



Home Office

Dependent family members in work routes

Version 12.0

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.

Contents

Contents.....	2
About this guidance.....	4
Contacts	5
Publication	6
Changes from last version of this guidance	6
Key facts	7
Assessing applications for dependent partners and dependent children	7
When dependants are permitted	7
Adult children and other relatives.....	8
Exceptional dependant applications.....	8
Irish citizens.....	8
Rules changes referring to Appendix Children	8
Children from previous relationships.....	8
Dependant requirements.....	11
Validity requirements – Permission to enter or stay.....	11
Immigration Health Charge	12
Biometrics	12
Switching.....	12
Partner aged 18 or over	13
Suitability requirements – Permission to enter or stay	14
Grounds for refusal	14
Overstaying and Immigration bail.....	14
Eligibility requirements – Permission to enter or stay	15
Entry clearance	15
Tuberculosis screening	15
Lead applicant immigration status.....	16
Relationship	16
Partner requirements	17
Child requirements	18
Parental relationship.....	18
All applicants.....	18
Exceptional circumstances - serious and compelling circumstances additional guidance	19
Polygamous relationships.....	22
Financial requirements.....	22

Insufficient funds demonstrated	23
Funds not shown by sponsor	23
Attempt to use funds more than once	23
Funds not held for 28 days.....	23
Evidence of funds not dated within 31 days	24
Failure to maintain and accommodate	24
Criminal record certificate requirement	24
Overseas business requirement.....	26
Settlement requirements	27
Validity requirements – Settlement	27
Switching – UK Ancestry settlement	28
Suitability requirements - Settlement	28
Grounds for refusal	28
Overstaying.....	29
Immigration bail.....	29
Eligibility requirements - Settlement.....	29
Lead applicant settled status requirement – Partner and child.....	29
Last grant settlement requirement – Partner and child.....	29
Dependent Partners qualifying period	30
5-year permission requirement: partners	30
5-year residence requirement: partners	30
5-year partner requirement	31
Child settlement requirements	31
English language requirement – Partner and child	32
Knowledge of Life in the UK requirement – Partner and child	32
Grant permission: dependent partner or child	33
eVisas.....	33
Duration of grant.....	33
Conditions of grant.....	34
Employment for dependants	34
Study in a discipline covered by Appendix ATAS of the Immigration Rules	34
Endorsement for entry clearance applications	34
Dependant: refusal paragraphs.....	37

About this guidance

This guidance tells you how to consider applications from people who wish to enter or stay in the UK as a dependant 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 the dependant of someone who holds or is applying for permission as a graduate, they should apply under the Graduate route.

If the applicant is a dependant of a lead applicant who:

- is an Irish citizen
- settled via a route not listed below
- has permission on 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 (and its predecessor route: Tier 2 (General)) (SW)
- Global Business Mobility routes below:
 - Senior or Specialist Worker (SNR) (and the predecessor routes - Intra-Company Transfer route and Tier 2 (Intra-Company Transfer) route)
 - Graduate Trainee (GTR) (and the predecessor route - Intra-Company Graduate Trainee route)
 - UK Expansion Worker (UKX)
 - Service Supplier (SSU)
 - Secondment Worker (SEC)
- T2 Minister of Religion (and its predecessor route: Tier 2 (Minister of Religion)) (MOR)
- International Sportsperson (and its predecessor routes: T2 Sportsperson, Tier 2 (Sportsperson), sporting worker under Appendix T5 (Temporary Worker) Creative or Sporting Worker, and Tier 5 (Temporary Worker) in the Creative and Sporting sub-category for migrants sponsored as a sporting worker) (ISP)
- Representative of an Overseas Business (ROB)
- UK Ancestry (UKA)
- Global Talent (and its predecessor route: Tier 1 (Exceptional Talent)) (GT)

- High Potential Individual (HPI)
- Innovator Founder (INNF)
- Start-up (SU)
- Scale-up (SCU)
- Temporary Work routes below:
 - Creative Worker (and its predecessor routes: creative worker under Appendix T5 (Temporary Worker) Creative or Sporting Worker and Tier 5 (Temporary Worker) in the Creative and Sporting sub-category for migrants sponsored as a creative worker) (CRV)
 - Religious Worker (and its predecessor routes: T5 (Temporary Worker) Religious Worker and Tier 5 (Temporary Worker) in the Religious Worker sub-category) (RW)
 - Charity Worker (and its predecessor routes: T5 (Temporary Worker) Charity Worker and Tier 5 (Temporary Worker) in the Charity Worker sub-category) (CW)
 - Government Authorised Exchange (and its predecessor routes: T5 (Temporary Worker) Government Authorised Exchange Worker and Tier 5 (Temporary Worker) in the Government Authorised Exchange sub-category) (GAE)
 - International Agreement (and its predecessor routes: T5 (Temporary Worker) International Agreement Worker and Tier 5 (Temporary Worker) in the International Agreement sub-category) (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 is 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.

Publication

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

- version **12.0**
- published for Home Office staff on **05 October 2023**

Changes from last version of this guidance

- Rules changes pointing to Appendix Children and associated guidance
- Clarifying policy in other places

Related content

[Contents](#)

Key facts

This section 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 any dependent children apply at the same time 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.

Different rules apply if the lead applicant is settled, both a child's parents are settled or for applications under UK Ancestry. This is expanded on in the [Durations of grant](#) section.

A dependant cannot request to be granted shorter permission than the rules state. For example, if a lead applicant has settled as a Skilled Worker and the dependant only needs 10 months to reach their 5 year settlement requirement they will have to apply for, and pay associated fees and charges, for 3 years 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 but who have lived together in a relationship similar to a marriage or civil partnership for at least 2 years
- dependent children under the age of 18 on the date of application
- dependent children over 18 who were last granted permission as a dependent child of their parent(s)

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 the lead applicant, 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

Irish citizens do not need permission to enter or stay in the UK.

Irish citizens have a right to enter or stay in the UK without restriction and can therefore be the 'other parent' if an economic migrant has a child dependant and the Irish citizen lives with them in the UK.

Note that under some circumstances an Irish citizen could be banned from entering the UK and would therefore not be able to be the 'other parent'.

Rules changes referring to Appendix Children

The Statement of Changes HC1780 has taken the definitions of the following requirements out of each appendix and refers to Appendix Children:

1. relationship requirement: entry clearance and permission to stay.
2. care requirement.
3. age and independent life requirement.

Caseworkers should refer to the relevant guidance: Appendix Children guidance.

Children from previous relationships

The rules require that any dependent children are either jointly, with their dependant partner, or solely the responsibility of either the lead applicant or their partner.

The definition of parent under [paragraph 6](#) of the Immigration Rules is:

"Parent" includes:

- (a) the stepfather of a child whose father is dead, and reference to stepfather includes a relationship arising through civil partnership; and
- (b) the stepmother of a child whose mother is dead, and reference to stepmother includes a relationship arising through civil partnership; and
- (c) the father, as well as the mother, of an illegitimate child where the person is proved to be the father; and
- (d) an adoptive parent, where a child was adopted in accordance with a decision taken by the competent administrative authority or court in a country whose adoption orders are recognised by the UK or where a child is the subject of a de facto adoption in accordance with the requirements of paragraph 309A (except that an adopted child or a child who is the subject of a de facto adoption may not make an application for leave to enter or remain in order to accompany, join or remain with an adoptive parent under paragraphs 297 to 303); and
- (e) in the case of a child born in the UK who is not a British citizen, a person to whom there has been a genuine transfer of parental responsibility on the ground of the original parents' inability to care for the child.

If the child or children come from a previous relationship that the dependent partner has had, and the other natural parent is still alive you should be aware that the lead applicant may have become a de facto adoptive parent.

The Immigration Rules, under paragraph 309A, state that a de facto adoption shall be regarded as having taken place if:

- (a) at the time immediately preceding the making of the application for entry clearance under these Rules the adoptive parent or parents have been living abroad (in applications involving two parents both must have lived abroad together) for at least a period of time equal to the first period mentioned in sub-paragraph (b)(i) and must have cared for the child for at least a period of time equal to the second period material in that sub-paragraph; and
- (b) during their time abroad, the adoptive parent or parents have:
 - (i) lived together for a minimum period of 18 months, of which the 12 months immediately preceding the application for entry clearance must have been spent living together with the child; and
 - (ii) have assumed the role of the child's parents, since the beginning of the 18 month period, so that there has been a genuine transfer of parental responsibility.

You should also consider if the circumstances may meet the fourth part of the relationship requirement rules listed below.

- '(d) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who is applying for or has entry clearance or permission as a [route name].'

Further guidance is available in Appendix Children guidance in the "Exceptional circumstances - serious and compelling circumstances" section and in [Exceptional circumstances - serious and compelling circumstances additional guidance](#)

Related rules: CRV 16A.1, CW 15A.1, GAE 18A.1, GT 22A.1, HPI 16A.1, IA 28A.1, SNR 20A.1, GTR 20A.1, UKX 20A.1, SSU 20A.1, SEC 18A.1, INNF 28A.1, MOR 24A.1, ROB 26A.1, RW 15A.1, ISP 26A.1, SU 19A.1, SCU 26A.1, SW 32A.1, UKA 24A.1.

Consideration should be given to questions such as the list below. This is not an exhaustive list. Any application should have a full consideration of welfare issues and the best interests of the child:

- What is in the best interests of the child?
- Are they normally living with the lead applicant and their biological parent who is the partner?
- Do they have consent from the other natural parent to apply?

If a child has previously been granted permission as the dependant of the lead applicant there must be extraordinary circumstances not to grant further permission when assessing the relationship requirement.

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 – Permission to enter or stay

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

In addition to the rules in each appendix an application for permission to stay also needs to meet paragraphs 34B to 34G in [Part 1 of the Immigration Rules](#)

For guidance on assessing the validity requirements in Part 1 of the Immigration Rules, see: Applications for leave to remain: validation, variation and withdrawal.

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 must have been made on the correct form.

Related rules

CRV 10.1, CW 9.1, GAE 12.1, GT 16.1, HPI 10.1, IA 22.1, SNR 14.1, GTR 14.1, UKX 14.1, SSU 14.1, SEC 12.1, INN 22.1, MOR 18.1, ROB 20.1, RW 9.1, ISP 20.1, SU 13.1, SCU 20.1, SW 26.1, UKA 18.1.

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
- the lead applicant must have made a valid application for permission on, hold permission on or have settled while holding permission on the route which the dependant is applying on
- unless applying under UK Ancestry and either:
 - if the lead applicant has settled or become a British citizen the dependant must already hold permission as their dependant
 - any UK born child must have been born before the lead applicant settled

Related rules

CRV 10.2, CW 9.2, GAE 12.2, GT 16.2, HPI 10.2, IA 22.2, SNR 14.2, GTR 14.2, UKX 14.2, SSU 14.2, SEC 12.2, INN 22.2, MOR 18.2, ROB 20.2, RW 9.2, ISP 20.2, SU 13.2, SCU 20.2, 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 at www.gov.uk/government/publications/health-and-care-visa-guidance-for-applicants.

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 in this section 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

CRV 10.4, CW 9.4, GAE 12.4, GT 16.5, HPI 10.4, IA 22.4, SNR 14.4, GTR 14.4, UKX 14.4, SSU 14.4, SEC 12.4, INNF 22.4, MOR 18.4, ROB 20.4, RW 9.4, ISP 20.4, SU 13.5, SCU 20.4, SW 26.4, UKA 18.3.

An applicant who is applying for permission to stay and has, or last had, permission as a Student must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which paragraph ST 27.3 of Appendix Student applies). Alternatively, if the course was leading to a PhD award they must have completed at least 24 months of that course.

You can normally determine whether the applicant has completed their course by checking the end date on the Confirmation of Acceptance for Studies (CAS). However, the applicant may have completed their studies, and therefore met the requirement of the rules, in advance of the end date on the CAS. If the end date on the CAS indicates they have not yet completed their studies, you should consider whether the course may have been completed by looking at any information provided with the application (for example, a results transcript) and any notifications made by the Student Sponsor. You should also check if the course stated on the CAS was at PhD level, and if so, use the course start date to assess whether they have completed at least 24 months.

If required, you should write to the applicant using the Validity reminder template, advising them that they have not shown that they have completed their studies and giving them an opportunity to do so before rejecting the application as invalid.

Related rules

CRV 10.4A, CW 9.4A, GAE 12.4A, GT 16.5A, HPI 10.4A, IA 22.4A, SNR 14.4A, GTR 14.4A, UKX 14.4A, SSU 14.4A, SEC 12.4A, INNF 22.4A, MOR 18.4A, ROB 20.4A, RW 9.4A, ISP 20.4A, SCU 20.4A, SW 26.4A, UKA 18.3A.

Partner aged 18 or over

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

Related rules

CRV 10.3, CW 9.3, GAE 12.3, GT 16.3, HPI 10.3, IA 22.3, SNR 14.3, GTR 14.3, UKX 14.3, SSU 14.3, SEC 12.3, INNF 22.3, MOR 18.3, ROB 20.3, RW 9.3, ISP 20.3, SU 13.3, SCU 20.3, SW 26.3.

Note that it is a requirement of Eligibility where the rules point to Appendix Relationship with Partner that both parties are aged 18 and over. You **may** reject the

application at this point if the partner is under 18 but you **must** refuse it later if you do not reject it and that rule is not met.

Suitability requirements – Permission to enter or stay

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.

You should not take into account any breaches of the Immigration Rules whilst the applicant was under the age of 18 when the offence occurred. See Overstaying.

Related rules

CRV 11.1, CW 10.1, GAE 13.1, GT 17.1, HPI 11.1, IA 23.1, SNR 15.1, GTR 15.1, UKX 15.1, SSU 15.1, SEC 13.1, INN 23.1, MOR 19.1, ROB 21.1, RW 10.1, ISP 21.1, SU 14.1, SCU 21.1, SW 27.1, UKA 19.1.

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.

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

CRV 11.2, CW 10.2, GAE 13.2, GT 17.2, HPI 11.2, IA 23.2, SNR 15.2, GTR 15.2, UKX 15.2, SSU 15.2, SEC 13.2, INNF 23.2, MOR 19.2, ROB 21.2, RW 10.2, ISP 21.2, SU 14.2, SCU 21.2, SW 27.2, UKA 19.2.

Eligibility requirements – Permission to enter or stay

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 Worker route and meet the requirements below.

Related rules

CRV 12.1, CW 11.1, GAE 14.1, GT 18.1, HPI 12.1, IA 24.1, SNR 16.1, GTR 16.1, UKX 16.1, SSU 16.1, SEC 14.1, INNF 24.1, MOR 20.1, ROB 22.1, RW 11.1, ISP 22.1, SU 15.1, SCU 22.1, SW 28.1, UKA 20.1.

A person arriving in the UK and seeking entry as a partner or child on the Creative 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 CRV 3.2
- the applicant meets the requirements to be granted permission as a partner or child on the Creative Worker route

Please refer to the Temporary Work – Creative Worker guidance.

Related rules

CRV 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 Tuberculosis \(TB\)](#) of the Immigration Rules for the 6 months immediately before 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

CRV 12.3, CW 11.2, GAE 14.2, GT 18.2, HPI 12.2, IA 24.2, SNR 16.2, GTR 16.2, UKX 16.2, SSU 16.2, SEC 14.2, INN 24.2, MOR 20.2, ROB 22.2, RW 11.2, ISP 22.2, SU 15.2, SCU 22.2, SW 28.2, UKA 20.2.

Lead applicant immigration status

If the lead applicant has obtained settlement or British citizenship through any route, other than UK Ancestry, covered by this guidance, a dependant can apply for permission to stay, or settlement if they qualify, as a dependant on the economic route, provided they held permission as the lead applicant's dependant before the lead applicant settled. This does not apply to children born in the UK before the lead applicant settled.

A dependant child can qualify for entry clearance, permission to stay or settlement on the UK Ancestry route where the lead applicant has already been granted settlement or become a British Citizen, provided that person had permission on the UK Ancestry route when they were granted settlement or became a British Citizen. A dependant partner can only apply for permission to stay or settlement on the UK Ancestry route in the same situation.

If applying for settlement as the dependant of a Representative of an Overseas Business previous dependant leave must be in that route. Other routes can have been granted as a partner in another route.

It is also open for them to apply as the partner or child of a settled person under the family rules.

If a child was born in the UK and does not hold any immigration status at a time before the lead applicant settled, they can apply for settlement through that economic route.

A child born after settlement of the lead applicant, and who requires permission to stay, should apply through family routes – paragraphs 297 to 304 in Part 8 – except UK Ancestry applicants.

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 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

All applications should be made where the lead applicant is applying for, has permission or had permission when they settled on the route the dependant partner is applying under.

Related rules

CRV 13.1, CW 12.1, GAE 15.1, GT 19.1, HPI 13.1, IA 25.1, SNR 17.1, GTR 17.1, UKX 17.1, SSU 17.1, SEC 15.1, INNf 25.1, MOR 21.1, ROB 23.1, RW 12.1, ISP 23.1, SU 16.1, SCU 23.1, SW 29.1, UKA 21.1.

The rules in each route for the following requirements point to “Appendix Relationship with Partner”.

Related rules

CRV 13.2, CW 12.2, GAE 15.2, GT 19.2, HPI 13.2, IA 25.2, SNR 17.2, GTR 17.2, UKX 17.2, SSU 17.2, SEC 15.2, INNf 25.2, MOR 21.2, ROB 23.2, RW 12.2, ISP 23.2, SU 16.2, SCU 23.2, SW 29.2, UKA 21.2.

Settlement relationships

Related rules

GT 27.4, INNf 34.4, MOR 30.2, ROB 33.3, ISP 32.4, SCU 32.2, SW 39.3, UKA 30.2.

Partner requirements

Guidance relating to rules RWP 1.1 to RWP 7.1 can be found here: Relationship with Partner.

This covers:

- minimum age for partners
- relationship with the lead applicant
- requirement that the partners must not be closely related
- requirement for previous relationships to have broken down permanently
- requirement that any marriage or civil partnership is valid
- requirement for a durable relationship where a person is not married or in a civil partnership
- genuine and subsisting requirement
- polygamous relationships

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 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 showing the names of their parent or 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.

There may also be circumstances where the lead applicant is not the natural parent but has assumed the parental role through circumstances such as de facto adoption. See also – [Children from previous relationships](#).

You cannot accept an affidavit or a statutory declaration 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

CRV 16A.1, CW 15A.1, GAE 18A.1, GT 22A.1, HPI 16A.1, IA 28A.1, SNR 20A.1, GTR 20A.1, UKX 20A.1, SSU 20A.1, SEC 18A.1, INNF 28A.1, MOR 24A.1, ROB 26A.1, RW 15A.1, ISP 26A.1, SU 19A.1, SCU 26A.1, SW 32A.1, UKA 24A.1 which point to CHI 3.1

Caseworkers should refer to the relevant guidance Appendix Children guidance on the following topics

- Parental immigration status requirement - Applications for Entry Clearance and Permission to Stay
- Sole responsibility
- Exceptional circumstances – serious and compelling circumstances
- UK born child requirements
- Child dependant aged 18 or over – Previous permission as a dependent child
- Child leading an independent life
- Care requirement

Exceptional circumstances - serious and compelling circumstances additional guidance

While you should normally be satisfied that a child is either joining both parents, or the work or study migrant is the sole surviving parent, or has and has had sole responsibility, there may be exceptional cases where it is appropriate to issue entry clearance.

As with all decisions involving children, you must consider the best interests of the child and your safeguarding responsibilities in the spirit of s55 of the Borders, Citizenship and Immigration Act 2009, in particular that the parent who is not coming to the UK has given their written permission and that care arrangements are suitable.

Official – sensitive: start of section

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Official – sensitive: end of section

It is not a requirement for the other partner / guardian to intend to join the family unit, but that where there is satisfactory evidence that this is likely in the future, you must consider this a positive factor in your assessment.

If you are satisfied that there are factors that would allow a grant of entry clearance, you must refer the case to an ECM / HEO Technical Specialist or Senior Caseworker to ensure a consistent approach and assurance.

If you are not satisfied that the factors would allow a grant of entry clearance for the child, but the work or study migrant parent meets the requirements, then you must refer to the Operations Manager / SEO Technical Specialist for authority to refuse the child's application.

If a child has previously been granted permission as the dependant of the lead applicant there must be definitive evidence of either a change of circumstances or that previous permission was granted in error in order to not grant further permission when assessing the relationship requirement. Other parts of your consideration may lead to refusal under other rules.

Polygamous relationships

Although partners are now assessed under paragraph RWP 7.1 children are still assessed under the rules in Part 8 of the rules.

Applications made by a dependent child 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 because 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.

Related rules

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

Financial requirements

Unless the route requires evidence of adequate [maintenance and accommodation](#) for the applicant (Representative of an Overseas Business and UK Ancestry) the following funds must be available to support the application – unless an applicant is

applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of 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

CRV 17.3, CW 16.3, GAE 19.3, HPI 17.3, IA 29.3, SNR 21.3, GTR 21.3, UKX 21.3, SSU 21.3, SEC 19.3, INNf 29.2, MOR 25.3, RW 16.3, ISP 27.3, SU 20.2A, SCU 27.3, SW 33.3.

Funds not shown by sponsor

Applications on Temporary Worker routes, the Global Business Mobility routes, the T2 Minister of Religion route, the International Sportsperson route, the Scale-up 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

CRV 17.2(b), CW 16.2(b), IA 29.2(b), SNR 21.2(b), GTR 21.2(b), UKX 21.2(b), SSU 21.2(b), SEC 19.2(b), GAE 19.2(b), MOR 25.2(b), RW 16.2(b), ISP 27.2(b), SCU 27.2(b), SW 33.2(b).

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

CRV 17.4, CW 16.4, GAE 19.4, HPI 17.4, IA 29.4, SNR 21.4, GTR 21.4, UKX 21.4, SSU 21.4, SEC 19.4, INNf 29.4, MOR 25.4, RW 16.4, ISP 27.4, SU 20.3, SCU 27.5, 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

CRV 17.5, CW 16.5, GAE 19.5, HPI 17.5, IA 29.5, SNR 21.5, GTR 21.5, UKX 21.5, SSU 21.5, SEC 19.5, INNF 29.5, MOR 25.5, RW 16.5, ISP 27.5, SU 20.4, SCU 27.6, SW 33.5.

Evidence of funds not dated within 31 days

The evidence of funds must be dated within 31 days of the application date as specified in [Appendix Finance](#).

Related rules

CRV 17.5, CW 16.5, GAE 19.5, HPI 17.5, IA 29.5, SNR 21.5, GTR 21.5, UKX 21.5, SSU 21.5, SEC 19.5, INNF 29.5, MOR 25.5, ROB 7.2, ROB 27.2, RW 16.5, ISP 27.5, SU 20.4, SCU 27.6, 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. Credible promises of 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
- 6145 Care workers and home carers
- 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.

Related content

[Contents](#)

Settlement requirements

Only the following routes allow settlement applications for dependants:

- Skilled Worker
- T2 Minister of Religion
- International Sportsperson
- Representative of an Overseas Business
- UK Ancestry
- Global Talent
- Innovator Founder
- Scale-up

There is no requirement to pay the Immigration Health Charge.

Validity requirements – Settlement

In addition to the rules in each appendix an application to vary permission to stay also needs to meet paragraphs 34B to 34G in [Part 1 of the Immigration Rules](#)

For guidance on assessing the validity requirements in Part 1 of the Immigration Rules, see: Applications for leave to remain: validation, variation and withdrawal.

Applications must have been made on the correct form.

Related rules

INNF 32.1, MOR 28.2, ROB 31.1, ISP 30.1, SCU 30.1, SW 37.1, UKA 28.1.

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
- the lead applicant must have made a valid application for settlement on, or have been granted settlement while holding leave on, the same route as the dependant is applying on
- unless applying under UK Ancestry, if the lead applicant has settled or become a British citizen the dependant must already hold permission as their dependant
- unless applying under UK Ancestry any UK born child must have been born before the lead applicant settled

Related rules

GT 25.2, INNF 32.2, MOR 28.2, ROB 31.2, ISP 30.2, SCU 30.2, SW 37.2, UKA 28.2.

Switching – UK Ancestry settlement

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.

An applicant who last had permission as a Student must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which paragraph ST 27.3 of Appendix Student applies). Alternatively, if the course was leading to a PhD award they must have completed at least 24 months of that course.

Related rules

UKA 28.3.

Suitability requirements - Settlement

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

GT 26.1, INNF 33.1, MOR 29.1, ROB 32.1, ISP 31.1, SCU 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 settlement 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, INN F 33.2, MOR 29.2, ROB 32.2, ISP 31.2, SCU 31.2, SW 38.2, UKA 29.2.

Eligibility requirements - Settlement

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

Lead applicant settled status requirement – Partner and child

The lead applicant must either:

- be being granted settlement at the same time as the applicant
- have previously been granted settlement while holding permission on the relevant immigration route
- have become a British citizen, having previously been granted settlement while holding permission on the relevant immigration route

Note that if lead applicants may have become British citizens without first being granted settlement dependants are allowed to apply in these circumstances, provided the lead applicant had permission on the relevant route at the time they became a British citizen.

Related rules

GT 27.1, INN F 34.1, MOR 30.1, ROB 33.1, ISP 32.1, SCU 32.1, SW 39.1, UKA 30.1.

Last grant settlement requirement – Partner and child

Unless the applicant is a child who was born in the UK before the lead applicant settled, the dependant must have previously been granted permission as the dependant partner or child of the lead applicant. This permission could be in a different route.

This applies to Global Talent, Innovator, Representative of an Overseas Business, International Sportsperson and Skilled Worker.

Related rules

GT 27.2, INNF 34.2, ROB 33.1A, ISP 32.2, SCU 32.2, SW 39.2.

Dependent Partners qualifying period

Dependent partners of Global Talent, Innovator Founder, T2 Minister of Religion, International Sportsperson, Scale-up 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) provided they held leave under the relevant PBS route at the time when they settled, their partner can extend their permission or gain settlement as a dependant under these routes.

If the partner has switched into the partner of a settled person category they cannot apply for settlement unless they switch back to the relevant route. For more information relating to partner of settled person 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, INNF 37.1, MOR 33.1, ISP 35.1, SCU 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, INNF 38.1, MOR 34.1, ISP 36.1, SCU 36.1, SW 43.1.

5-year partner requirement

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

Related rules

SCU 32.3, SW 39.3.

Child settlement requirements

Dependent children are not subject to limits on absences.

Caseworkers should refer to the relevant guidance Appendix Children guidance on the following topics

Both parents' settlement requirement

Related rules

GT 27.3, INNF 34.3, MOR 30.2, ROB 33.2, ISP 32.3, SCU 32.4, SW 39.4, UKA 30.5 which point to CHI 4.3

Child dependant aged 18 or over - Previous permission as a dependent child

Child dependant aged 16 or over - Child leading an independent life

Related rules

GT 29A.1, INNF 36A.1, MOR 32A.1, ROB 35A.1, ISP 34A.1, SCU 34A.1, SW 41A.1, UKA 32A.1.

which point to:

Previous grant as a child

CHI 1.2

Not leading an independent life

CHI 1.3

Care requirement

Related rules

GT 29A.1, INNF 36A.1, MOR 32A.1, ROB 35A.1, ISP 34A.1, SCU 34A.1, SW 41A.1, UKA 32A.1 which point to CHI 2.1

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.

English language requirement – Partner and child

Anyone aged between 18 and 65 applying for settlement must demonstrate they have speaking and listening skills at 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 country
- 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, Appendix Innovator, Appendix Representative of an Overseas Business, Appendix T2 Minister of Religion, Appendix UK Ancestry and Appendix Global Talent:

- 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, INNF 39.1, INNF 39.2, MOR 35.1, MOR 35.2, ROB 36.1, ROB 36.2, ISP 37.1, ISP 37.2, SCU 37.1, SCU 37.2, SW 44.1, SW 44.2, UKA 34.1, UKA 34.2.

Knowledge of Life in the UK requirement – Partner and child

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, INNF 40.1, MOR 36.1, ROB 37.1, ISP 38.1, SCU 38.1, SW 45.1, UKA 35.1.

Related content

[Contents](#)

Grant permission: dependent partner or child

This section tells you how to grant permission for dependants.

eVisas

Applicants who are able to apply using the 'UK Immigration: ID Check' app will receive an eVisa (a digital record of their immigration status) as evidence of their permission. Those applicants who receive an eVisa and are [visa nationals](#) will also be issued with a physical document (Entry Clearance / Biometric Residence Permit).

Other applicants who are not eligible or cannot use the 'UK Immigration: ID Check' app will continue to be issued with a Biometric Residence Permit (BRP) and will not receive an eVisa.

If the entry clearance application is successful and the person will be issued with a BRP, they must be given a 90-day visa to allow them to collect their BRP after they have arrived in the UK.

Duration of grant

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 – except on UK Ancestry where grants are in line with the lead applicant.

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 on the following routes: T2 Minister of Religion, International Sportsperson, Global Talent, Innovator, Scale-up 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, International Sportsperson, Global Talent, Innovator, Scale-up 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
- can work in the UK, apart from the restriction explained below
- can study, subject to the ATAS condition in [Appendix ATAS if the applicant is over the age of 18](#)

For more information, see:

- public funds

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:

- Global Business Mobility - GLOBAL BUSINESS MOBILITY PARTNER
- Global Talent - GLOBAL TALENT MIGRANT PARTNER DEPENDANT
- High Potential Individual – HIGH POTENTIAL INDIVIDUAL PARTNER

- Innovator - INNOVATOR PARTNER DEPENDANT
- International Sportsperson - INTERNATIONAL SPORTSPERSON PARTNER
- Representative of an Overseas Business - TO ACCOMPANY/TO JOIN PARTNER
- Scale-up – SCALE-UP PARTNER
- Skilled Worker - SKILLED WORKER PARTNER
- Skilled Worker Health & Care - SKILLED WORKER PARTNER HEALTH & CARE
- Start-up - START UP PARTNER DEPENDANT
- Temporary Worker - All categories - TEMPORARY WORK PARTNER
- T2 Minister of Religion - TIER 2 PARTNER
- UK Ancestry - UK ANCESTRY – 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:

- GLOBAL BUSINESS MOBILITY CHILD
- GLOBAL TALENT MIGRANT CHILD DEPENDANT
- HIGH POTENTIAL INDIVIDUAL CHILD
- INNOVATOR CHILD DEPENDANT
- INTERNATIONAL SPORTSPERSON CHILD
- TO ACCOMPANY/TO JOIN PARENT(S)
- SCALE-UP CHILD
- SKILLED WORKER CHILD
- SKILLED WORKER CHILD HEALTH & CARE
- START UP CHILD DEPENDANT
- TEMPORARY WORK CHILD
- TIER 2 CHILD
- UK ANCESTRY - CHILD

Related rules

Duration - Partner

CRV 19.1, CW 18.1, GAE 21.1, GT 24.1, HPI 19.1, IA 31.1, SNR 23.1, GTR 23.1, UKX 23.1, SSU 23.1, SEC 21.1, INN F 32.1, MOR 27.1, ROB 30.1, RW 18.1, ISP 29.1, SU 22.1, SCU 29.1, SW 36.1.

Duration – Children

CRV 19.2, CW 18.2, GAE 21.2, GT 24.2, HPI 19.2, IA 31.2, SNR 23.2, GTR 23.2, UKX 23.2, SSU 23.2, SEC 21.2, INN F 32.2, MOR 27.2, ROB 30.2, RW 18.2, ISP 29.2, SU 22.2, SCU 29.2, SW 36.2.

Duration – Partner or Children

UKA 27.1, UKA 27.2

Conditions

CRV 19.3, CW 18.3, GAE 21.3, GT 24.3, HPI 19.3, IA 31.3, SNR 23.3, GTR 23.3, UKX 23.3, SSU 23.3, SEC 23.3, INNF 32.3, MOR 27.3, ROB 30.3, RW 18.3, ISP 29.3, SU 22.3, SCU 29.3, SW 36.3, UKA 27.3.

Related content

[Contents](#)

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 the Dependant refusal wording document.

Related content

[Contents](#)