



Home Office

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

Version 4.0

This guidance sets 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 policy guidance tells you how 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.

Some individuals who are applying to come to the UK may request that their application 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. This guidance is primarily aimed at individuals who are applying to join UK based sponsors who are family members, such as those who have protection status, are settled in the UK, or are British citizens.

In this guidance:

- **'you' means:**
 - decision maker
 - 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. The requirement to provide biometrics will normally be 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 we are likely to grant entry clearance, we notify them that we are minded to grant them entry clearance subject to them attending a VAC to enrol their biometrics and enabling us to complete background checks on them and their documents.

Scope

This guidance does not apply to individuals who are eligible to come to the UK under the Afghan Relocations and Assistance Policy (ARAP) or the Afghan Citizens Resettlement Scheme (ACRS).

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 **4.0**
- published for Home Office staff on **21 August 2024**

Changes from last version of this guidance

This guidance has been updated to:

- ensure the guidance reflects that there are residual discretionary powers
- remove the requirement to sequence predetermination and biometric excusal requests
- clarify the requirements for sending scans of identification documents
- remove exceptionality requirements from the unsafe journeys criterion
- provide clearer guidance on assessing compelling circumstances

Related content

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Introduction

The purpose of a biometric enrolment is to record an individual's biometric information, to seek to verify their claimed identity and to 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

Granting an individual a biometric excusal, such that they do not have to attend a Visa Application Centre (VAC) to enrol their biometrics prior to travelling to the UK, creates a heightened risk to our national security. By doing so, we lose the opportunity to identify individuals whose fingerprints are linked to terrorist activities or serious criminality until after they have arrived in the UK. In some cases, this could prove to be too late to protect the British public. Therefore, if an individual is suitable for a predetermination, then this must be offered instead. Biometric excusals should be limited in scope to reflect the strong public interest in protecting UK national security and public safety, as well as protecting the border. It is anticipated that biometric excusals will only be granted where the individual presents circumstances that are sufficiently compelling as to outweigh the wider and heightened public interest resulting from excusing the requirement to attend a VAC.

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.

Related content

[Contents](#)

Biometric information: introduction

Biometric information: enrolment

Requesting a predetermination or to be excused from having to attend a VAC

This section sets out the process for individuals who are applying for UK entry clearance from overseas but who have indicated in their application that they are unable to safely travel to any Visa Application Centre (VAC), either in their own country or another country and require you to either predetermine their application to enable them to decide whether to risk a journey to a VAC or to be excused from the requirement to attend a VAC to enrol their biometrics.

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 until 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

Before contacting UKVI, individuals are normally expected to resolve any difficulties they have face travelling to a VAC by exploring whether they can:

- delay their journey until it is safe to travel
- use an alternative VAC which they can safely 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. This 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 are expected to 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

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 should ordinarily 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](#).

Ordinarily, you should **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 being properly and correctly paid.

When individuals complete the online application form, they will be asked to select a VAC to provide their biometrics that meets one of the following conditions. These conditions are that the individuals are:

- in a country from where they would normally expect to commence their journey to the UK
- in or able to travel through a location that has a VAC, which they can attend before travelling onwards to the UK
- in a location that does not have a VAC - in which case, they should select the VAC that is closest to their current location even if they consider they cannot enrol their biometrics at that or any other 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 should provide their application reference number(s) and specify in their request whether they are requesting you either to:

- 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

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, you **must** tell them that they need to submit their online application before making their request.

Escalated requests will be allocated to the appropriate DMC which will consider the requests to either predetermine an application before the individual attends a VAC to enrol their biometrics or to excuse the individual from having to attend a VAC to enrol their biometric information.

Related content

[Contents](#)

[Correct application route](#)

Choose either for application to be predetermined or to be excuse 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

This section tells you about the process you must follow where a request for predetermination or biometric excusal has been received.

Correct application route

In most circumstances, individuals are expected to complete the online application form that is closest to the route for their circumstances. Where you consider the individual has applied on the wrong route or used an incorrect application form for their route, you should immediately notify them of this and ask if they wish to withdraw their current application and resubmit using the correct online application form.

Where the application is for leave outside of the rules (LOTR), an individual who is applying from overseas is expected 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 should follow the Fees guidance. You should not reject a request for a predetermination or biometric excuse solely because the individual has not used a form closest to their circumstances or paid the wrong fee. You must assess each case on its merits, taking account of the individual's circumstances.

Considering requests for predetermination or biometric excuse

It is the responsibility of the individual to set out whether they want you to either predetermine their application or to excuse them from the requirement to attend a Visa Application Centre (VAC) to enrol their biometrics before you assess their application. Individuals are expected to provide you with evidence in support of their request and explain why other alternatives are not viable. Where the individual requests that you consider both predetermination and biometric excuse, you **must** consider the request to predetermine the application before considering whether to excuse the requirement to attend a VAC.

Ordinarily, you **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, or 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 where they are located should they need to cross international borders.

Important principles

You **must** take account of the requirement to protect the public and the risk to national and border security when an individual makes a request to predetermine their application or to be excused from the requirement to attend a VAC to enrol their biometric information. This is because you will not be able to undertake a full range of background suitability checks until the person has enrolled their biometric information. You should only offer to predetermine an application or excuse an individual from the requirement to attend a VAC to enrol their biometric information, where they meet all [4 criteria](#) (detailed below) and there are no alternative options, such as travelling to an alternative VAC location or delaying their journey.

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 you should **not** offer to excuse the requirement for individuals to attend a VAC in circumstances where predetermining their application would be sufficient. If individuals sought to be excused from attending a VAC, they need to provide you with evidence that explains why predetermining their application would **not** address their circumstances.

Ordinarily, you 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 or where they are unable to leave their country due to the prevailing circumstances there.

Related content

[Contents](#)

[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](#)

Considering requests

Where individuals have followed the online application process, made their request in line with this guidance and demonstrated to you that none of the steps set out in [Before contacting UKVI](#) are viable for them, you **must** consider their request to predetermine their application or to excuse them from the requirement to attend a Visa Application Centre (VAC) to enrol their biometric information.

You **must** consider all 4 criteria listed below. In most circumstances, you must 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. Your decision needs to be compliant with Article 8 of the European Convention on Human Rights (ECHR).

You **must** balance the right to family life against the need to protect our national and border security and to reduce the risk of children being exploited or trafficked into the UK. The need to establish the individual's identity (criterion 1) is a factor that must be accorded significant weight. The reason for this is because without sufficient assurance on an individual's identity we cannot perform suitability checks on them or check whether they are vulnerable.

Four criteria

1. Individuals need to satisfy you about their identity to a reasonable degree of certainty before they come to the UK.
2. They need to provide you with evidence that they are required 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 need to demonstrate that their circumstances go beyond simply joining relatives who are living in the UK and that they outweigh the interests of national and border security. 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 need to confirm they are able to travel to a VAC if they want their application to be [predetermined](#) (Criterion 4a), or where they are requesting you to [excuse them from the requirement to attend a VAC](#) (Criterion 4b) to enrol their biometrics. They should explain why they cannot attend any VAC, but are able to travel to the UK.

You **must** consider whether the individual meets each of the 4 criteria. You **must** provide written reasons for each criterion where 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](#)

Related content

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

[Process for contacting UKVI](#)

Establishing identity (Criterion 1)

This section tells you about establishing the individual's identity.

In most circumstances, you **must** be able to satisfy yourself 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. Establishing identity from the outset is important for protecting our border and national security as it helps us to determine the level of risk an individual poses 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, you need to be satisfied to a reasonable degree of certainty about their identity. Ordinarily, this means you **must** be able to complete all the available identification checks on the individual at your disposal and you find **no contra-indicators** that raise suspicions about the authenticity of the claimed identity.

For criteria 1, there are 2 different thresholds for establishing an individual's identity:

- on the balance of probabilities for [predetermination \(Criterion 1a\)](#)
- to a reasonable degree of certainty for [excusing the requirement to attend a VAC \(Criterion 1b\)](#) to enrol biometric information

Predetermination (Criterion 1a)

Where individuals request you to predetermine their application against the relevant requirements of the Immigration Rules for the route they are applying under before they travel to a VAC, they need to satisfy you to a balance of probabilities standard about their identity and nationality. This enables you to reach a point where, having undertaken an assessment of their claimed identity, you are satisfied it is more likely than not to be genuine.

In most circumstances, individuals should be able to satisfy you about their identity to a balance of probabilities by providing you with documentary evidence. This can include high quality scanned images of documents, which clearly show all the information and any available facial image so it can be authenticated against independent document image archives, such as PRADO. It is for you to determine whether the copy is high quality enough to meet this check. This means all of the biographical information, such as names, date of birth, document number etc; must be readable and any facial image should be clearly visible and not blurred or covered. If you consider a copy is not of a high enough quality for you to complete your checks, you **must** write to the individual and give them an opportunity to supply a better-quality copy, before making your decision about their claimed identity.

This means the onus lies on the individual to provide you with evidence of their identity that, on balance, establishes their name, age and nationality so that you can complete background biographical checks on them. You can complete your identity checks on them after they attend a VAC, to enable you to confirm, validate and lock-

in their identity. This is to enable you to complete further checks on their documents and their biometrics so you can satisfy yourself about whether you have a reasonable degree of certainty about their identity.

Before you can offer to predetermine the individual's application, you need to be initially satisfied based on the presented evidence 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 you 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 you to conduct background identity and suitability checks on individuals to assess whether they pose a risk to our national security and to public safety before deciding the individual's application. 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 need to provide you with evidence of their identity that establishes their identity exists and there are no 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 you to conduct background identity and suitability checks on the biographical details the individual 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 need to provide you with satisfactory evidence of their identity so you can consider their request to predetermine their application, which in most circumstances **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 you to identify the individual should they make subsequent requests for assistance or further applications.

In most circumstances, individuals should provide you with a high-quality image of their valid travel document if they have one, such as a passport, to enable you to determine their claimed identity to a satisfactory standard. In circumstances where individuals have reasonable grounds for being unable to submit a travel document, they may provide you with an expired travel document or some other form of 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 you have predetermined individuals' applications and you have informed them that their application is likely to be successful, subject to them attending a VAC to provide their biometric information to enable you to complete background checks on them, they need to 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 you to assess whether you are satisfied to a reasonable degree of certainty about their identity and suitability ahead of you deciding whether to grant entry clearance to them before they come to the UK.

Excusing the requirement to attend a VAC (Criterion 1b)

Where individuals request you to excuse them from the requirement for them to attend a VAC to enrol their biometrics, they **must**, in most circumstances, satisfy you 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 you will have to obtain the individuals' biometrics (face and fingerprints) and properly assess their identity and suitability will be after they have arrived in the UK.

Because of the higher standard of proof required before you can excuse the requirement to attend a VAC, which is a reasonable degree of certainty, you can only complete the assessment under this criterion after you have informed the individual that you are prepared to excuse them from having to attend a VAC to enrol their biometrics, subject to completing checks on their travel documents.

Before you can offer to excuse the individual from the requirement to attend a VAC, you need to complete the same checks as required for predeterminations (Criterion 1a). You **must not** request the individual to submit any original identity documents to a VAC, unless you have approval to excuse them from the requirement to enrol biometrics.

This is to enable you to conduct background identity and suitability checks on individuals to assess whether they pose a risk to our national security and to public safety before making a decision on the individual's application. 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 need to provide you with evidence of their identity to enable you to consider their request to excuse them from the requirement to attend a VAC to enrol their biometrics. In most circumstances, 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 you to identify the individual should they make

subsequent requests for assistance or further applications, and to issue them with an entry clearance vignette where you have agreed to excuse them from the requirement for them to attend a VAC.

Individuals should initially provide you with a high-quality scan of their travel document, such as a passport, to enable you to determine their claimed identity is likely to be genuine. In most circumstances, it is unlikely individuals will be able to satisfy you to a reasonable degree of certainty about their identity where they fail to provide you with a valid travel document. You will only be able to complete the identity check after the individual has forwarded their passport to the VAC to be scanned and uploaded onto the casework system. This is set out at [Completing identity checks on documents](#).

However, where an individual cannot provide you with adequate documentary evidence about their identity, it is open to them to provide you with satisfactory alternative evidence. For example, another HM Government Department that has received training to assess identities or an independent third party which is trusted by HM Government and can vouch for the individual's identity.

Checking documents

You **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.

You retain the option to use other means to check the individual's identity, to enable you to decide whether the individual has satisfactorily established their identity to a reasonable degree of certainty. The individual **must** be willing to co-operate with any reasonable request you make that could enable them to establish their identity.

Unable to establish an identity

Where individuals fail to satisfy you to a reasonable degree of certainty about their identity, you **must** follow the process set out in the [Refusal decisions](#) section.

Related content

[Contents](#)

[Refusal decisions](#)

Biometric information: enrolment

Forgery

NDFU forgery guides

PRADO

Identity checks and biometrics

[Completing identity checks on documents](#)

Related external links

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

Unsafe journey (Criterion 2)

This section tells you how to assess whether a journey to any Visa Application Centre (VAC) is unsafe.

You **must** only agree to predetermine an application or excuse the requirement to attend a VAC where the individual meets the requirements set out below. Ordinarily, you **must** not agree to predetermine an application or excuse the requirement to attend a VAC just because the individual considers the journey to a VAC to be unsafe. Any decision to do so, **must** be balanced and weighed against HMG national security and public interests, and should be assessed on a case-by-case basis.

General principles

As a general rule, individuals **must** demonstrate that their planned journey to a VAC means they:

- need to travel urgently
- are in an area that is demonstrably unsafe because:
 - it has become unsafe to travel from or through following a catastrophic natural disaster
 - they are in a location where there is an ongoing conflict that affects any journey to a VAC
 - the way of travelling to any VAC is through an area of conflict and there are no alternative, safer options available to them
- there is no alternative option for them to travel to a VAC safely to enable them to provide their biometric information, regardless of the costs or inconvenience to them
- would face an immediate and real risk of harm if they attempt to travel to any VAC, but are able to travel to a VAC

In most circumstances, it will not be relevant to the assessment of whether a journey is unsafe whether the Foreign, Commonwealth and Development Office (FCDO) has advised 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.

Local circumstances

You **must** take account of the current situation where the individual is located. Some individuals may face more challenging journeys than others, even though they are starting their journeys from similar locations and needing to travel to the same VAC. For example, certain countries apply gender-based laws that can make travelling for some individuals more challenging than others such as, lone women in some countries may find it harder to reach a VAC because the local law where they need to travel requires women to be accompanied by a male relative who is deemed to be

an adult under that country's laws. Therefore, this requirement may vary from country to country and from individual to individual.

You **must** consult a range of data sources when undertaking an assessment of the journey an individual needs to make to be able to attend any VAC, which may include Non-Governmental Organisations (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.

You **must** take account of the following factors when assessing whether a journey is unsafe based on the location of the individual, which may include:

- whether the country or countries the individual needs to travel through would regard them or their dependants to be adults
- whether an individual is likely to be vulnerable based on their ethnicity, religion, age, gender, occupation and/or physical condition and the journey they would need to take to reach a VAC, based on their location and the journey they need to take
- there is demonstrable evidence the individuals have no protection available to them either through relatives, governmental or NGO assistance for them to travel to any VAC

You **must not** offer individuals arrangements that are impractical or unsafe, such as those that could place staff or third parties at risk of injury, illness or 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.

You need to consider whether individuals had the opportunity to make an application and submit their biometrics in a safe location prior to travelling to a location that is unsafe, or which does not have an operational VAC, when deciding whether to grant a predetermination. Similarly, you should consider whether individuals have knowingly, or unwittingly but avoidably, placed themselves at risk of harm by travelling to a country that **does not** have an operational VAC or is otherwise unsafe, prior to making a request for predetermination.

Children

You must take account of the needs of any children in the UK in line with your obligation under section 55 of the Borders, Citizenship and Immigration Act 2009.

While section 55 of the Borders, Citizenship and Immigration Act 2009 does not extend to children outside of the UK, you must take account of the needs of children, particularly those who are young and have family in the UK who would normally act as their primary carer if they were living together in the same country.

Unable to evidence the unsafe journey criterion

Where individuals fail to satisfy you that they meet the unsafe journey criterion, you **must** follow the process set out in the [Refusal decisions](#) section, if you are going to refuse the request.

Related content

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[Refusal decisions](#)

Related external links

[Foreign travel advice - GOV.UK \(www.gov.uk\)](#)

Circumstances of sponsors and individuals (Criterion 3)

This section tells you about how to assess the circumstances of individuals and their sponsor to determine whether you should agree to predetermine their application or excuse the requirement to attend a Visa Application Centre (VAC) to enrol biometric information.

The purpose of considering the individual's and their sponsor's circumstances under this policy is solely to determine whether the individual's circumstances in relation to the journey to a VAC warrant either predetermining their application to enable them to assess whether it is worth risking a journey to a VAC or being excused from the requirement to attend a VAC to enrol their biometric information.

Where you consider whether 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.

Ordinarily, you **should** only agree to predetermine an application or to excuse the requirement to attend a VAC to enrol biometric information where individuals provide you with evidence that they have compelling reasons, such as to look after a close relative in the UK who is unable to care for themselves and for whom no other support is available, for having their application considered this way. A desire to travel to the UK, or to join family settled in the UK is not, in isolation, usually sufficient as there are many other individuals who need to delay joining relatives in the UK for various reasons.

In most cases, an individual's circumstances will not be sufficiently compelling to meet the requirements to be excused from having to attend a VAC unless they are applying to join a direct family member in the UK and their journey cannot wait.

Individuals need to provide you with a satisfactory explanation of why they cannot wait until their circumstances have changed before they attempt to travel to a VAC.

Considering compelling circumstances

In most circumstances, individuals should demonstrate they are applying to join close relatives in the UK who are not only sponsoring them but also intend to look after them. The UK based sponsor's situation is the primary consideration in terms of considering Article 8 of ECHR and their needs for the individual to join them. A desire to travel to the UK, or to join family settled in the UK is not, in isolation, usually sufficient as there are many other individuals who need to delay joining relatives in the UK for various reasons.

In most circumstances, an individual's circumstances will not be sufficiently compelling to meet the requirements to be excused from having to attend a VAC or

receive a predetermination before doing so unless they are applying to join a direct family member in the UK and their journey cannot wait. The UK resident family members should either:

- have protection or stateless person status to stay
- be settled in the UK
- be British citizens

You **must** assess the individual's circumstances, including what impact a refusal to predetermine their application or to grant a biometric excusal may have on their Article 8 right to family life under the ECHR, taking account of their relationship with the UK based sponsor and the sponsor's Article 8 rights. Decision makers must refer to the guidance on family and private life, when considering the impact on the sponsor.

Ordinarily, you should not regard family life to be engaged where an individual is applying to join a sponsor in the UK, who is in the UK on a temporary basis, unless they have protection or stateless status.

Where there is a UK sponsor, you must consider the nature of the relationship between the sponsor and the individual. This means assessing the circumstances of the sponsor and each individual who is seeking to apply for entry clearance to come to the UK. Examples of compelling evidence of a family relationship, where there is evidence of dependency on each member, may include:

- a refugee parent, whose young child was left behind and is seeking to join them in the UK
- a British citizen, whose partner is outside of the UK and the relationship is ongoing
- an adult refugee, whose younger orphaned sibling is seeking to join them and there is evidence of an ongoing emotional relationship

You need to look for evidence of an ongoing relationship and reasons that explain why they have become separated. However, individuals and sponsors who are not able to demonstrate that they are dependent upon each other will not be normally able to show their circumstances are compelling.

You **must** assess the nature of a child's relationship with an adult to ensure you are acting in the best interest of that child and to ensure they do not become victims of trafficking or exploitation. You **must** pay particular attention to situations where a child is unrelated or only distantly related to the adult or where one of the adults is vulnerable. This is particularly important where you are considering whether to excuse providing biometrics at a VAC and background checks that might reveal information that could identify links to serious criminality, including offences against children.

Assessing each individual

You **must** assess each person who has made an application primarily against their relationship with the sponsor to consider compelling circumstances. Not everyone will have the same depth of relationship. It will depend on the nature of their relationship with the UK and any sponsor who is residing in the UK.

Sponsor's situation

Where individuals state they urgently need to travel to the UK because of their sponsor's situation, they **must**, in most circumstances, 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
- the need to care for their sponsor's young children in the UK who have an acute disability or significant illness, because no other support, including emotional support, is available to the sponsor or their children via governmental grants, charitable organisations or from other relatives in the UK
- the sponsor became separated from their young child and wants to be reunited with them
- the sponsor's mental health is under severe pressure and is linked to the separation from the individual

You **must** consider the likely impact on the sponsor if the individual is unable to join them in the UK, against the need to protect public safety, our national security, public health and our immigration laws.

Individual's circumstances

Individuals who say they need the care of the UK sponsor needs to provide evidence that demonstrates they are unable to look after themselves and either do not have any or only limited support available to them, such as from relatives, governmental authorities or Non-Governmental Organisations (NGOs) outside of the UK. This could include:

- 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 is of a strictly temporary or emergency nature that is not capable of being ongoing to look after them - ongoing support is unavailable other than from the sponsor who is living in the UK and is able to accommodate and look after them
- individuals who are victims of transnational marriage abandonment and are being denied access to their young children who remain with the child's other parent or carer in the UK
- they are part of a split household where the adult sponsor is in the UK along with some of the children, but other children including some who have a right to reside in the UK are outside of the UK with the sponsor's partner

- the individual is facing a significant risk of harm, because they are located in a conflict zone or a place where a catastrophic natural disaster has occurred, and they cannot travel to a VAC
- the individual is unable to travel to a VAC because of a protected characteristic, such as a young child who is too young to travel on their own
- the individual has other compelling links to the UK

Children

Where there are children in the UK, you **must** consider what their best interests are when considering whether to predetermine an application or excuse the requirement to attend a VAC to enrol biometrics, in line with your obligations under section 55 of the Borders, Citizenship and Immigration Act 2009.

You must factor this into your consideration when children form part of a sponsor's household. You must consider the impact of the individual joining a household that contains children. Relevant factors include the relationship of the individual to the children.

While section 55 does not extend to children outside of the UK, you **must** take account of the needs of children, particularly those who are young and have family in the UK who would normally act as their primary carer if they were living together in the same country.

Unable to evidence compelling circumstances

Where individuals fail to satisfy you that their circumstances warrant their application to be predetermined or to be excused from the requirement to attend a VAC to enrol their biometrics, you **must** follow the process set out in the [Refusal decisions](#).

Related content

[Contents](#)

[Refusal decisions](#)

Biometric enrolment

Family

Predetermining an application (Criterion 4a)

This section tells you how to consider requests by individuals to predetermine their application for entry clearance where they have provided satisfactory evidence that they meet the first 3 of the [4 criteria](#).

Some individuals may request you 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 should not be seen as confirmation that individuals are guaranteed onwards travel to the UK. In most circumstances, you **must** 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.

Where you **decide** to predetermine an application, it means you consider the individual's circumstances are sufficiently compelling for their application to be handled outside of the normal application process. Where you refuse to predetermine an application, you do **not** need to consider whether the entry clearance application itself would be successful, as this is a separate decision.

Where you decide to offer to predetermine the individual's application, it should not automatically follow that their circumstances will be sufficiently compelling or relevant in respect of meeting the requirements of their application for entry clearance. You **must not** conflate compelling circumstances to predetermine an application with the eligibility requirements for the immigration permission being sought by the individual.

Neither you or the Foreign, Commonwealth and Development Office are responsible for facilitating individuals to cross international borders. Where an individual claims they need their application to be predetermined to enable them to cross an international border to attend a VAC, they **must** provide evidence to support this.

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 you informed them you are 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](#).

You **must not** guarantee individuals safe passage to a VAC or provide them with any 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 you decide to predetermine an application and you inform the individuals that they meet the eligibility requirements so their application is likely to succeed, they will need to make their own arrangements to travel to a VAC to enrol their biometric information to complete their application. Your notification **must** make it clear that the individuals cannot have any expectation their entry clearance will be granted and that their application will not be fully decided until they have attended a VAC to enrol their biometric information, so you are able to complete background identity and security checks on them.

Where you decide to predetermine an application and the individuals' application falls for refusal on suitability or eligibility grounds, regardless of whether they applied for leave under the Immigration Rules or for leave outside of the rules, you **must** refuse the application, which will attract a right of appeal if you are refusing a human rights claim. For further detail see on human rights claims and rights of appeal see the Rights of Appeal guidance. In most circumstances, you **must** require individuals to enrol their biometric information which will normally be required for the allowed appeal to be implemented.

Approval

Where you recommend predetermining an application for entry clearance, this must be authorised by a senior manager, who is of at least deputy director grade (grade 5 or above) and is responsible for your team.

Official – sensitive: start of section

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Any decision to issue an entry clearance is subject to the individual 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 you 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 you have completed any outstanding background identity and security checks, you can consider the application in the normal way. You **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 of on them prior to an entry clearance being issued. Where an individual who has not enrolled their biometrics is successful at appeal, you must contact the individual to co-ordinate attendance at a VAC.

You **must** 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 compelling, you can treat the application as withdrawn and refund the individual so they can make a fresh application, so long as individuals have informed you 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

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[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 (Criterion 4b)

This section tells you 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 the first three of the [4 criteria](#), set out in this guidance.

In most circumstances, you **must** only agree to excuse the requirement for individuals to attend a VAC to enrol their biometric information, where the individual can satisfactorily explain how they can travel to the UK, but not to any VAC including any on route to the UK.

Some individuals may have circumstances that are so compelling that they outweigh the significant public interest in ensuring that biometric security and identity checks are carried out prior to them travelling to the UK, where not granting a biometric excusal would significantly and disproportionately affect the sponsoring relative based in the UK as the individual would be prevented from coming to the UK.

Ordinarily, they **must** meet all [4 criteria](#) to warrant excusing the requirement for them to attend a VAC. Individuals **will not** generally 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 for the Secretary of State to protect the border, our national security and ensure public safety. Given the importance of the public interest, such decisions can only be made by Ministers. If you consider the requirements are met, you must send a submission to a Home Office minister who has responsibility for immigration and citizenship recommending that a biometric excusal is granted.

Ordinarily, 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, you **must not** agree to excuse them from the requirement to attend a VAC to enrol biometric information where you consider the individuals could travel to an alternative VAC, even if it would be more inconvenient or costly for them. In such circumstances, you **must** consider whether they meet the 4 criteria to have their applications predetermined.

Where a Minister **decides** to authorise the individual to be excused from the requirement to attend a VAC to enrol biometric information, you will be making a substantive decision on the individual's application for entry clearance without completing all the suitability checks as they will not have enrolled their biometric information prior to arriving in the UK.

Ability to travel to the UK

In addition to individuals demonstrating they face insurmountable physical obstacles to attending any VAC, they **must** provide you with 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 you 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, you **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

These 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 you that they can travel to the UK but face unsurmountable barriers to attend any VAC to enrol their biometric information, you **must** follow the process set out in the [Refusal decisions](#) section.

Approval

Where you are satisfied the individuals meet the requirements to be excused the requirement to attend a VAC, and you are satisfied 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, you **must** obtain approval from a Home Office minister before notifying them of your decision to excuse them from the requirement to attend a VAC before they travel to the UK.

Completing identity checks on documents

Where you have notified the individual that you have agreed to excuse them from the requirement to attend a VAC, they need to submit their travel document to a VAC to enable an entry clearance vignette to be fixed into the document. VAC staff will inspect the document before taking a scan of the document using the tri-scan system. They will alert you if they have any concerns about the document, including whether the document may have been tampered with. You **must** compare the scanned images of the document against images on a document image archive.

Where you have concerns about the document, you **must** refer the matter to a forgery officer to enable you to confirm whether you can have a reasonable degree of certainty about the claimed identity. A travel document that appears to be forged or counterfeit will normally undermine the claimed identity.

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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, you **must defer** the requirement to enrol their biometric information until after they arrive in the UK.

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Documentation

Where you 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 you to finish assessing their identity and conduct background biographic suitability checks on them. Where you approve 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

You **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 individual or their representative. You **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 individual, 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 you.

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 individual's 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, you **must** issue them with a BRP that sets out the conditions of their permission, including the full period of permission granted.

Individuals **must** provide you with their residential address to enable you 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, you 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

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[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 you 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.

Individuals who have applied for a visit visa and paid a fee **will not** normally be refunded as they should not be submitting applications when they are unable to travel to the UK.

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

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

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

Related content

[Contents](#)

Fees guidance

Refusal and rejection decisions

This section tells you what to do if you 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.

You **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 predetermination or for them to be excused from the requirement to attend a VAC.

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Treatment of application

Where you refuse to predetermine the individual's 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, you **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

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Refusal wording

Rejection template

Related external links

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

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Official – sensitive: end of section

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