



Home Office

T5 (Temporary Worker)

Version 22.0

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About this guidance

This guidance tells you how to consider applications from people who wish to enter or remain in the UK on the T5 (Temporary Worker) routes of the Immigration Rules, previously called Tier 5 (Temporary Worker). It also tells you how to consider applications for settlement from those on the T5 (International Agreement) route who work as private servants in diplomatic households and who were last granted entry clearance before 6 April 2012. This is the only category of T5 migrants eligible for settlement.

The T5 (Temporary Worker) routes to which this guidance relates are:

- Creative or Sporting Worker
- Charity Worker
- Religious Worker
- Government Authorised Exchange Worker
- International Agreement Worker
- Seasonal Worker

Separate guidance is available in relation to the T5 (Temporary Worker) Youth Mobility Scheme route.

This guidance is designed to be used alongside the specific T5 Appendices of the Immigration Rules. The rules explain the requirements an applicant must meet, and this guidance provides additional information on how to consider their application.

You may also need to refer to the following sections of the rules, where relevant:

- [Part 9: Grounds for Refusal](#)
- [Part 10: Police Registration](#)
- [Appendix ATAS](#)
- [Appendix English Language](#)
- [Appendix KOL UK](#)
- [Appendix Finance](#)

Paragraph references in this guidance refer to paragraphs in the Immigration Rules unless otherwise stated.

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors, then email the Migration Policy Unit.

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

Publication

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

- version **22.0**
- published for Home Office staff on **06 April 2021**

Changes from last version of this guidance

This guidance has been updated to reflect the following changes in the Immigration Rules:

- the expanded definition of “consecutive engagements” for creative workers and sporting workers on the T5 Creative or Sporting Worker route, for applications made from 6 April 2021
- the introduction of the ATAS requirement on the T5 Government Authorised Exchange and T5 International Agreement routes, for applications made from 21 May 2021

The following changes have also been made:

- the name of the CARIFORUM-UK Economic Partnership Agreement has been updated to reflect the correct name of the agreement now the Transition Period has ended
- information on examples of acceptable evidence to prove nationality or permanent residence status for contractual service suppliers and independent professionals on the T5 International Agreement route has been inserted

Related content

[Contents](#)

Overview

This page provides an introduction to the T5 (Temporary Worker) routes.

The T5 (Temporary Worker) routes are:

- Creative or Sporting Worker
- Charity Worker
- Religious Worker
- Government Authorised Exchange Worker
- International Agreement Worker
- Seasonal Worker

Requirements

The requirements applicants must meet are split into 3 parts:

- **validity requirements** - these outline the minimum criteria that must be met for the application to be fully considered - they ensure, for example, the correct form has been used and the applicant has supplied their identity documents - applications which do not meet these requirements are invalid and may be rejected
- **suitability requirements** – these check the suitability of the applicant to be granted any form of permission, not specifically whether they qualify in the job role - applicants must not fall for refusal on general grounds or be in breach of immigration laws - applications which do not meet these requirements should be refused
- **eligibility requirements** - these are the main criteria specific to the route they are applying under - applications which do not meet these requirements should be refused

Representatives

If an applicant has a UK based representative, you must check that the representative is approved to provide immigration advice with either:

- [the Office of the Immigration Services Commissioner](#) (OISC)
- one of the following designated authorities:
 - the [Law Society](#)
 - the [Law Society of Scotland](#)
 - the [Law Society of Northern Ireland](#)
 - the [General Council of the Bar](#)
 - the [Chartered Institute of Legal Executives](#)
 - the [Faculty of Advocates](#)
 - the [General Council of the Bar of Northern Ireland](#)

If the representative does not have the necessary permission to provide immigration advice, you must direct all communications to the applicant instead.

Requesting more information

Applicants and their sponsors should provide all the necessary evidence and information with the application and certificate of sponsorship. If, however, there is a clear error or omission with the supporting evidence provided, it may be appropriate for you to discuss the application with a manager to consider contacting the applicant to invite them to provide additional evidence or information. Where possible, you should try to identify all areas where further information is required, so it can be requested at the same time.

Taking a fair and proportionate approach to assessment of evidence

You must review the information on the application form and other available evidence before deciding whether you are satisfied on the balance of probabilities (it is more likely than not) a requirement is met.

If the evidence with the application is meant to show the requirement is met and you are not satisfied the evidence is genuine, you should consider the guidance on false representations.

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Official – sensitive: end of section

Format of evidence

The Immigration Rules no longer set out specific format requirements for most documents. This doesn't mean format is irrelevant – it will help you assess if a piece of evidence is genuine and if it provides the information needed for you to be satisfied a requirement is met. You must not refuse an application because the evidence is not in a particular format but may request alternative or additional evidence if you are not satisfied what the applicant (or their sponsor) has provided shows the requirements of the rules are met.

If evidence, such as a bank letter, does not include the information you would normally expect, you should consider whether to take further action to verify it.

Where evidence is missing or inadequate

The applicant will be told what evidence to provide as part of the application process. However, sometimes evidence is missing or inadequate to enable you to assess whether the requirement is met.

You should consider seeking further information or making verification checks when, for example:

- evidence is missing (for example a missing page from a series) you believe the applicant has, or could obtain
- evidence is inadequate but could be clarified, for example, if a letter from an official financial sponsor does not include all the information you would expect

You should check any discrepancies about information on the certificate of sponsorship with the sponsor.

You may decide to ask for further information from the applicant, sponsor, or issuing institution (for example, the bank which issued the applicant's financial documents) or make verification checks in other cases if you think it would help assess whether the requirements are met. If you are not sure whether this would help, you should discuss this with your manager.

When contacting the applicant or sponsor, they should be given 10 UK working days in which to provide a response.

You do not need to contact the applicant or sponsor if evidence is missing or inadequate, but:

- you do not need the information because you can find it elsewhere, for example, from the certificate of sponsorship
- receiving it would make no difference to the decision (for example because you would still refuse the application for other reasons)

If the evidence supplied is inadequate, you do not have to offer the applicant an opportunity to provide different evidence. For example, if the applicant provides bank statements and they do not show the required level of funds or the evidence is not sufficient, you do not need to check whether the applicant has another bank account which might meet the requirement.

Failure to supply requested information

If you request additional information from the applicant or their sponsor, you should ask them to provide it, or an explanation why they are unable to, within 10 working days of the date you send the request letter.

If you do not receive the requested information in this timeframe, you must assess whether any excuse provided is reasonable and if so, you should give the applicant more time to respond. If the applicant does not provide a reason or the reasons given are not satisfactory you may refuse the application.

Verification checks

You must conduct verification checks if they have any doubts about whether the supporting documents an applicant has submitted are genuine. If the application falls for refusal on other grounds, you do need to carry out verification checks, but you must explain in your decision that you reserve the right to carry out checks in any reconsideration.

Translating documents

If the documents provided are not in English or Welsh, the applicant must provide a certified translation.

Related content

[Contents](#)

Validity for entry clearance and permission to stay applications

This page tells you where to find the validity requirements an applicant must meet when they apply for entry clearance or permission to stay on a T5 (Temporary Worker) route.

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 from EEA and Swiss nationals

Entry clearance applications made by European Economic Area (EEA) or Swiss nationals before free movement ended can be considered as valid.

You must treat applications for permission to stay that were made before 1 January 2021 from EEA or Swiss nationals as invalid and reject them. In this instance, you should make them aware of the EU Settlement Scheme.

Irish citizens

Most Irish citizens do not need permission to live and work in the UK and therefore are not 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 2020, except where they are subject to:

- 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 chose to apply before 11pm on 31 December, you should contact the applicant to explain:

- they have not been permitted to apply for permission since 1 January
- they have rights under section 3ZA of the Immigration Act 1971 and do not require permission
- they may want to withdraw their application

You should contact the CTA Policy Team for further information before they do so. If, despite this, the applicant wishes to proceed, you must consider their application in the same way as any other applicant.

The application

An application for entry clearance or permission to stay as a T5 (Temporary Worker) must meet all the following requirements:

- any fee and Immigration Health Charge must have been paid (with the exception of the Seasonal Worker route, which does not require payment of the Immigration Health Charge)
- 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 have a certificate of sponsorship that was issued to them no more than 3 months before the date of application

Application fees and Immigration Health Charge

You must be satisfied that the applicant has paid the relevant application fees and any Immigration Health Charge (sometimes called the Immigration Health Surcharge or IHS). If these haven't been paid, you should write to the applicant and request these. See further guidance on the Immigration Health Charge.

Those applying from countries which are signed up to the Council of Europe Social Charter, are entitled to reduced fees. There are further details regarding the signatories to the [CESC](#).

Biometrics and identity documents

You must be satisfied, where the applicant has provided their biometrics, these are verified against a valid passport or other travel document they have supplied.

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Official – sensitive: end of section

Certificate of sponsorship

The applicant must have a certificate of sponsorship. This is a virtual document (similar to a database record) which is assigned by the sponsor. Sponsors use a secure IT system called the [sponsorship management system](#) (SMS) to assign a certificate of sponsorship.

The reference number for the certificate should be provided in the application. If the applicant has not supplied the reference number, they must provide an explanation. If you are not satisfied the sponsor has assigned a certificate to the applicant, you may reject the application. If the reason the sponsor has not yet assigned a certificate is because of delays by UKVI (for example, a delay in processing a sponsor licence application or a request for certificates of sponsorship), you may exceptionally place the case on hold pending the outcome.

You must check the certificate of sponsorship was assigned to the applicant no more than 3 months before the date of application. If it was assigned too early, the application may be rejected.

For information on how to check the certificate information, refer to [The certificate of sponsorship checking system](#). (Note the certificate of sponsorship will also need to be viewed when assessing the Eligibility requirements.)

Government or international scholarship agency awards - Government Authorised Exchange Worker route only

Where an applicant on the Government Authorised Exchange Worker route has received an award covering fees and living costs from a Government or international scholarship agency in the 12 months before the date of application, the government or agency must provide written consent to the application. The letter of consent must be on the official letter-headed paper or stationery of the organisation(s), bearing the official stamp of that organisation and issued by an authorised official of that organisation. The documents must confirm the organisation gives the applicant consent to remain in or re-enter the UK.

Switching into T5 (Temporary Worker)

Applicants cannot normally switch onto the T5 (Temporary Worker) routes. The only exceptions are:

- standard visitors (such as visitors who are not coming to the UK for the purpose of undertaking permitted paid engagements, or to enter into a marriage or civil partnership, or to transit the UK on route to another country outside the Common Travel Area) who have entered the UK and have been undertaking permitted activities in the sports or creative sectors and who:
 - are applying to switch onto the T5 (Temporary Worker) - Creative or Sporting Worker route
 - hold a valid certificate of sponsorship (CoS) that was assigned before they came to the UK
- those who hold, or were last granted, permission as a Student (either on the Tier 4 (General) route or on the Student route) can apply to switch onto the T5 (Temporary Worker) Government Authorised Exchange Worker route, provided that:
 - the applicant is, or was last, sponsored by either: (i) a higher education provider with a track record of compliance; or (ii) an overseas higher education institution, to do a short-term study abroad programme in the UK

- the applicant has completed a UK recognised bachelor's or postgraduate degree during their last grant of permission; and
- the applicant is currently sponsored for either: a period of postgraduate professional training or work experience which is required to gain a professional qualification or registration in the same field as their degree; or an internship for up to 12 months which is directly related to their degree
- the applicant is not filling a permanent vacancy; and
- the sponsor must not intend to employ the applicant in the UK once the training or work experience is completed

Applicants cannot switch between the different T5 (Temporary Worker) routes; however, they can apply for extensions on the same T5 route if they have not exceeded the maximum grant of leave allowed on that route.

Related content

[Contents](#)

Suitability for entry clearance and permission to stay applications

This page tells you about the suitability requirements that an applicant must meet when they apply for entry clearance or permission to stay as a T5 (Temporary Worker).

If you are not satisfied that the application meets all the suitability requirements they must refuse the application.

You must check:

- that the applicant does not fall for refusal under [Part 9: grounds for refusal](#) of the Immigration Rules
- that where the applicant is applying for permission to stay, the applicant is not:
 - in breach of immigration laws, except where [paragraph 39E](#) applies, that period of overstaying will be disregarded
 - on immigration bail

Overstaying

You must check the applicant is not in breach of immigration laws, except where permitted by the Immigration Rules in respect of periods of overstaying. Full guidance on overstaying is available.

Immigration bail

Any applicant who is in the UK on immigration bail is not suitable for the T5 (Temporary Worker) route. These individuals do not hold permission to be in the UK.

Related content

[Contents](#)

Eligibility for entry clearance and permission to stay applications

This page tells you about the eligibility requirements that an applicant must meet to be granted either entry clearance or permission to stay as a T5 (Temporary Worker). If you are not satisfied that the application meets all the eligibility requirements, they must refuse the application.

Requirements for a grant of leave

The eligibility requirements can be found in the rules as set out below:

- entry requirement
- Tuberculosis certificate requirement (note that this does not apply to Seasonal Workers)
- genuineness requirement (note that this does not apply to Seasonal Workers)
- sponsorship requirement
- route-specific requirements, where applicable (such as the cooling-off period for Religious Workers and Charity Workers)
- financial requirement

Applications which do not meet these requirements must be refused.

Tuberculosis certificate

Where the application is for entry clearance as a T5 (Temporary Worker), you must check that the applicant has provided 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 six months immediately preceding the application.

If the applicant has not supplied a valid TB test certificate when they are required to do so, the application should be refused.

This requirement does not apply to Seasonal Workers.

There is further information regarding which applicants are required to [obtain a TB certificate](#) before applying and the valid test centres.

Sponsorship requirement

This page tells you about the requirements a migrant must meet to be issued a valid certificate of sponsorship (CoS) by a sponsor on a T5 (Temporary Worker) route.

This page tells you how to assess the CoS requirement, how to check that a CoS is valid using the CoS checking system and how to record it as used on the system.

Checking the validity of the CoS

A valid CoS must:

- have been issued by a licensed sponsor who must be 'A-rated', unless it is an extension application to continue working for the same employer as in their last grant of leave (note – Seasonal Workers cannot extend, so this exemption is inapplicable to them)
- have a reference number which links to a CoS checking service entry that names the applicant as the migrant
- confirm the sponsor is sponsoring the migrant on the T5 (Temporary Worker) route they have applied for
- confirm the relevant information under the 'Sponsorship requirement' section as required by the route-specific Appendix in the Immigration Rules
- show the same details as in the applicant's passport
- have been assigned no more than 3 months before the date of the application
- have a start date no more than 3 months after the date of the application
- not have been used for a previous application, if that application was approved or refused (but not rejected or withdrawn)
- not have been withdrawn by the sponsor or cancelled by the Home Office since it was assigned

Certificate of sponsorship checking system

When you check the CoS, you must:

- find it on the CoS checking system
- check the case type given on CID matches the type of CoS issued - you can find this on the top of the CoS
- record it as 'used' in all approval and refusal cases
- not mark it as 'used' if you are rejecting, withdrawing, or voiding the application, because the decision has not been made and they could use it again

Check the current status of the CoS

If the status of CoS on the checking system is:

- assigned, you may continue to assess the application
- suspended, you must:
 - not decide the case
 - keep it on hold
- withdrawn, you must refuse the application if the sponsor does not issue another CoS because it is no longer valid
- used, you must refuse the application if the sponsor does not issue another CoS because it is no longer valid

Status of CoS on the checking system:	What you must do:
Assigned	Continue to assess the application.
Suspended	<ul style="list-style-type: none"> • not decide the case • keep it on hold • contact the sponsor licensing unit (SLU) to find out if they will be re-instating the sponsor or if it will be suspended indefinitely, and what information can be shared with the applicant <p>If they do not issue a new CoS, you must refuse the application.</p>
Withdrawn	Refuse the application if the sponsor does not issue another CoS because it is no longer valid.
Used	<ul style="list-style-type: none"> • check to see if a new CoS has been issued • if not, you must refuse the application because there is no valid CoS

Licensed sponsor

The sponsor must hold a valid T5 Temporary worker sponsor licence in the route the applicant is applying for. The sponsor must also be A-rated, unless the applicant is applying for an extension to continue working for the same sponsor. See the [sponsorship guidance](#) for more details.

You must confirm these requirements are met by accessing the [Certificate of Sponsorship Checking System](#). You can contact the Sponsor Licensing Unit (SLU) to find out more information about the status of a sponsor's licence if needed.

If the applicant's sponsor loses its licence while the application is under consideration, you have a duty to inform the applicant promptly.

You must only inform the applicant their sponsor no longer has a licence, not the reasons why. The only exception is if the licence was revoked for reasons directly linked to this particular application, and those reasons therefore have particular relevance to the refusal – for example, you are refusing on genuine vacancy grounds (see below) as well as the fact the sponsor is no longer licensed.

T5: searching the certificate of sponsorship checking system

You can access the CoS checking system using your user name and password. To access the search function, click 'CoS check.' The CoS checker times out every 30 minutes, so you may need to log in again after this time.

You can search the system for the CoS using the either:

- CoS number
- applicant details
- sponsor details

The more information you provide, the narrower the search will be.

Searching using applicant's details

If you select this option, you can search by:

- passport or travel document number
- family name
- given name
- nationality
- date of birth
- gender

Searching using sponsor details

If you select this option, you can search by:

- sponsor licence number
- sponsor name
- sponsor's address
- sponsor's postcode

Genuineness requirement

When applying for entry clearance or permission, you must be satisfied that the applicant:

- genuinely intends to undertake the role described on the certificate of sponsorship (CoS)
- is capable of undertaking the role described on the CoS
- does not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted within the conditions of grant.

To assess this, you may request:

- additional information and evidence, and refuse the application if the information or evidence is not provided (you must receive any documents requested at the address given in the request within 10 working days of the date the request is made)
- the applicant attends an interview, and refuse the application if they fail to comply with such request without giving a reasonable explanation

To make the above assessment, you may take into account the applicant's:

- knowledge of the role
- relevant experience of the skills needed to do the role
- knowledge of the sponsor in the UK
- explanation of how they were recruited
- any other relevant information

You will not usually need to undertake further checks to establish that these requirements are met. You should ask them to do so only after you have assessed whether the application should be refused with the information already available and when:

- you have concerns individual sponsors are assigning unusually large numbers of CoS for the same type of role
- there are reasonable grounds to suspect the applicant will not be working in the role described on the CoS
- the job description on the CoS is unusual for the route the applicant is applying under
- intelligence suggests applicants are linked to:
 - extremism
 - terrorism
 - modern slavery
 - other illegal activity

The genuineness test does not apply to applicants under the Seasonal Worker route.

Related content

[Contents](#)

Financial requirement

This page explains how to assess the financial requirement (previously known as maintenance). You should refer to [Appendix Finance](#).

An applicant will automatically meet the financial requirement listed when they are applying for permission to stay in the UK, having been in the UK for at least 12 months with permission on the date of application (which means that Seasonal Workers and Charity Workers will automatically be unable meet the requirement in this way).

However, if the above does not apply the applicant must meet either of the below requirements:

- the applicant must have funds of at least £1,270, that they have held for a period of 28 days as specified in [Appendix Finance](#)
- the applicant's A rated sponsor must confirm on the certificate of sponsorship that they will, if it is necessary, maintain and accommodate the applicant up to the end of the first month of their employment for an amount of at least £1,270

You must refuse the applicant if they cannot fulfil the financial requirements, even if they meet all other requirements of the Immigration Rules.

If the applicant's sponsor has certified maintenance on the CoS, no further evidence is required.

Related content

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Route-specific requirements

Creative or Sporting Workers

The requirements for this route are listed in Appendix T5 (Temporary Worker) Creative or Sporting Worker of the Immigration Rules. This route is for applicants who are entering the UK to work in the creative or sporting sectors.

Creative or Sporting border concession

Applicants must get entry clearance before they come to the UK unless they are a non-visa national seeking entry for a period of 3 months or less under the Creative or Sporting concession. Applicants must meet all of the eligibility criteria set out in CSP 3.2 including having a previously arranged CoS from an approved sponsor, which is then activated at the border.

Additional requirements for Sporting Workers

When a sponsor issues a CoS, they guarantee:

- the applicant is internationally established at the highest level in their sport
- their employment will make a significant contribution to the development and operation of that particular sport in the UK

Governing body endorsement

To issue a CoS, the sponsor must get an endorsement for the migrant from the [governing body](#) (listed in Appendix M of the Immigration Rules) of the appropriate sport. The endorsement must confirm:

- the player or coach is internationally established at the highest level, and/or they will make a significant contribution to the development of their sport at the highest level in the UK
- the post could not be filled by a settled worker

Confirmation that an endorsement has been obtained must be shown on the CoS and applicants must also provide the original letter issued by the governing body containing the endorsement as part of their application for leave or entry clearance.

Creative Workers

When a sponsor issues a CoS, they confirm:

- the applicant is seeking permission to stay to the UK to work or perform in the creative sector
- the applicant is not intending to base themselves in business in the UK
- either:

- the applicant will comply with their relevant Code of Practice under Appendix T5 Creative Workers Codes of Practice, where one exists for their occupation
- the role appeared in the shortage occupation list in Appendix Shortage Occupation Lists
- before assigning the CoS, the sponsor took into account the needs of the resident labour market in that field and was satisfied that the work could not be carried out by a settled worker
- the applicant will comply with the conditions of their permission to stay and leave the UK when it expires

To issue a CoS for migrants to perform or work in dance, theatre, film, television, or as a fashion model, sponsors must follow the requirements listed in T5 Appendix Creative Workers code of practice.

The sponsor must indicate on the CoS how they have considered the resident labour market by:

- ticking the relevant box on the CoS, and either:
 - providing details of how the resident labour market was considered
 - providing details any other acceptable way as described in the creative codes of practice, such as stating the performer is internationally established

Group certificates of sponsorship

Sponsors can issue a group CoS for a performer and their entourage. An entourage can include people whose work is directly related to the employment of an entertainer, cultural artist, sportsperson, or a dramatic production. Members of an entourage must have proven technical or other specialist skills.

Multiple engagements or performances: certificates of sponsorship

A creative worker or sporting worker may need to perform or work at a number of venues.

If they have a single sponsor, for example an agent, and there are no more than 14 calendar days between each engagement, the sponsor can issue a single CoS to cover the whole period.

If, however, they have multiple sponsors, for example individual venues, producers or promoters, each sponsor must issue a CoS to cover their own show (see CSP 4.9).

Regardless of whether the worker has a single sponsor or multiple sponsors, there must not be more than 14 calendar days between each engagement in the UK. Any time spent outside the UK by the worker will not count towards this 14-day period, including the dates of their departure from and return to the UK (see CSP 4.8 in

relation to workers with single sponsors and the definition of 'Consecutive engagements' in relation to workers with multiple sponsors).

Charity Workers

The requirements for this route are listed in Appendix T5 (Temporary Worker) Charity Worker of the Immigration Rules. This route is for those wanting to undertake unpaid voluntary fieldwork which contributes directly to the achievement or advancement of the sponsor's charitable purpose in the UK, for a maximum period of 12 months.

'Voluntary fieldwork' is defined as activities which would not normally be offered at a waged or salaried rate, and which contribute directly to the achievement or advancement of the sponsor's charitable purpose. It does not include work in support of the sponsor's charitable purpose including, for example, routine back office administrative roles, retail or other sales roles, fund-raising roles and roles involved in the maintenance of the sponsor's offices and other assets.

This route cannot be used to temporarily fill a position which is required on a permanent basis.

When a sponsor issues a CoS, they confirm the applicant:

- will be undertaking voluntary fieldwork which contributes directly to the achievement or advancement of the sponsor's charitable purpose
- will not receive any form of payment or remuneration, including benefits in kind except reasonable expenses outlined in [section 44](#) of the National Minimum Wage Act
- will not be filling a permanent position, including on a temporary basis
- will comply with the conditions of their permission to stay, and leave the UK when it expires

There is a 'cooling off period' which requires an applicant for entry clearance on this route to have not had permission as either a Religious Worker or a Charity Worker at any time during the 12 months immediately before the date of application, unless they can show that they were not in the UK at any time during those 12 months (CW 3.3).

Religious Workers

The requirements for this route are listed in Appendix T5 (Temporary Worker) Religious Worker in the Immigration Rules. This route is for applicants coming to work temporarily in the UK for a maximum of 24 months as:

- religious workers undertaking supporting activities, without undertaking leading a congregation in performing rites, rituals and preaching the essentials of the creed as its core duties (such applicants should instead apply on the T2 Minister of Religion route).

- visiting religious workers who:
 - are employed overseas doing the same work as they are seeking to come to do in the UK (although the exact detail of their duties in the UK may differ)
 - their employment is ongoing, and the time spent in the UK is consistent with their employment
- members of religious orders, for example monastic communities of monks, nuns, or similar religious communities

When a sponsor issues a CoS, they guarantee:

- they accept the responsibilities of sponsorship for the applicant
- they will support the applicant through funds and/or accommodation that are sufficient for them to maintain themselves for the duration of the CoS
- the applicant is qualified or has suitable experience to do the job in question
- the applicant will only work at the location(s), specified on the CoS, except when working under the supplementary employment provisions
- the applicant will not displace or deny an employment opportunity to a suitably qualified member of the resident labour force
- the applicant will comply with the conditions of their permission to stay and will leave the UK when it expires

The CoS must:

- outline the duties of the migrant
- detail any payments they will receive, and:
 - provide an explanation of how the sponsor has met the resident labour market test requirements
 - justify that the role the migrant will be doing is supernumerary and they will not be filling a vacant position that could otherwise be filled by a settled worker
 - explain that the role the migrant will be doing involves living mainly within and being a member of a religious order, which is a lineage of communities or of people who live in some way set apart from society in line with their specific religious devotion, for example, an order of nuns or monks

There is a 'cooling off period' which requires an applicant for entry clearance on this route to have not had permission as either a Religious Worker or a Charity Worker at any time during the 12 months immediately before the date of application, unless they can show that they were not in the UK at any time during those 12 months (RW 3.3).

Government Authorised Exchange (GAE) Workers

The requirements for this route are listed in Appendix T5 (Temporary Worker) Government Authorised Exchange Worker of the Immigration Rules. This route is for applicants coming to the UK for a maximum period of 12 or 24 months for approved exchange schemes that aim to share knowledge, experience, and best practice.

This route cannot be used to fill job vacancies or bring unskilled labour to the UK.

GAE sponsor

Individual employers and organisations are not allowed to sponsor migrants on this route, even if they are licensed as sponsors under other categories of T5 (Temporary Worker).

A T5 (GAE) sponsor must be an overarching body that manages the exchange scheme and has the support of a UK government department.

When a sponsor issues a CoS, they must confirm the applicant:

- is seeking entry to the UK to work or train temporarily here through an approved exchange scheme listed in appendix N of the Immigration Rules
- will work or train at or above the skill level described below
- will work or train in a role that complies with all relevant legislation
- will not fill a vacancy in the UK
- meets the requirements of the individual exchange scheme

ATAS Requirement

For applications on the GAE Worker route made from 21 May 2021, applicants must provide a valid ATAS certificate if all of the following apply:

- they are being sponsored as a Government Authorised Exchange Worker by a sponsor which is also a [licensed student sponsor](#) (these will mainly be universities); and
- they are **not** one of the exempt nationals listed in paragraph ATAS 3.1; and
- their job is in one of the occupation codes listed in paragraph ATAS 1.2(a); and
- the job includes an element of PhD-level research in a relevant subject (and these subjects are listed in paragraph ATAS 4.1).

The details are set out in [Appendix ATAS](#). Sponsors should confirm on the applicant's CoS whether the ATAS requirement applies. A field will be added to the CoS to confirm this but, at the moment, it needs to be set out in a sponsor note. If the first three bullet points above apply, but the sponsor has not provided a note to say whether the ATAS requirement applies and the applicant has not provided an ATAS certificate, you should contact the sponsor to confirm whether the requirement applies. If the sponsor fails to provide the necessary confirmation, you should consider refusing the application (paragraph GAE 5.4.(d)).

If the sponsor confirms the ATAS requirement applies, and the applicant has not provided an ATAS certificate, you should consider contacting the applicant (see [Requesting more information](#)). Processing an ATAS application takes at least 20 working days, and can take 30 or more working days between April and September. You should allow the standard 10 working days for the applicant to respond, but consider extending the deadline if the applicant confirms they have submitted their ATAS application and are waiting for a response.

If an applicant does not provide a copy of a valid ATAS certificate when required, you should consider refusing the application (paragraph GAE 3.2A).

Skill level

Any work that is done by applicants on an exchange scheme must be skilled work. Skilled work is defined as being equivalent to National or Scottish vocational qualification (N/SVQ) level 3 or above.

Seasonal Workers

The requirements for this route are listed in Appendix T5 (Temporary Worker) Seasonal Worker of the Immigration Rules. This route is for migrants coming to the UK as seasonal workers in the edible horticulture sector through an approved scheme operator.

The 'edible horticulture sector' means those growing:

- protected vegetables – those grown in glasshouse systems
- field vegetables – those grown outdoors, including vegetables, herbs, leafy salads, and potatoes
- soft fruit – those grown outdoors or under cover (for example, in glasshouses or polytunnels), such as strawberries, raspberries, blackcurrants, blueberries and all ribes and rubus species
- top fruit (orchard fruit) – trees that bear fruit, such as apples, plums, cherries, and apricots
- vine and bines – both twining or climbing flexible stems of certain plants – for example, hops is a bine, and grapes is a vine
- mushrooms – typically covers *Agaricus bisporus* species but can also include more exotic species; typically grown indoors

'Seasonal work' means employment which fluctuates or is restricted according to the season or time of the year.

This pilot is subject to an annual quota of 30,000, set by the Home Office, and split between the scheme operators.

Applicants can come to the UK for a maximum period of 6 months' employment in the UK within any 12-month period under the scheme.

In assigning a CoS to a migrant who will take part in the Seasonal Workers scheme, the sponsor guarantees that the applicant:

- is at least 18 years old
- will not establish a business in the UK
- will only take employment in a seasonal job permitted by this scheme, and with an employer in the horticultural sector that has been assigned by them

- will comply with the conditions of their entry clearance and will leave the UK when it expires

International Agreement Workers

The requirements for this route are listed in Appendix T5 (Temporary Worker) International Agreement Worker of the Immigration Rules. This route is for employment or to provide a service covered under international law or under an international treaty, including: migrants coming to the UK under contract to provide a service covered under international law, including:

- employees of overseas governments and international organisations
- private servants in diplomatic households
- as a contractual service supplier (CSS) or independent professional (IP) under sectoral commitments the UK has taken in the General Agreement on Trade in Services (GATS) or another services trade agreement between the UK and another country and/or countries

ATAS requirement

For applications on the International Agreement Worker route made from 21 May 2021, applicants must provide a valid ATAS certificate if all of the following apply:

- they are being sponsored as an International Agreement Worker by a sponsor which is also a [licensed Student sponsor](#) (these will mainly be universities); and
- they are **not** one of the exempt nationals listed in paragraph ATAS 3.1; and
- their job is in one of the occupation codes listed in paragraph ATAS 1.2(a); and
- the job includes an element of PhD-level research in a relevant subject (and these subjects are listed in paragraph ATAS 4.1).

The details are set out in [Appendix ATAS](#). Sponsors should confirm on the applicant's CoS whether the ATAS requirement applies. A field will be added to the CoS to confirm this but, at the moment, it needs to be set out in a sponsor note. If the first 3 bullet points above apply, but the sponsor has not provided a note to say whether the ATAS requirement applies and the applicant has not provided an ATAS certificate, you should contact the sponsor to confirm whether the requirement applies. If the sponsor fails to provide the necessary confirmation, you should consider refusing the application (paragraph IA 4.1A).

If the sponsor confirms the ATAS requirement applies, and the applicant has not provided an ATAS certificate, you should consider contacting the applicant (see [Requesting more information](#)). Processing an ATAS application takes at least 20 working days, and can take 30 or more working days between April and September. You should allow the standard 10 working days for the applicant to respond, but consider extending the deadline if the applicant confirms they have submitted their ATAS application and are waiting for a response.

If an applicant does not provide a copy of a valid ATAS certificate when required, you should consider refusing the application (paragraph IA 5.1A).

Issuing a CoS to a contractual service supplier or independent professional

When a sponsor issues a CoS to a CSS or IP, they guarantee that service falls within scope of the commitments in the relevant agreement under which they are supplying a service. Decision makers are required to check that the sector the service is being supplied in is included in the relevant agreement via the tables in [Annex IAW1](#) of the Sponsor an International Agreement Worker guidance. The applicant must be either:

- a contractual service supplier who is employed by a company based outside the UK that has a contract to supply services to their sponsor in the UK
- an independent professional who is self-employed, with no commercial presence inside the UK and who has a contract to supply services to their sponsor in the UK

Contractual service suppliers (CSS)

If the applicant is a contractual service supplier:

- the employer must be based outside the UK in a country or territory which is a signatory to the trade agreement under which they are supplying services and have no existing commercial presence (for example, a branch or subsidiary) in the UK
- the employee must be one of the following:
 - a national of the country in which the overseas undertaking is established
 - where the application is covered by a commitment in the General Agreement on Trade in Services and the overseas undertaking is established in a country which has made a notification under with Article XXVIII(k)(ii)(2) of that agreement (The countries that have made a notification under Article XXVIII(k)(ii)(2) of the General Agreement on Trade in Services (GATS) are Armenia, Australia, Canada, New Zealand, Switzerland), a permanent resident of that country
 - where the application is covered by a commitment in the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services Mobility, a permanent resident of Switzerland.
Applicants must submit evidence proving their status as a national or permanent resident of the relevant country. Evidence could include a passport or birth certificate or an official permanent resident visa, permit or card
- they must have been an employee of the company for at least the 12 months immediately before the date of their application for entry clearance
- they must have a degree or equivalent level qualification unless they are:

- supplying fashion model services, chef de cuisine services or entertainment services other than audio-visual services under the CARIFORUM-UK economic partnership agreement
- supplying advertising and translation services
- they must have specific professional qualifications to provide some services in the UK if this is required by relevant legislation, regulations or is a sector requirement
- they must have three years professional experience in the sector in which they are supplying services unless they are supplying chef de cuisine services under the CARIFORUM-UK economic partnership agreement, in which case, they must have at least 6 years relevant experience

Independent professional (IP)

If the applicant is an independent professional:

- their business must be established in a country or territory which is a signatory to the trade agreement under which they are supplying services and have no commercial presence in the UK
- they must be a national or a permanent resident of Switzerland if providing services under the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services Mobility. Applicants must submit evidence proving their status as a national or permanent resident of Switzerland. Evidence could include a passport or birth certificate or an official permanent resident visa, permit or card
- they must have a university degree or technical qualification which proves they have knowledge of a similar level to a degree
- have specific professional qualifications to provide some services in the UK if required by relevant legislation, regulations or is a sector requirement
- they must have six years professional experience in the sector in which they are supplying services

Employees of overseas governments and international organisations

When a sponsor issues a CoS to employees of overseas governments and international organisations, they guarantee the applicant:

- is under a contract of employment with the overseas government or international organisation and wants to come to the UK to provide a service covered under international law
- will not take up any job for the sponsor, other than the one for which the certificate of sponsorship was issued
- will not try to avoid immigration controls by changing to a different category of worker within the International Agreement Worker route after entering the UK

Private servants in diplomatic households

When a sponsor issues a CoS to private servants in diplomatic households, they guarantee the applicant:

- is aged 18 years old or over
- will be employed by and as a private servant in the household of either:
 - a member of staff of a diplomatic or consular mission who has diplomatic privileges and immunity as defined by the Vienna Convention on Diplomatic Relations
 - an official employed by an international organisation with certain privileges and immunities under UK or international law
- intends to work full-time in domestic employment
- will not take up any other form of job for the sponsor other than as a private servant in the specified household
- is not related to the sponsor or the sponsor's spouse, either by blood or by marriage - this includes but is not limited to the spouse or unmarried partner, child, parent, grandparent, or sibling of either the sponsor or the sponsor's spouse
- will leave the UK when their permission to stay has expired

Applicants must provide written evidence of the terms and conditions of their employment in the UK in the form set out in [appendix 7](#) of the Immigration Rules. This must be signed by the applicant and their employer, who must be a diplomat, or an official employed by an international organisation. It must confirm that the applicant will be paid at least the national minimum wage. In addition, the employer must provide a declaration that the work the applicant will do will not be within the meaning of paragraph 57 of the National Minimum Wage Regulations 2015.

Applicants who spend a continuous period of 5 years on this route are eligible to apply for indefinite leave to remain (settlement).

Applicants may change employer, but if they do so, the alternative employment must be as a domestic worker in a private household and for whichever is the shorter period of: 6 months or the period left of their leave.

Compliance with UK employment laws: National minimum wage

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

Private servants in diplomatic households should be paid at least the [NMW](#).

Employers of private servants in diplomatic households must provide a statement confirming that the work carried out in the UK does not meet the terms of [paragraph 57 of the National Minimum Wage Regulations 2015](#). This section provides an exemption from the NMW for those living as part of the family.

All private servants in diplomatic households must hold a contract using the template provided in [appendix 7](#). This contract was revised in April 2015 and must be completed in full for all applications for leave to enter and leave to remain.

You must check that the salary arrangements meet the requirements of the National Minimum Wage Regulations. These rates are amended, usually annually, so you must make sure that you are using the correct rates. There is a calculator at [GOV.UK](#), that can be used to check whether salaries meet the relevant rates. You must make sure that salaries quoted in monthly (or other) time periods are prorated to a weekly sum. The calculation for this would be to take a monthly sum, multiply it by 12, and divide by 52.

Please note that the only amount that may be offset against the NMW is an accommodation offset. The amount is specified in related link [GOV.UK - National minimum wage: accommodation](#). Allowances for items such as food, travel, phone calls, and so on, cannot be offset against the NMW entitlement.

Where you are not satisfied that the NMW entitlement is met, the application should be refused.

Period of stay

The maximum period of entry clearance that can be granted on this route is 24 months at a time.

However, private servants in diplomatic households may apply to extend their stay for 24 months at a time up to a total of 5 years.

A CSS or IP can be granted up to a maximum length of stay of 6 months in any 12-month period, unless they are:

- providing services under the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services Mobility, in which case they can be granted up to a maximum length of stay of 12 months in any 24-month period
- providing services under the UK-EU Trade and Co-Operation Agreement, in which case they can be granted up to a maximum of 12 months

Related content

[Contents](#)

T5 (Temporary Worker): dependants

A dependent partner and dependent children can apply on this route. Please see the dependants guidance.

The following dependants are allowed to come to the UK to join a person granted entry clearance or leave to remain as a T5 (Temporary Worker), provided they meet the requirements of the rules:

- dependent partner
- dependent children

Related content

[Contents](#)

Age and parental consent requirement

This page tells you how to consider the age and parental consent requirements for each route.

Where the route permits applicants to be under 18 years of age on the date of application, the following requirements must be met:

- the application must be supported by the applicant's parents or legal guardian, or by just one parent if that parent has sole legal responsibility for the child.
- the applicant's parents or legal guardian, or just one parent if that parent has sole responsibility for the child, must confirm that they consent to the arrangements for the applicant's travel to, and reception and care in, the UK.

T5 route	Age requirement
Government Authorised Exchange	No minimum age
Seasonal Worker	The applicant must be no less than 18 years of age at the time of application.
Charity Worker	No minimum age
Creative or Sporting Worker	No minimum age
Religious Worker	No minimum age
International Agreement Worker	A domestic private servant must be no less than 18 years of age at the time of application. No minimum limit age limit for contractual service suppliers or independent professionals, or employees of an overseas government/international organisation.

Related content

[Contents](#)

Grant or refuse

This section tells you how to grant or refuse an application.

The actions you must take will differ dependant on the type of application under consideration:

- [entry clearance](#)
- [entry at UK port](#)
- [leave to remain](#)

Dates of permission granted

For non-EEA nationals, and EEA or Swiss nationals applying from 1 January 2021, you should grant entry clearance with effect from either the date of decision or a date requested by the applicant, whichever is later.

Permission to stay should be granted with effect from the date of decision.

In both circumstances, the end date of permission must be 14 days after the end date stated on the applicant's certificate of sponsorship.

If the end date on the certificate passed 14 or more days before you make the decision, you cannot grant permission.

For applications for permission to stay, you may exceptionally grant 14 days permission to stay to allow the applicant to make a further application or leave the UK without becoming an overstayer. You should only do this because of delays outside the applicant's control, such as:

- Home Office process delays; or
- suspension then reinstatement of their sponsor's licence.

Related content

[Contents](#)

Grant or refuse entry clearance

This page tells you how to grant or refuse an application for entry clearance as a T5 (Temporary Worker).

Grant entry clearance

You must grant entry clearance if the applicant meets all the requirements listed in the relevant Appendix.

Length of grant

Entry clearance must be valid from the date the applicant intends to travel to the UK.

You may grant entry clearance up to the maximum period allowed for entry on the route, as set out in the table below.

T5 route	Period of grant: applications for entry clearance	Period of grant: applications for permission to stay	Maximum time permitted on route
Government Authorised Exchange	<ul style="list-style-type: none">• 24 months if coming for research, an overseas language programme, or a training programme• 12 months if coming for work experience• the expiry date given in your certificate of sponsorship plus up to 14 days before and after the period of leave granted whichever is shorter.	If you were initially granted less than the maximum initial grant period permitted, up to the balance of the period allowed	24 months if coming for research, an overseas language programme, or a training programme 12 months if coming for work experience
Seasonal worker	<ul style="list-style-type: none">• a maximum period of 6 months stay in	No extension permitted under	6 months in any 12-month period

T5 route	Period of grant: applications for entry clearance	Period of grant: applications for permission to stay	Maximum time permitted on route
	<p>the UK in any 12-month period</p> <ul style="list-style-type: none"> the expiry date given in your certificate of sponsorship plus up to 14 days before and after the period of leave granted <p>whichever is shorter</p>	the Immigration Rules	
Charity Worker	<ul style="list-style-type: none"> 12 months the expiry date given in your certificate of sponsorship plus up to 14 days before and after the period of leave granted <p>whichever is shorter.</p>	If you were initially granted less than the maximum initial grant period permitted, the balance of the period allowed	12 months, please note there is a 12-month cooling off period for this route, as per CW 3.3.
Creative Worker	<ul style="list-style-type: none"> 12 months the expiry date given in your certificate of sponsorship plus up to 14 days before and after the period of leave granted <p>whichever is shorter.</p>	If you were initially granted less than the maximum initial grant period permitted, up to the balance of the period allowed	12 months if changing employer or 24 months for the same employer as your last grant of leave
Sporting Worker	<ul style="list-style-type: none"> 12 months the expiry date given in your certificate of sponsorship plus up to 14 	If you were initially granted less than the maximum initial grant period permitted, up to the balance of	12 Months

T5 route	Period of grant: applications for entry clearance	Period of grant: applications for permission to stay	Maximum time permitted on route
	<p>days before and after the period of leave granted</p> <p>whichever is shorter.</p>	<p>the period allowed</p>	
Creative or Sporting concession	<p>A maximum of 3 months</p>	<p>No extension</p>	<p>3 months</p>
Religious worker	<ul style="list-style-type: none"> • 24 months • the expiry date given in your certificate of sponsorship plus up to 14 days before and after the period of leave granted <p>whichever is shorter.</p>	<p>If you were initially granted less than the maximum initial grant period permitted, the balance of the period allowed.</p>	<p>24 months, please note there is a 12-month cooling off period for this route, as per RW 3.3.</p>
International Agreement worker	<p>For private servants in a diplomatic household or employees of an overseas government or organisation:</p> <ul style="list-style-type: none"> • 24 months • the expiry date given in your certificate of sponsorship plus up to 14 days before and after the period of leave granted <p>whichever is shorter.</p> <p>For contractual service suppliers or</p>	<p>If you were initially granted less than the maximum initial grant period permitted, the balance of the period allowed</p>	<p>Private servants in diplomatic households may apply to extend their stay for 24 months at a time up to a total of 5 years.</p> <p>Contractual service suppliers or independent professionals may not be granted permission for no more than:</p> <ul style="list-style-type: none"> • 12 months if providing a service under the UK-EU Trade and Co-Operation Agreement • 12 months in any 24-month period if providing a service under the Temporary Agreement between

T5 route	Period of grant: applications for entry clearance	Period of grant: applications for permission to stay	Maximum time permitted on route
	<p>independent professionals:</p> <ul style="list-style-type: none"> • 6 months in any 12-month period or 12 months in any 24-month period if providing services under the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services Mobility • the expiry date given in your certificate of sponsorship plus up to 14 days before and after the period of leave granted <p>whichever is shorter.</p>		<p>the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services (the relevant 24-month period includes the period of permission the applicant is applying for)</p> <ul style="list-style-type: none"> • 6 months in any 12-month period in all other cases (the relevant 12-month period includes the period of permission the applicant is applying for)

T5: Creative or Sporting

For applicants seeking entry for multiple engagements or performances, you may grant entry clearance to cover the whole period, providing there are not more than 14 calendar days between periods of engagements. Any time the worker spends outside the UK will not count towards the 14 days.

Endorsements

You should use the most appropriate of the following category D endorsements:

- TIER 5 TW (CHARITY) MIGRANT
- TIER 5 TW (CRE-SPORT) MIGRANT
- TIER 5 TW (EXCHANGE) MIGRANT
- TIER 5 TW (INT AGREE) MIGRANT
- TIER 5 TW (RELIGIOUS) MIGRANT
- TIER 5 TW (SEASONAL WORKER) MIGRANT

Digital status

European Economic Area (EEA) or Swiss nationals making an application using the UK Immigration: ID Check app will be given digital status if they are granted permission.

EEA, Swiss and non-EEA nationals making an application will be given a biometric residence permit if they are granted permission for longer than 6 months.

If the entry clearance application is successful, they must be given a 30-day visa to allow them to collect their BRP after they have arrived in the UK.

Biometric information

You must check the biometric residence permit (BRP) system before you submit a BRP card production request.

Refuse entry clearance

You must refuse the application if you are not satisfied the applicant has met all the suitability and eligibility requirements of the relevant T5 (Temporary Worker)

Appendix, or if any of the grounds for refusal in [Part 9: Grounds for Refusal](#) apply.

Rights of appeal and administrative review: entry clearance applications

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

Related content

[Contents](#)

Grant or refuse entry at UK port

This page tells you how to grant or refuse entry at a UK port for applications made under the T5 (Temporary Worker) route.

Granting leave to enter

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

- the applicant has valid entry clearance or permission to stay as a T5 (Temporary Worker), unless they are applying for leave on the Creative or Sporting Worker route
- there are no reasons to believe the applicant provided false information to obtain the entry clearance or permission to stay in the UK, nor that circumstances have changed since it was issued
- none of the general grounds for refusal in [Part 9: Grounds for Refusal](#) of the Immigration Rules apply

Refusing leave to enter

The Border Force officer must take into account the applicant's continuing permission if they are considering refusing them after their return from a short absence abroad.

If you are considering cancelling an applicant's entry clearance or permission to stay as a T5 (Temporary Worker) on any route, you must refer to [Part 9 of the Immigration Rules](#).

If the applicant is subject to a deportation order, any permission they have been granted is cancelled. The Border Force officer must refuse under paragraph 9.2.1.(c) of the Immigration Rules. The Border Force officer must also refer to Border Force operational policy, before they make a decision.

The Border Force officer must also refer to Border Force operational policy, if they are considering a refusal on the grounds of:

- national security
- public policy
- sensitive information
- where the decision may affect relations with another country

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

On entry refusal codes

Refusal codes are:

- Lack of required non-settlement entry clearance – E4
- Other reasons – Z1

Creative or Sporting Worker: no entry clearance

To enter without entry clearance, passengers must:

- be non-visa nationals
- be seeking leave to enter in the Creative or Sporting Worker route for 3 months or less
- be able to present a valid certificate of sponsorship (CoS) reference number and proof of maintenance
- not satisfy any of the general grounds for refusal in [Part 9: Grounds for Refusal](#) of the Immigration Rules

Check the certificate of sponsorship (CoS)

You must [check the CoS number is valid](#) by searching the sponsorship management system (SMS). If the number is not valid, you must refuse leave to enter.

If the number is valid and you grant leave to enter, you must confirm that the CoS has been used on SMS. You do not need to do this if the passenger is re-entering the UK on a CoS which has been used.

Financial requirements

For information on the financial requirements for T5 (Temporary Worker), see the full guidance on financial requirements.

Granting leave to enter

You must grant leave to enter on code 4 if both:

- the requirements of in the relevant Appendix T5 (Temporary Worker) route have been met have been met
- there are no [Part 9: Grounds for Refusal](#)

Length of grant

Passengers can enter the UK up to 14 days before the date they start their job (the start date is the date given by their sponsor on the CoS), and they can remain for either:

- up to 14 days after the last job
- a maximum period of 3 months

For passengers seeking entry for multiple engagements or performances, you must grant leave to cover the whole period, providing there are not more than [14 calendar days between periods of engagements](#), but any time spent outside the UK will not be counted towards these 14 days.

Passengers who enter on this route in this way without entry clearance cannot extend their stay in the UK.

Refusing leave to enter

For more information on refusing leave to enter, see [Part 9: Grounds for Refusal](#).

Dependants

You can grant entry on code 1 (for the same period as the main applicant) to the partner or child of a T5 Creative or Sporting Worker route applicant who seeks entry without entry clearance providing they:

- are not a visa national; and
- are seeking entry at the same time as the person they are a dependant of, and who meets the requirements at CSP 3.2

Related content

[Contents](#)

Grant or refuse permission to stay

This page tells you how to grant or refuse permission to stay on the relevant T5 (Temporary Worker) route.

Grant permission to stay

You can grant permission to stay on code 4 conditions if the applicant meets all the requirements.

Biometric information

Successful applicants for permission to stay are given a [biometric resident permit \(BRP\)](#). You must check [the biometric residence permit \(BRP\) system](#) before you submit a BRP card production request.

Rights of appeal and administrative review

If an application for permission to stay is refused, applicants cannot exercise a right of appeal in country. However, if they think the Home Office has made an error in considering their application, they can apply for an administrative review. Details of how to make an administrative review application must be included in the decision letter.

If the applicant raises consideration of any of human rights, section 47 and section 55, see:

- Safeguard and promote child welfare
- [Section 55 and the child's best interests](#)
- Human rights considerations: Article 8
- ISG 01 19 13 Removal decisions under section 47 of the Immigration, Asylum and Nationality Act 2006

Length of grant

You may grant permission to stay whichever is the shorter of:

- up to the maximum period allowed on the route:
 - 12 months for International Agreement Workers providing a service under the UK-EU Trade and Co-Operation Agreement
 - 12 months in any 24-month period for International Agreement Workers providing a service under the Temporary Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland on Services
 - 6 months in any 12-month period for International Agreement Workers providing a service under contract as set out in the General Agreement on Trade in Services (GATS) and all other similar trade agreements

- 12 months for those using: Charity Workers, Creative or Sporting, Government Authorised Exchange and who are applying for entry clearance in a work experience programme under the Immigration Rules in place on or after 6 April 2012
- 24 months for those using: Religious Workers, Government Authorised Exchange and who are applying for entry clearance under the Immigration Rules in place before 6 April 2012, or for those applying for entry clearance in a research programme or training programme under the Immigration Rules in place on or after 6 April 2012: International Agreements except for those providing a service under contract as set out in the GATS and other similar trade agreements
- the time given on the certificate of sponsorship (CoS), plus both:
 - up to 14 days before the beginning of the first engagement
 - 14 days after the last period of engagement

Applicants who entered the UK in the T5 (Temporary worker) Creative or Sporting Worker route without entry clearance for 3 months or less cannot extend their leave in the UK.

Conditions of grant

This page tells you about the conditions of grant that apply to an applicant granted entry clearance or permission as a T5 (Temporary Worker).

Applicants granted entry clearance or permission as a T5 (Temporary Worker) are subject to the following conditions:

- they can only work for the sponsor in the job stated on their certificate of sponsorship (CoS) – exceptions to this are:
 - [supplementary employment](#) except private servants in diplomatic households who entered the UK under the Immigration Rules in place on or after 6 April 2012 or seasonal workers
 - T5 Government Authorised Exchange and seasonal workers – applicants can work for any person the sponsor tells them to, providing the work is permitted by the scheme
 - T5 Creative or Sporting – applicants can work as a sports person for their national team while that team is in the UK, play in British University and College (BUCS (British University and College Sport)) competitions and take temporary engagements as a sports broadcaster
 - private servants in diplomatic households may change their employer provided they are employed as a domestic worker in private household for whichever is the shorter period of: 6 months or the period left of their leave
- they cannot access public funds
- they must register with the police, if required to do so by [Part 10: Police Registration](#) of the Immigration Rules
- applicants who are 18 years old or over need to apply for an Academic Technology Approval Scheme (ATAS) certificate if they wish to undertake study covered by [Appendix ATAS](#) of the Immigration Rules

Supplementary employment

As well as the job specified on the CoS, an applicant (except private servants in diplomatic households who entered the UK under the Immigration Rules in place on or after 6 April 2012 and seasonal workers) can do supplementary work if it is:

- a job that is either:
 - on the shortage occupation list in Appendix Shortage Occupation Lists of the Immigration Rules or
 - in the same occupation code and at the same level as the work for which the CoS was assigned
- no more than 20 hours a week
- outside the working hours covered by the CoS

If the extra work meets the above requirements, the applicant does not need to inform the Home Office before taking extra work.

Sports loans

A sportsperson with leave on the Creative or Sporting Worker route may be temporarily loaned to another sports club if:

- their sponsor is a sports club
- they are only sponsored as a player
- player loans are specifically permitted by the relevant sport's governing body
- the player's sponsor has made arrangements with the loan club to allow them to meet their sponsor duties
- the player will return to play for the sponsor at the end of the loan

Related content

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T5 (Temporary Worker): settlement requirements

The only T5 migrants eligible for settlement are those on the T5 (International Agreement) route who work as private servants in diplomatic households and who were last granted entry clearance before 6 April 2012.

This page explains how to assess settlement applications on the T5 (International Agreement) route for people working as private servants in diplomatic households.

Before you consider an application on the T5 (International agreement) route for people who work as private servants in diplomatic households, you must check the:

- application is valid
- applicant's passport or travel document is genuine
- applicant's immigration history on internal systems and previous case notes
- application has no general grounds for refusal
- application and biometric information are registered and verified

If you have any doubts whether the applicant's supporting documents are genuine you must do verification checks.

If the applicant previously applied on the T5 (International Agreement) route as a private servant in a diplomatic household and was last granted entry clearance before 6 April 2012, they can apply for settlement when they have been in the UK for a continuous period of 5 years on that route.

Requirements for settlement

You must grant settlement if:

- the applicant meets all the requirements of paragraph IA 15.1- 15.4
- none of the general grounds for refusal of the Immigration Rules apply
- the applicant has spent a continuous period of 5 years in the UK lawfully with leave on the T5 (International Agreement) route, working as a private servant in a diplomatic household
- the applicant has sufficient knowledge of the [Appendix English Language](#) and about life in the UK, with reference to [Appendix KOL UK](#) of the Immigration Rules – this is unless the applicant is either:
 - under the age of 18
 - aged 65 or over at the time the application is made

The applicant must not in breach of immigration laws, unless either:

- the application is made within 14 days of the applicant's leave expiring and the Secretary of State considers there is a good reason beyond the control of the

- applicant or their representative, provided in or with the application, why the application could not be made in time, the overstaying will be disregarded
- the application is made following the refusal of a previous application for leave which was made in-time or to which the exception outlined here applied; and within 14 days of:
 - the refusal of the previous application for leave
 - the expiry of any leave which has been extended by section 3C of the Immigration Act 1971
 - the expiry of the time limit for making an in-time application for administrative review or appeal (where applicable)
 - any administrative review or appeal being concluded, withdrawn, or abandoned or lapsing

The threshold for what constitutes 'good reason' is high and will depend on the individual circumstances of the case, but, for example, may include delays resulting from unexpected or unforeseeable circumstances such as the following:

- serious illness which meant that the applicant or their representative were unable to submit the application in time (where supported by appropriate medical documentation)
- travel or postal delays which meant that the applicant or their representative were unable to submit the application in time
- inability to provide necessary documents: this would only apply to exceptional or unavoidable circumstances beyond their control, such as the Home Office being at fault in the loss of, or delay in returning, travel documents, or delay in obtaining replacement documents following loss as a result of theft, fire or flood (where supported by evidence of the date of loss and the date replacement documents were sought)

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T5 (Temporary Worker): grant or refuse settlement

This page tells you about settlement on the T5 (International Agreement) Worker route for people working as private servants in diplomatic households. You should consider whether to request further information, reject the application, or (on a discretionary basis) proceed with the consideration of the application.

The only T5 migrants eligible for settlement are those who are on the International Agreement Worker route and they must both work as private servants in diplomatic households and have been last granted entry clearance before 6 April 2012.

Grant settlement

You must grant settlement if:

- the applicant meets all the requirements of paragraph IA 15.1- 15.4 as follows:
 - none of the general grounds for refusal in apply
 - the applicant has spent a continuous period of 5 years in the UK lawfully, with leave in the Tier 5 (International agreement) category, working as a private servant in a diplomatic household
 - the applicant has sufficient knowledge of the [English Language](#) and about life in the UK, with reference to [appendix KoLL of the Immigration Rules](#)
- absences of employment may be addressed in the application by providing a letter from the employer which gives the reason for and the length of absences from employment, including periods of annual leave:
 - where the absence was due to a serious or compelling reason, the applicant must provide a personal letter which includes full details of the reason for the absences
 - it must also include all original supporting documents about those reasons – for example medical certificates, birth or death certificates, and the reasons which led to the absence from the UK

Refuse settlement

You must refuse settlement if:

- the applicant does not meet the requirements of paragraph IA.15 of the Immigration Rules
- any of the general grounds for refusal in Part 9 of the Immigration Rules apply

For more information on appeal rights and administrative review, see: [Administrative review](#).

Rights of appeal and administrative review: in country applications for leave to remain made before 2 March 2015

If the application was made before 2 March 2015, depending on their appeal rights, applicants may be able to submit an appeal if they want to challenge a refusal decision for leave to remain (permission to stay in the UK). Details of whether and how they can appeal against the Home Office decision must be included in the decision letter.

Rights of appeal and administrative review: in country applications for leave to remain made on or after 2 March 2015

If the application was made on or after 2 March 2015, applicants cannot appeal against the Home Office decision. If they think the Home Office has made an error in considering their application, however, they can apply for an administrative review. Details of how to make an administrative review application must be included in the decision letter.

Administrative review

If an application for settlement is refused, the applicant cannot appeal against the decision. However, if they think the Home Office has made an error in considering their application, they can apply for an [administrative review](#) under [Appendix AR: Administrative Review](#).

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