



Home Office

Dependent family members in work routes

Version 1.0

This guidance tells caseworkers how to consider applications from people who wish to enter or remain in the UK as the dependent family member of those who currently have permission on a work route, or who have settled in the UK on a work route.

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About this guidance

This guidance tells you how to consider applications from people who wish to enter or stay in the UK as a dependent family member of those who currently have permission on a work route, or who have settled in the UK on such a route.

If the applicant is the dependant of someone who holds or is applying for permission as a student (including Tier 4), they should apply under the [Student route](#).

If the applicant is a dependant of someone who:

- is an Irish citizen
- settled via a route not listed below
- has permission in a route not listed below and is not applying to switch into one of those routes
- has permission under the EU Settlement Scheme (EUSS)

they cannot apply under these routes.

If a dependant holds valid permission independently of the lead applicant, such as under the EUSS, they may not have to make an application as a dependant under these rules.

This guidance is based on the dependant paragraphs contained in the relevant appendices of the Immigration Rules, the letters in brackets indicate how the Rules are referenced:

- Skilled Worker (including Tier 2 (General)) (SW)
- Intra-Company routes (IC)
- T2 Minister of Religion (MOR)
- T2 Sportsperson (SP)
- Representative of an Overseas Business (ROB)
- UK Ancestry (UKA)
- Global Talent (including Tier 1 (Exceptional Talent)) (GT)
- Innovator (INN)
- Start-up (SU)
- T5 (Temporary Worker) Creative or Sporting Worker (CSP)
- T5 (Temporary Worker) Religious Worker (RW)
- T5 (Temporary Worker) Charity Worker (CW)
- T5 (Temporary Worker) Government Authorised Exchange Worker (GAE)
- T5 (Temporary Worker) International Agreement Worker (IA)

Where the term 'lead applicant' is used in this guidance, it refers to the person who is applying for, holds permission to stay, or has settled on the basis of holding permission on one of the routes listed above.

Any evidence received in support of an application should be either in English or Welsh or be accompanied by a certified translation.

A certified translation should be accompanied by written confirmation from the translation company:

- that it's a 'true and accurate translation of the original document'
- the date of the translation
- the full name and contact details of the translator or a representative of the translation company

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think the guidance has factual errors, then your line manager or locally embedded expert can email the Economic Migration Policy team via the Work and Study Technical Team.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then your line manager or locally embedded expert can email the Guidance Rules and Forms team via the Work and Study Technical Team.

Publication

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

- version **1.0**
- published for Home Office staff on **1 December 2020**

Changes from last version of this guidance

This is the first version of this guidance.

Related content

[Contents](#)

Key facts

This page tells you about who can apply as dependants on a work route and what their conditions of grant will be.

Assessing applications for dependent partners and dependent children

If the dependent partner and/or dependent children are applying at the same time as the lead applicant, the applications should be considered together.

Dependent partners and dependent children are not required to apply at the same time as the lead applicant, they can also apply to join the lead applicant at a later date. If a dependent partner and/or dependent children are applying to join a lead applicant who has already been granted permission to stay within the UK, all dependants should be granted permission in line with the end date of the lead applicant's permission.

Where a lead applicant qualifies to apply under the 'Health and Care visa', their application and those of their dependants will be subject to reduced visa fees and no Immigration Health Charge. In all other respects they should be assessed in line with a Skilled Worker consideration.

When dependants are permitted

The following people are allowed to come to the UK as a dependant to join a person who has been granted permission in one of the routes listed in the [about this guidance](#) section, or who will be applying at the same time:

- spouses
- civil partners
- partners who are not married or in a civil partnership
- dependent children under the age of 18 on the date of application

Adult children and other relatives

Children who are 18 years old or older on the date of application, who have not previously been granted permission as a dependent of their parent or parents, cannot be granted permission as a dependent child. Similarly, other relatives, for example parents or grandparents, cannot apply.

Exceptional dependant applications

Where there are exceptional, compelling and compassionate circumstances raised on behalf of a dependant who cannot meet the requirements to be granted entry clearance, permission or settlement as a partner or child of a lead applicant, you must consider that application outside of the Immigration Rules.

See: Leave outside the Immigration Rules for further information.

Irish citizens

Once free movement ends on 1 January, Irish citizens' status will continue to be protected. As a result, Irish citizens will not be eligible to apply for permission under the immigration rules. You must reject any application for a visa from an Irish citizen as invalid when made at or after 11pm on 31 December, except where they are subject to any of the following:

- a deportation order made under section 5(1) of the Immigration Act 1971
- an exclusion decision, or an exclusion order made under regulation 23(5) of the Immigration (European Economic Area) Regulations 2016
- a travel ban implemented under section 8B of the Immigration Act 1971

If an Irish citizen falls within one of the above categories, you should consider their application in line with the rules in the same way as any other applicant.

Where an Irish citizen chooses to apply before 11pm on 31 December, you should contact the applicant to explain they would not be permitted to apply for permission from 1 January onwards, they will have rights under section 3ZA of the Immigration Act 1971 and don't require permission, and they may want to withdraw their application. Please contact the CTA Policy Team for further information before you do so. If, despite this, they wish to proceed, you must consider their application in the same way as any other applicant.

Related content

[Contents](#)

Dependant requirements

This section tells you about the requirements for dependants of lead applicants.

Dependants must meet the requirements found in each dependant section of the lead applicant's route – see the appropriate [Immigration Rules](#).

For example, the dependants of a Skilled Worker must meet the requirements of paragraphs SW 26.1 to SW 46.2.

Validity requirements

Before considering suitability and eligibility, you must check the application is valid.

If you are not satisfied the application meets all the validity requirements, you should consider whether to request more information, reject the application or proceed to consider.

Applications should meet all the following requirements:

- any fee and Immigration Health Charge must have been paid
- the applicant must have provided any required biometrics
- the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality

Related rules

CSP 10.2, CW 11.2, GAE 10.2, GT 16.2, IA 22.2, IC 14.4, INN 23.2, MOR 19.2, ROB 20.2, RW 11.2, SP 20.2, SU 13.2, SW 26.2, UKA 18.2.

Immigration Health Charge

For further information on the Immigration Health Charge (sometimes called the Immigration Health Surcharge or IHS), please refer to the guidance on the Immigration Health Charge.

Those applying as dependants of a Health and Care visa applicant or holder are exempt from having to pay the Immigration Health Charge and have lower application fees. Further details regarding the Health and Care visa can be found [here](#).

Biometrics

Biometric information is required for applications made in the UK if the lead applicant has a biometric residence permit (BRP) or is applying for one as part of their application. The requirements are subject to age limits as shown below:

- under 6 years old - photograph only
- 6 to 16 years old - photograph and fingerprints
- above 16 years old - photograph, fingerprints and signature

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

Switching

An applicant who is in the UK and applying to switch into the lead applicant's route as a dependant is unable to do so if they have, or were last granted, permission on any of the routes listed below:

- as a Visitor
- as a Short-term student
- as a Parent of a Child Student
- as a Seasonal worker
- as a Domestic worker in a private household

Neither can they have been granted permission outside the Immigration Rules.

There may be exceptional reasons that someone in those circumstances should be allowed to switch to be a dependant, and this should be considered on a case by case basis outside of the Immigration Rules.

Related rules

CSP 10.3, CW 11.3, GAE 10.3, GT 16.5, IA 22.3, IC 14.4, INN 23.4, MOR 19.4, ROB 20.4, RW 11.3, SP 20.4, SU 13.5, SW 26.4, UKA 18.3, UKA 28.3.

Lead applicant and partner aged 18 or over

Any application with a partner requires that both the lead applicant and the dependent partner are aged 18 or over when the application is made, with the exception of applications on the UK Ancestry route.

UK Ancestry applications rely on paragraph 277 of the Immigration Rules, which does not allow a partner permission to enter or stay if either the lead applicant or partner is under 18 on the date of arrival in the UK or on the date on which permission to stay would be granted, rather than the date the application is made.

Related rules

CSP 10.4, CW 11.4, GAE 10.4, GT 16.3, IA 22.4, IC 14.3, INN 23.3, MOR 19.3, ROB 20.3, RW 11.4, SP 20.3, SU 13.3, SW 26.3.

Suitability requirements

Grounds for refusal

The applicant must not fall for refusal under the grounds for refusal.

The grounds for refusal are divided into 5 sections:

1. Defining which Rules are subject to the grounds for refusal;
2. Grounds for refusal, or cancellation of, entry clearance, permission to enter and permission to stay;
3. Additional grounds for refusal of entry, or cancellation of entry clearance or permission, on arrival in the UK;
4. Additional grounds for refusal, or cancellation, of permission to stay;
5. Additional grounds for cancellation of entry clearance, permission to enter and permission to stay which apply to specified routes.

You should check which Rules are appropriate for the type of application you are considering.

Related rules

CSP 11.1, CW 12.1, GAE 11.1, GT 17.1, GT 26.1, IA 23.1, IA 33.1, IC 15.1, INN 24.1, INN 34.1, MOR 20.1, MOR 30.1, ROB 21.1, ROB 32.1, RW 12.1, SP 21.1, SP 31.1, SU 14.1, SW 27.1, SW 38.1, UKA 19.1, UKA 29.1.

Overstaying and Immigration bail

Before considering any application, you must check the applicant is not in breach of immigration laws, except for periods of overstaying which can be disregarded under the Immigration Rules. You should not take into account any breaches of the Immigration Rules whilst the applicant was under the age of 18.

Full guidance on overstaying is available.

Additionally, a person applying for permission to stay must not be on immigration bail. A foreign national can apply for immigration bail if the Home Office is holding them on immigration matters. This means they might be released from immigration detention, but they will have to obey at least one condition. These individuals do not hold permission to be in the UK.

Further details can be found at www.gov.uk/bail-immigration-detainees.

Related rules

CSP 11.2, CW 12.2, GAE 11.2, GT 17.2, GT 26.2, IA 23.2, IA 33.2, IC 15.2, INN 24.2, INN 34.2, MOR 20.2, MOR 30.2, ROB 21.2, ROB 32.2, RW 12.2, SP 21.2, SP 31.2, SU 14.2, SW 27.2, SW 38.2, UKA 19.2, UKA 29.2.

Eligibility requirements

Eligibility requirements are divided into the following categories:

Entry clearance

A dependant must have been granted entry clearance prior to coming to the UK and will be refused entry if they have not done so, unless they are in the Creative and Sporting Worker route and meet the requirements below.

Related rules

CSP 12.1, CW 13.1, GAE 12.1, GT 18.1, IA 24.1, IC 16.1, INN 25.1, MOR 21.1, ROB 22.1, RW 13.1, SP 22.1, SU 15.1, SW 28.1, UKA 20.1.

A person arriving in the UK and seeking entry as a partner or child on the Creative or Sporting Worker route who does not have a valid entry clearance may be granted permission to enter if all the following requirements are met:

- the applicant is not a visa national
- the applicant is seeking entry at the same time as the person they are a dependant of, and who meets the requirements at CSP 3.2
- the applicant meets the requirements to be granted permission as a partner or child on the Creative or Sporting Worker route

Please refer to the Creative and Sporting Worker Guidance

Related rules

CSP 12.2.

Tuberculosis screening

Where an applicant is applying for permission to come to the UK as a dependent partner or dependent child for more than 6 months, they will need to provide a valid Tuberculosis (TB) certificate with their application if they have been residing within a country listed in [Appendix T](#) of the Immigration Rules for the 6 months immediately preceding the application. This only applies to entry clearance applications.

Further information regarding which applicants are required to obtain a TB certificate before applying and the valid test centres can be found at: www.gov.uk/tb-test-visa.

Related rules

CSP 12.3, CW 13.2, GAE 12.2, GT 18.2, IA 24.2, IC 16.2, INN 25.2, MOR 21.2, ROB 22.2, RW 13.2, SP 22.2, SU 15.2, SW 28.2, UKA 20.2.

Lead applicant immigration status

If the lead applicant has obtained settlement or British citizenship, the dependent partner can still apply for permission to stay as a dependant on the following routes:

- Skilled Worker
- T2 Minister of Religion
- T2 Sports person
- Representative of an Overseas Business
- UK Ancestry
- Global Talent
- Innovator

Dependent partners of other routes cannot apply for permission to stay, but may apply for settlement as a dependant on the route on which their partner holds permission, or apply as the partner of a settled person under the family rules.

If the lead applicant has obtained settlement or British citizenship the dependent child can still apply for permission to stay as a dependant of the following routes:

- Skilled Worker
- Representative of an Overseas Business
- UK Ancestry
- Global Talent
- Innovator

A dependent child can only apply if their other parent holds permission as or is being granted permission as a dependent partner in these routes:

- T2 Minister of Religion
- T2 Sports person

Dependent children of other routes cannot apply for permission to stay, but may apply for settlement as a dependant on the route on which their parents hold permission, or apply as the child of a settled person under the family rules.

Relationship

The following requirements should be assessed in the round. Evidence of meeting one requirement will often also show the relationship meets the other requirements. If you doubt the evidence provided to meet any of the relationship requirements, you may request an applicant attends an interview.

Where an applicant fails to undertake an interview without a reasonable explanation as to why they are unable to do so, you must consider whether to refuse the application on grounds for refusal related to the failure to attend the interview ([paragraph 9.9.1](#)).

The interview can only be rearranged if an applicant gives adequate reasons as to why they cannot attend the interview, and the interview team are reasonably satisfied with these reasons.

Detailed guidance on assessing relationships is available.

Note that this guidance has been written for those assessing applications under Appendix FM, but caseworkers considering applications to which this guidance relates may refer to the following sections:

- Recognition of marriage and civil partnership
- Prohibited degree of relationship
- Proxy and marriages or civil partnerships
- Sham marriage, sham civil partnership, and marriages or civil partnerships of convenience
- Genuine and subsisting relationship
- Arranged marriages
- Forced marriages and civil partnerships
- The UK government definition of forced marriage or civil partnership
- Possible bigamy, polyandry or perjury
- Divorce and dissolution in the UK
- Divorce obtained other than by means of court proceedings

Partner requirements

Minimum age for partners

Any application as a dependent partner requires that both the lead applicant and the partner are aged 18 or over on the date of application (except for UK Ancestry applications, where the relevant date is the date of arrival in the UK or on the date on which permission to stay would be granted).

Only UK Ancestry applications which fail this should reach this stage. Applications on all other routes should have been rejected as invalid.

Related rules

Paragraph 277 in [Part 8](#) of the Immigration Rules.

Polygamous relationships

Applications made by dependent partners who are married to or in a civil partnership with the lead applicant must be refused if that relationship is polygamous and another person already holds permission as the spouse or civil partner of the lead applicant, regardless of whether that relationship has ended.

Applications made on the basis of a dependent child relationship should be refused if the child's parent is party to a polygamous marriage or civil partnership and any application by that parent would be refused as above.

Related rules

Paragraph 278 and paragraph 296 in [Part 8](#) of the Immigration Rules.

Relationship with the lead applicant

Dependent partners must be able to prove the relationship with the lead applicant, who must hold, or be being granted, permission in the route claimed to enable the dependant partner to apply.

Marriage certificates and Civil Partnership certificates can be used to demonstrate proof of relationship, but other documentation is also acceptable as proof of relationship. This could be, for example, a letter from a registrar or government authority from the country in which the marriage was contracted confirming that it was registered properly.

Where the applicants are unmarried or not in a civil partnership, satisfactory evidence provided to meet the relationship requirements below is likely to also satisfy this requirement.

If a dependent partner has previously been granted permission as a dependant of the lead applicant, they do not need to provide this evidence again.

Related rules

CSP 13.1, CW 14.1, GAE 13.1, GT 19.1, IA 25.1, IC 17.1, INN 26.1, MOR 22.1, ROB 23.1, RW 14.1, SP 23.1, SU 16.1, SW 29.1, UKA 21.1.

Genuine and subsisting requirement

You must be satisfied the lead applicant and their dependent partner are in a genuine and subsisting relationship.

If the lead applicant and the dependent partner are married or in a civil partnership, acceptable forms of evidence include:

- a valid document providing record of the marriage or civil partnership such as a marriage or civil partnership certificate
- a valid overseas registration document for a same-sex relationship which is entitled to be treated as a civil partnership under the Civil Partnership Act of 2004

Where the applicants are unmarried or not in a civil partnership, this requirement should be considered based on the evidence provided to meet the relationship requirements below.

Related rules

CSP 13.3, CW 14.3, GAE 13.3, GT 19.3, IA 25.3, IC 17.3, INN 26.3, MOR 22.3, ROB 23.3, RW 14.3, SP 23.3, SU 16.3, SW 29.3, UKA 21.3.

2-year unmarried partner requirement

If the lead applicant and the person applying as a dependent partner are not married or in a civil partnership, they can demonstrate their relationship by providing evidence they have lived together for 2 years before the date of application. This can include:

- bank / building society statements, council tax, or utility bills
- residential mortgage statements or tenancy agreements
- official correspondence or documents that link the lead applicant and their partner and show they are living at the same address

This is not an exhaustive list and other documents can be used to demonstrate a relationship is genuine and subsisting.

Related rules

CSP 13.2, CW 14.2, GAE 13.2, GT 19.2, IA 25.2, IC 17.2, INN 26.2, MOR 22.2, ROB 23.2, RW 14.2, SP 23.2, SU 16.2, SW 29.2, UKA 21.2.

Intention to live together

The lead applicant and the dependent partner must intend to live together throughout their stay in the UK. There should be evidence of a clear commitment from both parties that they will live together in the UK immediately following the outcome of the application in question or as soon as circumstances permit thereafter, and "intends to live together" shall be construed accordingly.

If one party needs to travel for work purposes, this is allowed. You should consider such co-location as reasonable for a genuine and subsisting relationship.

Related rules

CSP 13.4, CW 14.4, GAE 13.4, GT 19.4, IA 25.4, IC 17.4, INN 26.4, MOR 22.4, ROB 23.4, RW 14.4, SP 23.4, SU 16.4, SW 29.4, UKA 21.4.

Child requirements

You should note:

- some requirements apply to all applications
- some to those aged under 18 only
- some to those aged 16 and over
- some to those aged 18 and over

You should ensure the requirements are correctly applied.

Parental relationship

All applicants

Dependent children must submit evidence they are related to the lead applicant or the dependent partner as claimed. This can be evidenced by the child's birth certificate that shows the name of the child and parents; however, other documentation can also be used to evidence the parental relationship with the child.

Official documents issued by overseas governments may not always be in the same format as a UK birth certificate, but you can accept these if the document has been issued by a government or a court, clearly demonstrates a relationship, and is either in English or Welsh or is accompanied by a certified translation.

Acceptable evidence of a parental relationship for a dependent child can include:

- a full birth certificate, which includes the names of both parents
- a court order such as a special guardianship order
- a government issued household registration certificate

This doesn't represent an exhaustive list as other forms of documentation can be used to demonstrate the dependent child is a child of the lead applicant or the dependent partner or that the applicant has been appointed as the child's legal guardian.

You cannot accept an affidavit as these are only evidence someone has made a sworn statement regarding a claimed relationship, and not evidence of that relationship by themselves.

Related rules

CSP 14.1, CW 15.1, GAE 14.1, GT 20.1, IA 26.1, IC 18.1, INN 27.1, MOR 23.1, ROB 24.1, RW 15.1, SP 24.1, SU 17.1, SW 30.1, UKA 22.1.

Parental immigration status requirement

Both parents of a dependent child applicant must be either applying at the same time as the applicant or have permission to be in the UK (other than as a visitor) unless one of the following applies:

- the parent with permission is the sole surviving parent
- the parent with permission has sole responsibility for the child's upbringing
- you are satisfied there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent with permission.

Related rules

CSP 14.2, CW 15.2, GAE 14.2, GT 20.2, IA 26.2, IC 18.2, INN 27.2, MOR 23.2, ROB 24.2, RW 15.2, SP 24.2, SU 17.2, SW 30.2, UKA 22.2.

UK born child requirements

If a child makes a first application for permission to stay having been born in the UK, they must provide a full birth certificate showing the names of both parents.

If the birth certificate has been accepted on a previous application, it does not need to be provided again.

For permission to stay applications made as the dependant of a Creative or Sporting Worker, Charity Worker, Government Authorised Exchange Worker, International Agreement Worker or Religious Worker, the child must also have been born during the current period of permission.

Related rules

CSP 14.3, CW 15.4, GAE 14.3, IA 26.3, IC 18.3, MOR 23.3, RW 15.3, SP 24.3, SW 30.3.

Child dependant aged 18 or over

Previous permission as a dependent child

A person applying as a dependent child who is aged 18 or over on the date of application must only be granted permission if:

- they are making an application for permission as a dependant of their parent or parents having last held permission as a dependant of their parent or parents
- they are not leading an independent life

If the applicant is aged 18 or over when they make their first application as the child of the family unit they should be refused. There may be circumstances where permission may be granted outside of the Immigration Rules, see [Exceptional dependant applications](#) for further information.

Related rules

CSP 16.1, CW 17.1, GAE 16.1, GT 22.1, GT 29.1, IA 28.1, IC 20.1, INN 29.1, INN 37.1, MOR 25.1, MOR 33.1, ROB 26.1, ROB 35.1, RW 17.1, SP 26.1, SP 34.1, SU 19.1, SW 32.1, SW 41.1, UKA 24.1, UKA 32.1.

Child dependant aged 16 or over

Child leading an independent life

A dependent child aged 16 or over on the date of application must not be leading an independent life and must still be financially dependent on the lead applicant or their dependent partner. They cannot be married or in a civil partnership. You should assess all evidence provided with an application to decide if a child is still dependent on their parent(s).

The following list suggests evidence that could be used to demonstrate the dependent child is living with the lead applicant or their dependent partner and relies on them for financial support:

- bank or building society statement (which may show funds that their parent is providing to support them)
- credit card bills
- driving licence
- NHS registration document
- an official letter from their current school, college or university that confirms their address

This is not an exhaustive list.

If a dependent child pays rent or board, they must evidence the amount they pay each month.

If a dependent child is not living with the family unit due to attending school, college or university, you will need to see further evidence the child is not leading an independent life. If the dependent child is living at a separate address, you must be satisfied this is due to study elsewhere. Evidence of this can include:

- official confirmation of their studies from their school, college or university
- evidence that they are being financially supported by their parents up to the point they are applying (for example, evidence covering a 3-month period prior to the application)

Related rules

CSP 16.2, CW 17.2, GAE 16.2, GT 22.2, GT 29.2, IA 28.2, IA 39.4, IC 20.2, INN 29.2, INN 37.1, MOR 25.2, MOR 33.2, ROB 26.2, ROB 35.2, RW 17.2, SP 26.2, SP 34.2, SU 19.2, SW 32.2, SW 41.2, UKA 24.2, UKA 32.2.

Care requirement

You must be satisfied the applicant will be living with the lead applicant and any dependent partner in a suitable care arrangement that meets relevant UK legislation, unless they are aged 18 or over.

All arrangements for children's care and accommodation in the UK must comply with relevant UK legislation and regulations.

You must also consider your Section 55 duty to have regard to the need to safeguard and promote the welfare of children aged under 18.

If you have concerns over child welfare you should discuss the application with a manager.

Related rules

CSP 15.1, CW 16.1, GAE 15.1, GT 21.1, GT 28.1, IA 27.1, IC 19.1, INN 28.1, INN 36.1, MOR 24.1, MOR 32.1, ROB 25.1, ROB 34.1, RW 16.1, SP 25.1, SP 33.1, SU 18.1, SW 31.1, SW 40.1, UKA 23.1, UKA 31.1.

Financial requirements

Unless the route requires evidence of 'sufficient funds to [maintain and accommodate](#)' (Representative of an Overseas Business and UK Ancestry) the following funds must be available to support the application:

- £285 for a dependent partner
- £315 for the first dependent child
- £200 for any other dependent child

Family members of people who have settled or have been granted British citizenship cannot have maintenance certified by a sponsor and must always show cash funds.

Please refer to [Finance Requirement Guidance](#) for guidance on this part of the application.

Insufficient funds demonstrated

If the evidence provided does not show sufficient funds to support the whole family unit, all applications should be refused.

Related rules

CSP 17.2, CW 18.2, GAE 17.2, IA 29.2, IC 21.3, INN 30.2, MOR 26.3, RW 18.2, SP 27.3, SU 20.2, SW 33.3.

Funds not shown by sponsor

Applications on T5 (Temporary Worker) routes, the Intra-Company routes, the T2 Minister of Religion route, the T2 Sportsperson route and the Skilled Worker route can rely on support from their sponsor. If this is claimed, but not sufficiently demonstrated the application can be refused.

Related rules

CSP 17.2(b), CW 18.2(b), IA 29.2(b), IC 21.2, GAE 17.2(b), MOR 26.2, RW 18.2(b), SP 27.2, SW 33.2.

Attempt to use funds more than once

The funds held for each applicant must be held in addition to any funds required for the lead applicant and any other dependants in the UK or applying at the same time.

Related rules

CSP 17.3, CW 18.3, GAE 17.3, IA 29.3, IC 21.4, INN 30.3, MOR 26.4, ROB 27.2, RW 18.3, SP 27.4, SU 20.3, SW 33.4.

Funds not held for 28 days

Funds must have been held for a 28-day period and as specified in [Appendix Finance](#).

Related rules

CSP 17.4, CW 18.4, GAE 17.4, IA 29.4, IC 21.5, INN 30.4, MOR 26.5, ROB 27.3, RW 18.4, SP 27.5, SU 20.4, SW 33.5, UKA 25.2, UKA 33.2.

Failure to maintain and accommodate

Applications on the Representative of an Overseas Business route and the UK Ancestry route require that you are satisfied the family unit can maintain and accommodate themselves without recourse to public funds. Third-party support is also allowed on UK Ancestry applications.

If the evidence provided shows the family unit needs to access public funds, or you judge there are insufficient funds, the application should be refused.

Related rules

ROB 27.1, UKA 25.1, UKA 25.3, UKA 33.1, UKA 33.3.

Criminal record certificate requirement

Where a Skilled Worker is being sponsored for a job in an occupation code listed below, an applicant applying for entry clearance as the partner of the Skilled Worker must provide a criminal record certificate from the relevant authority in any country in which they have been present for 12 months or more (whether continuously or in total) in the 10 years before the date of application, and while aged 18 or over.

- 1181 Health services and public health managers and directors
- 1184 Social services managers and directors
- 1241 Health care practice managers
- 1242 Residential, day and domiciliary care managers and proprietors
- 2211 Medical practitioners
- 2212 Psychologists
- 2213 Pharmacists
- 2214 Ophthalmic opticians
- 2215 Dental practitioners
- 2217 Medical radiographers
- 2218 Podiatrists
- 2219 Health professionals not elsewhere classified
- 2221 Physiotherapists
- 2222 Occupational therapists
- 2223 Speech and language therapists
- 2229 Therapy professionals not elsewhere classified
- 2231 Nurses
- 2232 Midwives
- 2312 Further education teaching professionals
- 2314 Secondary education teaching professionals

- 2315 Primary and nursery education teaching professionals
- 2316 Special needs education teaching professionals
- 2317 Senior professionals of educational establishments
- 2318 Education advisers and school inspectors
- 2319 Teaching and other educational professionals not elsewhere classified
- 2442 Social workers
- 2443 Probation officers
- 2449 Welfare professionals not elsewhere classified
- 3213 Paramedics
- 3216 Dispensing opticians
- 3217 Pharmaceutical technicians
- 3218 Medical and dental technicians
- 3219 Health associate professionals not elsewhere classified
- 3231 Youth and community workers
- 3234 Housing officers
- 3235 Counsellors
- 3239 Welfare and housing associate professionals not elsewhere classified
- 3443 Fitness instructors
- 3562 Human resources and industrial relations officers
- 6121 Nursery nurses and assistants
- 6122 Childminders and related occupations
- 6123 Playworkers
- 6125 Teaching assistants
- 6126 Educational support assistants
- 6141 Nursing auxiliaries and assistants
- 6143 Dental nurses
- 6144 Houseparents and residential wardens
- 6146 Senior care workers

The requirement above does not apply if the applicant provides a satisfactory explanation why it is not reasonably practicable for them to obtain a criminal record certificate from any or all of the relevant authorities.

Related rules

SW 34.1.

Overseas business requirement

If the lead applicant is a Sole Representative, the dependant must not have a majority stake in, or otherwise own or control a majority of the overseas business the lead applicant represents, whether ownership or control is by means of a shareholding, partnership agreement, sole proprietorship or any other arrangement.

Related rules

ROB 28.1.

Settlement requirements

Only the following routes allow settlement applications for dependants:

- Skilled Worker
- T2 Minister of Religion
- T2 Sportsperson
- Representative of an Overseas Business
- UK Ancestry
- Global Talent
- Innovator
- T5 (Temporary Worker) International Agreement Worker

Note that applications for settlement on the T5 (Temporary Worker) International Agreement Worker route can only be accepted from applicants who have, or have last been granted, permission as a 'Private servant in a diplomatic household'.

There is no requirement to pay the Immigration Health Charge.

Settlement validity requirements

Applications should meet all the following requirements:

- any fee must have been paid
- the applicant must have provided any required biometrics
- the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality
- the applicant must be in the UK on the date of application

Related rules

GT 25.2, IA 32.2, INN 33.2, MOR 29.2, ROB 31.2, SP 30.2, SW 37.2, UKA 28.2.

Switching

An applicant who is in the UK and applying to switch into the UK Ancestry route as a dependant is unable to do so if they have, or were last granted, permission on any of the routes listed below:

- as a Visitor
- as a Short-term Student
- as a Parent of a Child Student
- as a Seasonal Worker
- as a Domestic worker in a Private Household
- outside the Immigration Rules

There may be exceptional reasons that someone in those circumstances should be allowed to switch to be a dependant, and this should be considered on a case by case basis outside the immigration rules.

Related rules

UKA 28.3.

Unconnected settlement application

Any application for settlement as the dependant of an Innovator can only be validated if the dependant has or has last been granted permission as a dependant of the lead applicant.

Related rules

INN 33.3.

Any application for settlement as the dependant of a T5 (Temporary Worker) International Agreement Worker, T2 Minister of Religion, a Representative of an Overseas Business or a T2 Sportsperson can only be validated if the dependant was previously granted permission as a dependant in the specified route.

Other routes are subject to an [eligibility requirement](#).

Related rules

IA 32.3, MOR 29.3, ROB 31.3, SP 30.3.

Settlement suitability requirements

Grounds for refusal

The applicant must not fall for refusal under the grounds for refusal. You should check which Rules are appropriate for the type of application you are considering.

Related rules

GT 26.1, IA 33.1, INN 34.1, MOR 30.1, ROB 32.1, SP 31.1, SW 38.1, UKA 29.1.

Overstaying

Before considering any application, you must check the applicant is not in breach of immigration laws, except for periods of overstaying which can be disregarded under the Immigration Rules.

You should not take into account any breaches of the Immigration Rules whilst the applicant was under the age of 18.

Full guidance on overstaying is available.

Immigration bail

A person applying for permission to stay must not be on immigration bail. A foreign national can apply for immigration bail if the Home Office is holding them on

immigration matters. This means they might be released from immigration detention, but they will have to obey at least one condition. These individuals do not hold permission to be in the UK.

Further details can be found at: www.gov.uk/bail-immigration-detainees.

Related rules

GT 26.2, IA 33.2, INN 34.2, MOR 30.2, ROB 32.2, SP 31.2, SW 38.2, UKA 29.2.

Related content

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Settlement eligibility requirements

Eligibility requirements for settlement are should be considered based on the following:

Lead applicant settled status requirement

The lead applicant must either:

- be being granted settlement at the same time as the applicant
- have previously been granted settlement due to permission on the related immigration route
- become a British citizen having previously been granted settlement due to permission on the related immigration route

Related rules

GT 27.1, IA 34.1, INN 35.1, MOR 31.1, ROB 33.1, SP 32.1, SW 39.1, UKA 30.1.

Last grant settlement requirement

In the case of an application to settle as a dependent partner or child on one of the following routes:

- Global Talent
- Innovator
- Skilled Worker

the dependant has to have previously been granted permission as the dependent partner or child of the lead applicant.

Applications under other routes are subject to a [validity requirement](#).

Related rules

GT 27.2, INN 35.2, SW 39.2.

Dependent Partners qualifying period

Dependent partners of Global Talent, T5 (Temporary Worker) International Agreement Workers, Innovator, T2 Minister of Religion, T2 Sportsman and Skilled Worker lead applicants must complete a 5-year qualifying period before they qualify for settlement.

If the lead applicant has settlement on the basis of long residence, including where they have subsequently naturalised as British citizens, their partner cannot extend their permission or gain settlement as a dependant under the routes this guidance relates to and must switch into the partner of a settled person category and apply for permission to stay. For more information [see Appendix FM guidance](#).

Where the lead applicant has been granted British citizenship, their dependants can still apply if they held permission as dependants at the time.

If the lead applicant is being granted settlement in, gained settlement through or has been granted citizenship following, UK Ancestry or Representative of an Overseas Business permission, the dependant may apply for settlement without completing a qualifying period and provided they can switch into the route.

5-year permission requirement: partners

Those who are required to complete a [qualifying period](#) must have spent a continuous period of 5 years in the UK with permission as a dependent partner of the lead applicant.

Related rules

GT 30.1, IA 35.1, INN 38.1, MOR 34.1, SP 35.1, SW 42.1.

5-year residence requirement: partners

Those who are required to complete a [qualifying period](#) must meet the continuous residence requirement as set out in Appendix Continuous Residence during the qualifying period.

You must not include any absence from the UK during periods of permission granted under the Immigration Rules in place before 11 January 2018 towards the 180 days allowable absences. For example, if a dependent partner's qualifying period includes initial permission granted from 1 February 2015 to 31 January 2018, and an extension granted from 1 February 2018 to 31 January 2020, you must not count any absences before 1 February 2018.

Related rules

GT 31.1, IA 36.1, INN 39.1, MOR 35.1, SP 36.1, SW 43.1.

5-year partner requirement

Those applying as a dependant of a Skilled Worker must meet the [relationship requirements](#) above and must have met them throughout the 5 years ending on the date of application.

Those applying as a dependant of a T5 (Temporary Worker) International Agreement Workers must have been living together in the UK in a marriage or civil partnership, or in a relationship similar to marriage or civil partnership, for the 5 years immediately before the date of application.

Related rules

IA 34.2, SW 39.3.

Child settlement requirements

Dependent children are not subject to limits on absences.

Both parents' settlement requirement

In an application to settle as a dependent child, both parents must be either being granted settlement at the same time as the applicant or have previously been granted settlement due to permission in the related immigration route unless one of the following applies:

- the parent being granted settlement / with settlement granted due to permission in the related immigration route is the sole surviving parent
- the parent being granted settlement / with settlement granted due to permission in the related immigration route has sole responsibility for the child's upbringing
- you are satisfied there are serious and compelling reasons to grant the child settlement with the parent being granted settlement / with settlement granted due to permission in the related immigration route

Related rules

GT 27.3, IA 39.3, INN 35.3, MOR 31.2, ROB 33.2, SP 32.2, SW 39.4, UKA 30.5.

English language requirement

Anyone aged between 18 and 65 applying for settlement must demonstrate they have the equivalent of level B1 of the Common European Framework of References for English language.

This can be achieved in one of several ways:

- previously met this requirement on a successful application for permission
- is a national of a majority English speaking nation
- has an academic qualification which was taught in English
- has passed an approved SELT

And for those applying under Appendix Student, Appendix Skilled Worker, Appendix Start-up or Appendix Innovator:

- has GCSE, A level, Scottish National Qualification at level 4 or 5 or, Scottish Higher or Advanced Higher, in English (language or literature)

There is further guidance on how you must assess evidence that an applicant meets the English language requirement.

Related rules

GT 32.1, GT 32.2, IA 37.1, IA 37.2, IA 40.1, IA 40.2, INN 40.1, INN 40.2, MOR 36.1, MOR 36.2, ROB 36.1, ROB 36.2, SP 37.1, SP 37.2, SW 44.1, SW 44.2, UKA 34.1, UKA 34.2.

Knowledge of Life in the UK requirement

Anyone aged between 18 and 65 applying for settlement must have passed an approved 'Life in the UK' test as directed by [Appendix KoL UK](#).

Related rules

GT 33.1, IA 38.1, IA 41.1, INN 41.1, MOR 37.1, ROB 37.1, SP 38.1, SW 45.1, UKA 35.1.

Related content

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Grant permission: dependent partner or child

This section tells you how to grant permission for dependants.

If an applicant meets all the requirements to be granted permission as a dependant, they should be granted permission with an expiry date in line with the lead applicant's permission.

If they are a dependent child and one parent in the UK has permission that will expire before the other's, or one parent has settlement and the other does not, the dependent child should be granted in line with the expiry date of the parent whose permission expires first.

If the lead applicant has obtained settlement or British citizenship, permission to stay for their partner can be granted for either:

- 3 years for applications in line with Global Talent, Innovator or Skilled Worker
- 2 years for applications in line with Representative of an Overseas Business
- 30 months for applications in line with UK Ancestry

If both a child's parents have obtained settlement or British citizenship, permission to stay can be granted for either:

- 3 years for applications on the following routes: T2 Minister of Religion, T2 Sportsperson, Global Talent, Innovator or Skilled Worker
- 30 months for applications on the following routes: UK Ancestry or Representative of an Overseas Business

Conditions of grant

This section tells you the conditions of grant for people granted permission as the dependent partner or child.

Partners or children:

- are not allowed to access public funds
- must register with the police (if they are required to do so by [Part 10 of the Immigration Rules](#))
- can take employment in the UK, apart from the restriction explained below
- study, subject to the ATAS condition of [Appendix ATAS](#)

For more information, see:

- public funds
- police registration

- [Part 10 of the Immigration Rules](#)

Employment for dependants

Work (including self-employment and voluntary work) is permitted, with the following exception.

A person with permission as a dependant cannot take employment as a professional sportsperson (including as a sports coach) unless they are a dependant of a person with UK Ancestry.

Study in a discipline covered by Appendix ATAS of the Immigration Rules

If the partner or child commences study, they will be subject to the ATAS condition limiting study. The condition prohibits study in a discipline covered by Appendix ATAS of the Immigration Rules, unless the individual obtains an Academic Technology Approval Scheme (ATAS) certificate for their course or research before they start it.

For more information, see: [Grant or refuse extension: partners](#).

Endorsement for entry clearance applications

If you are granting permission for an application for entry clearance to a dependent partner, you must use the appropriate endorsement based on the route the lead applicant is in:

- T5 (Temporary Worker) Creative Workers and Sportsperson - CSP DEP. PARTNER
- T5 (Temporary Worker) Charity Workers - CW DEP. PARTNER
- T5 (Temporary Worker) Government Authorised Exchange Workers - GAE DEP. PARTNER
- Global Talent - GT DEP. PARTNER
- T5 (Temporary Worker) International Agreement Workers - IA DEP. PARTNER
- Intra-Company routes - IC DEP. PARTNER
- Innovator - INN DEP. PARTNER
- T2 Minister of Religion - MOR DEP. PARTNER
- Representative of an Overseas Business - ROB DEP. PARTNER
- T5 (Temporary Worker) Religious Worker - RW DEP. PARTNER
- T2 Sportsperson - SP DEP. PARTNER
- Start-up - SU DEP. PARTNER
- Skilled Worker - SW DEP. PARTNER
- UK Ancestry - UKA DEP. PARTNER

If you are granting permission for an application for entry clearance to a dependent child, you must use the appropriate endorsement based on the route the lead applicant is in:

- - CSP DEP. CHILD
- - CW DEP. CHILD
- - GAE DEP. CHILD
- - GT DEP. CHILD
- - IA DEP. CHILD
- - IC DEP. CHILD
- - INN DEP. CHILD
- - MOR DEP. CHILD
- - ROB DEP. CHILD
- - RW DEP. CHILD
- - SP DEP. CHILD
- - SU DEP. CHILD
- - SW DEP. CHILD
- - UKA DEP. CHILD

Related content

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Dependant: refusal paragraphs

If you make the decision to refuse an application, the related paragraphs are listed at the bottom of each rules section.

Lines to be used in refusal notices can be found in this document Dependant refusal wording

Related content

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