

IMPORTANT NOTES – PLEASE READ

CLOSURE OF TIER 1 (EXCEPTIONAL TALENT)

Tier 1 (Exceptional Talent) was replaced by the Global Talent category on 20 February 2020. A number of transitional arrangements apply to applicants who are affected by this change.

- Applicants who hold a valid Tier 1 (Exceptional Talent) endorsement (Stage 1) but have not yet applied for entry clearance or leave to remain in line (Stage 2), can use this endorsement to apply for Global Talent. The initial requirements mirror those previously applied to Tier 1 (Exceptional Talent) applicants.
- Applicants who currently hold Tier 1 (Exceptional Talent) leave and who wish to apply to extend their stay, must do so under the Global Talent category. The extension requirements mirror those previously applied to Tier 1 (Exceptional Talent) applicants.
- Applicants who are currently in the UK under Tier 1 (Exceptional Talent) and who wish to apply for settlement (Indefinite Leave to Remain) may do so without the need to switch into the Global Talent route. The settlement requirements remain the same as those in place before 20 February 2020, except that where the applicant was endorsed by the Royal Society, Royal Academy of Engineering or British Academy:
 - they can apply for settlement once they have spent a continuous period of 3 years in the UK, whether they have been endorsed under “talent” or “promise” criteria.
 - This does not apply to dependants of such applicants, who must meet a 5 year qualifying period in all circumstances.
 - they are able to undertake research overseas without this counting towards the maximum time period allowed for absences. The research absence must be directly related to the reason for the endorsement and the absence must have occurred while the applicant held leave as a Tier 1 (Exceptional Talent) migrant.
 - This exemption also extends to partners of applicants who meet the criteria, including where the Tier 1 (Exceptional Talent) main applicant has subsequently settled in the UK on this basis.
- Applicants who wish to apply as the dependant of a Tier 1 (Exceptional Talent) migrant may continue to do so.



UK Visas & Immigration

Tier 1 (Exceptional Talent)

version 2/20

Tier 1 (Exceptional Talent) of the Points Based System – Policy Guidance

This guidance is to be used for all Tier 1 (Exceptional Talent)
applications made on or after 20 February 2020

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Introduction

1. This document provides policy guidance to migrants wishing to apply for settlement in the Tier 1 (Exceptional Talent) category of the Points Based System and should be read alongside the relevant [paragraphs of the Immigration Rules](#). It also provides guidance for applicants who wish to seek a review of a decision to refuse endorsement under Tier 1 (Exceptional Talent) (stage 1).
2. This document reflects policy at the time of publication and is subject to change.
3. For the purpose of this guidance, the terms 'we', 'us' and 'our' refer to the Home Office. 'You and your' refers to the person making the application.

Key Facts*

<p>What work can I do under Tier 1 (Exceptional Talent)?</p>	<p>You can:</p> <ul style="list-style-type: none"> • work as self-employed/contracted/employed; • work in any sector** • work for any employer and move between employers without any additional approval from the Home Office • take up employment at any level** <p>You cannot:</p> <ul style="list-style-type: none"> • work as a Doctor or Dentist in Training; or • as a professional sportsperson/sports coach. <p>** Please note that to apply for settlement you will need to demonstrate that you have been paid for employment in your specialist field in which you were endorsed.</p>
<p>Can I make a Tier 1 (Exceptional Talent) application in the UK using a priority service and get a quicker decision?</p>	<p>Settlement applications may be submitted as super priority applications.</p> <p>Applications submitted under a super priority service are subject to additional fees. More details on fees can be found on the relevant form.</p>
<p>I already hold Tier 1 (Exceptional Talent) leave – are my dependants allowed to join me?</p>	<p>Yes. Your dependants can apply to join you if they meet the relevant requirements. Further details are available here: www.gov.uk/tier-1-exceptional-talent/family-members</p>
<p>Can I claim public funds e.g. child/housing benefit?</p>	<p>Most migrants are unable to claim public funds. There are some exceptions. Further details are available here: www.gov.uk/government/publications/public-funds--2/public-funds.</p> <p>Migrants who are granted settled status, giving them a permanent right to reside in the UK, can access benefits and health care on the same basis as British citizens.</p>
<p>Do I have to demonstrate a minimum level of English to apply for settlement?</p>	<p>You will need to demonstrate your level of English to qualify for settlement.</p>

<p>What is the qualifying period for settlement?</p>	<p>The qualifying period depending on your specific circumstances. The period must be continuous though some absences are allowed. This means that it is possible to apply for settlement without extending limited leave, in a number of circumstances.</p> <p>Further details are available later in this policy document: see Tier 1 (Exceptional Talent) settlement (Indefinite Leave to Remain) applications.</p> <p>Please note, the qualifying period for any Points Based System Dependant Partner is 5 years, regardless of whether the main applicant is eligible for accelerated settlement. Dependent children can qualify for settlement if both parents are settled or applying for settlement at the same time, or at the same time as the main applicant, if the main applicant has sole responsibility for them.</p>
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*This table reflects the current Immigration Rules and is subject to change.

Tier 1 (Exceptional Talent) settlement (Indefinite Leave to Remain) applications

4. This section describes the current requirements for settlement (also known as Indefinite Leave to Remain). Please note that the Immigration Rules are subject to change. You should always check the latest guidance before you apply.
5. You can apply for settlement online at: <https://visas-immigration.service.gov.uk/product/set-o>
6. You will need to meet some requirements which apply to all Points Based System settlement applications and some which are specific to Tier 1 (Exceptional Talent) applicants.
7. The Immigration Rules for settlement can be found in paragraph 245BF of Part 6A of the Immigration Rules. These are available on our website at: www.gov.uk/guidance/immigration-rules/immigration-rules-part-6a-the-points-based-system.

Length of time in the UK needed to qualify – settlement

8. If your endorsement was given under the exceptional promise criteria, you can apply for settlement under Tier 1 (Exceptional Talent) once you have completed 5 years' continuous leave in the UK in a qualifying route.
9. However, this period is reduced to 3 years if:
 - your endorsement was given by the Royal Society, Royal Academy of Engineering or British Academy
 - your endorsement was given under the Endorsing Bodies' exceptional talent criteria for Arts Council England or Tech Nation
10. In both cases, leave you have accrued under the following routes will count towards your 3 or 5 years' continuous leave:
 - Tier 1 Migrant (excluding as a Tier 1 (Graduate Entrepreneur) Migrant or Tier 1 (Post-Study Work) Migrant);
 - Tier 2 Migrant (excluding as a Tier 2 (Intra-Company Transfer) Migrant); or
 - Innovator.

11. Please note that your biometric residence permit does not confirm whether you were granted under talent or promise criteria. You can check by reading your endorsement letter.
12. If you are not sure which criteria you were granted leave under, and you no longer hold a copy of your stage 1 endorsement letter, you can check this by emailing GlobalTalentEndorsements@homeoffice.gov.uk.
13. Your qualifying period can include time from the date your initial application (for entry clearance or leave to remain) was approved.
14. **You can apply for settlement up to 28 days before you reach the end of the qualifying period. If you apply earlier than that, your application may be refused.** Your qualifying period will be the 3 or 5 years immediately before the date you apply for settlement or the 3 or 5 years immediately before the date your settlement application is decided, depending on which is most beneficial for you. If you have spent more than the required time in the UK, we will only consider the most recent 3 or 5 years as applicable.

Absences - settlement

15. You cannot have had more than 180 days' absence from the UK during any consecutive 12 months of the qualifying period.
16. In most circumstances, regardless for the reason the absence occurred, each absence will be counted towards the maximum 180 days. This includes absences for work reasons, or serious and compelling reasons.
17. The only exceptions are:
 - where you have been absent from the UK assisting with a national or international humanitarian or environmental crisis, such as the Ebola crisis which began in West Africa in 2014, and you can provide evidence that this was the purpose of the absence.
 - if you were endorsed by the Royal Society, the British Academy or the Royal Academy of Engineering, the absence was for research activities overseas and the absence occurred while you held leave as a Tier 1 (Exceptional Talent) migrant.
18. You can include time between your entry clearance being granted and you entering the UK as part of your continuous period. Absences between the date entry clearance is granted and the date you enter the UK are treated as an absence from the UK and will form part of the 180 days allowed within a continuous 12-month period.

For example, if you entered the UK 100 days after you obtained entry clearance and have a further 81 days' absence during the remainder of the continuous 12-month period, you will exceed the 180 days you are permitted to be absent from the UK. You would therefore not qualify for settlement 5 years after the date you obtained entry clearance. You would need to wait until a date where you have spent a total of 5 years in the UK with absences of less than 180 days in any consecutive 12-month period, before you could qualify.
19. If you have been outside of the UK for more than 180 days in a consecutive 12-month period, you will need to start the qualifying period for settlement again. If this happens, you may need to obtain a further grant of limited leave to remain to complete your continuous period in the UK.
20. For settlement applications made from 11 January 2018, we consider absences from the UK on a rolling basis, rather than in separate consecutive 12-month periods. If your qualifying period includes leave granted before this date any absences during that leave will be considered under

the previous rules – in separate 12-month periods, ending on the same date as you make your settlement application.

For example:

You apply for settlement on 30 June 2020. Your continuous period includes the following grants of leave:

- One grant of leave from 1 July 2015 to 28 July 2018 – Any absences during this grant of leave will be considered in separate 12-month periods, ending on 30 June each year.
- One grant of leave from 29 July 2018 to 30 June 2020 – Any absences during this grant of leave will be considered on a rolling basis. We will not include any absences from the previous grant of leave when we assess this.

Tier 1 (Exceptional Talent) criteria – settlement

21. To be approved you must meet the following two criteria:

- The endorsing body that originally endorsed your application has not withdrawn this endorsement; and
- During your most recent period of leave as a Tier 1 (Exceptional Talent) migrant, you have earned money in the UK as a result of employment or self-employment in your field of expertise (see paragraphs 24 and 25 below). This is the field for which the endorsing body endorsed you.

Where the endorsing body has withdrawn endorsement

22. Each endorsing body is required to inform the Home Office if it withdraws an endorsement from a migrant. Following a withdrawal, you will be contacted to confirm this and your leave may be curtailed (removed), as appropriate.
23. Where you are applying for settlement, you do not need to contact your specific endorsing body or provide any evidence to demonstrate that you are still endorsed by the endorsing body.

Previous earnings as a Tier 1 (Exceptional Talent) Migrant

24. The Immigration Rules specify the documents that we will accept as evidence of earnings (see [Annex A](#) for more information on specified documents). To show that you have personally earned money in the UK as a result of employment or self-employment in your expert field, you should provide the following supporting evidence:

If you are a salaried employee or a director of a limited company, you can provide one of the following documents:

- Payslips: These should be formal payslips showing your employer's name. If you are unable to provide these, your alternative payslips must be accompanied by a letter from your employer, on the employer's company headed paper confirming the earnings.
- Personal bank or building society statements clearly showing the payments made to you from your employer or a limited company of which you are a director. Bank or building society statements provided must be on official bank stationery and must show payments to you. If you wish to submit electronic bank or building society statements, you should also provide a supporting letter from the bank on the bank's headed paper confirming that the documents are authentic. Alternatively, we will accept an electronic bank statement bearing the official

stamp of the bank or building society issuing the statements. This stamp must appear on every page of the statement.

- An official tax document produced by HM Revenue & Customs (HMRC) or employer, which show earnings on which you have paid tax or will pay in a tax year. For these purposes, we define official tax documents as:
 - a document produced by HMRC that shows details of declarable taxable income on which tax has been paid or will be paid in a tax year (for example, a tax refund letter or tax demand);
 - a document produced by an employer as an official return to HMRC, showing details of earnings on which tax has been paid in a tax year (for example, a P60); or
 - a document produced by a person, business, or company as an official return to HMRC, showing details of earnings on which tax has been paid or will be paid in a tax year. The document must have been approved, registered, or stamped by HMRC.

Or

- Dividend vouchers. Dividend vouchers must show the amount of money paid by the company to you, normally from its profits. They should confirm both the gross and net dividend paid. You should provide a separate dividend voucher or payment advice slip for each dividend payment.

If you have worked in a self-employed capacity, you can provide one of the following documents:

- A letter from your accountant (confirming the amount you have earned): This letter should be on headed paper and confirm the gross and net pay for the period to be assessed. The letter should give a breakdown of salary, dividends, profits, tax credits and dates of net payments earned. If your earnings are a share of the net profit of the company, the letter should also explain this. All accountants must be either fully qualified chartered accountants or certified accountants who are members of a registered body in the UK.
- Company or business financial accounts: These must clearly show the net profit of the company or business. Accounts must show both a profit and loss account (or income and expenditure account if the organisation is not trading for profit) and the balance sheet should be signed by a director. Accounts should meet statutory requirements and should clearly show the net profit made over the earnings period to be assessed.

If you have worked as a researcher, you should provide evidence of your funding.

- The funding should be provided by an institution. It does not need to be based in the UK. The evidence can be in the form of a letter on official headed paper to you confirming the details of the funding. Evidence should include:
 - Your name;
 - The name of the sponsor;
 - The name of the host institution where you will be based;
 - The title of the post; and
 - Details of the funding provided, including the amount of funding.

25. Whichever type of employment you have undertaken, you will need to provide additional documents to show the money was earned as a result of work in your expert field. You will also have to explain why the work you have carried out is relevant to your expert field. The documents required are:

- A contract of service or work between you and a UK employer/institution which indicates the field of work you have undertaken; or
 - A letter on the UK employer/institution's official headed paper confirming that you have earned money in your expert field.
26. You will also be subject to General Grounds for Refusal. Further details on General Grounds for Refusal are available here: www.gov.uk/government/publications/general-grounds-for-refusal-about-this-guidance.

Knowledge of Language and Life - settlement

27. When you apply for settlement, you are required to show that you have sufficient knowledge of language and life in the UK before you can be granted (unless you fall under an exemption).
28. You can demonstrate this by passing both the Life in the UK test and holding an English speaking and listening qualification at level B1 or above.
29. More information on Life in the UK test including how to book a test and the relevant exemptions can be found here: www.gov.uk/life-in-the-uk-test

More information on the language requirement can be found here: www.gov.uk/english-language

Annex A – General application information

A1. Date of application

How you determine your date of application will vary depending on where your application was submitted:

If you are outside the UK	If you are inside the UK
The date of application is the date that you pay your application fee, which is the date shown on your payment receipt.	The date of application is the date the online application is submitted.

A2. Considering your application

We aim to consider applications quickly. However, we must be confident that applications meet the requirements of the Immigration Rules, and that the information you provide is a true reflection of your background.

If we have doubts about an application or the documents sent with your application, we may carry out verification checks and/or other checks. Please see **Annex D** for further information.

You, or any member of the public, can report illegal immigrants and other immigration offences via our website: www.gov.uk/report-immigration-crime.

A3. Overstaying in the UK

Applications for leave to remain will fall for refusal if you have overstayed beyond the end of the last period of leave to enter or remain you were granted. The only exceptions are where your application is made:

- within 14 days of your previous leave expiring and we consider there is a good reason beyond your / your representative's control, details of which are provided in or with the application as to why the application could not be made in time; or
- within 14 days of:
 - the refusal of the previous application for leave; or
 - the expiry of any leave which has been extended by section 3C of the Immigration Act 1971; or
 - the expiry of the time-limit for making an in-time application for administrative review or appeal (where applicable); or
 - any administrative review or appeal being concluded, withdrawn or abandoned or lapsing.

If there are good reasons beyond your control which prevented you from applying in time, you must submit evidence of these with your application. All cases will be decided on their own merits.

A4. Documents we require

You must provide all the necessary supporting documents at the time required for your application. Where the Immigration Rules specify certain types of evidence, we will only consider evidence of that type when deciding whether you meet the requirements.

If you have submitted an application in which:

- documents are missing, for example an English language certificate;
- parts of a set of documents (for example, a set of bank statements) are missing; or
- a document or evidence has been submitted but is in the wrong format, for example, where a letter must be on letterheaded paper; or
- a document or evidence does not contain all the specified information;

we may contact you and/or your representative and request the required documents or missing information.

We will not ask for additional documents if your application will be refused for other reasons.

You must provide the requested documents to the address specified in the request within 10 working days of the date of the request. Working day means any day other than Saturday or Sunday, a bank holiday, Christmas Day or Good Friday.

Where any documents provided are not in English or Welsh, you must provide the document in the original language and a full translation that can be independently verified.

The translation must meet **all** of the following requirements:

- 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;
- if you are applying for leave to remain or indefinite leave to remain, be fully certified and include details of the translator or translation company's credentials.

We only need evidence that is directly relevant to the application, as set out in this guidance. We will not consider irrelevant evidence when deciding whether your application meets the requirements of the Immigration Rules for the route under which you applied.

A5. Studying in the UK

You are permitted to study, but you will need to obtain an Academic Technology Approval Scheme (ATAS) certificate for your course/research and present it to your education institution before you start your study, if:

(a) you are over age 18 (or will be over 18 by the time your leave expires); and

(b) your course is one of the following:

(i) a Doctorate or Masters degree by research in one of the disciplines listed in paragraph 1 of Appendix 6 of the Immigration Rules, or

(ii) a taught Masters degree or other postgraduate qualification in one of the disciplines listed in paragraph 2 of Appendix 6 of the Immigration Rules, or

(iii) a period of study or research 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.

Appendix 6 of the Immigration Rules can be found on the gov.uk website at:

www.gov.uk/government/publications/immigration-rules-appendix-6.

If your course (or research) completion date is postponed or delayed for more than three calendar months or there are any changes to the course contents (or the research proposal), you must apply

for a new ATAS certificate within 28 calendar days and must provide a print-out of the new certificate to your institution promptly.

A6. Change of circumstances

<p>To change your:</p> <ul style="list-style-type: none">• contact details;• details of your criminal convictions;• representative's details; or• dependants' details; <p>please complete a change of circumstances form which is available on our website at: www.gov.uk/change-circumstances-visa-brp.</p> <p>We will confirm that we have noted your change of circumstances in a letter. You should keep this letter with the original documents from your application.</p>	<p>If your current grant of leave is a biometric residence permit (BRP), to change your:</p> <ul style="list-style-type: none">• name;• date of birth;• nationality;• gender; or• appearance <p>a new application must be sent on form NTL or TOC, see related link: changes to BRP www.gov.uk/transfer-visa.</p>
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A7. Police Registration

Once you have been granted entry clearance or leave to enter or remain, you may be required to register with the police, if this is required by paragraph 326 of the Immigration Rules. You will be advised whether this requirement applies to you when your leave application is approved.

A8. Curtailment

The Home Office may curtail your Tier 1 (Exceptional Talent) leave to enter or remain if the endorsing body that endorsed the application which led to your current grant of leave withdraws its endorsement of you.

Annex B Verification and other checks

B1. What may be checked?

We may want to check the supporting documents you send with your application. Therefore, you must ensure that all the evidence comes from a source that can be clearly identified and that it can be independently confirmed as being genuine.

These checks may delay our decision so we will only make them when we have clear reasons to do so.

B2. When will verification checks be made?

Where we have reasonable doubts that a specified document is genuine, we may want to verify the document with an independent person or government agency.

What we consider to be a reasonable doubt will depend on an individual application. However, our judgements will be based on the facts we have.

The purpose of these checks is to ensure that the document provided is genuine and accurately reflects statements made in the application. If the document is being used as evidence to score points, we also want to ensure that it entitles you to claim those points.

B3. When will other checks be made?

We will make other checks where, for example, we have doubts about an application or the documents sent with the application, but these are not serious enough for us to make a verification check.

This may be because previous verification checks have found that some supporting evidence is invalid and some is genuine, or where evidence provided contradicts information we already have. In these cases, we may carry out more checks.

B4. What are the possible outcomes of checks?

There are four possible outcomes of a check:

- **Document confirmed as genuine.** If we conclude that the document is genuine, we will consider the application as normal.
- **Document confirmed as false.** If we conclude that the document is false, we will refuse the application, whether or not the document is essential to the application. If a document is confirmed as false we will normally refuse the application for more than one reason. For example, if you send us a bank statement to show that you have enough funds available, and we have evidence that the statement is false, we will refuse the application because you do not meet the funds requirement and because you have sent a false document. Where we confirm that a document is false, it will be retained by the Home Office and is likely to jeopardise any future application you make for leave.
- **Check inconclusive (verification checks).** If we cannot verify that the document is either genuine or false, then we will ignore it as evidence for scoring points. If you have sent other specified documents as evidence for scoring the relevant points, we will consider these as normal. If you have not sent any other documents, we will award zero points in that area.
- **Check inconclusive (other checks).** If we cannot verify that the document is either

genuine or false, then we will consider the application as if the document is genuine.

- **Check gives us cause to have reasonable doubt about the genuineness of a specified document (other checks).** If we cannot determine that the document is either genuine or false but, as a result of the checks, we find other reasons to doubt the genuineness of a particular specified document, we may decide to make a verification check.

B5. When would an application be refused without making verification checks?

We may refuse an application without making verification checks where:

- we are concerned about a piece of evidence but would, in any event, refuse the application for other reasons. Those reasons will form the basis of the refusal. We will not make verification checks in these circumstances. However, we will always verify passports if we doubt they are genuine.
- there is evidence that proves a particular document is false without verification checks.

B6. What is the procedure for verification and other checks?

The procedures for both verification checks and other checks will vary from case-to-case, but they may involve:

- checking the details or genuineness of documents with employers, the relevant embassy or high commission, other government departments (in the UK and overseas); and
- checking the accuracy and authenticity of documents with banks, universities and professional bodies.

We record the results of our enquiries.

If we cannot obtain an immediate answer to enquiries, we will normally wait for up to a maximum of four weeks for the necessary information.

Our compliance team may visit your employer or educational institution (if you are a student) before we make a decision on the application.

Annex C: Endorsement Review (stage 1 only)

C1. What is an Endorsement Review?

This is the mechanism for reviewing refusal decisions made under the Tier 1 (Exceptional Talent) application for endorsements, where an applicant believes an error has been made in the decision. The Endorsement Review is only available for a Tier 1 (Exceptional Talent) application for endorsement. It is free of charge.

An Endorsement Review request must be made within 28 days from the date we send you the refusal email.

The Endorsement Review is a non-statutory scheme; there is no legislation setting out what it covers or who is eligible to apply. The policy is contained in this guidance. You must fully read this guidance before deciding whether submitting an Endorsement Review request is appropriate in your circumstances.

C2. What if the Endorsement Review request refers to matters outside the scope of the Endorsement Review?

Where this occurs, the matters should be dealt with under the normal complaints procedure. In such cases, you will be advised in writing.

C3. Who conducts the Endorsement Review?

Once a request for an Endorsement Review is received, the Home Office will forward this to the relevant endorsing body which considered your original application. The Home Office will provide a response following this consultation.

C4. Who can apply for Endorsement Review?

If you have been refused an endorsement under the Tier 1 (Exceptional Talent) route, and believe that the Home Office has made an incorrect decision because incorrect procedures have been followed, you can apply for an Endorsement Review.

C5. How does the applicant apply?

On the Endorsement Review Request form, available on the Home Office website on <https://www.gov.uk/government/publications/global-talent-and-tier-1-exceptional-talent-endorsement-review-form>.

C6. What is the deadline for applying for Endorsement Review?

You have 28 days from the date of receipt of the refusal email, to submit a request for Endorsement Review.

C7. What if an application is submitted late?

Where an Endorsement Review request is received outside the 28-day period, the endorsement reviewer will consider if there are exceptional circumstances to accept the application outside of the deadline.

If the Endorsement Review request is late and the endorsement reviewer decides not to perform the Endorsement Review, we will email you with an explanation of why it is not being accepted.

C8. How many times can you request an Endorsement Review?

You may request only one Endorsement Review per refusal decision. Any further review requests received for the same refusal decision will not be accepted. They will be returned to you.

If you have new or further information, documents or other paperwork that you failed to submit with your original application, you will need to make a new application and pay the appropriate fee.

C9. How long will the Endorsement Review take?

The Home Office will complete their review and notify you in writing of their decision within 28 days from the date of receipt of the Endorsement Review request form.

If, in exceptional circumstances, the endorsement reviewer is unable to complete the Endorsement Review within the 28 days, they will notify you in writing as to when to expect a decision.

Please note that an Endorsement Review will not extend your leave while a decision is being made. This means that if you are already inside the UK and your leave is expiring while your Endorsement Review is under consideration, **you will be considered to be overstaying** in the UK.

C10. What will the endorsement reviewer look at?

The Home Office will only examine the original application to confirm that the correct procedures were followed when deciding your application. You must not resubmit information and you are not able to provide new evidence as part of the review.

Any new evidence you submit will be returned to you together with the outcome of the Endorsement Review.

If you believe your application would be successful if you submit additional evidence, you should submit a new application with the appropriate fee for consideration.

C11. How are Endorsement Review decisions made?

The Home Office will focus on the areas which you have asked to be reviewed. They will check that documents have been correctly passed on to the endorsing body, and that the correct processes have been used.

The endorsement reviewer may recommend that the refusal should be reconsidered if they find that the Home Office:

- failed properly to pass on evidence submitted with the original application;
- made a mistake in processing the application;
- failed to pass on correctly the reasons for refusing the endorsement.

In this case, the endorsement reviewer will recommend serving a new refusal letter giving a full explanation for the refusal.

Where the endorsement reviewer recommends in line with the above, that the reasons for refusal are incorrect, you may still be refused but with new grounds for refusal.

The endorsement reviewer will not recommend that the original decision is overturned simply because you claim there is a fault with the Home Office's underlying processes or policies.

C12. How are you informed of the result of the Endorsement Review?

Decision upheld and the reasons for refusal remain the same:

- the Home Office will notify you by email. You will not be entitled to a further Endorsement Review as the grounds for refusal has not changed.

Decision upheld but with revised reasons for refusal:

- a new refusal letter will be served along with the Endorsement Review letter from the endorsement reviewer stating why the refusal has still been upheld. If there are fresh

reasons for refusal which were not notified originally, you will be able to submit a further Endorsement Review request limited to those fresh reasons.

Decision overturned and endorsement to issue:

- the Home Office will notify you by email.