



Home Office

# **Grenfell Tower – Relatives (guidance on handling extensions of leave from relatives of those directly affected by the Grenfell fire)**

Version 6.0

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# About this guidance

This guidance tells UK Visas and Immigration staff how to consider requests for extensions of stay under the Grenfell relatives' policy and provides clarity to those relatives who seek to extend their stay in the UK until 30 April 2024 when the policy will close.

The Grenfell relatives' policy is for family of those directly affected by the Grenfell Tower fire who:

- were granted leave to enter outside the Immigration Rules to support a survivor of the fire or make funeral arrangements for a victim of the fire
- wish to extend their stay beyond an initial or subsequent period of 6 months, because they were called as a witness or had core participant (CP) status in the Grenfell Tower Public Inquiry

The specific Grenfell relatives' policy, however, does not apply to all relatives. This guidance does not cover:

- relatives of those who were not directly affected by the fire
- those applying for settlement under the Survivors Settlement Policy
- those who do not fall within one of the categories set out in ['who can be considered under this policy'](#)

Those who do not fall within the specific Grenfell relatives' policy may instead wish to consider whether they meet the requirements for leave to remain under a different immigration category. Further information on immigration routes can be found on the [visas and immigration pages of GOV.UK](#).

## Contacts

If you have any questions about this guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors, then email the Family Policy 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 you can email the Guidance Rules and Forms team.

## Publication

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

- version **6.0**
- published for Home Office staff on **07 November 2023**

## Changes from last version of this guidance

To allow relatives to extend their leave for a final time under the policy until 30 April 2024.

**Related content**

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# Relatives of those directly affected by the Grenfell Tower fire

## Background

The devastating fire which took place on 14 June 2017 at Grenfell Tower in West London was a national tragedy. The Home Office recognised that those directly affected by the fire, in some cases, needed support from family members and expedited visit visa applications and applied visa waivers to allow family to come to the UK in the immediate aftermath of the fire. Some family members who were outside the UK needed to come to the UK to arrange funerals for those who lost their lives, or to provide support to those directly affected by the fire. The Home Office acted swiftly to ensure that families were able to provide and receive support whilst they dealt with the effects of these terrible events. A small group of relatives who were not able to meet the requirements for entry clearance were granted short periods of leave to enter outside the Immigration Rules.

On 11 October 2017, a Grenfell relatives' policy was announced to allow those granted less than 6 months' leave to enter outside the Immigration Rules to extend their stay to a total period of 6 months from their date of entry to the UK. The policy has subsequently been extended to provide for relatives who were called as witnesses, or held core participant (CP) status in the Public Inquiry, to extend their stay for periods of up to 6 months at a time.

The government was determined that we would do all we could to support the Public Inquiry and ensure that all those who were required to provide evidence in person, or who needed to be in the UK to participate, were able to do so.

The grant of 6 months' leave was to enable relatives to participate in the Public Inquiry. The Inquiry has now concluded hearings for Phase 2 (the final phase) and the Inquiry team has indicated it hopes to publish the Phase 2 report in 2024.

It is important that policy relating to a specific event is applied in a consistent and equitable way to all. To make the process of extending stay as straight forward as possible for those who wish to remain on an ongoing basis, relatives can request an extension of stay in-person, without having to complete an application form and without having to pay fees and charges. These arrangements have been made on an exceptional basis due to the terrible and unique circumstances of the fire.

**The Grenfell relatives' policy is an exceptional and time-limited policy which does not provide for all relatives of those directly affected by the Grenfell Tower fire.** Where the Grenfell relatives' policy does not apply to an individual, or where someone who has had leave under it wishes to remain in the UK beyond 30 April 2024, they must make a valid application for leave. Leave sought by relatives will be considered in accordance with the relevant Immigration Rules or leave outside the Immigration Rules policies in force at the relevant time.

A relative who makes a valid application, does not meet the requirements to be granted on another basis but falls to be granted a period of leave outside the Immigration Rules on Grenfell grounds, will be granted leave in-line with this policy.

Further information on other immigration routes can be found on the [visas and immigration pages of GOV.UK](#).

## Policy intention

This guidance is intended to provide clarity to relatives of those who have been directly affected by the fire regarding their immigration status.

Where a relative seeks to remain on a different basis, for example, as a partner of a British citizen, or settled person or person in the UK with refugee leave, they can [apply on the basis of family life and exceptional circumstances](#).

## Who can be considered under the Grenfell relatives' policy?

The specific Grenfell relatives' policy allows relatives of those directly affected by the Grenfell Tower fire to enter or remain in the UK outside the Immigration Rules.

The Grenfell relatives' policy applies to a relative of a person directly affected by the Grenfell fire who was granted a period of entry outside the Immigration Rules of less than 6 months, following an application for entry clearance or a visa waiver where:

- they were required to stay for up to 6 months from their date of entry to the UK to provide ongoing care to their relative in the UK who was directly affected by the fire
- there was a delay in their ability to make funeral arrangements for someone who died in the fire

The policy also allowed for relatives who were called as a witness or held CP status in the Public Inquiry to have their leave extended for periods of up to 6 months at a time, irrespective of their previous category of leave or immigration status.

Leave may be granted, for a final time, up to 30 April 2024 under the policy where a person shows that they are a relative of a person directly affected by the Grenfell Tower fire, and they have participated in the Public Inquiry.

## Categories excluded from the Grenfell relatives' policy

The following categories are excluded from a grant of leave under the Grenfell relatives' policy because of its specific application to the unique circumstances of the Grenfell fire and because it is in the public interest to apply this approach to maintain confidence in the immigration system:

- any Foreign National Offender, such as those subject to deportation proceedings or whose continued presence in the UK has been determined by the Home Office to be not conducive to the public good
- any person who, if they were to apply for asylum, would fall for exclusion under Article 1F of the Refugee Convention
- any person subject to Terrorism Prevention and Investigation Measures
- any person currently subject to a Deportation Order (including those appealing a Deportation Order)
- any person for whom there are concerns about criminality, character or associations, including extremist behaviour
- any person who has failed security checks
- any person who has refused to supply their biometrics
- anyone in the UK with leave under or outside the Immigration Rules who is not a relative of a person in the UK who was directly affected by the Grenfell Tower fire
- relatives who are in the UK who were granted, or seek to be granted, leave for other reasons unconnected to the Grenfell fire

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# Process to extend leave under the Grenfell relatives' policy

There are separate processes for relatives who are being considered under the Grenfell relatives' policy, and relatives who otherwise seek to remain under other immigration rules and policies.

**There is no application form or fee required for a person to be considered under the Grenfell relatives' policy.** Relatives or their representatives must email the relevant team to request an extension.

Subject to the completion of the relevant security checks, the decision on whether a person qualifies for leave under this policy will be made as soon as possible by a dedicated team dealing with these cases.

**Relatives who are outside the UK** who seek to enter, can apply for entry clearance as a visitor. They are required to make a valid application and pay the relevant fees and charges. A person who is a national of a country or territory whose nationals require visas to visit the UK should apply for a visit visa at their nearest Visa Application Centre: <https://www.gov.uk/find-a-visa-application-centre>.

A person who is a national of a country or territory whose nationals do not require a visa to visit the UK for up to 6 months, may apply to enter on arrival at the UK border.

All applicants will need to meet the requirements of [Appendix V: Visitor to the Immigration Rules](#).

Relatives should clearly set out their reasons for coming to the UK in their application.

**Relatives who are not eligible for leave in-line with the Grenfell relatives' policy or who have held leave in-line with the policy but wish to remain in the UK beyond 30 April 2024** must apply for leave to remain under existing immigration policies or leave the UK.

An application for leave to remain on the basis of Article 8 of the European Convention on Human Rights (ECHR) (right to respect for family and private life) can be made using the [FLR\(FP\)](#) application form.

Where the person applying cannot afford the fee, they may apply for a [fee waiver](#) using the application form.

Alternatively, an application on the basis of other ECHR grounds or for leave outside the Immigration Rules for compelling compassionate reasons, can be made using the [FLR\(HRO\)](#) application form.

## Conditions of stay



Relatives granted in-line with this policy will be granted leave outside the Immigration Rules until 30 April 2024 with a condition of no recourse to public funds, no work and no study.

Having a condition of no recourse to public funds means a relative is not able to claim most benefits or tax credits that are paid by the state. Further information can be found in the [public funds guidance](#).

Relatives granted leave in-line with this policy may, however, carry out a maximum of 30 days study on a:

- recreational course (not English language training)
- short-course (which includes English language training) at an accredited institution

provided that the study is not at a state funded school or academy.

All those granted leave in-line with this policy are expected to comply with the conditions of their stay and leave the UK when that leave expires or request an extension to stay in the UK before their leave expires. Those who remain in the UK without lawful immigration status may be considered as an overstayer. Requesting an extension of stay before their current leave expires prevents an individual from becoming an overstayer while they are awaiting a decision in-line with [section 3C of the Immigration Act 1971](#).

Relatives who hold leave in-line with this policy may travel in and out of the UK within the currency of that leave. A relative whose leave expires when they are outside the UK is required to apply for a relevant entry clearance visa to return and may otherwise return as a visitor.

**Relatives must explain if they need recourse to public funds to prevent destitution** each time they request an extension of stay. Relatives must provide information and evidence with their extension request. Relatives who hold leave can request a change of conditions to allow recourse to public funds where:

- they are destitute as defined in section 95 of the Immigration and Asylum Act 1999, or is at risk of imminent destitution
- there are reasons relating to the welfare of a relevant child which outweigh the considerations for imposing or maintaining the condition (treating the best interests of a relevant child as a primary consideration)
- they are facing exceptional circumstances affecting their income or expenditure

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# Consideration process

Given the circumstances, any application from relatives of a person directly affected by the Grenfell fire will be prioritised and decided by a dedicated team.

Where a Grenfell relative requests an extension of stay, you must consider the request in accordance with this policy guidance.

You must consider all grounds raised that relate to Grenfell as part of the case-by-case consideration.

Where consideration is necessary on other grounds, you must consider separate guidance relevant to the application that has been made, which may include guidance on ECHR Article 3 medical, discretionary leave ([discretionary leave \(GOV.UK\)](#)) or Article 8 family and private life 5-year ([chapter 8 appendix FM family members \(GOV.UK\)](#)), or 10-year ([appendix FM 10b family life as a partner or parent and private life 10 year routes \(GOV.UK\)](#)) partner, parent and private life guidance.

Where an applicant does not meet the requirements to be granted on another basis under these policies, you must go on to consider in accordance with the leave outside the Immigration Rules policy, ([leave outside the Immigration Rules \(GOV.UK\)](#)) if there are compelling compassionate grounds relating to the Grenfell fire, to warrant a grant of leave to remain outside the Immigration Rules. The Home Office will consider the exceptional or compassionate circumstances in any immigration case in which an individual has been affected by personal tragedy.

## How we will consider if the Grenfell relatives' policy applies

Subject to the provision of relevant information and completion of security checks, the decision on whether a person qualifies for leave in-line with the Grenfell relatives' policy will be made as soon as possible by a dedicated team.

## Destitution

Relatives who are destitute, or who are at imminent risk of destitution, must provide evidence of their financial circumstances and accommodation so that the condition of no recourse to public funds and no work is not applied or can be lifted in their case to avoid destitution.

The definition of destitution is: "they do not have adequate accommodation or any means of obtaining it (whether or not their other essential living needs are met), or they have adequate accommodation or the means of obtaining it but cannot meet their other essential living needs."

Relatives who are granted leave under this policy may request a change of conditions to prevent destitution. This request can be made by emailing the dedicated team.

You should refer to the Access to public funds guidance for further information on assessing whether access to public funds should be granted.

## **Biometric enrolment**

All people, including any dependants, considered under this policy are required to enrol their biometrics and pay any relevant fees and charges.

The results of biometric checks will be used to determine whether the individual falls to be excluded from consideration under the Grenfell relatives' or other immigration policies. Biometric information will be used and retained in accordance with powers contained within the Immigration (Biometric Registration) Regulations 2008, as amended.

Applications on a specified form, must include a completed biometric immigration document section for their application to be valid and complete.

Home Office staff will notify the individual of the location where biometrics can be provided and whether the enrolment will attract a fee.

No charge will be made for relatives who complete an extension request under the Grenfell relatives' policy.

## **Granting leave to remain**

The granting of leave to remain under the Grenfell relatives' policy is conditional on the relevant security, identity, biometric and eligibility requirements being met.

## **Length of leave and conditions**

Those who qualify for a final grant of leave in accordance with this policy will be granted until 30 April 2024.

Leave will be conferred on a biometric identity document.

Otherwise leave will be granted according to the relevant immigration routes' guidance and with relevant conditions.

## **Refusing leave**

All cases will be considered on their individual merits, in-line with the relevant policy. Where an individual fails to meet the requirements for a grant of leave, you must refer the decision to Family Policy.

## **Appeal rights and administrative review**

Refusal to grant leave under the Grenfell relatives' policy is not an appealable decision and cannot be considered for an administrative review. Other refusals may attract a relevant appeal right, depending on the type of application made.

## Family reunion

A person granted leave under the Grenfell relatives' policy may not sponsor a person to enter the UK.

## Removal action

Immigration Enforcement will not pursue removal action where the relative has an outstanding request for leave to remain in-line with the Grenfell relatives' policy, or where their valid application for leave has yet to be finally determined.

Relatives who are not granted leave to remain will be expected to apply under another immigration route or alternatively leave the UK.

## False claims

Any person who makes a false claim for leave in-line with the Grenfell relatives' or any other immigration policy must be referred to Immigration Enforcement to consider next steps in-line with existing policies and procedures for those trying to use deception to obtain leave. Making a false claim to obtain leave by deception is a criminal offence and may lead to prosecution.

## Recording statistics/CID

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