



Home Office

Permission to stay on a protection route for asylum claims lodged on or after 2 March 2026

Version 1.0

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About this guidance

This instruction provides guidance to decision-makers on the duration of and conditions attached to permission to stay, previously referred to as leave to remain, given to those who have been granted refugee status or humanitarian protection under [Part 11 of the Immigration Rules](#). This includes those granted at initial decision stage or following an allowed or withdrawn appeal, or further submissions. This guidance only applies to asylum claims and further submissions lodged on or after 2 March 2026.

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 Asylum Policy Secretariat.

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

Publication

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

- version 1.0
- published for Home Office staff on 07 April 2026

Changes from last version of this guidance

This is new guidance to reflect changes to [paragraphs 339QA and 339QB of the Immigration Rules](#), and the introduction of [paragraphs 339QAA and 339QBA of the Immigration Rules](#), which sets out the type and duration of permission to stay that is be provided to a person granted refugee status or humanitarian protection following an asylum claim lodged on or after 2 March 2026.

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Introduction

Relevance of the date that the asylum claim was made

This guidance explains the circumstances in which it would be appropriate for you to grant permission to stay on a protection route.

This guidance is for decision-makers considering asylum claims and further submissions lodged on or after 2 March 2026 or asylum claims and further submissions that need to be considered as if they had claimed asylum before 2 March 2026 under transitional arrangements.

26 March 2026 is the 'commencement date' for the associated changes to [Part 11 of the Immigration Rules](#).

For asylum claims and further submissions lodged before 2 March 2026, see [Permission to stay on a protection route for asylum claims lodged on or after 28 June 2022 and before 2 March 2026](#), and where relevant, [Refugee and humanitarian protection leave in asylum claims lodged before 28 June 2022](#).

Transitional arrangements

For the purposes of the transitional arrangements only, individuals who sought to register an asylum claim or further submission before 2 March 2026, but were provided with an appointment to attend a designated place to register their asylum application or further submission on or after 2 March 2026 will be considered to have 'made an asylum claim' or lodged further submissions before 2 March 2026, but only if they attend their scheduled appointment (or, in the event that it is cancelled or rescheduled for reasons attributable to the Home Office, the rescheduled appointment).

Therefore, for this cohort, this policy does not apply and instead, you should refer to [Permission to stay on a protection route guidance for asylum claims lodged on or after 28 June 2022 and before 2 March 2026](#).

However, if the individual does not attend their appointment, but later wishes to register a claim for asylum or lodge further submissions on or after 2 March 2026, they will not be considered to have 'made an asylum claim' or lodged further submissions before 2 March 2026 unless:

- there were circumstances beyond their control that made it impossible for them to attend the appointment scheduled for them
- they contacted the Home Office as soon as reasonably practicable to explain the said circumstances and apply for a new appointment
- they provided the Home Office, as soon as reasonably practicable, with evidence to demonstrate their inability to attend the scheduled appointment which they say they were unable to attend

In such cases, this guidance will apply to their claim.

Background

The UK has a proud record of providing protection for those who need it, in accordance with our international obligations, for example under the Refugee Convention and the European Convention on Human Rights ('ECHR'). Those recognised as refugees because they have a well-founded fear of persecution in their country of origin for reasons covered by the Refugee Convention are normally granted refugee status and permission to stay on a protection route in the UK. Those recognised as facing a real risk of serious harm in their country of origin are normally granted humanitarian protection and permission to stay on a protection route in the UK.

An individual granted refugee status following an asylum claim lodged on or after 2 March 2026 will be granted permission to stay on a protection route in accordance with [paragraph 339QAA of the Immigration Rules](#).

An individual granted humanitarian protection following an asylum claim lodged on or after 2 March 2026 will be granted permission to stay on a protection route in accordance with [paragraph 339QBA of the Immigration Rules](#).

This instruction must be read in conjunction with the main asylum policy instructions, in particular:

- Assessing credibility and refugee status in asylum claims lodged on or after 28 June 2022
- Dependants and former dependants
- Family asylum claims
- Humanitarian protection in asylum claims lodged on or after 28 June 2022
- Exclusion (Article 1F) and Article 33(2) of the Refugee Convention
- Revocation of protection status
- Asylum policy instruction: Settlement protection
- Processing children's asylum claims

Policy intention

The policy objective is primarily to provide a period of permission to stay in the UK to those with protection status because they cannot be expected to leave the UK. The policy is designed to:

- meet our international obligations, but not exceed them, under the Refugee Convention by granting refugee status and an appropriate period of permission to stay to those who need our protection
- meet our international obligations under the ECHR by granting humanitarian protection and permission to stay to those who cannot be expected leave the UK as in doing so they would face a real risk of serious harm

- maintain a fair immigration system that requires all migrants, including those granted protection status, to complete an appropriate period of permission to stay before becoming eligible to apply for settlement
- ensure that safe return reviews are carried out when considering applications for further permission to stay on a protection route so that protection is provided for as long as it is needed, but make clear that those who no longer need protection will need to apply to stay on another basis or leave the UK

Application in respect of children

[Section 55 of the Borders, Citizenship and Immigration Act 2009](#) requires the Home Office to ensure that immigration and nationality functions are discharged having regard to the need to safeguard and promote the welfare of children in the UK. This applies to children who claim asylum in their own right, those who are part of Family asylum claims and those with no protection needs treated as dependant on their parents' asylum claim.

You must have regard to the section 55 duty when processing considering asylum claims and further submissions. The statutory guidance, [Every Child Matters – Change for Children](#), sets out the key principles to take into account in all actions.

There may be exceptional reasons to grant a longer period of permission to stay, and you should refer to the section on [Applications for longer periods of permission](#).

Where there are child welfare or protection concerns that may involve safeguarding issues within the family unit, the case must be referred immediately to the Asylum Safeguarding Hub who will refer the case to the relevant local authority. There is no requirement to obtain the consent of any adults involved as safeguarding the child is our primary responsibility. In an emergency the case must be referred to the police without delay. The Safeguarding Advice and Children's Champion (SACC) can also offer specialist safeguarding and welfare advice on issues relating to children, including family court proceedings and complex child protection cases.

For further information on the key principles to take into account, see: Section 55 children's duty guidance. See also the Processing children's asylum claims guidance.

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Legislation

The 1951 Refugee Convention

The [Refugee Convention](#) provides the framework for international refugee protection. Under the Convention, signatory states have obligations to refugees which include protection against non-refoulement, but also extend to other rights including freedom of religion, access to justice, education, employment, housing, public relief and the facilitation of integration and naturalisation in the host country. The UK implements its obligations to refugees, including furnishing them with their rights under the Convention, through domestic legislation which sets out refugees' permission to stay and associated entitlements.

Immigration Rules

[Part 11 of the Immigration Rules](#) sets out the provisions for considering asylum applications.

[Paragraph 334 of the Immigration Rules](#) sets out the criteria that must be met for an individual to be granted refugee status.

[Paragraph 339C of the Immigration Rules](#) sets out the criteria that must be met for an individual to be granted humanitarian protection.

[Paragraphs 339QAA and 339QBA of the Immigration Rules](#) sets out the duration of permission to stay on a protection route provided to individuals granted refugee status or humanitarian protection following an asylum claim made on or after 2 March 2026.

[Paragraph 339QC of the Immigration Rules](#) sets out that where the asylum applicant is granted refugee status or humanitarian protection, any dependants included on the claim may be granted permission to stay for the same duration, and with the same conditions as that which is granted to the asylum applicant.

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Duration of permission to stay on a protection route

[Part 11 of the Immigration Rules](#) contains the legal framework within which a person granted refugee status or humanitarian protection in the UK will be provided with permission to stay.

Those who claim asylum or lodge further submissions on or after 2 March 2026 and who are granted refugee status or humanitarian protection will normally be granted either:

- an initial period of 30 months' permission to stay on a protection route
- an initial period of 5 years' permission to stay on a protection route where the asylum applicant is either:
 - an unaccompanied asylum-seeking child within the meaning of [paragraph 352ZD](#) when granted refugee status or humanitarian protection
 - an individual who would have met the unaccompanied asylum-seeking child definition within the meaning of [paragraph 352ZD](#) when granted refugee status or humanitarian protection, had they not turned age 18 by the time they were granted refugee status or humanitarian protection

There are further specified circumstances in which you may grant more than 30 months permission to stay on a protection route to a person who has been granted refugee status or humanitarian protection. See [Granting longer periods of permission to stay to individuals who claimed asylum on or after 2 March 2026](#).

Granting longer periods of permission to stay to individuals who claimed asylum on or after 2 March 2026

This section explains the circumstances in which it may be appropriate to grant more than 30 months permission to stay on a protection route to an individual who claimed asylum on or after 2 March 2026.

Unaccompanied asylum-seeking children (UASC)

Where an individual claimed asylum on or after 2 March 2026 and is accepted as being an unaccompanied asylum-seeking child (UASC) within the meaning of [paragraph 352ZD of the Immigration Rules](#) at the point of being granted protection status, they should be granted 5 years permission to stay under [paragraph 339QAA of the Immigration Rules](#) (in cases where refugee status has been granted) or [paragraph 339QBA of the Immigration Rules](#) (in cases where humanitarian protection has been granted). This includes individuals who would have met the UASC definition, had they not turned age 18 by the time they were granted protection status.

Accompanied asylum-seeking children

The general principle is that accompanied asylum-seeking children who are accompanied by their parent or parents should receive the same duration of permission to stay as their parent. This enables every member of the family to apply to renew their permission to stay at the same time.

There will be cases where an individual claims asylum before 2 March 2026, but their child is included as a dependant on their asylum claim on or after 2 March 2026.

Children who are included as a dependant on their parent's asylum claim are generally considered to have claimed asylum in their own right, unless they do not have protection needs or have previously claimed asylum, in which case they are solely treated as a dependant on the claim. See the Family asylum claims guidance.

Where a child under the age of 18 is included as a dependant on their parent's asylum claim and has protection needs, they will be considered to have 'made a claim' for asylum on the date they are registered as a dependant on their parent's asylum claim in-person, at a screening event.

The asylum claims of dependant children will continue to be considered in one of the following ways, depending on the circumstances of the case:

- together with their parent's claim under the Family asylum claims process (in cases where the child has the same protection needs as the parent they are a dependant of) – see the Family asylum claims guidance
- separately to their parent whose claim they are dependent on, in accordance with the Processing children's asylum claims guidance (for example, in cases where the child has additional or different protection needs to their parent and cannot have their claim considered under the Family asylum claims process)

Where a dependant child's asylum claim is decided at the same time as their parent's asylum claim, and both the parent and dependant child are granted refugee status or humanitarian protection, the child must be granted 5-years permission to stay on a protection route in cases where their parent is being 5-years permission to stay (for example, because their parent claimed asylum before 2 March 2026).

There may also be rare cases where a parent who claimed asylum before 2 March 2026 is granted refugee status or humanitarian protection and 5-years permission to stay on a protection route, but their dependant child's asylum claim remains outstanding. Where this is the case, and their child is later granted refugee status or humanitarian protection, they must be granted permission to stay on a protection route for a duration that expires on the same date as their parent that has protection status. Where both of the child's parents have protection status and permission to stay on a protection route, but their permission to stay ends on different dates, the child must be granted permission to stay in line with the end date of the parent that has the longest duration of permission remaining, providing that the relevant parent is still exercising parental responsibility for the child.

Children born in the UK to those with refugee status or humanitarian protection

There will be cases where a child born in the UK to a person who has been granted refugee status or humanitarian protection and 5 years permission to stay on a protection route claims asylum on or after 2 March 2026.

Where this is the case, and the child is granted refugee status or humanitarian protection, you must grant the child permission to stay on a protection route for a duration that expires on the same date as their parent that has protection status.

Where both of the child's parents have protection status and permission to stay on a protection route, but their permission to stay ends on different dates, the child must be granted permission to stay in line with the end date of the parent that has the longest duration of permission remaining, providing that the relevant parent is still exercising parental responsibility for the child.

Dependant partners who claim asylum on or after 2 March 2026

There may be cases where a partner who is included as a dependant on an asylum claim registered before 2 March 2026 claims asylum in their own right on or after 2 March 2026. This may occur, for example, in cases where a dependant partner initially confirmed that they did not want to claim asylum in their own right but later registers an asylum claim.

Where the claims are decided at the same time, and both the claimant and their dependant partner (who is also a claimant) are granted refugee status or humanitarian protection, the partner must be granted 5 years permission to stay on a protection route in cases where their partner who they are a dependant of is being granted 5 years permission to stay on a protection route.

There may also be rare cases where a claimant who claimed asylum before 2 March 2026 is granted refugee status or humanitarian protection and 5-years permission to stay on a protection route, but their dependant partner's asylum claim that was lodged on or after 2 March 2026 remains outstanding. Where this is the case, and their partner is later granted refugee status or humanitarian protection, they must be granted permission to stay on a protection route for a duration that expires on the same date as their partner, but only if they are in still in a genuine and subsisting relationship.

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Applications for longer periods of permission to stay

This guidance outlines the normal length of permission to stay which will be provided to an individual granted refugee status or humanitarian protection in the UK.

There may be exceptional circumstances which warrant a longer period of permission to stay. A claimant may make such a request as part of their initial claim or make an application at any point thereafter. A claimant may also have indicated particular vulnerabilities as part of their asylum claim which you must consider in deciding whether to grant a longer permission to stay, even if the claimant has not made a specific request or application for a longer period of permission to stay.

Unless the claimant falls within the categories of persons who should be granted permission to stay in line with the end date of their parent or partner's permission (which may mean that the person is granted more than 30-months permission to stay), a longer period of permission to stay will only be granted in the most exceptional of circumstances. This means not only a situation which is unusual but one which is distinguished to a high degree from others who need international protection, to the extent that it is necessary to deviate from the normal grant of permission to stay.

The claimant must provide specific evidence in support of why a longer period of permission to stay is appropriate. In the case of medical or mental health issues, the evidence must specifically address why the longer period of permission to stay is relevant to the claimant and why the normal period is insufficient. It is highly unlikely that a request for indefinite permission to stay (also referred to as 'indefinite leave to remain' or 'settlement') on account of, for example, employment or educational opportunities will succeed but you must consider if there are any other reasons to divert from a normal period. The best interests of the child must also be considered in deciding whether a longer period permission of stay may be appropriate.

Any grant of a longer period of permission to stay, including indefinite permission to stay, must be approved by a senior manager (SEO or above), unless the person falls within the categories of persons who should be granted permission to stay in line with the end date of their parent or partner's permission (which may mean that the person is granted more than 30-months permission to stay).

See the section on [Granting longer periods of permission to stay to individuals who claimed asylum on or after 2 March 2026](#) for guidance on the specified circumstances in which a claimant who claimed on or after 2 March 2026 may be granted more than 30 months permission to stay on a protection route.

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Dependants

Family members who have been accepted as dependants on the asylum claim in accordance with [paragraph 349 of the Immigration Rules](#) may be granted permission to stay for the same duration and with the same conditions as the main claimant under [paragraph 339QC of the Immigration Rules](#), unless the suitability criteria set out in [Immigration Rule 339QC](#) are not met.

You must not grant permission to stay to a dependant under [paragraph 339QC of the Immigration Rules](#) in cases where the dependant has claimed asylum in their own right and qualifies for a grant of refugee status or humanitarian protection which is being implemented at the same time as a decision on the claim they are dependant on. Where this is the case, the dependant, who is also a claimant, must be granted protection status and permission to stay on a protection route when deciding their claim.

Under UK law, children included as a dependant on their parent's asylum claim are generally also considered to have made an asylum claim in their own right. Where it is considered that a dependant child is at risk of persecution or serious harm on return to their country, you must normally grant the child refugee status or humanitarian protection and permission to stay on a protection route for 30-months in cases where the child and their parent claimed asylum on or after 2 March 2026.

See the section on [Accompanied asylum-seeking children](#) for guidance on the circumstances in which you must grant more than 30-months permission to stay on a protection route to an accompanied asylum-seeking child.

Where it is considered that a dependant child is not at risk of persecution or serious harm on return to their country, you must consider granting the child permission to stay under [paragraph 339QC of the Immigration Rules](#), for the same duration and with the same conditions as that which is granted to their parent.

See [Dependants and former dependants](#) and where relevant, [Family asylum claims](#) for guidance on how to consider granting or refusing permission to stay to dependants.

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Entitlements of permission to stay on a protection route

Those who claimed asylum on or after 2 March 2026 and are granted refugee status or humanitarian protection will be granted permission to stay on a protection route in the UK and will be granted or provided with:

- immediate and unrestricted access to the labour market
- recourse to public funds
- the opportunity to apply for a refugee integration loan

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Refusing permission to stay on a protection route

Only those granted refugee status under [paragraph 334 of the Immigration Rules](#) or humanitarian protection under [paragraph 339C of the Immigration Rules](#) can be granted permission to stay on a protection route. Any individual who does not have refugee status or humanitarian protection must not be granted permission to stay on a protection route under [paragraph 339QA-QBA of the Immigration Rules](#).

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Allowed appeals

All decisions to refuse a protection claim attract a right of appeal under [Section 82 of the Nationality, Immigration and Asylum Act 2002](#), unless the claim is certified under section 94 or section 96 of the Nationality, Immigration and Asylum Act 2002. This includes where refugee status is refused, but humanitarian protection is granted, or where refugee status and humanitarian protection is refused, but another form of leave to remain, such as discretionary leave, is granted.

Where the claimant claimed asylum on or after 2 March 2026, and an appeal against the decision to refuse protection status is allowed on protection grounds, you must grant the claimant permission to stay on a protection route in accordance with this guidance.

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Applications for further permission to stay on a protection route

Pre-Nationality and Borders Act 2022 claims

For guidance on granting permission to stay to individuals granted refugee status or humanitarian protection as a result of asylum claims made before 28 June 2022, please see the refugee and humanitarian protection leave.

Claims made before 2 March 2026

Individuals who claimed asylum on or after 28 June 2022 and before 2 March 2026, and who are granted refugee status or humanitarian protection will be granted an initial period of 5 years' permission to stay on a protection route. See Permission to stay on a protection route for asylum claims lodged on or after 28 June 2022 and before 2 March 2026. They will be expected to apply for further permission to stay 28 days before their initial period expires. This also applies to unaccompanied asylum-seeking children.

Safe return review

All those who apply for further permission to stay on a protection route or settlement protection, will be subject to a safe return review with reference to the country situation at the date the application is considered. Those who still need protection upon applying will normally qualify for further permission to stay or settlement.

You must consider the conditions attached to grants of further permission to stay when considering applications for further permission to stay. In the vast majority of cases, it is likely that a person's protection needs will remain and that further permission to stay or settlement would be granted on that basis. You must refer to the Settlement Protection instruction for more detailed guidance on conducting safe return reviews.

An individual's case may also be reviewed either when triggered by their actions, for example, they are convicted of a particularly serious crime, or in light of a significant and non-temporary change in conditions in their country of origin such that they no longer need protection. Permission to stay on a protection route may be curtailed or revoked (cancelled) under [339QD of the Immigration Rules](#) in cases where the person's protection status is revoked. See Revocation of protection status for further guidance.

Individuals who do not apply for further permission to stay

Where an individual on a protection route does not apply for further permission to stay before their current permission expires or does not apply for further permission to stay at all, they become an overstayer and are no longer entitled to the benefits

associated with a valid period of permission to stay on a protection route, for example permission to work.

They also become liable to removal but remain in need of international protection until and unless their refugee status or humanitarian protection is revoked.

Therefore, you must revoke their refugee status or humanitarian protection before they are removed. For more guidance on when it is appropriate to revoke refugee status or humanitarian protection, please see the Revocation of protection status guidance.

Where evidence comes to light that an individual has overstayed and has not made an application for further permission to stay, you must consider whether there are grounds to refer the case to the Status Review Unit. For more guidance on when it is appropriate to refer cases to the Status Review Unit, please see the guidance on revocation of protection status.

The reasons why an individual with refugee status or humanitarian protection applied late for a further period of leave should be explored including by contacting the applicant if necessary. Reasons could include:

- lack of legal advice or poor advice
- language difficulties
- level of education
- destitution or near destitution
- illness
- experiences of social marginalisation
- inability to travel (for example due to a pandemic)

Where the individual provides sufficient reasons for the late application, and there are no reasons to refer the case to the Status Review Unit for consideration of revocation, then you must process the application for further permission or settlement protection in the normal way.

In cases where an applicant does not provide sufficient reasons why their application was not made in time, they should still be presumed to be entitled to protection, though their case can be referred to Status Review Unit for a review of their continuing need for protection should there be grounds to do so. Should protection status be retained, you must normally grant a further period of permission to stay in-line with this guidance.

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