

UK/European Applicant Transfer Scheme

Version 1.0

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Closure of the scheme

About this guidance

This guidance tells decision makers how to manage and decide applications under the UK/European Applicant Transfer Scheme.

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you, or you think that the guidance has factual errors, then email the International Migration Unit France Team.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Review, Atlas and Forms team.

Publication

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

- version 1.0
- published for Home Office staff on 7 August 2025

Changes from last version of this guidance

This is a new piece of guidance.

Related content

Introduction

This section tells you about the background of the pilot arrangement on the prevention of dangerous journeys and the application process of the UK/European Applicant Transfer Scheme.

Use of this guidance

This guidance must be used for all decisions made under the UK/European Applicant Transfer Scheme.

Other information about this guidance

Within this guidance there are links to the Migration and Borders Guidance platform that are shown as an 'internal link', otherwise links are to the same guidance published on GOV.UK for external access.

Background

The UK Government, in partnership with France, has agreed to pilot a novel approach to the prevention of dangerous journeys to the UK. Under the pilot arrangement, the UK will remove and readmit individuals who undertake dangerous journeys to the UK, to France. In addition, the Secretary of State for the Home Department will transfer an equivalent number of people from France to the UK under the UK/European Applicant Transfer Scheme.

Individuals wishing to come to the UK under the pilot arrangement are required to make an Expression of Interest application to the UK/European Applicant Transfer Scheme.

Legislation

Appendix UK/European Applicant Transfer Scheme (UEATS) of the Immigration Rules provides the legal framework for people who are eligible to be granted permission and transferred to the UK under the UK/European Applicant Transfer Scheme.

Related content

The application process

The UK/European Applicant Transfer Scheme application process consists of 2 stages.

Stage 1: Expression of Interest application

A person will submit an Expression of Interest application under the UK/European Applicant Transfer Scheme using the specified Expression of Interest application form on GOV.UK. The Expression of Interest form will only be available during an application window as determined by the Secretary of State for the Home Department. Expression of Interest applications must be submitted during an application window to be considered.

People can apply individually or as a family group with their partner, child or children, or parent. Each person in a family group must apply individually and must apply in an application window. Applicants who have indicated they are applying as part of a family group will be provided with a family reference number for other members of their family group to include on their own Expression of Interest application. Expression of Interest applications made by each individual in a family group will be considered independently. However, all applications in a family group will have the same outcome. Therefore, all applications in a family group need to meet the criteria of the Immigration Rules for any individual in that group to be granted.

Applicants to the UK/European Applicant Transfer Scheme must confirm they are located in France when they make their Expression of Interest application to meet the validity requirements. Once an Expression of Interest application has been submitted, applicants will be contacted to confirm their location. The <u>Location</u> requirement section provides more information.

Applicants to the UK/European Applicant Transfer Scheme must provide documents and a recent photograph to satisfactorily evidence their identity and nationality. People applying as a family group must provide satisfactory evidence of their family connection to the family group.

Expression of Interest applications submitted within an application window will be considered in accordance with the application selection process set out in this guidance and are required to meet the validity requirements set out in Appendix UK/European Applicant Transfer Scheme of the Immigration Rules. This will check whether an Expression of Interest application is valid. Expression of Interest applications will be held by the Home Office until such a time as there is capacity under the pilot arrangement on the prevention of dangerous journeys for them to be considered. The Expression of Interest application: Validity requirements sections provide more information.

Stage 2: Entry clearance application

Valid Expression of Interest applications which have been selected will progress to the entry clearance stage. Applicants will be invited to provide any required biometrics at a Visa Application Centre (VAC) and will be informed of their appointment time and the location to attend. All applicants in a family group must attend the same scheduled VAC appointment together.

In tandem, the Home Office will submit an entry clearance application on the applicant's behalf and in their name for consideration against the criteria set out in Appendix UK/European Applicant Transfer Scheme of the Immigration Rules. A decision will then be made on that application.

The Secretary of State may, at their discretion, pause consideration of applications under the scheme to assess whether the volume required to match returns under the pilot arrangement has been met. The scheme will also adhere to a cap on the numbers of people transferred to the UK. Once the cap has been reached, no further applications will be considered or granted under the scheme.

Burden and standard of proof

The burden of proof is on the applicant to demonstrate that they meet the requirements of the UK/European Applicant Transfer Scheme. The standard of proof is the balance of probabilities (that it is more likely than not) the applicant meets all requirements based on the evidence provided.

You must consider all relevant information. In coming to your decision, you must be satisfied that any documents, evidence or information that an applicant provides in support of their application is correct, valid and genuine. If you have any concerns over the validity of any documentation or evidence provided, you must refer the application to a senior caseworker. You must consider the evidence the applicant has provided with their Expression of Interest application. If an applicant has applied as part of a family group, you may consider evidence provided by other applicants in that family group in their Expression of Interest application relating to family connections. No further information or evidence may be provided once an Expression of Interest application has been submitted.

Translations

There are documentary requirements for applicants to evidence that they meet the requirements of the UK/European Applicant Transfer Scheme. Documents are not required to be provided in English or accompanied by a certified translation. However, where a certified translation has been provided, this should be considered alongside any documentary evidence.

If a document is not in English and is not accompanied by certified translation, you should consider it where possible when assessing the validity and eligibility criteria set out in the <u>Immigration Rules</u>.

Section 55 duty

Under <u>Section 55 of the Borders, Citizenship and Immigration Act 2009</u>, the Home Office has a statutory duty to safeguard and promote the welfare of children who are in the UK. A child is any person under the age of 18.

Although Section 55 only applies to children in the UK, the statutory guidance, (Every Child Matters - Change for Children) provides information on the extent to which the spirit of the duty should be applied to children overseas.

While all individual applications to the UK/European Applicant Transfer Scheme must be submitted by people aged 18 or older, when considering applications from children submitted as part of a family group, you must adhere to the spirit of the Section 55 duty. If you have any safeguarding concerns regarding children, please refer the case to an Entry Clearance Manager.

You must carefully consider all the information and evidence provided to ascertain how a child will be affected by a decision.

The Home Office also has a duty to identify and safeguard victims of trafficking and modern slavery under the Modern Slavery Act 2015.

Related content

The UK/European Applicant Transfer Scheme

This section tells you how applications are made, the initial steps to take when applications are received and the process for reviewing duplicate applications under the UK/European Applicant Transfer Scheme.

Expression of Interest application form

Information about the UK/European Applicant Transfer Scheme and how people can submit an Expression of Interest application to the scheme is available at: https://www.gov.uk/guidance/ukeuropean-applicant-transfer-scheme.

All Expression of Interest applications for the UK/European Applicant Transfer Scheme must be submitted using the form: Register for the UK/European applicant transfer scheme.

People can apply to the UK/European Applicant Transfer Scheme as individuals or as a family group. All applicants must submit their own Expression of Interest application using the specified form. A parent may submit an Expression of Interest application on a child's behalf so long as the Expression of Interest application is in their name.

People who apply as an individual will have their Expression of Interest application considered independently of any other applications. People who apply as part of a family group will have their application considered individually but will progress through the application process with all other applications submitted as part of that family group. The outcome of each application in a family group will impact all applications in that group.

Application window

An application window is a limited period determined by the Secretary of State for the Home Department in which Expression of Interest applications may be submitted under the UK/European Applicant Transfer Scheme.

During an application window, the UK/European Applicant Transfer Scheme application form will be available for people to submit an Expression of Interest application. Outside of an application window, the form will not be available for any Expression of Interest applications.

Applications submitted outside of an application window will not be considered and must be rejected as invalid. See the <u>Applying in an application window section</u> for details. All applicants in a family group must apply during an application window.

The Secretary of State for the Home Department will have regard to the need to meet the scheme 'cap' when taking any decision to open or close an application window. The cap section provides more information.

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Fees and immigration health surcharge (IHS)

There is no requirement for applicants to pay an application fee when applying to the UK/European Applicant Transfer Scheme.

As the entry clearance being issued is for a period of less than 6 months, the Immigration Health Surcharge (IHS) is not applicable. Therefore, applicants granted entry clearance under the scheme will be liable to NHS charges for treatment, as set out in the Charging Regulations applicable to the area of the UK they receive care.

Applications must not be rejected for non-payment of a fee or IHS.

Withdrawal of applications

A person who submits an Expression of Interest application to the UK/European Applicant Transfer scheme may withdraw their application at any time. If an applicant requests to withdraw their application, you must withdraw the application and notify the applicant this has been done.

If the person applied as part of a family group, you must only withdraw the application of the individual that requested the withdrawal.

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Family reference number

A family reference number will be automatically generated for any applications received where the applicant has indicated they are applying as part of a family group. After the first applicant of a family group has submitted their application, you must send the applicant a family reference number to allow other individuals in their family group to complete their Expression of Interest applications. All other members of the family group must provide that family reference number on their Expression of Interest application.

The section on <u>Family groups</u> provides detail on consideration of family group applications.

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Duplicate applications

A person can only make one application to the UK/European Applicant Transfer Scheme at a time. Where multiple applications are made, only one may be considered.

A duplicate application is more than one Expression of Interest application submitted by the same person to the UK/European Applicant Transfer Scheme.

All duplicate applications must be reviewed to decide whether to consider the recently submitted application or, if multiple applications have been made, which application to consider.

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Reviewing duplicate applications

When reviewing potential duplicate applications, you must first establish whether an application is a genuine duplicate with another application submitted by the same individual. You must review each duplicate application record individually, comparing the data in the new application record with any flagged duplicate applications.

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You must check all information to determine whether the application has been submitted by the same individual as the application or applications already received. You must check if the application records include the same:

- applicant name
- · date of birth
- country of birth
- nationality
- place of birth
- sex

If the application contains the same information across most or all of these fields as another submitted application, you must review the identity document and photograph submitted by the applicant to establish whether or not the applications are duplicates. If either the identity document or photograph provided is the same for both applications, you must conclude the applications are duplicates. The section on The application is a duplicate explains the next steps.

If the identity document has a different document number, or the photograph shows a different individual, you must check the following information:

- phone number
- email address
- relationship status
- names of family members (if applying as part of a family group)

If different information has been provided for these fields and, on the balance of probabilities, you are confident this is a different applicant, you must conclude that the application is not a duplicate. The section on The application is not a duplicate explains the next steps.

If some or all of the information is the same, and the photograph shows an individual that could be the same person, for example a 20-year-old female, and on the balance of probabilities, you are confident this is the same applicant, you must conclude this is a duplicate application.

If more than one potential duplicate application record is shown, you must complete the duplication check for each record.

The application is not a duplicate

If the application record is not a duplicate, you must confirm this to remove the application from the list of potential duplicates so it may be progressed independently. Once competed, you must progress to assess the next potential duplicate until all potential duplicates have been reviewed.

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The application is a duplicate

If the application record is a duplicate, you must check whether there have been any changes in the stated family unit between the current and previous applications. Changes to a stated family unit are only permitted where there has been a birth or a death in an applicant's family group since they submitted their previous application. The Changes to family unit between applications section provides further information.

If you have confirmed that there have been no changes to the applicant's stated family unit, you must confirm whether any other application from the same applicant is <u>outstanding</u> (has not got a concluded outcome) or whether it has been <u>concluded</u> (has received a decision such as grant, rejected or refused).

The duplicate application is outstanding

A person cannot make multiple Expression of Interest applications at the same time. If a person has an existing application which is outstanding, you must decide which application should be considered and which should be void, in accordance with this guidance.

If a person has made another Expression of Interest application which is deemed to be valid and the Home Office has made an entry clearance application on the applicant's behalf, you must void the most recent application.

If a person has previously made an Expression of Interest application but requested to withdraw that application before its consideration, this does not count as an

outstanding application. <u>The duplicate application has been concluded</u> section provides more information.

If a person has made another Expression of Interest application which has not yet been considered, you must decide which application to proceed, in accordance with this guidance. Any other Expression of Interest applications must be void.

You must first consider the stage of the existing application by opening the application record and checking the progress of the application. If the application has passed the validity assessment, and it has been confirmed in the applicant record that the application meets the validity requirements, you must progress that application and void the new application unless the new application has been submitted with the addition of a family member who is a newborn child to their parent or parents. The Changes to family unit between applications section provides further information.

If the existing application has not completed the validity assessment stage of the process and is awaiting consideration against the void or validity criteria, you must consider either application to progress. When considering which application is most substantive, you must assess:

- documentary evidence provided
- personal information provided

Where additional information or documentary evidence has been provided on a more recent application, you must <u>proceed to consider</u> that application and void any previous application.

Where the new application has been submitted with the addition of a family member who is a newborn child to their parent or parents, you must <u>proceed to consider</u> that application and void any previous application.

Where there is no change to the information provided and no additional documentary evidence provided, you must <u>proceed to consider the first application</u> made and void the recent application.

Where different information has been provided on each application, you must consider the most recent application.

If you are not certain whether an applicant has made multiple Expression of Interest applications based on this check, you should refer the application to a senior caseworker.

Proceed with new application

If you decide that the new application should proceed, the existing application from the same applicant must be void.

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Proceed with existing application

If you decide that the existing (other) application should proceed, the recent (duplicate) application must be void.

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The duplicate application has been concluded

If the duplicate application has already been concluded, you must review the outcome of the duplicate application to determine how to proceed. The section on Void applications provides guidance on how to make that decision.

If a person has previously made an Expression of Interest application but requested to withdraw that application before it was considered, you must consider the new application.

You must review all application records which are potential duplicates to complete the duplicate check.

Related content

Void applications

There are several circumstances in which an Expression of Interest application or entry clearance application will be void under the UK/European Applicant Transfer Scheme.

A person's Expression of Interest application will be void if:

- they have previously submitted an Expression of Interest application which was rejected because they were outside of France at the time they submitted their application
- they have previously submitted an Expression of Interest application and the stated family unit has changed between applications (unless the change is as a result of a birth or death in the family)
- an entry clearance application submitted on their behalf has previously been refused
- they have arrived in, or entered, the UK without permission since submitting that application
- they have made multiple Expression of Interest applications at the same time (and the other application will proceed, the <u>Duplicate applications</u> section provides more information)

An entry clearance application submitted on an applicant's behalf will be void if:

- the applicant has not provided any required biometrics
- the applicant has arrived in, or entered, the UK without permission since submitting that application

Previous application rejected due to location

If a person has previously made an Expression of Interest application which was rejected because they were not located in France when they submitted that application, any further Expression of Interest application they make will be void.

If you identify during a <u>duplicate check</u> that a person has previously submitted an Expression of Interest application which was rejected because they did not meet the location requirement of the scheme, their current application <u>must be void</u> and you must notify the applicant of this outcome.

Changes to family unit between applications

A 'stated family unit' refers to a person or group of people who make an Expression of Interest application to the UK/European Applicant Transfer Scheme. A person applying as an individual is a family unit of one. A person applying as part of a family group is in a family unit consisting of themself and all other members of their family group, as stated on their applications.

If a person who has already made an Expression of Interest application under the scheme makes a further Expression of Interest application, you must assess whether any changes have been made to the stated family unit between their applications.

If a new family member has been added to an application, either creating or expanding a family group, you must check whether it is a child who has been added because of a recent birth to their parent or parents. Only new births may be added to create or expand a family group as part of a new application to the scheme.

If the change relates to a child who has been born since the applicant submitted their previous Expression of Interest application, the application may be considered providing all other void criteria are not met. The <u>Void applications</u> section provides more information. If the applicant has an outstanding application under the scheme, that application must be void with the new application being considered in its place.

If the change relates to the addition of a partner or a child other than a recent birth, the new Expression of Interest application must be void. You must notify the applicant of this outcome.

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You must check if any of the individuals in the applicant's family group have submitted a recent application or had submitted a previous application. If the applicant applied as part of a family group previously, you must compare the stated family unit on each of the applications. If you identify an applicant that was not included as part of the family unit for a previous application but is included in the more recent stated family unit, you must review their application to determine if they are a newborn child.

If the additional family member has a date of birth which is more recent than the date the applicant's previous application was submitted, this may indicate that a newborn child has been added to the family group. If you are satisfied that a newborn has been added to an applicant's family group, or the previous application was not part of a family group, you must void the applicant's previous application and progress the new application for consideration.

If an applicant has been removed from a family group since a previous application was submitted, you must check whether this is because of the death of an individual who had applied as part of that family group. If the change in family unit relates to the removal of an applicant because of their death since the previous application was submitted, the application may be considered providing all other void criteria are not met. The <u>Void applications</u> section provides more information. If the applicant

has an outstanding application under the scheme, that application must be void along with all other outstanding applications in that family group with the new application being considered in its place.

If an applicant has been removed from a family group for any other reason, the application must be void.

To confirm whether the change relates to the death of a family member, you must check if the applicant has submitted a previous application as part of a family group. If the applicant has previously applied as part of a family group, they will have a generated <u>family reference number</u>. By navigating to the family reference number, you will be able to see all applications related to the family group.

You must compare the stated family unit provided in both the applications and identify the family member who is not included in the more recent application. You must then review the recent application for information or evidence that the applicant has been removed from the stated family unit because of their death. If there is no evidence or information to confirm this, the application must be void. If there is evidence or information to confirm this, you must void the applicant's previous application and progress the new application for consideration.

If the applicant applied previously as an individual and is now applying as part of a family group, the application must be void. If the applicant applied previously as part of a family group but is now applying as an individual, the application must be void.

Previous refusal

If an applicant has previously made an Expression of Interest application to the UK/European Applicant Transfer Scheme, and an entry clearance application submitted on their behalf by the Home Office has been refused on any basis, any further Expression of Interest application they make will be void. You must void their current application and issue a void notification to the applicant.

Applicant has arrived in, or entered, the UK without permission

If a person who has submitted an Expression of Interest application to the UK/European Applicant Transfer Scheme has arrived in, or entered, the UK without permission since making their application, their <u>application must be void</u>.

If the Home Office has made an entry clearance application on behalf of an applicant to the UK/European Applicant Transfer Scheme and that person as arrived in, or entered, the UK without permission since that application was made, that application must be void.

If you are notified that a person who has made an application to the UK/European Applicant Transfer Scheme has arrived in, or entered, the UK without permission, that application must be void and the applicant must be notified.

If, as part of the <u>connection to the UK</u>, <u>biographic checks</u> or <u>biometric checks</u> process it is discovered that the applicant has arrived in, or entered, the UK without permission since submitting their Expression of Interest application, the application must be void. See <u>voiding an Expression of Interest application in Power Apps</u> for more information.

If a person has submitted an Expression of Interest application which has been deemed to be valid by the Home Office and an entry clearance application has been submitted on their behalf, the entry clearance application and Expression of Interest application must both be void. The applicant must be notified of this outcome.

Applicant has not provided required biometrics

If a person who has made an Expression of Interest application to the UK/European Applicant Transfer Scheme and had an entry clearance application made on their behalf by the Home Office, has not provided any required biometrics, that entry clearance application must be void unless the biometrics were not provided due to medical reasons or a technical error.

If the person has not provided biometrics due to medical reasons or a technical error, usual processes as set out in biometric enrolment: policy guidance must be followed. The section on <u>Biometrics and proof of identity</u> provides more information.

If a person's Expression of Interest application or entry clearance application is void, you must notify the applicant of this outcome.

Applicant has made multiple Expression of Interest applications at the same time

If a person has made multiple Expression of Interest applications to the UK/European Applicant Transfer Scheme at the same time, only one application may be considered. All other applications must be void. The Duplicate applications section provides details on assessing which application to consider.

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Related content

Geo-location

A person making an Expression of Interest application for the UK/European Applicant Transfer Scheme must be located in France when they submit their application. To check an applicant's location, they must be sent a geo-location request and return a confirmation of their location to the Home Office when requested.

Sending a geo-location request

The Home Office must send a geo-location request to all adults who have submitted an Expression of Interest application to confirm their location. Applicants under the age of 18 applying as part of a family group do not need to confirm their location or be sent a geo-location request.

The geo-location request must be sent to the email address and contact phone number provided by an applicant on their application.

If an applicant does not respond to the geo-location request, a prompt will be sent to remind them to complete the geo-location check. Applicants who encounter technical difficulties completing the geo-location check on one device may consider completing the check on a different device.

The geo-location check will capture an applicant's current location at the time they respond to the request. It will not track their location prior to, or after, they respond to the request.

Once an applicant has completed their geo-location check, they will receive a confirmation that their location has been shared. See the section on <u>Location</u> requirement for information on the location assessment.

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Related content

Expression of Interest application order of consideration

Expression of Interest applications must be selected for consideration according to a 3-stage selection process. This ensures that individuals most likely to be targeted by smuggler and trafficking gangs or able to remain in the UK, and those with a connection to the UK, are prioritised for consideration under the scheme.

The selection process:

- Stage 1: high-grant and high-volume nationalities
- Stage 2: connection to the UK
- Stage 3: random selection of Expression of Interest applications

Each stage must be taken in turn. Applications which satisfy the criteria at stage 1 will be selected at random for consideration against the validity requirements of the scheme. See section on Expression of Interest application: Validity requirements. Applications which satisfy the validity requirements will then be considered against stage 2. of the selection process.

Where individuals have applied as part of a family group, only the first applicant should be considered against the criteria in the application selection process. Where the first applicant meets the criteria at stage 1, all applications in the family group must progress for selection for consideration against the validity requirements of the scheme. Similarly for stage 2, where individuals have applied as part of a family group, only the first applicant should be considered against the selection criteria.

If an application satisfies the criteria at stage 1 and stage 2 of the application selection process and the validity requirements of the scheme, it must be prioritised for biographic checks. Applications which pass the biographic checks may be progressed to the Entry Clearance stage, or assessment of family connection for individuals who have applied as part of a family group.

If an application does not satisfy stage 2 of the application selection process, the application will be selected at random along with all other applications which satisfy stage 1 of the application selection process and the validity requirements, once all applications with a connection to the UK have been considered.

If there are no applications which satisfy stage 2 of the selection process, or all applications which satisfy stage 2 have been progressed to the Entry Clearance application stage, you must select at random any applications which satisfy stage 1 of the selection process and the validity requirements of the scheme for biographic checks.

Once all applications which meet the criteria for stage 1 have been considered, applications will be selected at random for consideration in accordance with stage 3.

Stage 1: high-grant and high-volume nationalities

To identify applicants most likely to be able to remain in the UK should they be successful on the scheme, the grant rate for asylum applications for each nationality is taken into consideration. High grant rate nationalities are nationalities where all of the following apply:

- at least 25 substantive asylum decisions on applications from individuals of the same nationality have been made in the most recent reporting quarter
- at least 100 substantive asylum decisions on applications from individuals of the same nationality have been made in the most recent reporting year
- at least 80% of substantive asylum decisions made in the most recent reporting year have been a decision to grant protection status in the first instance

To identify applicants most likely to be targeted by smuggler and trafficking gangs, the recorded nationalities of small boat arrivals are taken into consideration. High volume nationalities are the 3 nationalities with the highest volume of recorded arrivals from dangerous journeys made by small boat from France to the UK between January and March 2025.

The criteria for establishing high grant rate and high-volume nationalities will remain under review. High grant rate nationalities will be assessed every 3 months following the publication of the quarterly immigration statistics by the Home Office.

Applicants who satisfy the high grant or high volume nationality selection criteria will be considered first against the validity requirements of the Immigration Rules Appendix UK/European Applicant Transfer Scheme. The Expression of Interest: Validity requirements section provides for more information.

Dual nationals

If an applicant is a dual national, both nationalities must satisfy the high-grant or high-volume nationality criteria to be selected. If only one nationality meets the criteria on the date a person submitted their Expression of Interest application, their application must be considered alongside all other Expression of Interest applications which do not meet the criteria at stage 1, in stage 3.

Family groups

Where multiple individuals have applied as part of a family group, you must assess only the first application against the selection criteria at stage 1. All other applications in a family group do not need to be considered at this stage of the selection process. If the first applicant satisfies the selection criteria at stage 1, all applications in the family group will proceed to be considered against the validity requirements of the Immigration Rules Appendix UK/European Applicant Transfer Scheme. If the application satisfies the validity requirements as set out in the section on Expression of Interest: Validity requirements, the applicant will be progressed for selection at stage 2.

If the first applicant does not meet the criteria at stage 1, all applications in the family group must be considered alongside other Expression of Interest applications which do not meet the criteria, at stage 3.

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Stage 2: connection to the UK

Applications which satisfy <u>stage 1</u> of the selection process and meet the <u>validity</u> <u>requirements</u> of the scheme must be considered against the criteria at stage 2 of the process to assess an individual's connection to the UK. Individuals with a connection to the UK may be more likely to integrate and build an independent life in the UK.

Individuals with a connection to the UK are those who have previously been in the UK with permission for more than 6 months continuously in the last 5 years and have not overstayed or breached the conditions of their permission.

Applicants who have a connection to the UK must be prioritised for <u>biographic</u> <u>checks</u>. Applicants who do not have a connection to the UK will be selected at random along with other applications which satisfy stage 1 of the application selection process only, once all applicants with a connection to the UK have been considered.

Where individuals have applied as part of a family group, only the first applicant should be considered against the criteria at stage 2. If they are considered to have a connection to the UK, all applicants in the family group must be prioritised for biographic checks. Where the first applicant does not have a connection to the UK, all applications submitted as part of the family group will be selected at random along with other applications which satisfy stage 1 of the application selection process only.

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Stage 3: random selection of Expression of Interest applications

If all Expression of Interest applications which meet the selection criteria at stage 2 have been considered, applications which have completed the geo-location check will be selected at random for consideration against the validity requirements of the Immigration Rules Appendix UK/European Applicant Transfer Scheme. Those that meet the yellotter validity requirements of the scheme will then be progressed to the biographic checks stage.

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Biographic checks

Following application selection, you must conduct biographic checks against Home Office systems before you progress an application to the entry clearance stage. Where an individual has applied as part of a family group, biographic checks must be completed for all individuals in the family group as well as the first applicant before applications in the family group can progress to the entry clearance stage.

In order to ensure sufficient numbers of applications are progressed as quickly as possible under the scheme, applications which raise security concerns may not be selected as a priority for progression to the Entry Clearance stage, or assessment of

family connection for individuals who have applied as part of a family group. If there are potential security concerns, the application will be considered alongside other Expression of Interest applications in line with stage 3 of the application selection process. Where an application raises concerns and is part of a family group, all applications in the family group will be considered alongside other Expression of Interest applications in line with stage 3 of the application selection process.

Where an application is selected for consideration at <u>stage 3</u> of the application selection process, you must consider the results of any biographic checks against the suitability requirements of the Immigration Rules. See the section on <u>Suitability requirements</u>.

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Related content

Expression of Interest application: Validity requirements

This section tells you the validity requirements for the UK/European Applicant Transfer Scheme that an applicant must meet.

The validity requirements for all applications under the UK/European Applicant Transfer Scheme must be considered in accordance with Appendix UK/European Applicant Transfer Scheme (UEATS) of the Immigration Rules.

An applicant submitting an Expression of Interest application under the UK/European Applicant Transfer Scheme must:

- apply online using the specified form: Register for the UK/European Applicant Transfer scheme
- be in France on the date their Expression of Interest application is submitted as confirmed by information they have provided to the Home Office to confirm their location
- be aged 18 or over on the date they submit their Expression of Interest application unless they are applying as part of a family group with a parent who is aged 18 or over
- not be a European Economic Area (EEA) national, or enjoy free movement rights as a family member of an EEA national
- have uploaded a copy of a passport or other document and a recent photograph which satisfactorily establishes their identity and nationality
- have submitted their Expression of Interest application within an application window
- not have been granted international protection by another country which, for this purpose, includes being officially recognised as stateless
- not have immigration permission in France
- not have declared any information on their Expression of Interest application that could lead to a refusal under Part 9: grounds for refusal

An Expression of Interest application which does not meet all of the validity requirements for the UK/European Applicant Transfer Scheme must be rejected as invalid and not considered. The Rejecting an Expression of Interest application as invalid section explains how to do this.

Using the specified online form

An Expression of Interest application for the UK/European Applicant Transfer Scheme must be submitted using the specified online application form: Register for the UK/European Applicant Transfer Scheme. If an Expression of Interest application is submitted by any other means or form, that application must be treated as invalid.

Location requirement

Applicants to the UK/European Applicant Transfer Scheme must be located in France at the time they submit their Expression of Interest application. An Expression of Interest application submitted by a person not located in France on the date they submitted that application must be rejected as invalid.

An applicant must evidence that they are located in France by completing the geolocation check as <u>requested by the Home Office</u>. Geo-location checks must be completed by the applicant using a capable mobile phone or other device within 24 hours of the geo-location request being sent.

Each adult applicant in a family group is required to complete their own geo-location check. Children under the age of 18 applying as part of a family group are not required to undertake a geo-location check.

If, following 24 hours after sending the initial geo-location request the applicant has failed to respond to the geo-location request, you must reject their application as invalid. The Rejecting an Expression of Interest application as invalid section explains how to do this.

If the outcome of an applicant's geo-location check confirms that they are located in France, you may proceed with consideration of their application.

If the outcome of an applicant's geo-location check confirms that they are not located in France, you must reject their application as invalid. The <u>Rejecting an Expression of Interest application as invalid</u> section explains how to do this.

If there is an error with the geo-location check, you may consider sending the applicant another geo-location request to complete the location check. The <u>No coordinates provided</u> section provides more information.

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Applicant age requirement

Applicants to the UK/European Applicant Transfer Scheme must be aged 18 of over unless they are applying as part of a family group with a parent who is aged 18 or over. Applicants under the age of 18 must have applied as part of a family group with

at least one parent who has also applied as part of that family group and is aged 18 or over.

If an Expression of Interest application to the UK/European Applicant Transfer Scheme has been submitted by an applicant under the age of 18 and is not linked to the application of a parent who is over the age of 18 as part of a family group, you must reject the application as invalid. The Rejecting an Expression of Interest application as invalid section provides more information.

The UK/European Applicant Transfer Scheme is not available for unaccompanied asylum seeking children (UASC).

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EEA nationals and individuals with free movement rights

An applicant to the UK/European Applicant Transfer Scheme must not be an EEA national or enjoy free movement rights as a family member of an EEA national.

An EEA national means a person who is a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland. And who is not also a British citizen.

An applicant will enjoy free movement rights as a family member of an EEA national if they meet the criteria of <u>Article 2(2) of Directive 2004/38/EC</u>. This includes applicants who are the spouse, registered partner, child or grandchild who is under

the age of 21 or are dependent on, or are the dependent parent or grandparent of an EEA national.

If an Expression of Interest application is submitted by an individual who has declared on their application that they are an EEA national, you must reject the application as invalid. If the applicant has applied as part of a family group, you must reject all other applications in that family group as invalid.

If the applicant has applied as part of a family group, and a member of their family group has declared they are an EEA national, you must reject the application as invalid. The Rejecting an Expression of Interest application as invalid section provides more information.

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Applicant identity and nationality documentation

For an Expression of Interest application to be valid on the UK/European Applicant Transfer Scheme, an applicant must provide a suitable identification document and a recent photograph to establish and confirm their identity, nationality and age.

It is the responsibility of the applicant to satisfy you of their identity.

Acceptable documents include:

- a valid passport, national identity document or travel document
- an expired passport or travel document
- an expired national identity document
- an expired (UK) Biometric Residence Permit (BRP)

Applicants are also required to provide a recent photograph which is no more than 3 months old to confirm their identity. The photograph provided should have:

- a plain light background, for example, a white wall
- no shadows or glare on the applicant's face or behind them
- no objects or people behind the applicant
- the applicant's head and shoulders visible
- nothing covering the applicant's face or eyes
- nothing covering the applicant's head (unless for religious or medical reasons)
- no tinted glasses or glare on the applicant's glasses

You must compare the photograph the applicant has provided with the image provided on their identity document, if one is provided, and the personal information

provided by the applicant on their Expression of Interest application regarding their age and sex.

Where an applicant has indicated they are applying as part of a family group, all applications should be assessed individually. All individuals in the family group are required to provide an identity document and photograph.

If you are satisfied that the identity of the applicant matches the identity document and photograph provided, you may progress the application. If you are not satisfied that the identity of the applicant matches the identity document and photograph provided, you must reject the application as invalid. The Rejecting an Expression of Interest application as invalid section provides more information. If the applicant has applied as part of a family group, you must reject all applications in the family group as invalid.

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Applying in an application window

An Expression of Interest application for the UK/European Applicant Transfer Scheme must be submitted during an <u>application window</u> as determined by the Secretary of State for the Home Department.

If an Expression of Interest application is submitted outside of an application window, you must reject that application as invalid. The <u>Rejecting an Expression of Interest</u> application as invalid section provides more information.

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Other grant of international protection and officially stateless persons

An applicant to the UK/European Applicant Transfer Scheme must not have been previously granted international protection or have been officially recognised at stateless by another country.

A person officially recognised as stateless is an individual who is not considered as a national by any state under the operation of its law, as set out in Article 1(1) of the 1954 Convention in relation to the Status of Stateless persons, and has been recognised as such by a state party to the Convention.

A person who is not considered as a national by any state under the operation of its law, as set out in Article 1(1) of the 1954 Convention in relation to the Status of Stateless persons but has not been recognised as stateless, is not considered to be officially stateless.

If an Expression of Interest application is submitted by an individual who has been granted international protection by another country, or is officially recognised as stateless, you must reject that application as invalid. The Rejecting an Expression of Interest application as invalid section provides more information.

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Immigration permission in France

An applicant to the UK/European Applicant Transfer Scheme must not have immigration permission in France. An applicant may demonstrate immigration permission in France if they submit a passport as a form of identity documentation. If an applicant has immigration permission in France at the time they submit their application, you must reject that application as invalid. The Rejecting an Expression of Interest application as invalid section provides more information.

If the applicant did not have immigration permission in France at the time they submitted their Expression of Interest application but has immigration permission in France at the time the Expression of Interest application is considered, you must reject that application as invalid.

Declared information that could lead to a refusal

An applicant to the UK/European Applicant Transfer Scheme must declare any previous instances of criminality on their Expression of Interest application. If an applicant has declared any previous instances of criminality on their Expression of Interest application, you must consider whether that could lead to a refusal under Part 9: grounds for refusal.

If the declared criminality could lead to a refusal under Part 9: grounds for refusal, you must reject that application as invalid. The <u>Rejecting an Expression of Interest application as invalid</u> section provides more information.

If you are unsure about whether any declared information could lead to a refusal against Part 9, you must refer the case to a senior caseworker.

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Rejecting an Expression of Interest application as invalid

If an Expression of Interest application does not meet the validity criteria of the Immigration Rules Appendix UK/European Applicant Transfer Scheme, you must reject the application as invalid. You must notify the applicant and provide the applicant with the reason their Expression of Interest application was rejected.

If a person has applied as part of a family group and their Expression of Interest application has been rejected, you must reject the Expression of Interest applications of all other individuals in their family group as invalid.

You must notify each applicant individually and provide them with the reason their Expression of Interest application was rejected.

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Valid Expression of Interest applications

If an Expression of Interest application meets the validity requirements of the scheme, it may be selected to progress to biographic checks and the entry clearance stage of the application process, in accordance with the <u>application order of consideration process</u>.

A valid Expression of Interest application that is not selected to proceed to the entry clearance stage at any one point in time will be held and may be selected at any point up until the cap is met. The section on the <u>cap</u> provides more information.

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Related content Contents

Family groups

Applicants to the UK/European Applicant Transfer Scheme may indicate they wish to apply alongside their family members, such as a partner and a child or children, as part of a family group.

A family group means 2 or more applicants who are related to one another as a parent, child or partner, who have confirmed on their Expression of Interest application to the scheme that they are applying with other family members.

If an applicant has indicated they are applying with family members as part of a family group on their Expression of Interest application, they will have been sent a family reference number to link the applications in their group.

Applications from individuals in a family group, while progressed together, must be considered and assessed against the validity, suitability and eligibility requirements of the Immigration Rules Appendix UK/European Applicant Transfer Scheme individually.

Family group application process

Before considering an application that has been submitted as part of a family group, you must confirm that all individuals in the family group have submitted their Expression of Interest applications. To do this, you must check that the number of applications received for a family group is the same as the number of family members provided by the first applicant on their application, in addition to that applicant themself.

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If all individuals in a family group have submitted an application and the number of applications received for the family group is correct, you may consider Expression of Interest application for the first applicant in accordance with the Expression of Interest application order of consideration

You must the confirm that the first applicant has completed the geo-location check and assess their application against the validity criteria set out in the Immigration Rules. See Expression of Interest application: Validity requirements section for details.

If you are content that the first applicant satisfies the validity requirements for the scheme, you must assess each application from other individuals in the family group against the validity criteria set out in the Immigration Rules.

If you are satisfied that all applicants in a family group satisfy the validity requirements for the scheme, and biographic checks have been completed, you must assess the family connection between each applicant and the other applicants in their family group. The section on Confirm family connections provides details. You do not need to assess the family connection between the first applicant and the other applicants in the family group.

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If you are not satisfied that all applications within the family group meet the validity requirements for the scheme, you must reject all applications within the family group as invalid. You must notify each applicant individually of your decision. See Rejecting an Expression of Interest application as invalid section for information.

Confirm family connections

Where an applicant has indicated they are applying as part of the family group of another applicant, you must be satisfied that the family connection is genuine.

It is the responsibility of the applicant to provide sufficient information or evidence to satisfy you that they are related to the other applicants in their family group. You must consider whether there is sufficient information to accept that the applicants in a family group are related as claimed using the specific criteria of this scheme.

You must confirm you are satisfied that the identity and nationality of the applicant is correct by checking their identity and nationality against the identity documentation provided by the applicant. If you are satisfied that the name and nationality the applicant has provided on their application is correct, you must follow the below stages to confirm their family connection.

- Stage 1. Evidence review
- Stage 2. Name match and naming convention check
- Stage 3. Age check

Specific requirements for assessing family connections for <u>partners</u> and <u>children</u> are set out in relevant sections. You must consider these when assessing such family connections.

Stage 1. Evidence review

You must review the evidence provided by all applicants in a family group to assess the family connection of each applicant, other than the first applicant, to the family group. The evidence provided by each applicant may be used to confirm the connection of any applicants in a family group. The onus is on the applicant to provide sufficient evidence to demonstrate they meet the requirements of the Rules. Types of evidence which may be provided for each type of family connection are set out in sub-sections on Partners and Children.

Some individuals submitting Expression of Interest applications to the UK/European Applicant Transfer Scheme may not be able to provide the same documents or evidence that would be required for other application routes under the Immigration Rules. You must be mindful of the difficulties that people may face in providing documentary evidence of their relationship. Those fleeing conflict zones or dangerous situations may not have had time to collect supporting documents and may not have realised they would be required. Country Policy and Information Guidance will give some insight into challenges that an individual may face in acquiring documents to provide evidence of their relationship to other members of their family group. It may also provide insight into the reasons why a couple could not live together in certain countries and the challenges around obtaining evidence of a relationship.

Original documents do not need to be provided; a digital copy can instead be submitted as evidence. These do not have to be notarised by a solicitor or legal representative, but they should be of sufficient quality that you can review the documents.

Some types of evidence are preferred because they are more easily verifiable. These are set out in the section on <u>preferable evidence</u>. If the applicant is unable to provide a form of preferable evidence, then a form of <u>other acceptable evidence</u> may be submitted by the applicant. See section on <u>other acceptable evidence</u> for a non-exhaustive list of types of evidence that may be provided.

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If you are satisfied based on the <u>preferable evidence</u> provided that the family connection between the applicant and their family members is genuine, you must proceed to <u>Stage 3</u>. <u>Age check</u>.

If you are not satisfied based on the preferable evidence provided that the family connection between the applicant and their family members is genuine, you must consider any <u>other acceptable evidence</u> provided and proceed to <u>Stage 2. Name match and naming convention check</u>.

Stage 2. Name match and naming convention check

If you are not satisfied that the family connection is genuine based on the preferred evidence provided, you must assess the connection between the applicant and other applicants in their family group based on the names they have provided on their Expression of Interest application.

You must accept a naming match if:

- the applicant has a matching surname to an applicant who is their parent or partner
- the applicant has a nationality-specific naming convention match to an applicant who is their partner
- the applicant has a nationality-specific naming convention match to an applicant who is their parent
- the applicant has a matching surname or nationality-specific naming convention match to an applicant who has provided documentary evidence of a family connection to their parent, partner or child

When assessing the family connection of an applicant on the basis of their name, you must check whether there is a surname match between the applicant and their family member. If the surnames of both the applicant and their family member are the same, you must accept the name match.

If the applicant has provided a different surname to their family member, you must check if they have any other name matches according to the naming convention specific to their nationality. You must check the country policy information note for the nationality of the applicant for information on specific naming conventions.

To confirm a family connection between two applicants on the basis of a naming convention, that naming convention must demonstrate a match between the names of at least two individuals in a family group. Naming conventions which do not relate to a name match between two individuals cannot be used to confirm a family connection under the UK/European Applicant Transfer Scheme.

Where the naming convention of a specific nationality relates to individuals adopting a regional, clan, group or religious name, that naming convention is permitted for confirming family connection so long as it demonstrates a match between the names of at least two individuals.

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Not all nationalities may have a specific naming convention beyond the adoption of surnames. If you are satisfied there is a naming convention match for the applicant based on their specific nationality, you must accept the name match.

If you are satisfied that the family connection between the applicant and the family group is genuine based on the name check and consideration of any <u>other</u> <u>acceptable evidence</u>, you must proceed to <u>Stage 3. Age check</u>. If you are satisfied that the date of birth of the applicant permits for the stated family connection to other applicants in their family group, you may proceed with the application

If you are not satisfied that the family connection between the applicant and the family group is genuine based on the name check, you must reject the application as invalid. See section on Rejecting an Expression of Interest application as invalid for details. If you reject the application as invalid, you must also reject all other applications in the family group as invalid.

Stage 3. Age check

In addition to checks on evidence provided at <u>Stage 1</u>. and name match and naming convention checks at <u>Stage 2</u>., you must confirm you are satisfied that the date of birth of the applicant and date of birth of other applicants in their family group permit for the stated family connection.

Individuals who are applying as the partner of another applicant in a family group, and the applicant who is their partner, must both be aged 18 or over at the date they submit their Expression of Interest application. You must confirm the applicant and the family member who is their partner are both aged 18 or over as of the date of each of their applications.

Individuals who are applying as the child of another applicant in a family group must be at least 14 years younger than the applicant who is their youngest parent. You must confirm that the date of birth of the applicant is 14 years or more after the date of birth of the applicant who is their parent. If the applicant is applying with both parents, you must confirm that their date of birth is 14 years or more after the date of birth of their younger parent.

If you are satisfied that the date of birth of the applicant permits for the stated family connection to other applicants in their family group, you may proceed with the application, providing you are satisfied with either Stage 1. Evidence review or Stage 2. Name match and naming convention checks.

If you are not satisfied that the date of birth of the applicant permits for the stated family connection to other applicants in their family group, you must reject the application as invalid. See section on Rejecting an Expression of Interest application as invalid for details. If you reject the application, you must reject the applications of all other members of the family group.

Partners

A person may indicate that they are applying as the partner of another applicant as part of a family group. A 'partner' includes a person's spouse, civil partner, or an unmarried partner where the couple have been living together in a relationship similar to marriage or a civil partnership for at least 2 years.

You must be satisfied that an individual applying as the partner of another applicant meets the following requirements:

- the applicant is applying with only one partner
- both the applicant and their partner are aged 18 or older
- the applicant has a genuine family connection to the applicant they have stated is their partner

If an applicant has indicated they are applying with more than one partner, you must reject the application as invalid. See section on <u>Rejecting an Expression of Interest</u> application as invalid for details.

An applicant stating a family connection as the partner of another applicant must be aged 18 or older when they submit their application. If an applicant who is under the age of 18 has indicated they are applying as a partner of another applicant, you must reject the application as invalid. See section on Rejecting an Expression of Interest application as invalid for details.

If the applicant has applied as the spouse or partner of their linked family member, you must confirm you are satisfied that the family connection is genuine. Applicants may include any number of documents to support their claim that they are the partner of another applicant. Preferable evidence that may be provided includes, but is not limited to:

- marriage certificate
- · civil partnership certificate

If the applicant has provided any <u>preferable evidence</u>, you must consider whether the evidence provided looks plausible as an official document.

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If you are satisfied that any <u>preferable evidence</u> provided is genuine, and you are satisfied the applicant is only applying with one partner and both the applicant and their partner are aged 18 or older, you may proceed with the application.

If you are not satisfied that any preferable evidence is genuine, or no preferable evidence has been provided, you must assess any <u>other acceptable evidence</u> provided. You must also consider whether the applicant has a name or naming convention match to their parent or other family member. See <u>Stage 2. Name match and naming convention check</u> for details.

If you are satisfied there is a name or naming convention match for the applicant and another applicant in their family group, taking into account their specific nationality, and have no reason for concern on the basis of the other acceptable evidence provided, and you are satisfied the applicant is only applying with one partner, you must proceed to Stage 3. Age check.

If you are not satisfied there is a name or naming convention match for the applicant based on their specific nationality, you must reject the application as invalid. See section on Rejecting an Expression of Interest application as invalid for details. You must also reject the applications of other individuals in their family group as invalid.

Children

A person may indicate that they are applying as the child of another applicant as part of a family group. An individual applying as the child of another applicant must be applying as part of a family group with at least one parent aged 18 or older.

If a person applies as the child of another applicant as part of a family group consisting of two individuals, you must assess the family connection between the child and their parent. If a person applies as the child of another applicant as part of a family group of three or more individuals, you must assess the family connection of the applicant to their parent or to one or more other applicants in the group as a collective.

Applicants may include any number of documents to support their claim that they are the child of their family member. You must be satisfied, based on the evidence provided, that an individual applying as the child of another applicant meets the following requirements:

- the applicant is applying as part of a family group with at least one other applicant who is their parent aged 18 or older
- the applicant was born 14 years or more after the applicant who is their parent
- the applicant has a genuine family connection to the applicant they have stated is their parent or to another applicant who has applied as part of the same family group

You must check whether any <u>preferable evidence</u> has been provided. Acceptable preferable evidence includes birth certificates. If the applicant has provided any preferable evidence, you must consider whether the evidence provided looks plausible as an official document.

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If you are satisfied that any <u>preferable evidence</u> provided is genuine, and you are satisfied the applicant is applying with at least one parent who is aged 18 or older, you must proceed to <u>Stage 3. Age check</u>, and check that the applicant was born 14 years or more after the applicant who is their parent. If you are satisfied that the applicant was born 14 years or more after the applicant who is their parent, you may proceed with the application.

If you are not satisfied that any <u>preferable evidence</u> provided is genuine, or no preferable evidence has been provided, you must assess any <u>other acceptable</u> <u>evidence</u> provided. You must also consider whether the applicant has a name or naming convention match to their parent or other family member. See the section on <u>Stage 2. Name match and naming convention</u> check for details.

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If you are satisfied there is a name or naming convention match for the applicant and another applicant in their family group based on their specific nationality and have no reason for concern on the basis of the <u>other acceptable evidence</u> provided, and you are satisfied the applicant is applying with at least one parent who is aged 18 or older, you must proceed to <u>Stage 3. Age check</u>, and check that the applicant was born 14 years or more after the applicant who is their parent. If you are satisfied that the applicant was born 14 years or more after the applicant who is their parent, you may proceed with the application.

If you are not satisfied there is a name or naming convention match for the applicant based on their specific nationality, you must reject the application as invalid. See section on Rejecting an Expression of Interest application as invalid for details. You must also reject the applications of other individuals in their family group as invalid.

Preferable evidence

Applicants may provide any of the following examples of preferable evidence to prove that they are related as stated:

- · birth certificates
- marriage certificates
- civil partnership certificates

Providing preferable evidence does not guarantee that an application will be granted. Instead, it means it may be easier for you to verify that the applicant has a genuine family connection to other applicants in their family group.

Other acceptable evidence

In addition to the preferable evidence listed, applicants could include any number of documents to prove that they are related as stated on their Expression of Interest application. Evidence that could be provided includes, but is not limited to:

- traditional marriage ceremony documents
- documents relating to accommodation or joint purchases
- DNA evidence offered voluntarily at the applicant's expense from an accredited laboratory as set out in Home Office DNA policy guidance
- family photographs
- · wedding photographs
- · wedding invitations
- witness statements (from the sponsor and applicant, wedding guests, family members, or person who conducted the ceremony)
- communication records (telephone records, emails and letters for the period they have been apart, or social media messages)
- financial transfer records
- any other evidence indicating the relationship is as stated

Providing other acceptable evidence may help demonstrate that an applicant is related to other members of their family group, though such evidence is less likely to be accepted on its own.

Fraudulent evidence provided

If you suspect that fraudulent evidence has been provided, you must raise the case with a senior caseworker. If they confirm that the evidence provided is fraudulent, you must reject the application as invalid. See section on Rejecting an Expression of Interest application as invalid for details. If the applicant has applied as part of a family group, you must reject all applications in the family group as invalid.

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Confirming or rejecting family connection

If you are satisfied that the family connection between the applicant and their linked family members is genuine, you must confirm the family connection as genuine and proceed with the application.

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If you are not satisfied that the family connection between the applicant and their linked family members is genuine, you must reject the application as invalid. You must reject the Expression of Interest applications for all other applicants in the family group.

The section on Rejecting an Expression of Interest application as invalid provides more information.

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Incomplete families

If a family group is not complete when the application window closes, with all individuals listed on the first applicant's Expression of Interest application having submitted an application, you must review the list of unlinked family members to check if any of the remaining applicants in a family group have submitted an application but entered their <u>family reference number</u> incorrectly.

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If an applicant of the same name as a named applicant in a family group has made an Expression of Interest application, indicated they are applying as part of a family group and entered a family reference number similar to that of the group in which they are named, you must correct their family reference number to add them to the family group.

If some but not all applicants in a family group have submitted an Expression of Interest application, you must place the family group on hold to consider only once all members of the family group have submitted an Expression of Interest application.

Related content

Contents

The cap

The number of applicants who will be transferred to the UK under the UK/European Applicant Transfer Scheme is subject to a cap based on the total number of individuals removed from the UK through the pilot arrangement on the prevention of dangerous journeys, at the end of the pilot period.

Once the cap is met, any Expression of Interest application which has not been selected for consideration must be rejected. Any Expression of Interest application submitted after the cap has been reached must be rejected as invalid. The Rejecting an Expression of Interest application as invalid section provides more information.

Any entry clearance application submitted which has not yet been decided at the point the cap is met must be refused, regardless of whether the Expression of Interest application is valid. Once the cap is met, no further applications should be progressed to the entry clearance stage. The Refusing entry clearance section provides more details.

Application volume check

The Secretary of State may, at their discretion, pause consideration of applications under the scheme to assess whether the volume required to match returns has been met. Due to the nature of the pilot scheme, the frequency, likelihood and duration of pauses are not yet known.

If the Secretary of State indicates that the scheme should be paused, you must not progress any new applications to the entry clearance stage.

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On hold

Expression of Interest applications may be placed on hold to ensure compliance with the application volumes check and the cap. If an application is placed on hold, the applicant will be notified periodically.

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Related content

Contents

Entry clearance application

This section tells you about the entry clearance stage of the application process.

The Home Office will select valid Expression of Interest applications for consideration against the eligibility and suitability criteria of the Immigration Rules Appendix UK/European Applicant Transfer Scheme through the submission of an internal entry clearance application on behalf of the applicant.

The number of valid Expression of Interest applications selected will correspond with the number of individuals removed or scheduled to be removed from the UK under the pilot agreement on the prevention of dangerous journeys.

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Submitting the entry clearance application

Once an Expression of Interest application has been selected, and <u>biographic</u> <u>checks</u> have been completed, you must create and submit an entry clearance application on the applicant's behalf. This must be done using the specified Home Office application form.

Only information provided by the applicant in their Expression of Interest application should be used when completing the entry clearance application on the applicant's behalf.

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Entry clearance applications: validity

This section tells you the validity requirements for the UK/European Applicant Transfer Scheme that an entry clearance application must meet.

The validity requirements for all entry clearance applications under the UK/European Applicant Transfer Scheme must be considered in accordance with Appendix UK/European Applicant Transfer Scheme of the Immigration Rules.

An entry clearance application under the UK/European Applicant Transfer Scheme must have been made by the Home Office on behalf of the applicant after a valid Expression of Interest application has been selected for consideration.

In addition, the applicant must:

- have provided any required biometrics
- have provided a passport or other document which satisfactorily establishes their identity and nationality

Biometrics and proof of identity

Applicants are required to provide their biometrics as part of the application process for the UK/European Applicant Transfer Scheme.

In most circumstances, applicants are required to give their biometrics in the form of fingerprints and facial image when they make an immigration application. There are limited exceptions from the requirement to enrol biometrics which are set out in the published policy in the Biometric enrolment: policy guidance.

Visa application centre (VAC) appointment

Once you have completed the entry clearance application on the applicant's behalf, you must schedule an appointment for them to enrol their biometrics at a VAC and notify the applicant of their appointment.

If a person has applied as part of a family group, all applicants in that family group must attend the same VAC appointment. Once you have completed an entry clearance application for all applicants in a family group, you must notify each applicant individually.

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Attendance at a visa application centre (VAC)

Applicants are expected to attend their scheduled appointment at the VAC at the date and time they have been provided. If an applicant does not attend the VAC at the scheduled date and time, you must arrange a second appointment with the VAC and contact them to provide the new date and time.

If a person who has applied as part of a family group does not attend their scheduled VAC appointment, and other members of the family group do attend the appointment, you must proceed to consider the applications for the applicants who have attended the VAC. The applicant or applicants who did not attend must provide a reasonable explanation for why they have not attended. If a reasonable explanation is provided, you must arrange a second appointment with the VAC and contact them to provide the new date and time. If no reasonable explanation is provided, you must void the Expression of Interest application. See section on Void Applications for information.

If the applicant fails to attend a second booked appointment, their Expression of Interest application will be void. See section on Void Applications for information.

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Identity verification

The applicant must satisfy you that their identity and nationality is as stated on their application. This must be done in accordance with UKVI Identity Standards. The applicant will provide physical copies of the identity documentation they provided on their Expression of Interest application on arrival at the VAC.

The best evidence of identity and nationality that applicants can provide is a valid international passport or travel document.

In the absence of a valid passport, an applicant may provide one or more of the following to help prove their identity to a satisfactory standard:

 a recently expired passport, so long as the photograph clearly resembles the holder

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- a valid or recently expired national identity card (passport card) that contains a facial image that clearly resembles the holder
- a combination of other official documents, at least one of which has a recent facial image that clearly resembles the holder, which establishes the person's name, date of birth, nationality and determined sex, for example a photo driving licence and a birth certificate
- an expired Biometric Residence Permit, so long as the facial image resembles the person

Acceptable photographic documents are those that are recorded on a document image archive such as Council of the European Union - PRADO or EdisonTD.

Where an applicant is applying on the basis of one nationality but has submitted an identity document showing another nationality, you must refuse the application. See the section on <u>refusing entry clearance</u>. If the applicant is a <u>dual national</u>, they must provide evidence for both nationalities in their application.

Evidence

You must be mindful of the difficulties individuals may face in providing documentary evidence. Those fleeing conflict zones or dangerous situations may not have time to collect supporting documents or have realised they would be required.

Genuine documentation may not be readily available for a number of reasons:

- applicants may have needed to leave their home under duress and without the time or capacity to collect documents
- there may not have been a functioning administrative authority to issue documents such as birth and marriage certificates or even passports
- the applicant may be reluctant to approach authorities, which may have prevented what would otherwise be a standard administrative process, for example the registration of marriage or the birth of a child
- refugees or those with humanitarian protection may not have any evidence, for example, of the existence of a same-sex relationship, where there may be no avenue to legally marry or have a civil partnership or having photographs in the country from which the sponsor has fled may have put them in danger
- documents may have been lost or destroyed in the conflict or on the journey to safety

In addition to individual accounts submitted by the applicant, Country Information and Guidance (CIG) will give some insight into challenges that individuals may face in acquiring documents or providing credible documentation and providing evidence that their relationship started before starting the application.

The CIG also provides insight into the reasons why a couple could not live together in certain countries and the challenges around obtaining evidence of a relationship.

Original documents such as a passport or marriage certificate may not be available to submit with an application because they have been lost or they could not be issued due to there being no authority to issue in the country the applicant has

departed. Where original documents are not available to submit with any application, such as a passport or marriage certificate, the onus is on the applicant to provide a reasonable alternative, and to satisfactorily demonstrate that they are related to, or in a relationship, with another individual.

Submitting false documents or evidence, whatever the motive for so doing, may lead to refusal under the suitability requirements for false representation. The <u>Suitability</u> section provides more information.

No adequate documentation

Where the applicant does not have any documents which satisfactorily establish their identity and nationality, and they have not already provided a reasonable alternative or an explanation in their application, you must refuse their application. The <u>Refusing</u> entry clearance section provides more information.

False documents and evidence

You must refuse the application on grounds of suitability if you are satisfied false documents or evidence were submitted. The <u>Suitability</u> section provides more information.

Suitability

This section sets out the suitability grounds for the UK/European Applicant Transfer Scheme that an applicant must meet.

You must consider all grounds for refusal under Part 9 of the Immigration Rules when assessing applications under the UK/European Applicant Transfer Scheme.

An entry clearance application submitted on an applicant's behalf under the UK/European Applicant Transfer Scheme must be refused if the applicant has previously entered or arrived in the UK illegally.

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Eligibility

This section sets out the eligibility requirements for the UK/European Applicant Transfer Scheme that an applicant must meet.

An entry clearance application submitted on an applicant's behalf under the UK/European Applicant Transfer Scheme must be refused if:

- since submitting their Expression of Interest application, the applicant has been granted international protection in another country
- the applicant has immigration status in France

If an applicant has communicated to the Home Office, or you have become aware that they have been granted international protection in another country or that they have immigration status in France, you must refuse their application. The <u>Refusing</u> <u>entry clearance</u> section provides more information.

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Refusing entry clearance

If you are satisfied that an applicant does not meet the suitability or eligibility requirements of the UK/European Applicant Transfer Scheme, and it is not appropriate to apply discretion, you must refuse the application.

Where the application <u>cap</u> has been reached before entry clearance is granted, the entry clearance application must be refused.

Where an applicant has applied as part of a family group and their application falls for refusal, all applications from individuals in that family group must be refused.

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Issuing entry clearance

Before making a final decision to issue an entry clearance application under the UK/European Applicant Transfer Scheme, you must check whether the cap has been met.

If the cap has not been met and you are satisfied that the suitability and eligibility requirement of the UK/European Applicant Transfer Scheme have been met, you must issue entry clearance.

If the cap has been met, any entry clearance applications not yet decided must be refused. The Refusing entry clearance section provides more information.

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Period and conditions

Where an entry clearance application is issued under the UK/European Applicant Transfer Scheme, the applicant will be granted up to 3 months entry clearance to the UK, subject to all the following conditions:

- no access to public funds
- no work is permitted
- no study is permitted

Liability to NHS charges for healthcare and restrictions on ability to rent in England are applicable for those granted time limited leave for up to 6 months.

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Notifying the applicant of grant

Once the application has been granted you must notify the applicant. The applicant will receive further information regarding travel to the UK once arrangements have been made. The <u>Travel and arrival in the UK</u> section provides more information.

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Related content

Contents

Travel and arrival in the UK

Travel to the UK

Prior to a decision being made on an individual's entry clearance application, a Home Office commercial partner will meet the applicant at their accommodation for necessary preparations for travel to the UK.

Fit to travel assessment

A medical professional, contracted through a Home Office commercial partner, will attend the applicant's accommodation to complete a fit to travel assessment. This will determine whether the applicant presents any vulnerabilities that will restrict their ability to travel safely to the UK. The applicant must pass their fit to travel assessment before they can travel to the UK.

If an applicant passes the fit to travel assessment, they will be provided with information regarding onward travel to the UK.

If an applicant fails the fit to travel assessment but may be able to travel by other means, this must be considered.

If an applicant fails a fit to travel assessment and more than three months passes before they are fit to travel, the applicant should be issued a new Form for Affixing a Visa (FAV) with refreshed dates when they have passed a further fit to travel assessment.

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Information and next steps

After completing the fit to travel assessment, the Home Office commercial partner will share an information pack with the applicant, explaining the upcoming process for preparation and travel to the UK, assuming there are no issues which arise which prevent their onward travel.

Following a decision to grant permission under the UK/European Applicant Transfer Scheme, onward travel to the UK will be arranged. A Home Office logistics partner will arrange and manage the individual's travel to the UK. The Home Office must provide the logistics partner with the applicant's travel documents. Applicants will be informed directly of their travel arrangements and must attend the required departure location at the designated time communicated to them.

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Before departure

On arrival at the departure location, the Home Office logistics partner will check and confirm the individual's identity. If satisfied that the individual present at the departure location is the applicant who has been granted, the logistics provider will provide the applicant with their travel documents. The applicant will then commence their journey to the UK.

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If the Home Office logistics partner cannot confirm the identity of the individual, or is not satisfied that the individual present is the applicant who has been granted on the scheme, the individual must not be provided with any travel documents. In this instance, the logistics partner will inform the Home Office to cancel the entry clearance. The <u>Cancellation</u> section provides more information.

If the individual does not attend the required departure location at the designated time communicated to them and subsequently does not travel on the scheduled transport to the UK, the logistics partner will consider whether to reschedule transport to the UK. The commercial partner will inform the Home Office if new transport has been arranged to inform them of the new travel arrangements.

If the commercial partner does not reschedule transport to the UK, or the applicant has already not presented for travel to the UK, they will contact the Home Office to cancel the entry clearance. The <u>Cancellation</u> section provides more information.

At the UK border

Individuals arriving under this route will present an entry clearance vignette provided on a FAV and a passport or other identity document, and should be processed in line with the Border Force Entry Clearances guidance. If the Border Force officer is satisfied, the FAV must be endorsed with an Open Date Stamp.

Official - sensitive: start of section

Official - sensitive: end of section

Individuals arriving via this route should have their permission to enter cancelled if they fall for refusal under <u>Part 9: Grounds for Refusal</u>, or if they have previously entered or arrived illegally in the UK. Where an individual is refused entry, is and liable for removal, Part 9 Grounds for Refusal and Cancellation policy will apply.

If an individual claims asylum on arrival, you must still endorse the FAV with an Open Date Stamp and direct the individual to the meet-and-greet in the designated area, landside.

If an individual falls for refusal of permission to enter on Part 9 grounds following further examination, you must follow business-as-usual processes in line with the BF Refusal and Cancellation of Permission to Enter guidance. If, following cancellation of permission to enter, the individual claims asylum, officers should follow existing asylum processes as set out in the Asylum Screening and Routing guidance.

If an individual is inadequately documented when they present at the border, including having a lost or damaged FAV or a missing passport, you must look to refuse entry under Part 9 for not holding the required travel documentation or entry clearance in line with the BF Refusal and Cancellation of Permission to Enter guidance.

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The information in this section has been removed as it is restricted for internal Home Office use.

Official - sensitive: end of section

If an individual is permitted to enter the UK by Border Force but is subsequently considered for refusal, for example a customs breach or other information obtained in the customs channel, you must refer to the section titled 'Refusal after the passenger has passed through the primary control point' within the BF Refusal and Cancellation of Permission to Enter guidance.

Arrival in the UK

After the individual has passed through immigration controls and customs channels, they are expected to be met UK landside by a third-party logistics provider who can arrange onward travel. Border Force do not need to accompany the individual.

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Cancellation of permission

A grant of entry clearance or permission under the UK/European Applicant Transfer Scheme may be cancelled if any of the following apply:

- the applicant ceases to meet the requirements of the Rules under which the entry clearance was granted
- the applicant does not present for travel to the UK, without reasonable excuse, when directed by the Home Office
- the applicant does not collect their visa, without reasonable excuse, when directed by the Home Office
- the applicant has been granted international protection elsewhere
- it is discovered that the applicant had immigration permission in France at the time they applied or were being considered under the scheme
- the applicant is refused entry at the border under Part 9 grounds

See the Cancellation procedures: casework systems action section in the Cancellation and curtailment of permission guidance for more information.

Applicant ceases to meet the requirements of the rules

If an applicant ceases to meet the requirements of the rules under which they were granted entry clearance under the UK/European Applicant Transfer Scheme, you must cancel their entry clearance or permission.

Instances where this might happen include if an applicant provided fraudulent documentation as part of their application and this is discovered after they have been granted entry clearance under the scheme.

If an applicant ceases to meet the requirements of the rules, you must cancel their entry clearance or permission. You must communicate this decision to the applicant giving the relevant reason their permission was cancelled. See the section on Notifying an applicant of cancellation of permission.

Applicant does not present for travel to the UK

If an applicant does not present for travel to the UK, the Home Office commercial partner will reschedule travel arrangements and communicate the new travel arrangements to the applicant using the contact information they have provided.

If an applicant fails to present at the designated departure location for their scheduled travel to the UK for a second time, they will not be permitted any further travel to the UK under the UK/European Application Transfer Scheme and their entry clearance must be cancelled.

You must communicate this decision to the applicant giving the reason that they failed to present on two occasions for travel to the UK. The <u>Notifying an applicant of cancellation of permission</u> section provides more information.

Applicant does not collect their visa

If an applicant does not present to collect their visa, they will not be permitted onward travel to the UK under the UK/European Application Transfer Scheme and their entry clearance must be cancelled.

You must communicate this decision to the applicant giving the reason that they failed to present to collect their visa. The <u>Notifying an applicant of cancellation of permission</u> section provides more information.

Applicant has been granted international protection elsewhere

If an applicant has been granted international protection in another country, their entry clearance or permission must be cancelled.

You must communicate this decision to the applicant giving the reason that they have been granted international protection in another country. The <u>Notifying an applicant of cancellation of permission</u> section provides more information.

Applicant is refused entry at the border under Part 9 grounds

If an individual is refused entry at the border under Part 9 grounds, in line with the BF Refusal and Cancellation of Permission to Enter guidance, a Border Force officer must cancel the entry clearance granted to the applicant. If entry clearance is cancelled, the applicant will not have permission to enter the UK. See section on <a href="Attemption-entropy-the-nation-en

Notifying an applicant of cancellation of permission

If you cancel the entry clearance or permission of an applicant who has been granted under the UK/European Applicant Transfer Scheme, you must notify the applicant of this decision. You must provide a reason for the cancellation in the notification.

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Appeals and administrative review

There is no right of appeal or administrative review against an application refusal under the UK/European Applicant Transfer Scheme. However, a cancellation of permission to enter at the border may attract an Administrative Review depending on the grounds of refusal. The Administrative Review guidance provides more information.

If an applicant submits a further Expression of Interest application for the UK/European Applicant Transfer Scheme, you must treat that application according to this guidance and the Immigration Rules, noting any changes to previous applications and considering any new information or evidence provided.

Leave outside the rules (LOTR)

The UK/European Applicant Transfer Scheme is not a route to seek leave outside the Immigration Rules. There are no grounds for caseworkers to consider a grant of leave outside the rules for applications under this route before arrival.

Closure of the scheme

If you are notified that the pilot has closed, you must cease consideration of any outstanding Expression of Interest applications. Any outstanding Expression of Interest applications at the time the pilot closes will be rejected. Any outstanding entry clearance applications at the time the pilot closes will be refused. The section on the cap provides more details.

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