immigration firms are not under any circumstances acceptable and there must be no evidence of conflict of interest with any other external organisation. You must not use your status as an endorsing body to promote any immigration services to applicants. We will also refuse any requests if you have any connection with past or present abuse of the immigration system.

You must be supported to become an endorsing body by a UK or devolved Government department, which can vouch for your suitability. This department must be satisfied that the outcomes of your business objectives are clearly linked, and will contribute, to their own public policy objectives.

The department must be a core department led by a government minister (or a regionally-devolved authority led by a directly-elected mayor, such as the Greater London Authority), not an agency or other public body. In most cases, you will already have a working relationship with this department.

In the Start-up category, higher education institutions can also become endorsing bodies. You must have established processes for identifying, nurturing and developing entrepreneurs among your undergraduate and postgraduate population. Such institutions do not need specific support from a government department to become an endorsing body, but you must be a UK recognised body or in receipt of public funding as a higher education institution.

All endorsing bodies will have a responsibility to monitor those whom they endorse. The Home Office must be satisfied that your organisation has in place measures to monitor the operation of those you are endorsing and can assess delivery against the objectives as set out in their business plan.

Please note that you cannot charge fees for considering or issuing an endorsement to applicants. This is because immigration fees are strictly regulated. You may, charge fees for any non-immigration services that you provide, so long as:

- It is not mandatory for applicants to purchase those services in order to be endorsed
- The same charges apply to any resident workers to whom you provide the same services (including those who are not seeking endorsement).

You should ensure your funding / business model can operate within these restrictions.

How to become an endorsing body

You may be actively invited to become an endorsing body. This may happen if a UK or devolved government department has recommended your organisation to us. If this happens, we will already have agreed that you meet the requirements above.

Alternatively, you may wish to ask us to consider adding your organisation as an endorsing body. **You should secure the support of a UK or devolved department (see above) before contacting us.**

You should approach your usual contact in the department for their support. Please note, the Home Office itself does not support endorsing bodies. Your support will need to come from a department whose published policy objectives would be supported by your work as an endorsing body.

If you have a relationship with an agency or other public body, while they cannot support your application themselves, they may be able to help you contact a suitable government department through an existing relationship of their own.

If you do not already have an existing relationship, you will need to explain to the relevant department why they should support you as an endorsing body. You should set out your record in supporting UK entrepreneurs and how your becoming an endorsing body will help that department meet its published policy objectives.

You should choose the department whose objectives your activities most closely match, rather than approaching multiple departments. Departments are unlikely to support unsolicited requests without these details. They may also wish to discuss your plans with you directly.

If the government department agrees to support your organisation in becoming an endorsing body, they will need to confirm their support for your organisation with the Home Office. You will need to provide contact details for your supporting department

alongside your request to become an endorsing body, details of which are set out below.

Once you have this support, you can write to us at StartUpRoute@homeoffice.gov.uk or InnovatorRoute@homeoffice.gov.uk (as appropriate). We do not prescribe an application form, but your request should set out:

- how you currently support UK entrepreneurs to establish and develop their businesses, and how this will link to your activity as an endorsing body
- the name and contact details of the official at a UK or devolved government department who can confirm the department supports your request (not needed if you are a higher education institution in receipt of public funding)

The more details you are able to provide on these points, the sooner we will be able to consider and respond to your request to become an endorsing body.

We will ask you to confirm all of the following:

- 1) Which categories (Start-up, Innovator or both) you wish to become an endorsing body for
- 2) The number of endorsement places you are requesting for each category
- 3) That you are able to assess applicants' business ventures competently against the endorsement criteria set out in **chapter 3** of this guidance
- 4) That you agree to the monitoring and reporting responsibilities set out in **chapter 4** of this guidance
- 5) That your organisation is content for its name to be published on the gov.uk website in a list of endorsing bodies.
- 6) Contact details for us to get in touch with you.

If your request to become an endorsing body is approved, we will write back to you to confirm your inclusion in the category and your initial allocation of places.

Endorsement places

Endorsement places take the form of secure reference numbers which you must include in the endorsement letters you issue. This helps to safeguard the categories against fraudulent endorsement letters being issued.

Each secure reference number is unique to a particular endorsement of a particular individual. It cannot be reused. The endorsement remains valid for 3 months and the individual must use it to make an application for a Start-up or Innovator visa during this time. If their application is unsuccessful for any reason, they can re-apply using the same endorsement, providing the 3 months has not yet expired.

If, however, an individual fails to make a successful application within 3 months, the endorsement will no longer be valid. You cannot re-use the same secure reference number, either for a fresh endorsement for that individual or to endorse someone else.

Applicants will need a new secure reference number each time you endorse them. For example, if you re-endorse someone so they can apply to extend their stay after 3 years, and then again a year later so they can apply to settle in the UK, they will need a new secure reference number on each occasion. The same applies if you are an HEI endorsing a former graduate entrepreneur to extend their stay under Start-up – they will need a new Start-up endorsement reference rather than their old Tier 1 (Graduate Entrepreneur) reference.

Requesting places

We will normally allocate 25 places to a new endorsing body, unless you ask for a different number. If, for any reason, your organisation would prefer to be issued with fewer endorsements, you should let us know and we will issue the preferred number of endorsements.

There is no overall maximum, but if you request more than 25 places, please provide a short explanation as to how you intend to use these places (for example, because you need more places to endorse extension applications for your existing cohort). If you do not give any reasons, we will not allocate more than 25 places. If you need further endorsements at a later date, you can request more.

You do not have to issue all your endorsements in a given year. Any leftover endorsements will not affect your allocation for the following year.

We will allocate places on an annual cycle, beginning on 6 April each year. The reference numbers we give you can be included in endorsement letters you issue until 5 April of the following year.

We will write to you towards the end of the allocation year to ask if you wish to continue as an endorsing body in the following year and, if so, how many places you would like to be allocated for the new year.

There is no overall cap on the number of endorsement places. If you use all of the places you have been allocated for the current year, you can ask for more at any time by contacting us at StartUpRoute@homeoffice.gov.uk or InnovatorRoute@homeoffice.gov.uk (as appropriate). Your request should include:

- the number of further endorsements you require (up to 25)
- a short explanation of why you need these extra places
- a short summary of the types of businesses you have endorsed using your current allocation

Requests for places will normally be granted, but we reserve the right to turn down a request or allocate fewer places than you have requested. If we do this, we will explain our reasons to you and give you the opportunity to respond.

Managing enquiries

Endorsing bodies need to be aware that they may receive a significant number of applications, including speculative ones and ones relating to businesses which are not suitable for endorsement.

Immigration advisors and prospective applicants should not contact you with queries about immigration rules or policies, but it is likely that they might do. We would not expect you to answer such queries. Please refer them to the published information on gov.uk and to our contact channels. Prospective applicants can find details of how to contact us at <https://www.gov.uk/contact-ukvi-inside-outside-uk>, and immigration advisors can contact us BusinessHelpdesk@homeoffice.gov.uk.

To mitigate and manage the increase in correspondence you may receive by becoming an endorsing body, we recommend you consider:

- updating your organisation's description on the gov.uk website to include a line of text setting out who you will endorse
- setting out further information on your website, including your criteria for those you are willing to endorse
- setting up a separate e-mail inbox for queries relating to the route, to keep these separate from your other activities
- redirecting queries relating immigration rules or policy to the Home Office (We can provide some standard wording if required)

3. Endorsing applicants

Your endorsement will take the form of a letter, including a secure reference number and the applicant's personal details, as well as confirmation that they meet the endorsement criteria. A suggested template for endorsement letters is set out in **Annex A** of this guidance.

Team members

The applicants you endorse do not need to be the sole founder of their businesses and may be members of entrepreneurial teams. If other team members are also being endorsed under the Innovator category, this may affect some details of the endorsement criteria (see below for further details).

Types of endorsement

There are 4 types of endorsement:

1. Start-up: You should consider this type of endorsement if the person you are endorsing wishes to apply in the Start-up category. They should be an early-stage entrepreneur and must **not** have previously:

- established a business in the UK
- had 2 years' leave in the Start-up and Tier 1 (Graduate Entrepreneur) categories

2. Innovator – new businesses: You should consider this type of endorsement if the person you are endorsing wishes to apply in the Innovator category. In most cases, they will need access to £50,000 funds to invest in their business. They must either:

- have not previously had leave in the Innovator category; or
- be pursuing a different business venture from the one that was assessed in their previous Innovator endorsement

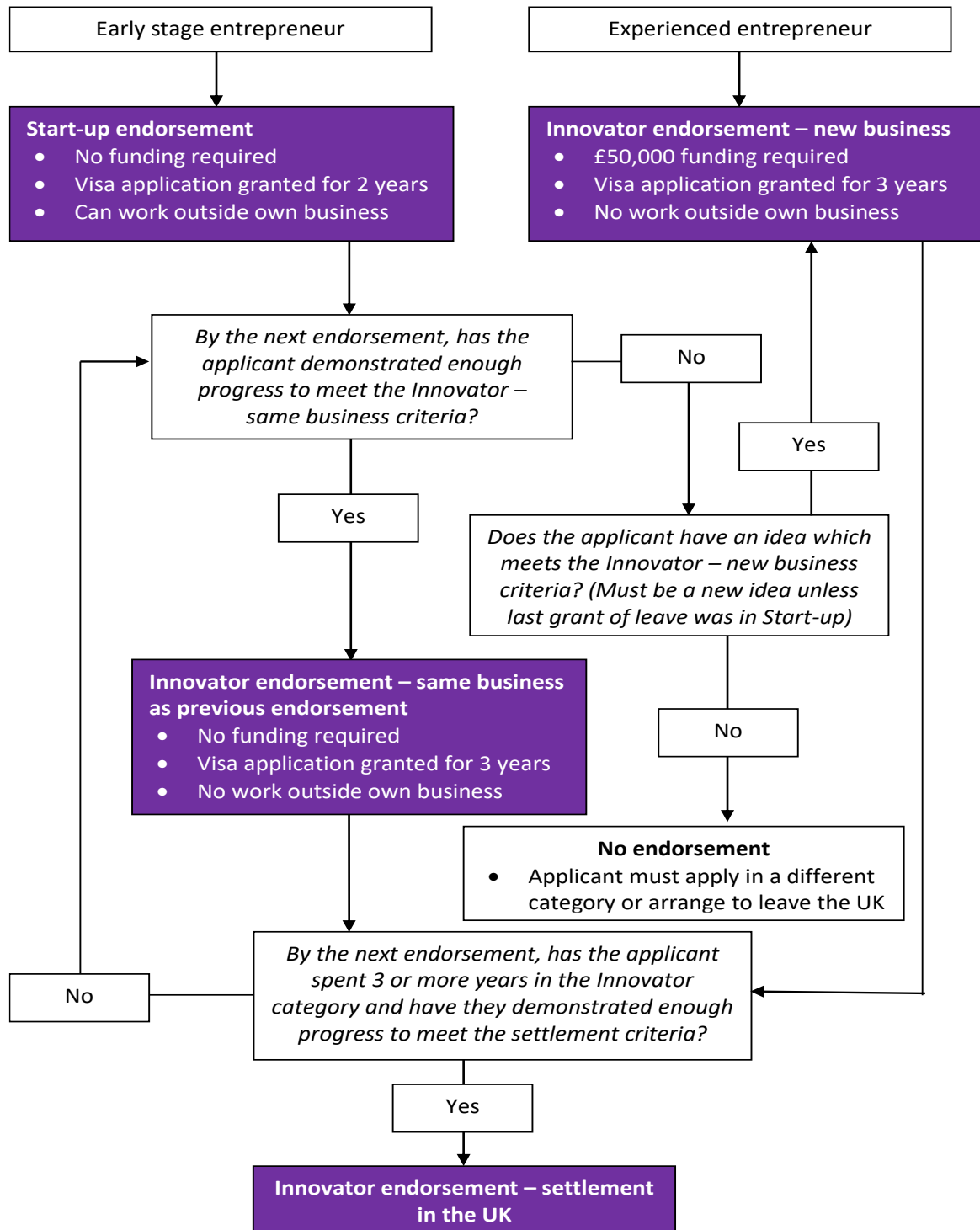
Applicants **can** receive this type of endorsement if they last had leave in the Start-up category and are still pursuing the same business venture as in their Start-up endorsement.

3. Innovator – same business as previous endorsement: You should consider this type of endorsement if the person you are endorsing has previously had leave in either the Start-up or Innovator categories and is still pursuing the same business venture as their previous endorsement.

Please note that applicants who were previously endorsed in the Start-up category can be endorsed under either option 2 or 3, depending on which criteria they meet.

4. Innovator – settlement in the UK: You should consider this type of endorsement if the person you are endorsing has spent **at least 3 years** in the Innovator category and has achieved a level of business success which meets the endorsement criteria for settlement. Please note that time spent in the Start-up category does not count towards the 3 years.

The flow chart below sets out the possible pathways for an applicant to progress through the different types of endorsement over time:



Endorsement criteria: Start-up

Your endorsement letter must confirm you have assessed the applicant's business proposal against the following 3 key criteria:

| Innovation | Viability | Scalability |
|---|--|--|
| Does the applicant have a genuine, original business plan that meets new or existing market needs and/or creates a competitive advantage? | Does the applicant have, or are they actively developing, the necessary skills, knowledge, experience and market awareness to run the business successfully? | Is there evidence of structured planning and of potential for job creation and growth into national markets? |

You will have your own measures of what makes a good business idea and we encourage you to develop your own approach. Suggested questions you may wish to consider are:

| Innovation | Viability | Scalability |
|---|--|---|
| Is the business offering something more than merely competing with similar local traders? | Is there evidence of market research? | Is the business likely to gain sufficient traction? |
| Is there a need for the business in the UK market that is not already being fulfilled? | Does the applicant have realistic, sustainable, product goals? | Is it a business with a potential for growth? |
| Is the idea bringing something new to the pre-existing UK/global business market? | Is there a long-term plan for the business? | Would this business successfully scale to be a part of the national market? |

Transitional arrangement – Tier 1 Graduate entrepreneurs

Applicants who were in the Tier 1 (Graduate Entrepreneur) category before it closed may need to be endorsed for their second year in the Start-up category. If you are the same endorsing body as in their previous Tier 1 (Graduate Entrepreneur) application, you do not need to confirm that their business idea meets the criteria above. Instead, your endorsement must confirm that they continue to have a **genuine and credible** business venture (as required under the previous category).

Your endorsement letter must also confirm that you are reasonably satisfied the applicant will spend the majority of their working time in the UK on developing their business ventures.

Endorsement criteria: Innovator – new businesses

The criteria for this type of endorsement are similar to those for Start-up, although we expect successful applicants to be assessed in line with their greater level of skills and experience. Your endorsement letter must confirm you have assessed the applicant's business proposal against the following key criteria:

| Innovation | Viability | Scalability |
|---|---|---|
| Does the applicant have a genuine, original business plan that meets new or existing market needs and/or creates a competitive advantage? | Does the applicant <i>have</i> the necessary skills, knowledge, experience and market awareness to run the business successfully? | Is there evidence of structured planning and of potential for job creation and growth into national <i>and international</i> markets? |

Your endorsement letter must also confirm that you are reasonably satisfied the applicant will spend their entire working time in the UK on developing their business ventures.

Applicants relying on this type of endorsement must have £50,000 of available funds to invest in their business. You do not have to confirm that they have funding available in your endorsement letter but, if you do, the applicant will need to submit less evidence to us when they make their visa application. You can confirm:

- Any funding which you are providing yourselves
- Any funding which you have verified as being available to the applicant from other sources (including funds held by the applicant themselves)
- Any funding which you have verified as already having been invested in the applicant's business

You should only confirm funding from other sources where you have seen documentary evidence that this is available or has been invested in the applicant's business. We recommend that you keep copies of this evidence for the duration of the endorsement. We may ask to see it, and you may wish to refer to it for any future endorsement of that applicant.

If the business has another team member who also has, or is applying for, this type of endorsement, there must be £50,000 for each team member endorsed (for example, 2 endorsed team members require £100,000 funding).

We recognise that many new businesses fail and this is not necessarily any indication that an applicant did not have a strong business idea. There is no limit to the number of times an applicant can be endorsed for this type of application. However, each time, they will need to present a new business idea and show that they have £50,000 funding available. If you are aware that an applicant has tried

and failed multiple times, we expect you to take this into account when considering whether their latest business idea is truly viable.

Endorsement criteria: Innovator – same business as previous endorsement

For this type of endorsement to be given, your endorsement letter must confirm that you are satisfied the applicant has made significant progress in developing their business, as follows:

- 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, weighed 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

Your endorsement letter must also confirm that you are reasonably satisfied the applicant will continue to spend their entire working time in the UK on developing their business ventures.

Applicants do **not** need to show evidence of business funding at this stage, **even if** they have progressed directly to this stage from a Start-up visa and have not previously had to show evidence of funding.

There is no limit to the number of times an applicant can be endorsed for this type of application, but you should expect to see further progress and achievements at each stage, not that the business has merely kept going in the same state as it was when the previous endorsement was given.

Endorsement criteria: Innovator – settlement in the UK

For this type of endorsement to be given, your endorsement letter must confirm that you are satisfied the applicant has made significant progress in developing their business and has made quantifiable achievements. The progress achievements are the same as for endorsements under the “same business” criteria:

| Progress | Achievements |
|---|---|
| <p>All of the following:</p> <ul style="list-style-type: none"> • 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, weighed 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 | <p>At least 2 of the following:</p> <ul style="list-style-type: none"> • 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 gross revenue of £1 million in the last full year covered by its accounts. • The business is generating a minimum annual gross 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 <i>resident workers</i>. • The business has created the equivalent of at least 5 full-time jobs for <i>resident workers</i>, which have an average salary of at least £25,000 a year (gross pay, excluding any expenses). |

An applicant may qualify under any combination of 2 of the above criteria, even if they are similar. For example, an applicant will have met 2 criteria if their business has an annual revenue of £1 million, with at least £100,000 from exporting overseas.

An applicant cannot qualify by relying on the same criterion twice. For example, an applicant who has invested £100,000 (2 x £50,000) in their business venture will be considered to have met 1 criterion, not 2 criteria.

If the applicant is relying on the criteria for creating jobs:

- Each for the jobs must have existed for at least 12 months and comply with all relevant UK legislation, including (but not limited to) the National Minimum Wage Regulations in effect at the time and the Working Time Regulations 1998.
- Each of the jobs must involve an average of at least 30 hours of paid work per week. 2 or more-part time jobs that add up to 30 hours per week may be combined to represent the equivalent of a single full-time job, as long as each of the jobs has existed for at least 12 months. However, a single full-time job of more than 30 hours of work per week does not count as more than 1 full-time job.

Where we refer to jobs we mean posts filled, rather than employees. If a single job has been filled over 12 months by different employees at different times, this counts as the job having existed for at least 12 months.

If the business has other team members who are applying for, or have been granted, this type of endorsement, they cannot share the same means of meeting these criteria. For example, if 2 applicants are both relying on the requirement to have created 10 jobs, 20 jobs must have been created in total

How to issue an endorsement

Before you endorse someone, you must ask them to give you their consent to allow you to:

- monitor their progress in establishing a business
- share information relating to their business with the Home Office, where this is necessary for you to meet your responsibilities as an endorsing body

We recommend that you ask for this consent in writing and keep a copy for audit purposes

Your endorsement takes the form of an endorsement letter, which you can issue as a formal printed letter or electronically. A suggested template is included at **Annex A** of this guidance.

The endorsement letter must contain:

- (i) Your name as the endorsing body

- (ii) the endorsement reference number, which must be a previously unused reference number from your allocation of places
- (iii) the date of issue (we will only accept visa applications from letters dated within the last 3 months, so you may also wish to include a date of expiry)
- (iv) the applicant's name, date of birth, nationality and passport number
- (v) a short description of the applicant's business venture and the main products or services it provides (or will provide) to its customers
- (vii) confirmation that the applicant's business venture meets the endorsement criteria for the type of endorsement being given (see earlier sections)
- (viii) details of a named contact at your organisation who will verify the contents of the letter to us if requested

When you issue an endorsement letter to an applicant, you **must** also send an electronic copy to us at StartUpRoute@homeoffice.gov.uk or InnovatorRoute@homeoffice.gov.uk (depending on the type of endorsement). This is so we can easily verify that the letter is genuine without necessarily having to contact you each time. If you do not send us a copy, there is a greater risk the applicant's visa application will be refused.

What if an applicant challenges your decision not to endorse them?

You should ensure your internal considerations and handling are transparent, fair and robust, and that your decisions are in line with this guidance. This should minimise the risk of any challenge to begin with. It is up to you to decide how best to handle a challenge to your endorsement decision. However, we recommend that you offer applicants the opportunity to ask for an internal review of your decision.

To follow best practice, a review should:

- Be led by a member of your organisation who was not directly involved in assessing the original endorsement application
- Consider whether the decision was reached in accordance with the criteria set out in this guidance, as well as any further policies or guidance for applicants that you publish yourselves as an endorsing body
- Consider the relevant facts of the application
- Not consider irrelevant information

Where an applicant is challenging a subjective aspect of the decision (for example, whether their business idea is sufficiently innovative), you do not need to remake

that decision entirely. You should check whether the subjective decision that was made was reasonable in light of your and our published policies and guidance.

If an applicant wishes to challenge the visa processes and procedures set out by the Home Office, rather than your own procedures, you should direct their complaint to us.

4. Monitoring and reporting

As well as considering and issuing endorsements, we ask endorsing bodies to take on a few light-touch monitoring and reporting duties.

What are endorsing bodies' responsibilities?

We ask you to:

- **Stay in contact** with the business founders you endorse. You can choose to do this as closely as you like but, as a minimum, we ask you to make contact at checkpoints after 6, 12 and (in the Innovator category) 24 months. This is to check that they are still making progress with their business ideas.
- **Decide**, at these checkpoints, whether you are satisfied that applicants are continuing to work on their business ventures. They should have demonstrated reasonable progress with their original ideas. If they are no longer pursuing their original business ideas, they must be pursuing new business ideas that are also **innovative, viable** and **scalable**.
- **Withdraw your endorsement** if, at these checkpoints, an applicant has not demonstrated the above. You should also consider withdrawing your endorsement if an applicant misses a checkpoint without your authorisation.
- **Let us know** if you have any reason to believe someone you have endorsed is working in breach of their visa conditions, although we will not ask you to police this actively. We will then investigate appropriately.

You should keep a record of key documents which you have used to make any endorsement decisions. These may include copies of:

- Applicants' business plans and your assessments of those plans
- Evidence of any funding which you have confirmed in your endorsements (such as letters from funding providers, bank statements, etc.)
- Records of what you have seen/discussed at checkpoints
- Where relevant, evidence that support the "same business" or "settlement" criteria (such as Companies House printouts, accounts or accounts summaries, evidence of PAYE submissions to HM Revenue & Customs for jobs created, etc.)

We will not normally ask to see these records, but we may do so if we have queries about a particular applicant or as part of our general monitoring of the categories.

Once an applicant achieves settlement in the UK or is no longer taking part in these categories for any other reason (such as leaving the UK or switching into a different visa category), you no longer need to monitor them as an endorsing body. You should, however, keep records of the above for one year after your endorsement ends, unless the Home Office has already seen them.

What happens if you withdraw your endorsement from an individual?

You should consider withdrawing an endorsement if:

- An applicant fails to stay in contact with you as requested.
- You discover that applicant has not been developing their business.
- An endorsed Innovator is working as an employee of another business they are not the director of, in breach of their visa conditions.
- An applicant's business has failed and they do not wish to start another business, or the business they intend to start is not, in your judgement, innovative viable and scalable.

In any of the above scenarios you should e-mail us within 10 working days at StartUpRoute@homeoffice.gov.uk or InnovatorRoute@homeoffice.gov.uk (as appropriate). You should include the applicant's details and the reason why you are withdrawing your endorsement from them.

If you withdraw an endorsement before a visa application has been granted, that application will be refused.

In most cases, the application will have already been granted and the applicant will already have spent some time on their visa. Once an endorsement has been withdrawn, we will consider curtailing the visa. The final decision for this rests with us. It is an immigration decision that we do not ask endorsing bodies to take on.

We will take account of the particular reason for withdrawing the endorsement in deciding whether to do this with immediate effect, or to allow the individual to retain part of the remaining duration of their visa. If the individual has already passed their last checkpoint with you, and has not broken any of their visa conditions, we may decide not to curtail their visa.

What are the consequences of non-compliance?

We appreciate that endorsing bodies cannot be responsible for everything the individuals they endorse do. If you notify us of any non-compliance by an individual, we will not hold this against you. Poor compliance by individuals in these categories will not affect your ability to hold any other immigration licenses you hold such as Tier 2, Tier 4 or Tier 5 Sponsor licenses.

We reserve the right, however, to take action if we see evidence of systemic non-compliance or deliberate immigration abuse by an endorsing body. If this happens, we will seek to work with you to resolve any issues or concerns. In the unlikely event that this does not resolve the concerns, we may restrict your endorsements or remove you from the lists of endorsing bodies for these categories.

What if you no longer wish to be an endorsing body?

We do not wish to see endorsing bodies withdraw from the routes, and encourage you to discuss any concerns you may have or any further support you need, if you are considering no longer being an endorsing body. Your feedback will help us to improve the routes in future and address any difficulties you are facing.

However, if you do decide at any time that you no longer wish to be an endorsing body, you should contact us at StartupRoute@homeoffice.gov.uk or InnovatorRoute@homeoffice.gov.uk, and request to be removed from the published lists of endorsing bodies. We will then remove you from the lists the next time they are updated. We will cancel any endorsement reference numbers you have not yet used.

Ceasing to be an endorsing body entirely means withdrawing your endorsement from those individuals you have already endorsed. This may result in their visas being curtailed, as set out above.

You may therefore wish to consider a phased withdrawal, in which you continue to act as an endorsing body for individuals you have already endorsed, but no longer accept applications for new endorsements. You should let us know if you decide to do this. You should also publicise the fact that you will no longer accept new applications (and let us know if you would like a note saying this next to your name on our published lists of endorsing bodies).

5. Further information

Changes to the Start-up and Innovator visa categories

We keep all our immigration categories under review, and may make changes to the Start-up and Innovator categories from time-to-time. We will always contact all current endorsing bodies to let you know of any changes which affect you. Depending on the nature of the changes, we may consult you in advance, to draw on your expertise and offer you the opportunity to help shape the changes and make the route more reflective of your needs as endorsing bodies and those of the businesses you support.

Contact details

We welcome your feedback on your experience as an endorsing body and any suggestions you may have for improvements to this guidance or the Start-up or Innovator categories more generally. We are also happy to answer any questions you have about the categories.

If you have any feedback or suggestions relating to any of the endorsement criteria, or anything else set out in this guidance, you can contact our policy team at Tier1reforms@homeoffice.gov.uk.

If you have any practical queries, requests for endorsements or to be added or removed from the lists of endorsing bodies, you can contact the operational team for these categories at StartUpRoute@homeoffice.gov.uk or InnovatorRoute@homeoffice.gov.uk (as appropriate).

Please note that these e-mail addresses are for endorsing bodies (and potential endorsing bodies) only. Other queries will not receive a reply. Individual applicants and immigration advisors should refer to the information and contact details on the gov.uk website:

- <https://www.gov.uk/start-up-visa>
- <https://www.gov.uk/innovator-visa>
- <https://www.gov.uk/contact-ukvi-inside-outside-uk>
- BusinessHelpdesk@homeoffice.gov.uk (for immigration advisors)

Annex A: Endorsement letter template

This template is provided as an example only. You do not have to use this format, providing your endorsement letters contain all of the necessary information.

When you issue an endorsement letter, you **must** send an electronic copy to us at StartUpRoute@homeoffice.gov.uk or InnovatorRoute@homeoffice.gov.uk (depending on the type of endorsement). If you do not, it may lead to an applicant's visa application being refused.

Dear [***applicant's name***]

This letter confirms that you have been endorsed for a UK [***Start-up / Innovator***] visa application.

| | |
|--------------------------------------|------------------------|
| Applicant's details | |
| Name: | Nationality: |
| Date of birth: | Passport number: |
| Endorsement details | |
| Endorsement reference number: | |
| Date of issue: | Date of expiry: |
| Name of endorsing body: | |
| Name of authorised person: | |
| Work address: | |
| E-mail: | Telephone: |

Further details of your endorsement are set out overleaf.

In applying for this endorsement, you consent for me to provide an electronic copy of this letter to the Home Office and confirm its contents at their request.

Please note that this endorsement letter does not confer any immigration status or right to work in the UK. You should use this letter within 3 months of the above date of issue to make an application to the Home Office. Details of how to apply can be found on the gov.uk website.

[***Signature of authorised person of the endorsing body***]

Further details of endorsement:

Applicant's name:

Names of any entrepreneurial team members who are also being endorsed:

Name of applicant's business:

Business sector:

Short description of the business and its main products or services:

| |
|--|
| |
|--|

[COMPLETE / DELETE THE FOLLOWING SECTIONS AS APPLICABLE]

Type of endorsement: **Start-up**

| Criteria (mandatory) | Y | N |
|---|----------|----------|
| Innovation – The applicant has a genuine, original business plan that meets new or existing market needs and/or creates a competitive advantage. | | |
| Viability – The applicant has, or is actively developing, the necessary skills, knowledge, experience and market awareness to successfully run the business described above. | | |
| Scalability – There is evidence of structured planning and of potential for job creation and growth into national markets. | | |
| [Name of endorsing body] is satisfied that the applicant will spend the majority of their working time in the UK on developing business ventures. | | |
| [Name of endorsing body] is satisfied that the applicant has not previously established a business in the UK | | |
| The applicant has previously established a business in the UK, under the Start-up or Tier 1 (Graduate Entrepreneur) category) | | |

Type of endorsement: **Innovator (new business)**

| Criteria (mandatory) | Y | N |
|---|----------|----------|
| Innovation – The applicant has a genuine, original business plan that meets new or existing market needs and/or creates a competitive advantage. | | |
| Viability – The applicant has the necessary skills, knowledge, experience and market awareness to successfully run the business described above. | | |
| Scalability – There is evidence of structured planning and of potential for job creation and growth into national and international markets. | | |
| [Name of endorsing body] is satisfied that the applicant will spend their entire working time in the UK on developing business ventures. | | |

| Investment funds (where relevant) | Amount (£) |
|---|-------------------|
| Funds provided by [name of endorsing body] | |
| Funds which [name of endorsing body] has verified are available from other sources (including applicant's own funds) | |
| Funds which [name of endorsing body] has verified have already been invested in the business described above | |

Type of endorsement: **Innovator (same business as previous endorsement)**

| Criteria (mandatory) | Y | N |
|---|----------|----------|
| The applicant has shown significant achievements, judged against the business plan assessed in their previous endorsement. | | |
| The 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, weighed 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. | | |

Type of endorsement: **Innovator – settlement in the UK**

| Criteria (mandatory) | Y | N |
|---|----------|----------|
| 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, weighed 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. | | |

| Criteria (optional, must meet at least 2) | Y | N | Further information |
|---|----------|----------|--|
| At least £50,000 has been invested into the business and actively spent furthering the business plan assessed in the applicant's previous endorsement. | | | Amount invested: |
| 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. | | | No. of customers: |
| The business has engaged in significant research and development activity and has applied for intellectual property (IP) protection in the UK. | | | What IP protection has been applied for: |
| The business has generated a minimum annual revenue of £1 million in the last full year covered by its accounts. | | | Annual revenue in last 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. | | | Annual revenue in last accounts: Revenue from exporting overseas: |

| Criteria (optional, must meet at least 2) | Y | N | Further information |
|---|----------|----------|----------------------------|
| The business has created the equivalent of at least 10 full-time jobs for resident workers, which have existed for at least 12 months. | | | Jobs created and salaries: |
| The business has created the equivalent of at least 5 full-time jobs for resident workers, which have existed for at least 12 months and have an average salary of at least £25,000 a year (gross pay, excluding any expenses). | | | Jobs created and salaries: |

Any other relevant information: