



Home Office

Unable to travel to a Visa Application Centre to enrol biometrics (overseas applications) (Interim)

Version 3.0

This is interim guidance setting out the policy on dealing with individuals who are applying to come to the UK who claim they are unable to travel to a Visa Application Centre safely.

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About this guidance

This interim policy guidance tells decision makers how they need to handle requests from individuals who are applying to come to the UK from overseas and claim it is too unsafe for them to travel to a Visa Application Centre (VAC) to enrol their biometrics. It replaces an earlier version that contained a test, which cannot be used to assess whether a journey is unsafe. This version does not contain that test and will be in place until new guidance is published.

Some individuals who are applying to come to the UK may request their application to be predetermined before they attempt to travel to a VAC or ask to be excused from having to attend a VAC to enrol their biometrics before travelling to the UK because they claim the journey to the VAC is unsafe. It is primarily aimed at individuals who are applying to join sponsoring family members in the UK, such as those who have protection status, settled in the UK or are British citizens, and may have been granted protection when they came to the UK.

In this guidance:

- **‘decision maker’ means:**
 - entry clearance officers
 - presenting officer
 - immigration or nationality decision maker acting on behalf of the Secretary of State
 - authorised person, within the meaning of section 141(5) of the Immigration and Asylum Act 1999
- **‘individual’ means:** applicants, claimants, representatives and any dependants
- **“biometric excuse” means** the individual is excused from attending a VAC to enrol their biometric information and the requirement to provide biometrics will be normally deferred until after the individual has been granted entry clearance and arrived in the UK
- **‘predetermination’ means** we assess the individual’s entry clearance application before they give their biometrics and if they meet the requirements of the relevant Immigration Rules a provisional decision is made, subject to the individual attending a VAC and enrolling their biometrics (where the pre-determination is positive, entry clearance will only be granted after biometrics are submitted and background checks are completed and there are no adverse results which would mean the individual does not meet the requirements of the Immigration Rules)

Contacts

If you have any queries about the guidance and your line manager or senior decision maker cannot help you or you think that the guidance has factual errors, then please email the Identity Security Policy Team with your comments.

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 **3.0**
- published for Home Office staff on **03 May 2024**

Changes from last version of this guidance

This guidance has been updated to:

- remove the subjectivity test in the unsafe journeys criterion (Criterion 2)

Related content

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Introduction

The purpose of the biometric enrolment is to record an individual's biometric information and seek to verify their claimed identity and undertake background checks on them.

Biometrics, in the form of fingerprints and facial images, **underpin** the current UK immigration system to support identity assurance and suitability checks on foreign nationals who are subject to immigration control. They enable comprehensive checks to be made against immigration and criminality records to identify those who pose a threat to our national security, public safety, immigration controls or are likely to breach our laws if they are allowed to come to the UK.

The biometrics we currently use (facial image and up to ten fingerprints) enable quick and robust identity assurance and suitability checks on foreign nationals' subject to immigration control, delivering 3 broad outcomes:

- establishing an identity through fixing an individual's biographic details (for example, name, date of birth, nationality) to biometric data
- verifying an individual accurately against an established identity
- matching individuals to other datasets (for example, against watchlists or domestic and international law enforcement fingerprint collections) to establish their suitability for an immigration product

Information about biometrics is contained in the policy guidance Biometric Information: introduction.

In most circumstances individuals are required to enrol their biometrics as part of their application for entry clearance, which normally consists of the individual's face and their fingerprints, unless exempt or excused. This is set out in the biometric enrolment guidance.

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Unable to travel to a Visa Application Centre (VAC)

This section sets out the process for individuals who are applying for UK entry clearance from overseas but who are unable to safely travel to any VAC, either in their own country or another country.

The following are the steps individuals should take before contacting UK Visas and Immigration (UKVI) to request we predetermine their application before they provide biometrics, or to excuse them from the requirement to attend a VAC to enrol their biometrics and defer the requirement to enrol their biometrics on or after their arrival in the UK. In most circumstances, individuals are required to attend a VAC to enrol their biometrics as part of their application for entry clearance to come to the UK.

Before contacting UKVI, individuals **must** seek to resolve any difficulties they have travelling to a VAC by exploring whether they can:

- delay their journey until it is safe to travel
- look to use an alternative VAC which they can travel to
- pay for a [Priority Visa or Super-Priority Visa \(PV or SPV\)](#), where available, if they require a quick decision
- where available, utilise the 'keep my passport while applying' (KMPWA) service where they need to travel back to their home country pending a decision on their application

Where the individual can use one or more of these options, they should do so, which may require them to withdraw their application and to restart the application process.

Individuals who are unable to travel to a VAC should not normally make an application until they are able to afford to travel safely to a VAC. In most circumstances, having to travel to a third country, including any additional expense that it requires, is not on its own a reason we would agree to predetermine an application or excuse them from the requirement to attend a VAC.

Individuals are expected to submit the application online and attend a VAC in that country or in another country that forms part of their journey to the UK at their own expense. They **must** be able to support themselves fully for the entire period before attempting to travel to the UK.

Where travel to a VAC in a preferred third country is not possible due to that country's border restrictions, they should normally either find an alternative VAC in a different location or wait until they can meet the border and immigration requirements of that third country.

Individuals must follow the online application process

Decision makers will not consider a request to predetermine an application or excuse individuals from the requirement to attend a VAC to enrol their biometric information if the appropriate online application for the type of permission being sought has not been completed, along with any relevant fees for the application properly and correctly paid. Decision makers will **not** be able to consider requests that are submitted outside of the online process.

If individuals decide to proceed to make an application for entry clearance even though they consider it is currently unsafe to travel to a VAC, they **must** complete the appropriate online application form for the type of permission being sought and pay the correct level of fee for the application. See the section on [Correct application route](#).

When individuals complete the online application form, they will be asked to select a VAC to provide their biometrics which **must** meet one of the following conditions:

- be in a country from where they would normally expect to commence their journey to the UK
- be in a location that has a VAC, which they can attend before travelling onwards to the UK
- be in the country closest to their current location which has a VAC (this should be selected even when they consider they cannot enrol their biometrics at any location)

Process for contacting UK Visas and Immigration (UKVI)

When individuals have completed the online application process on GOV.UK they will be taken to a commercial partner's (VAC operator) website to book a VAC appointment. This website includes information on how they contact the UKVI Contact Centre if they believe they are unable to attend a VAC within 240 days from submitting their application online.

When individuals contact the UKVI call centre, they **must** provide their application reference numbers and specify in their request whether they are requesting decision makers to either:

- predetermine their application before they decide whether to travel to a VAC to enrol their biometrics
- excuse them from having to attend a VAC to enrol their biometric information before they travel to the UK

Where an individual wants to make a different request from the one originally made, they **must** withdraw their application and submit a new application with the new request. For example, if the individual initially requested to be excused from attending a VAC but now wants their application to be predetermined, they **must** withdraw the initial application along with their request to be excused from having to attend a VAC to enrol their biometrics, and submit a new one, with a request for their

application to be predetermined. Where an individual requests for a predetermination and to be excused from the requirement to attend a VAC, the decision maker **must** write to them using the template letter to explain that they can only request either for their application to be predetermined or to be excused from attending the VAC to enrol their biometrics. Decision makers will only be able to process the request after they receive confirmation of whether the individual wants them to consider excusing the requirement to attend a VAC or for their application to be predetermined.

The UKVI Contact Centre will escalate the request to the relevant entry clearance decision making centre (DMC) for next steps. If the individual has not submitted an online application, decision makers must tell them to do this first and make their request once their online application is submitted. Decision makers **cannot** consider requests for applications to be predetermined or to excuse the individual from the requirement to attend a VAC without an application reference number which must be provided when making a request for an application to be predetermined or to be excused from attending a VAC.

Escalated requests will be allocated to the appropriate DMC decision makers, when this is found to be submitted alongside an application, who will consider requests to either predetermine an application before the individual attends a VAC to enrol their biometrics or whether to excuse the individual from having to attend a VAC to enrol their biometric information.

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[Correct application route](#)

Choose either for application to be predetermined or to be excused from attending a VAC

Biometric information: enrolment

Related external links

[Get a faster decision on your visa or settlement application: Applying from outside the UK - GOV.UK](#)

Casework process

Decision makers **must** use this process where individuals have submitted an online application and subsequently contacted the UKVI Contact Centre to inform them they are unable to travel to any Visa Application Centre (VAC) to enrol their biometric information but have stated they still want to come to the UK.

Correct application route

In most circumstances, decision makers **must not** consider any requests individuals make to either predetermine their application or excuse them from the requirement to attend a VAC to enrol their biometric information unless they have applied using the correct route for their circumstances and the correct application form for that route. If the individual appears to have applied on the wrong route or used an incorrect application form for their route, decision makers should notify them of this and ask if they wish to withdraw their current application. Applications made on the wrong form or where the wrong fee is paid may be liable to be treated as invalid and rejected without consideration.

Where the application is for leave outside of the rules (LoTR) an individual who is applying from overseas is required to use the form closest to their circumstances. Guidance on making LoTR applications is set out in the Leave outside the rules guidance. Where an individual wants an application fee to be waived, they must follow the Fees guidance.

Decision makers **must** take account of the status of the sponsor when considering whether the individual has used the correct application route to their circumstances. In most circumstances, the decision makers may treat an application as invalid and will not consider the request where the individual has used the [family reunion](#) application form and their UK based sponsor does not have protection status in the UK or is a British citizen as there are other application routes that are more appropriate.

Considering requests to predetermine an application or excusing the requirement to attend a VAC to enrol biometrics

It is the responsibility of the individual to set out whether they want decision makers to predetermine their application or to excuse them from the requirement to attend a VAC to enrol their biometrics before we assess their application. Individuals **must** provide evidence in support of their specific request and explain why other alternatives are not viable.

Decision makers **must** not agree to predetermine an application or excuse the individual from the requirement to attend a VAC to give their biometrics solely on the basis that they need an urgent decision on whether they can come to the UK, it is too difficult or expensive for them to travel to a VAC, or that the VAC is in an

inconvenient location. The expectation is that individuals should either resolve any challenges in coming to the UK themselves or delay their journey to the UK until they are able to travel to a VAC, including the ability to pay for travel to a VAC and to address any entry or exit requirements to enable them to travel to a VAC outside of the country they are located should they need to cross international borders.

Important principles

Any decision to predetermine or excuse an individual from the requirement to attend a VAC to enrol their biometric information should be an exceptional occurrence, because biometrics are an essential part of ensuring we protect the public. Decision makers **must** only offer to predetermine an application or excuse individuals from the requirement to attend a VAC to enrol their biometric information, where they meet the 4 criteria, where the individual's circumstances are personal to them, are so compelling as to be exceptional and there are no alternative options.

Any offer to predetermine the individuals' application or excuse individuals from the requirement to attend a VAC to enrol their biometric information should be justified and proportionate to enable them to complete their application to come to the UK. This means decision makers **will not** offer to excuse the requirement for individuals to attend a VAC in circumstances where predetermining their application would be sufficient. If the individual has sought to be excused from attending a VAC, they would have to withdraw their application and resubmit a new one if they want their application to be predetermined instead.

Decision makers **must not** offer to predetermine an application or excuse the requirement to attend a VAC to enrol biometric information in circumstances where individuals have no reasonable prospect of being able to travel to the UK. This includes circumstances where they are detained in prison, where they are unable to leave their country due to the prevailing circumstances there or where their circumstances are not compelling, such as they could travel to an alternative VAC location.

Related content

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[Requesting assistance](#)

Leave outside the rules

Fees guidance

Related external links

[Get a faster decision on your visa or settlement application: Applying from inside the UK - GOV.UK](#)

[Immigration Rules Appendix FM: family members](#)

Considering requests

Where individuals have [followed the online application process](#), completed their application and demonstrated to decision makers that none of the steps set out in [Process for contacting UKVI](#) are viable, decision makers **must** consider a request to predetermine their application or to excuse them from the requirement to attend a VAC to enrol their biometric information.

Decision makers **must** consider all 4 criteria listed below and only agree to predetermine an application or excuse individuals from the requirement to attend a VAC to enrol their biometric information where they can demonstrate they meet all 4 criteria as follows:

Four criteria

1. Individuals must satisfy a decision maker about their identity to a reasonable degree of certainty before coming to the UK.
2. They must provide evidence they need to make an urgent journey to a VAC that is [unsafe](#) based on the current situation within the area they are located and along the route where they would need to travel to reach a VAC to enrol their biometrics, and they cannot delay their journey until later or use alternative routes.
3. They must demonstrate their [circumstances are so compelling as to make them exceptional](#), which go beyond simply joining relatives who are living in the UK, for example, their UK based sponsor requires full-time care and there are no other viable alternatives to meet the sponsor's or their young children's needs.
4. They must confirm they are able to travel to any VAC if they want their application to be [predetermined](#), or where they are requesting decision makers to [excuse them from the requirement to attend a VAC](#) to enrol their biometrics, they need to explain why they cannot attend any VAC, but are able to travel to the UK.

Decision makers **must** consider whether the individual meets each of the 4 criteria and **must** provide written reasons for each criteria the individual has not provided sufficient evidence to demonstrate they meet the requirements.

The [4 criteria](#) are explained in greater detail in the following sections:

- [Establishing identity](#)
- [Unsafe journey](#)
- [Compelling circumstances](#)
- [Predetermining an application](#) or [Excusing the requirement to attend a Visa Application Centre](#)

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[Individuals must follow the online application process](#)

[Process for contacting UKVI](#)

Establishing identity

Decision makers **must** be able to satisfy themselves about the identity of individuals who are making an application to come to the UK to a reasonable degree of certainty before they travel to the UK. Individuals can usually achieve this by providing a valid travel document, such as a passport, and enrolling their biometric information which can be linked at a Visa Application Centre (VAC).

Before individuals can be granted entry clearance to come to the UK, decision makers **must** have a reasonable degree of certainty about their identity. This means decision makers **must** be able to complete all the available checks on the individual at their disposal and that there are no contra-indicators to suggest the claimed identity to be false.

Predetermination

Where individuals request decision makers to predetermine their application before they travel to a VAC, they need to satisfy decision makers to a balance of probabilities standard about their identity and nationality, so that they reach a point where, having undertaken an assessment of the claimed identity, decision makers are satisfied it is likely to be genuine. This can usually be achieved by the individuals providing documentary evidence, which can be high quality scanned images of documents, that can be authenticated against independent document image archives, such as PRADO.

This means the onus lies on the individuals to provide evidence of their identity that on balance is likely to establish their name, age and nationality so that background biographical checks can be made. Identity checks can be completed at the VAC, if decision makers agree to predetermine their application, to confirm, validate and lock-in their identity. This is to enable decision makers to have a reasonable degree of certainty about their identity.

Individuals must provide decision makers with evidence of their identity that establishes their identity exists and there are not any contra-indicators that would question its authenticity, and they are directly linked to the evidence, which cannot be used for anyone else. This is to enable decision makers to conduct some background identity and suitability checks on the biographical details the individuals provided to assess whether they pose a risk to public safety. In most circumstances this should be a valid travel document unless they have a reasonable excuse for not having one. In such, circumstances they can provide alternative evidence as set out in [Immigration Rules 34\(5\) and 34\(6\)](#).

Individuals **must** provide decision makers with satisfactory evidence of their identity so decision makers can consider their request to predetermine their application, which **must** include a facial photograph that meets the requirements set out in the biometric enrolment guidance and any other supporting evidence. This is to enable decision makers to identify the individual should they make subsequent requests for assistance or further applications.

In most circumstances, individuals should provide decision makers with a valid travel document, such as a passport, to enable them to determine the individual's claimed identity to a satisfactory standard. In circumstances where individuals have reasonable grounds for being unable to submit a travel document, they may exceptionally provide expired travel documents or other identification evidence that establishes their nationality and can be independently verified by a trusted third party. For example by comparing the document against a known record or template or an internationally available identity documentation image archive or by checking with the national document issuing authority, when it is appropriate to do so.

Where individuals' applications are predetermined and decision makers have informed them their application is likely to be successful, subject to them attending a VAC to provide their biometric information and background checks being completed, individuals **must** bring the **original** documentation they used to support their application to the VAC so that identity checks can be completed alongside any biometric enrolment appointment notification. Completion of biometric enrolments by individuals and background checks on them will allow the decision maker to assess whether they have a reasonable degree of certainty about the individuals' identity and their suitability in advance of making a decision to grant entry clearance to them before they come to the UK.

Excusing the requirement to attend a VAC

Where individuals request decision makers to excuse them from the requirement for them to attend a VAC to enrol their biometrics, they **must**, in most circumstances, satisfy decision makers to a reasonable degree of certainty about their identity and nationality, which is a higher standard than for predetermining applications. This means the onus is on the individual to provide verifiable identity documentation, which provides their name, age and nationality and can be directly linked to them by means of a facial photograph. This is because the earliest opportunity decision makers will have to obtain the individuals' biometrics and properly assess their identity will be after they have arrived in the UK.

Decision makers need to be satisfied based on consideration of the presented evidence following undertaking necessary checks that:

- the identity exists and belongs to a live individual
- the documentary evidence is authentic, valid, untampered and without defect
- the documentary evidence is linked to the individual
- there are no contra-indicators, which would provide decision makers with doubt about the claimed identity
- the document has been compared to independent reference databases, such as PRADO to confirm validity and authenticity

This is to enable decision makers to conduct background identity and suitability checks on individuals to assess whether they pose a risk to public safety. For example, a birth certificate on its own would not normally be sufficient to establish an individual's identity to a reasonable degree of certainty. While such a document establishes an identity exists, it does not necessarily mean it relates to the individual presenting it or that the individual is alive.

Individuals **must** provide decision makers with evidence of their identity to enable them to consider the individuals' request to excuse them from the requirement to attend a VAC to enrol their biometrics. This **must** include a document that contains a facial photograph that meets the requirement set out in the biometric enrolment guidance. This is to enable decision makers to identify the individual should they make subsequent requests for assistance or further applications, and to issue them with an entry clearance vignette where they have agreed to excuse them from the requirement for them to attend a VAC.

Individuals should provide decision makers with a valid travel document, such as a passport, to enable decision makers to determine their claimed identity to a reasonable degree of certainty. In most circumstances, it is unlikely individuals will be able to satisfy decision makers to a reasonable degree of certainty about their identity where they fail to provide a valid travel document. However, where an individual cannot provide adequate documentary evidence about their identity, it is open to them to provide satisfactory alternative evidence by other means. For example, an independent third party which is trusted by HM Government and can vouch for the individuals' identity.

Checking documents

Decision makers **must** follow the guidance provided by the National Document Fraud Unit when assessing the likely authenticity of the identification documents and whether they relate to the individual.

Decision makers retain the option to use other means to check the individuals' identity, to enable them to decide whether the individuals have satisfactory established their identity to a reasonable degree of certainty. The individuals **must** be willing to co-operate with any reasonable request that could enable them to establish their identity.

Unable to establish an identity

Where individuals fail to satisfy decision makers to a reasonable degree of certainty about their identity, decision makers **must** follow the process set out in the Refusal decisions section.

Related content

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Refusal decisions

Biometric information: enrolment

Forgery

NDFU forgery guides

PRADO

Identity checks and biometrics

Related external links

[Immigration Rules - part 1: leave to enter or stay in the UK - GOV.UK](#)

Unsafe journey

Decision makers **must** not normally agree to predetermine an application or excuse the requirement to attend a Visa Application Centre (VAC) just because individuals consider their journey to the VAC is unsafe. Individuals **must** demonstrate they would face an immediate and real risk of significant injury or harm if they were to attempt to travel to any VAC, including evidence they:

- face dangers in the area where they are located and along the route which where they would need to travel to reach a VAC to enrol their biometrics and there are no alternative routes they could use
- have an overriding need to travel urgently and cannot delay their journey
- are in an area of ongoing conflict or the area has become unsafe following a catastrophic natural disaster or where the way of travelling to any VAC is through an area of conflict and there are no alternative options available to them, but they are able to travel to a VAC
- needed to travel to an unsafe location, when they could have safely travelled to another place to provide their biometric information

Other factors decision makers must also have regard to when making that assessment include:

- vulnerabilities such as the individual is a lone female, they are frail or they are a young child with demonstrable evidence there is no protection available to them either by relatives, governmental or Non-Governmental Organisation (NGO) to assist them to travel to any VAC
- mental or physical health issues with demonstrable evidence this prevents them from travelling to any VAC but not travelling to the UK

Decision makers **must** consult a range of data sources when undertaking an assessment of the journey the individuals need to make to be able to attend any VAC, which may include NGO, open-source information, foreign government assessments and other government departments when considering the levels of risk that the individual may face attempting to travel to a VAC.

It will not be relevant to the assessment of whether a journey is unsafe that the Foreign, Commonwealth and Development Office (FCDO) advises UK residents against travel to the place where the individual or the VAC is located. Travel advice for UK residents is formulated with reference to factors that are not relevant to this guidance.

In most cases, decision makers **will not** agree to an individual's request to predetermine their application or excuse the requirement for them to attend a VAC to enrol their biometric information, unless the individual provides objective evidence that shows they would be at an immediate and real risk of significant injury or harm. It will not be sufficient to simply claim the journey to a VAC is dangerous. For example, decision makers are unlikely to consider concerns about a lack of reliable transportation, the quality of roads or general concerns the individual has heard

about the journey they would need to undertake to meet the definition of an unsafe journey.

Decision makers **will not** offer individuals arrangements that are impractical or unsafe, such as those that could place the safety of staff or third parties at risk of injury, illness, death or where the biometric enrolment could not be undertaken without risks to the individual, for example their data becoming identifiable by third parties such as foreign governments. In most circumstances, decision makers **will not** offer to predetermine an application or excuse the requirement to attend a VAC to individuals who had an opportunity to make an application and submit their biometrics in a safe location, or where individuals have placed themselves a risk of harm by travelling to a country that **does not** have an operational VAC.

Unable to evidence the unsafe journey criterion

Where individuals fail to satisfy decision makers they meet the unsafe journey criteria, the decision maker **must** follow the process set out in the Refusal decisions section.

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Refusal decisions

Compelling circumstances

Individuals **must** evidence they have demonstrable personal circumstances that are so compelling they are exceptional, such as where an individual has an urgent need to come to the UK and is facing difficulties beyond their control in travelling to any Visa Application Centre (VAC). Decision makers will not agree to predetermine an application or excuse the requirement to attend a VAC where individuals fail to provide evidence that they have a compelling reason for coming to the UK, beyond seeking to join family settled in this country.

Individuals **must** explain why they cannot wait until their circumstances have changed before they attempt to travel to a VAC.

Assessing compelling circumstances

In most circumstances, decision makers should **not** regard individuals' circumstances as being compelling unless they are applying to join family who are sponsoring them to join them in the UK and they consider the sponsor's rights under Article 8 of the European Convention on Human Rights (ECHR) are potentially engaged. In addition, these family members who the individuals they are seeking to join in the UK should have protection status to stay; be settled in the UK or are British citizens **and** the individual has an urgent need to travel to the UK as set out in this guidance.

When assessing whether an individual has compelling circumstances, decision makers **must** consider the circumstances of the sponsor in the UK, such as any rights they have under Article 8 of the European Convention on Human Rights (ECHR). Decision makers must refer to the guidance on family and private life, when considering the impact on the sponsor.

Where a decision maker considers an individual meets the criterion for compelling circumstances, it does **not** mean that these circumstances would be considered exceptional or serious for the purposes of the application for entry clearance. This requires separate consideration. In other words, the individual may raise Article 8 ECHR as part of their request, which may be engaged for the purposes of this guidance, but when considered when a full consideration of the entry clearance application is made, it may be decided that a refusal of entry clearance would not result in a breach of Article 8 ECHR. The purpose of the decision is solely to determine whether the individual's circumstances in relation to the journey to a VAC are so compelling that they should not be required to attend or should be entitled to a pre-determination before doing so. Any decision to predetermine an application or not to require an individual to attend a VAC to enrol their biometrics will not form part of the consideration for the entry clearance application, including whether Article 8 is engaged.

Sponsor's situation

Where individuals state they urgently need to travel to the UK because of their sponsor's situation, they **must** provide evidence to explain why they cannot delay their journey. Examples where individuals could demonstrate they need to travel could include:

- individuals who need to provide urgent care to their sponsor, because of the sponsor having an acute disability or significant illness
- they need to care for their sponsor's young children in the UK who have an acute disability or significant illness, because no other support is available to the sponsor or their children

Decision makers **must** take account of the severity of the illness or disability, such as the type of care the individual requires and whether it is likely to be ongoing when considering whether the circumstances are compelling. For example, the individual may be in receipt of palliative care, or they cannot be left alone because they would be at risk of injury.

Individual's situation

Individuals who state they need to join their UK sponsor, **must** provide evidence they are unable to look after themselves and do not have any support available to them, such as from relatives, governmental authorities or Non-Governmental Organisations (NGOs). For example:

- unaccompanied young children who are unable to look after themselves and there are no other close relatives or other forms of governmental or NGO support in their home country to look after them other than the sponsor who is living in the UK
- individuals who are victims of transnational marriage abandonment and are being denied access to their young children who remain with their partner in the UK

Non-compelling circumstances

Decision makers **would not** normally consider the following types of scenarios to be compelling:

- individuals who are applying to visit, study, for an EU settlement scheme family permit or work in the UK, who could choose to either delay their journey to the UK or seek to study or work elsewhere
- a spouse of a sponsor in the UK who does not require care, as many other spouses need to wait to join their partners regardless of whether they face an unsafe journey
- individuals who could have avoided travelling to a conflict zone and instead could have travelled safely to a VAC

Unable to evidence circumstances that are so compelling as to make them exceptional

Where individuals fail to satisfy decision makers that they face circumstances so compelling as to make them exceptional, decision makers **must** follow the process set out in the Refusal decisions section.

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Refusal decisions

Biometric enrolment

Family members and private life

Predetermining an application

This section tells decision makers how to consider requests by individuals to predetermine their application for entry clearance where they have provided satisfactory evidence that they meet all [4 criteria](#).

Some individuals may request decision makers to predetermine their application before they attend a Visa Application Centre (VAC) to enrol their biometric information, so they know whether their application is likely to be granted based on eligibility before they travel to the VAC. This is particularly likely where individuals can cross international borders to travel to a VAC but want to avoid risking an unnecessary unsafe journey.

The purpose of predetermining an application is to enable individuals to assess the risks of making an unsafe journey before travelling to a VAC. It is not intended to be used for the purposes of aiding other authority exit permits or entry visa requirements to enable individuals to travel to other countries. Predetermined decisions **must** not be seen as confirmation that individuals are guaranteed onwards travel to the UK. Decision makers will disregard any requests for an application to be predetermined where the individual **cannot** confirm they are able to travel to a VAC, including crossing any international borders where required to travel to a VAC.

Able to travel to a VAC

Where individuals request their application is predetermined, they **must** confirm that they will be able to travel to any VAC to enrol their biometric information within 240 days of submitting their online application, before they travel to the UK if they are informed the decision maker is minded to grant their application subject to satisfactory biometric and biographic background checks. Where individuals fail to comply with this requirement their application may be disregarded under the [Immigration \(Biometric Registration\) Regulations 2008](#).

Decision makers **will not** be able to guarantee individuals safe passage to a VAC or provide them with assistance to enable them to cross international borders. Individuals **will** be responsible for meeting any associated travel and accommodation costs that arise from having to wait for checks to be completed and entry clearance documents to be issued to them.

Notifying the individual

Where decision makers decide to predetermine an application and individuals are informed that they meet the eligibility requirements so that their application is likely to succeed, the individuals will still need to make their own arrangements to travel to a VAC to enrol their biometric information to complete their application. The notification **must** make it clear that the individuals cannot have any expectation their entry clearance will be granted and their application will not be fully decided until their biometric information is enrolled and background identity and security checks are completed.

Where decision makers decide to predetermine an application and the individuals' application falls for refusal on eligibility grounds, regardless of whether they applied for leave under the Immigration Rules or for leave outside of the rules, decision makers **must** refuse the application, which may attract a right of appeal where applicable. Decision makers **will** normally require individuals to enrol their biometric information, where a court has ordered the Secretary of State to reconsider their application following an appeal.

Approval

Where decision makers recommend predetermining an application for entry clearance, this must be authorised by an official, who is of at least deputy director grade (grade 5 or above) and is responsible for the decision-making team that is considering the request.

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Any decision to issue an entry clearance is subject to the individuals attending a VAC to enrol their biometrics within 240 days of submitting their application and the satisfactory completion of background identity and security checks.

Where individuals are informed their predetermined application is likely to be successful, they **must** bring the original identification documentation they scanned and submitted as digital images when they attend a VAC to enrol their biometric information. They **must** also bring any travel documents, such as a passport, they may have obtained since being informed their application is likely to be successful. This will enable decision makers to complete any checks on them and on their documents to confirm their identity to a reasonable degree of certainty.

Where individuals have since obtained a valid travel document after they have their application predetermined, but before they travel to the UK, they must bring it to the VAC, so that identity checks can be completed and where entry clearance is issued the vignette can be fixed to their travel document.

After individuals have attended a VAC and enrolled their biometric information, and decision makers have completed any outstanding background identity and security

checks, they can consider the application in the normal way. Decision makers **must** consider the results of the biometric checks and consider whether the individual meets the identity and suitability requirements prior to making a final decision on their application.

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Post-appeal actions

If individuals make a successful appeal against the decision to refuse their application for entry clearance, they will still be required to attend a VAC to enrol their biometrics. This is to enable background identity and suitability checks to be completed on them prior to an entry clearance being issued. Where an entry clearance post-decision decision maker identifies that an applicant who has not yet enrolled biometrics is successful at appeal, they must contact the individual to co-ordinate attendance at a VAC.

Decision makers will only issue an entry clearance vignette to an individual whose appeal was successful once they have attended a VAC to enrol their biometrics and the satisfactory completion of background checks that confirm there are no reasons which would have adversely affected the decision to allow the individual's appeal, such as failure to disclose relevant information.

Failure to attend a VAC

Individuals who fail to attend a VAC to enrol their biometrics following a positive predetermination of their application within 240 days of submitting their online application will, in most circumstances, have their application rejected for failing to comply with the requirement to provide their biometric information. Individuals who request their application to be predetermined are required to confirm they are able to attend a VAC to enrol their biometrics within 240 days of submitting their online application if they receive a positive indication their application is likely to be successful.

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In circumstances that are so compelling as to be exceptional, decision makers can treat the application as withdrawn and refund the individual so they can make a fresh application, so long as individuals inform decision makers before the 240-day period ends. This must be on the basis individuals are physically unable to attend any VAC and the circumstances are unforeseeable. For example, they are physically unable to attend any VAC because they were urgently rushed to hospital for life-saving treatment or were involved in a serious accident that required a prolonged stay in a hospital.

Related content

[Contents](#)

[Four criteria](#)

Agree to predetermination' template

Offer wording

Template letter for failing to enrol biometrics

Leave outside of the rules

Related external links

[The Immigration \(Biometric Registration\) Regulations 2008 \(legislation.gov.uk\)](#)

[Immigration Rules](#)

Excusing attendance at a Visa Application Centre

This section tells decision makers how to consider requests to excuse the requirement for individuals to attend a Visa Application Centre (VAC) to enrol their biometric information, where they have provided evidence that they meet all [4 criteria](#), set out in this guidance. In most circumstances, decision makers **must** only agree to excuse the requirement for individuals to attend a VAC to enrol their biometric information as a last resort.

A few individuals may have circumstances that are so compelling as to make them exceptional, which go beyond the need to enrol their biometrics before they travel to the UK and not to excuse them from the requirement would significantly disproportionately affect the sponsoring relative based in the UK, if they are prevented from coming to the UK and they meet all [4 criteria](#) to warrant excusing the requirement for them to attend a VAC. Individuals **will not** normally be excused from having to attend a VAC to enrol their biometrics solely because they have a UK sponsor. The individual **must** provide evidence they have an urgent need to come to the UK that overrides the need to ensure public safety.

Individuals **must** be able to demonstrate they face insurmountable barriers to attending any VAC and have exhausted all other options available to them, alongside evidence they meet the [4 criteria](#). In most circumstances, decision makers **must not** agree to excuse them from the requirement to attend a VAC to enrol biometric information where they consider the individuals could travel to an alternative VAC in relative safety, even if it would be more inconvenient or costly for them.

Ability to travel to the UK

In addition to individuals demonstrating they face insurmountable physical obstacles to attending any VAC, they **must** evidence that these barriers would not prevent them from travelling to the UK. For example:

- they are high profile individuals who could be identified if they attempted to attend a VAC placing themselves or VAC staff at risk of harm
- it is in the UK's national security interests to get them to the UK without being identified
- a UK police force has identified them as either vulnerable victims or witnesses and has requested decision maker to assist the individuals to come to the UK to assist with an investigation or prosecution of serious criminality and could be placed at risk of harm if they attended a VAC

Where individuals are unable to obtain their entry clearance documents the Secretary of State may be unable to assist the individual to travel to the UK, even if their application for entry clearance is otherwise likely to be successful.

In most circumstances, decision makers **must not** normally excuse the requirement for individuals to attend a VAC to enrol their biometrics on the basis they:

- do not hold suitable documentation to cross an international border into a country that hosts a VAC
- claim it is too expensive to travel to any VAC
- chose to make a journey to a location without a VAC and are now unable to travel onwards to a location where a VAC is available

As those factors are unlikely to be relevant to meeting the required threshold for excusing the requirement to attend a VAC.

Unable to evidence they can travel to the UK but not a VAC

Where individuals fail to satisfy decision makers that they can travel to the UK but face unsurmountable barriers to attend any VAC to enrol their biometric information, decision makers **must** follow the process set out in the Refusal decisions section.

Approval

Where decision makers are satisfied the individuals meet all [4 criteria](#) and that it is not at all possible for them to attend any VAC to enrol their biometric information before coming to the UK, even on route to the UK, decision makers may exceptionally agree to excuse the requirement for them to attend a VAC before coming to the UK.

Any recommendations to excuse the requirement for individuals to attend a VAC to enrol their biometrics **must** be approved by a Home Office minister.

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In most circumstances where individuals are applying to come and stay in the UK for more than 6 months and have been excused from having to attend a VAC, decision makers **must defer** the requirement to provide biometrics to enrol their biometric information until after they arrive in the UK.

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Documentation

Where decision makers excuse the requirement to attend a VAC to enrol an individual's biometrics, individuals **must** arrange for their identification documentation, such as their passport, to be sent to the VAC they would normally attend to provide their biometric information. This is to allow decision makers to complete background biographic identity and suitability checks on them. Where the decision maker approves the application they will issue the individuals with an entry clearance document, which will be valid for up to 90-days from the date of issue, except where the total permission granted does not exceed 6 months.

Issuing entry clearance vignettes

Decision makers **must** only send out entry clearance vignettes or any other identification documents where there are secure couriers or postal arrangements in the country the VAC is located and where the individuals are located. Entry clearance vignettes **must** be affixed to a travel document before they can be sent out, unless they are fixed to a Form for Affixing a Visa (FAV) where they **must** be collected by the applicant or their representative. Decision makers **must not** send out entry clearance vignettes or secure identification documentation, such as travel documents, where there is a significant risk of the documents not reaching the intended recipients, which could pose a security risk to the UK or expose the individuals to danger. Where individuals are unable to attend a VAC to collect their documents, they must agree alternative arrangements with decision makers.

The Secretary of State will be unable to facilitate travel to other countries to enable individuals to collect their entry clearance vignette (passport sticker) and any other submitted documents or influence a foreign government's border and entry requirements.

Applying for a biometric immigration document (BID) after arriving in the UK

Following the individuals' arrival in the UK **they must** apply for a BID, in the form of a biometric residence permit (BRP) before their entry clearance vignette expires so they can obtain evidence of their status when they are in the UK. Individuals who are given permission to come and stay in the UK for up to 6 months will not normally be required to enrol their biometrics after they arrive in the UK as they are not required to apply for a BID but may be required to do so upon their arrival at the UK's border.

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When individuals complete their application for the BID and enrol their biometric information, subject to satisfactory completion of background identity and security checks, decision makers must issue them with a BRP that sets out the conditions of their permission, including the full period of permission granted.

Individuals **must** provide decision makers with their residential address to enable them to send out their BRP.

Failure to enrol biometrics for a BRP

Where individuals who are excused from having to attend a VAC fail to apply for a BID after arriving in the UK, they will not normally be issued with a BRP until they comply with the requirement to enrol their biometric information.

Where individuals persistently fail to enrol their biometrics following their arrival in the UK, decision makers in the Biometric Immigration Document Management Unit (BIDMU) may consider imposing one or more of the sanctions set out in the "[Code of practice about the sanctions for non-compliance with the biometric registration regulations](#)", which may include imposing a financial penalty or varying or cancelling the individual's permission to stay in the UK.

Related content

[Contents](#)

[Four criteria](#)

Refusal decisions

Excusal notification template

Grant template

Biometric information: enrolment

Related external links

[Non-compliance with the biometric registration regulations - GOV.UK \(www.gov.uk\)](#)

[Immigration Rules Appendix FM: family members - GOV.UK](#)

Fees

This section explains to decision makers about whether to refund or retain any fees the individual has paid. Refunds for fees will be made in accordance with the Home Office Refunds policy.

Once decision makers have notified individuals that they have either agreed to predetermine their application or excuse them from having to attend a Visa Application Centre (VAC) before travelling to the UK, decision makers will not refund individuals' application fee under the Home Office Refunds policy if they decide not to proceed with their application. However, decision makers will reimburse any Immigration Health Surcharge payments individuals paid.

Decision makers will refund application fees where individuals have withdrawn their application before the decision maker has notified them their application will be predetermined, or before the decision maker has decided to excuse the individual from having to attend a VAC to enrol their biometric information before travelling to the UK.

Where the decision maker considers the application falls for refusal on eligibility grounds, no fees will be refunded as the application will have been determined.

This does not apply to fees paid in respect of visit visas, which normally **will not** be refunded as individuals should not be submitting applications when they are unable to travel to the UK.

Related content

[Contents](#)

Fees guidance

Refusal and rejection decisions

This section tells decision makers what to do if they refuse a request to predetermine an application or excuse the individual from the requirement to attend a Visa Application Centre (VAC) to enrol their biometric information.

Decision makers **must** provide a written explanation for each of the 4 criteria the individual fails to meet, so it is clear to the individual all the reasons you have refused their request for their application to be predetermined or for them to be excused from the requirement to attend a VAC.

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Treatment of application

Where decision makers refuse to predetermine the individuals' application or excuse the requirement for them to attend a VAC to enrol their biometric information, they will be expected to attend a VAC and enrol their biometric information within 240 days of submitting their application online.

Where individuals do not want to pursue their application, decision makers **will not** refund their application fee if they withdraw their application, or they fail to enrol their biometric information within 240 days of submitting their application once a decision has been made on whether to predetermine an application or excuse individuals from having to attend a VAC to enrol their biometrics.

Related content

[Contents](#)

Refusal wording

Rejection template

Related external links

[The Immigration \(Biometric Registration\) Regulations 2008 \(legislation.gov.uk\)](#)

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