



Ukraine staff visa concession

This guidance sets out the concession made for individuals who are currently employed, and have been employed since 1 January 2022, in Ukraine by the Foreign Office, the British Council and contractor TLS. This concession also applies to their family members.

Background

Russia launched an invasion of Ukraine on 24 February 2022. Following the invasion UK Government Country Based Staff and contractors continued to operate in the country despite extremely challenging circumstances. This ensured vital services continued to be accessible up until the point that the deteriorating security situation made continuing impossible. These individuals are assessed to be at an elevated risk due to their association with the UK. The Ukraine Conflict Embassy Staff Concession is therefore designed to offer these individuals a route to safety in the UK. As well as embassy staff, the concession also applies to staff of the British Council and staff responsible for Visa Appointment Centre services, contracted by the Home Office's commercial partner, TLS, and the family members of both.

Criteria for all applications made under the concession

This section sets out the criteria an applicant must meet in order to have their application considered under the Ukraine Conflict Embassy Staff Concession.

To be eligible to be considered under this concession an applicant must:

- On or after 1st January 2022 have:
 - Been directly employed in Ukraine, and paid directly, by the Foreign, Commonwealth and Development Office; or
 - Been directly employed in Ukraine, and paid directly, by the British Council; or
 - Been employed by Ukrainian companies ARGUS and RECRUIT ALLIANCE for services at the British Embassy.
 - Been employed by the Home Office's commercial partner, TLS, in Ukraine in any Visa Application Centre.

An applicant who meets the above criteria is also known as an "employee".

Or,

An applicant must be a family member of an employee.

- A family member of an employee defined as: an immediate family member; an extended family member; or an immediate family member of an extended family member.
- An immediate family member is an employee's:
 - spouse or civil partner
 - unmarried partner (they must have been living with the applicant in a relationship for at least two years)
 - child aged under 18 of the employee or their partner
 - fiancé(e) or proposed civil partner
- An extended family member is the employee's:
 - parent (means the employee's biological, adopted or stepparents)
 - child who is over 18
 - grandparent (means the employee's biological or adopted grandparent)
 - grandchild or the employee's partner's grandchild (means the biological, adopted or step grandchild of the employee or the employee's partner).
 - brother or sister (means the employee's biological, adopted or stepbrothers and stepsisters)
 - cousin (means the biological, adopted or stepchild of the employee's aunt or uncle)
 - aunt or uncle (means the employee's biological and step aunt/uncle)
 - nieces or nephews (means the biological, adopted or stepchildren of the employee's brother or sister)
 - mother-in-law or father-in-law (means the biological, adopted or stepparents of the employee's partner)
 - brother-in-law or sister-in-law (means the biological, adopted or step siblings of the employee's partner)
 - grandparents-in-law (means the biological, adopted or step siblings of the employee's grandparents)
- An immediate family member of an extended family is the:
 - spouse, civil partner or partner of an extended family member
 - child under 18 of an extended family member
 - parent of a child under 18 who is an extended family member
 - fiancé(e) or proposed civil partner of an extended family member

If the family member is the employee's (or an extended family member's) spouse, civil partner, fiancé(e) or proposed civil partner the relationship must have started before 1 January 2022.

Other family members may be considered on an exceptional basis.

Where an application meets all of the above criteria a caseworker may proceed to consider it under this concession. All applications will be considered on a case-by-case basis, taking into account all of the circumstances. The caseworker will have regard to Part 9: grounds for refusal of the Immigration Rules when considering cases under this concession.

If an applicant does not meet the criteria of this concession, and it is not appropriate to apply further discretion, the application should be refused. There will be no right of appeal.

An applicant granted leave under this concession will be granted leave to remain in the United Kingdom for 36 months with the right to work and access public funds, under the wider umbrella of the Ukraine Scheme.

The permission will be granted subject to the following conditions:

- (a) access to public funds permitted; and
- (b) work (including self-employment and voluntary work) permitted; and
- (c) study permitted, subject to the ATAS condition in Appendix ATAS.