



Home Office

# Ukraine Permission Extension Scheme

Version 3.0

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# About this guidance

This guidance tells decision makers how to decide applications under the Ukraine Permission Extension (UPE) 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, email the Ukraine Policy Team.

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

## Publication

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

- version **3.0**
- published for Home Office staff on **8 April 2026**

## Changes from last version of this guidance

This guidance has been updated to reflect:

- a change to the Contacts section
- changes to the Purpose section to reflect that applications may be made for a further 24-month period of permission under the UPE scheme
- changes to the Validity requirements section to reflect an extension to the application window, such that any extant permission at the date of decision will be added to the new grant of permission (up to a maximum of 90 days), and to the documents needed to demonstrate an individual's identity
- changes to the Late applications section to reflect the changes to the period of overstaying
- changes to the Suitability requirement section to reflect the introduction of Part Suitability
- changes to reflect that the rules governing a child born in the UK includes a child born in the Crown Dependencies
- changes to the Residence requirement section
- changes to the Aligning children's leave section
- Changes to the Granting permission section to reflect the different periods of permission that may be granted

## Related content

[Contents](#)

# Purpose

This section tells you about use of this guidance in considering a person's application to stay in the UK under the Ukraine Permission Extension scheme (UPE).

## Use of this guidance

This guidance must be used for all decisions made under the UPE 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 UPE scheme launched at 9:00am GMT on 4 February 2025. It enables Ukrainian nationals and their eligible family members who continue to require sanctuary in the UK to apply for further permission to remain for up to 18 months, with the same entitlements to work, study and access public funds as provided for under the existing Ukraine schemes.

A person in the UK may qualify under the UPE scheme if they have previously been granted permission under the Homes for Ukraine Scheme (HFU), the Ukraine Family Scheme (UFS), the Ukraine Extension Scheme (UES) or an initial grant of UPE. From 8 April 2026, applicants who were granted an initial 18-month period of permission under the UPE scheme and are within 90 days of that permission expiring may apply for an additional 24-month period of permission under the scheme.

Children born in the UK or Islands (as defined in both the Immigration Act 1971 and the British Nationality Act 1981, referred to within this document as the Crown Dependencies) to a parent with permission under one of the Ukraine Schemes, who could previously apply for permission under UES when that route was available, are eligible to apply under the UPE scheme.

The UPE scheme (as other Ukraine schemes) provides temporary sanctuary and is not a route to settlement.

## Other Ukraine schemes

The HFU scheme was launched on 14 March 2022 to allow Ukrainian nationals and their family members to come to the UK if they have an approved sponsor.

The HFU Sponsorship scheme is included in the Immigration Rules under the Appendix Ukraine Scheme. The relevant Immigration Rules first came into force on 30 March 2022. Before that date the scheme operated outside of the Immigration

Rules. This scheme is the only temporary sanctuary out of country route for Ukrainians.

UFS (which was available to eligible Ukrainian nationals and their family members with an eligible UK based family member sponsor) closed to new applications at 3:00pm GMT on 19 February 2024.

UES (which was available to eligible Ukrainian nationals or the close family members of a Ukrainian national) closed to most new applications on 16 May 2024. It remained open for children born in the UK to apply for permission to stay. The scheme closed in its entirety on 4 February 2025.

For guidance on how to deal with applications concerning children, see: [Applications from children](#).

## Burden and standard of proof

The burden of proof is on the applicant to demonstrate that they meet the requirements of the UPE 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 have regard to all the relevant information. When making your decision, you must take into account the current situation in Ukraine and its potential impact on the applicant's ability to obtain documentary evidence.

You must be satisfied that any documents, evidence or information the applicant provides in support of their application is correct, valid or genuine. If you have concerns over the validity of any documentation or evidence provided, you must refer the application to a senior caseworker (SCW).

If there is insufficient information provided with the application and it will make a material difference to your decision on the application, you may request further information or evidence from the applicant. The guidance on Evidential flexibility applies here and sets out the methods of contact and period of time to be afforded to applicants. See: Evidential flexibility (internal link).

## Translations

If a document is not in English and is not accompanied by certified translation, you should contact the applicant and ask them to provide a certified translation.

### Related content

[Contents](#)

# The Ukraine Permission Extension scheme

This section tells you about the main requirements and how to consider applications made under the UPE scheme.

## Validity requirements

The validity requirements for all applications under the UPE scheme are that the applicant must:

- have completed the specified application form online
- not have made their application more than 90 days before expiry of their current permission
- have provided biometrics when required
- have provided a passport or other document which satisfactorily establishes their identity and nationality
- be in the UK on the date of application
- have been granted permission to stay in the UK as set out in UKR 29.3. (see [Previous permission](#)), unless the applicant was born in the UK or the Crown Dependencies after 18 March 2022 to a Ukrainian national parent with permission under Appendix Ukraine Scheme (see [Exception to the requirement to have been granted permission](#)).

Where you are satisfied that an application meets the validity requirements, you must go on to consider whether the application meets the [Suitability](#) and [Eligibility requirements](#).

You may reject as invalid and not consider an application which does not meet all the validity requirements for the UPE scheme.

You must refer to Validation, variation, voiding and withdrawal of applications (internal link) for guidance on notifying and contacting applicants where their application is invalid.

## Specified application form

An application must be made online using the 'Ukraine Permission Extension scheme' application form.

## Applications should not be made more than 90 days before expiry of current permission

From 8 April 2026, an applicant may submit an application within 90 days of their existing permission expiring (rather than 28 days).

You may reject as invalid an application which is made more than 90 days before the expiry of the applicant's current permission.

You can exercise discretion and accept the application as valid even if the application was made more than 90 days before the expiry of the current permission, where you are satisfied that it would be reasonable to do so.

Applicants should generally provide reasons for applying early on the application form which you should consider.

When considering whether it is reasonable to exercise discretion to consider an early application, you should do so on a case-by-case basis, taking into account how early the application was made prior to the 90-day window.

If you are satisfied that the applicant has demonstrated compelling compassionate, circumstances for making an early application, it would generally be reasonable to exercise discretion to consider that application early.

However, if considering an early application could result in the applicant being granted UPE significantly before their current permission expires, it would not generally be reasonable to exercise discretion to consider an application early unless there are compelling compassionate circumstances.

Given that permission is granted from the date of decision on an application, from 8 April 2026 any extant permission at the date of decision will be added to the new grant of permission, up to a maximum of 90 days.

## Examples of early applications

Where an individual applies more than 90-days before their current permission expires but, at the point of consideration of the application, the applicant's extant permission will expire within 90 days, it would generally be reasonable to exercise discretion in this case.

Where a child's Ukraine Scheme permission expires more than 90 days before their parent's permission expires, and their parent applies early so as to apply at the same time as the child, it would generally be reasonable to exercise discretion to consider an early application from the parent. Likewise, it would generally be reasonable to consider an early application from a child where their parent's permission expires more than 90 days before the child's permission, and the child applies at the same time as the parent.

If a child's permission expires significantly before the parent's permission expires, it would not generally be reasonable to consider an early application. The child applicant should apply within the usual application window, and the process of aligning the child's permission to match the expiry date of their parent's permission will apply if they are granted. Likewise, if the parent's permission expires significantly before the child's, the parent should apply on time and wait to apply for the child 90 days before the child's permission expires. The child's permission will then be aligned with the parent in this scenario. See [Aligning children's leave](#).

Where an applicant is in education in the UK and, as part of their course, they are enrolling on a study abroad or exchange programme, but their current permission expires shortly after the start date of their study abroad or exchange programme, it would generally be reasonable to exercise discretion to consider an early application in this case.

It would generally be reasonable to exercise discretion to consider an early application from an applicant who is currently in full or part-time employment in the UK, who is required by their UK employer to conduct work abroad when their current permission would expire. This does not apply in the case of individuals who have chosen to work for an employer overseas and are habitually based outside the UK as a result.

In any scenario where discretion is applied to accept an application made outside the 90-day window, you may add only the remaining extant permission as at the date of decision, up to a maximum of 90 days.

## Fees and Immigration Health Surcharge

This scheme is free for applicants. They are not required to pay an application fee or the Immigration Health Surcharge (IHS). You must not reject an application for non-payment of a fee or IHS.

## Biometrics and proof of identity

In all cases, you must satisfactorily establish the applicant's identity and nationality.

### Biometrics

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: [Biometric information - enrolment \(internal link\)](#).

Individuals may be eligible to have their biometric information reused, which means they will not need to provide their fingerprints again but must upload a new facial image, if they apply through the UK Immigration: ID Check app and meet the requirements to enable their fingerprints to be reused. For guidance on the requirements for the reuse of biometric information see [Biometric reuse \(internal link\)](#).

For UPE, the applicant needs their biometric residence permit (BRP) which must have expired within 24 months of the application to use the complete digital service and allow their biometric information to be reused. The applicant can do so even where their BRP has expired.

They may not be able to use it if:

- they have lost their BRP
- the chip in their BRP is damaged and hence cannot be read by the app
- they are not able to use the app
- they are unable to receive their decision by email

If an applicant is unable to use the complete digital service, they must complete the application process and attend a Visa Application Centre (VAC) to enrol their biometrics. For applicants aged 5 years or over, this will be their fingerprints and a facial image. Applicants who are under 5 are not required to provide their fingerprints but must still provide a live scan facial image as a biometric.

## Applicant's identity and nationality documentation

The applicant must satisfy you that their identity and nationality is as stated on their application.

You must be satisfied that the claimed identity and nationality are genuine, exist, and belong to the person presenting them. In line with the Identity Standards Guidance, being satisfied means assessing whether the totality of evidence provides sufficient confidence that:

- the identity exists
- the identity has been securely fixed to the person
- the evidence assures the identity to the required standard

Where an applicant is applying on the basis of their Ukrainian nationality but has submitted an identity document showing another nationality (for example, where they are a dual-national), you must write out to the applicant to request that they provide evidence of their Ukrainian nationality.

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, a Ukrainian applicant may provide one or more of the following to help prove their identity and nationality to a satisfactory standard:

- a recently expired passport, so long as the photograph clearly resembles the holder
- a valid or recently expired Ukrainian 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 emergency certificate issued by a Ukrainian authority since March 2022

an expired Biometric Residence Permit, so long as the facial image resembles the person. A Biometric Residence Permit (BRP) may only be used as evidence of

identity and nationality where the underlying identity was previously established and fixed in accordance with the Home Office identity standards.

A BRP cannot be treated as evidence of identity or nationality where the original identity was never satisfactorily established (for example, where the visa or status was granted without prior identity assurance). In such cases, the BRP should be treated as a low assurance document indicating only that an identity record exists, but not that it can be reliably linked to the person presenting it.

Driving licences and birth certificates must not be treated as evidence of nationality. In line with the Identity Standards Guidance, a driving licence is a mid-assurance identity document, which may help establish that the claimed identity exists and is being used, but it does not assert nationality. A birth certificate is a source document, confirming a historic biographical event, but cannot be used to assert nationality nor to reliably link the identity to the person presenting it. These documents may contribute to establishing an unsubstantiated identity but cannot satisfy the requirement to establish nationality. Additional evidence will be required to assure nationality to the required standard.

If the applicant has not previously provided a valid international passport, you must seek advice from your SCW before you write out to request one. See Applications from those who have not previously provided a valid passport.

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

## **Applications from those who have not previously provided a valid passport**

If an applicant has not previously provided a valid passport, their identity has not been adequately assured. You must seek advice from your SCW before you write out to the applicant to request that they self-upload a copy of their passport, including the Machine-Readable Zone (MRZ) page before the application is decided.

If they do not currently hold a valid passport and are a:

- Ukrainian national: they should apply for a new passport from one of the Ukrainian consulates or the [Ukrainian immigration service in the UK](#) - if they cannot do so, they should provide a reasonable explanation as to why and provide alternative evidence of their identity and nationality: a referral to a UK Visa and Citizenship Application Centre (UKVCAS) or SSC (Service and Support Centre) may also be required. If no reasonable explanation and no alternative evidence that satisfactorily establishes an applicant's identity and nationality has been provided, the application will be rejected
- Third country national: they must attend a UK Visa and Citizenship Application Centre (UKVCAS) or SSC (Service and Support Centre)

Where a Ukrainian national demonstrates they have applied for a passport and cannot yet produce it, you must assess whether identity can be established and fixed using available evidence. If not, their application should be put on hold for a

maximum of 6 months to allow the passport application to be processed. You must seek advice from your SCW about the letter that may need to be issued to the applicant.

If, after 6 months, they are still waiting for a passport, they will be asked to attend a UKVCAC, if they have not attended previously. The SCW will then determine whether, based on the evidence provided by the applicant and assessed in line with the ID policy, they are satisfied that the applicant's identity has been assured.

## 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 write out to them and ask them to provide a reasonable alternative or an explanation for why they are not able to provide any documents. If you are satisfied with the reasons given, you must record this on the case-working system. You must refer to Validation, variation and withdrawal of applications (internal link) when considering reasons why an applicant cannot provide documentation.

If the applicant has not provided documents which satisfactorily establish their identity and nationality, and has not provided any explanation, or you are not satisfied with the reasons given, you must refer the case to a SCW.

## False documents and evidence

You must consider refusing on grounds of suitability if you are satisfied false documents or evidence were submitted. See [Suitability requirements](#).

## Applications made within the UK

Applicants must be inside the UK on the date of the application and must confirm this as part of the application form.

You may identify that an individual is applying from outside the UK where, for example, the applicant discloses this elsewhere in their application or in evidence submitted, or there are discrepancies in the applicant's passport, or it otherwise becomes apparent from their immigration history as recorded on the caseworking system.

Where you are satisfied that an application has been made from outside of the UK, you may reject the application as invalid.

Applicants who are outside the UK, whose previous permission under Appendix Ukraine has expired, who wish to return to the UK may apply for a different entry clearance route for which they meet the requirements.

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### Previous permission

As set out at UKR 29.3, the applicant must have been granted permission in one of the following capacities:

- under Appendix Ukraine Scheme, or the equivalent permission granted in the Crown Dependencies (Jersey, Guernsey, Isle of Man)
- outside the rules on or between 20 February 2022 and 2 May 2022, on the basis that they would have been granted permission under Appendix Ukraine Scheme had those rules been in force at that date
- outside the rules as a person who is:
  - a Ukrainian national, or their family member as defined by [section 8\(3\) of the Immigration Act 1971](#), who was in the UK and exempt from immigration control between 18 March 2022 and 16 November 2023, and would have met the requirements of Appendix Ukraine Scheme if they had ceased to be exempt between 18 March 2022 and 16 November 2023, and who ceased to be exempt from immigration control between 16 November 2023 and 4 February 2025
  - a family member, who does not meet the conditions of [section 8\(3\) of the Immigration Act 1971](#), of a Ukrainian national who would have met the requirements to act as a sponsor under UFS on or before 3:00pm GMT on 19 February 2024, had the Ukrainian national not been exempt from immigration control at that time
  - a member of a group who was transferred to the UK between 14 February 2022 to 30 March 2022 to facilitate their relocation from Dnipro as a result of a specific agreement with the Ukrainian Government
  - a person who was admitted to the UK for the purposes of urgent medical treatment in the UK following agreement with the Department of Health and Social Care in their particular case
  - the carer or parent of a child who was transferred to the UK under specific agreements with the Ukrainian Government or other UK Government Departments, as set out above
  - a child who made a HFU application before 10 August 2022 and met the requirements for the concession to Appendix Ukraine Scheme as set out in the HFU guidance from 15 July 2022
  - a child who was granted permission to enter the UK prior to 31 January 2025 on the basis that they had a parent or legal guardian who held permission under Appendix Ukraine Scheme, or the equivalent permission granted in the Crown Dependencies, or in accordance with the provisions set out

## Previous permission under Appendix Ukraine Scheme

You must consider whether an applicant has previously been granted permission under HFU, UFS or UES, or equivalent permission granted in the UK or Crown Dependencies (see [The Crown Dependencies](#)).

An application may be valid where the applicant has previously been granted permission under any of the above schemes. This does not need to be their most recent grant of permission.

For example, an applicant who was previously granted permission under Appendix Ukraine Scheme, but who subsequently switched into another visa route, may still qualify for UPE. This is to ensure that they are able to benefit from further sanctuary in the UK even in instances where, for example, they cannot extend their permission on the route they had switched into.

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## Previous permission outside the rules

If the applicant was not granted permission to stay under Appendix Ukraine Scheme in the UK, or equivalent permission granted in the Crown Dependencies, you must consider whether the applicant was granted LOTR for one of the reasons set out in UKR 29.3 (see [LOTR granted between 20 February and 2 May 2022](#), [Persons previously exempt from immigration control](#), and [Dnipro children and medical cases](#)).

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## LOTR granted between 20 February and 2 May 2022

An application will be valid where the applicant was granted LOTR on or between 20 February 2022 and 2 May 2022 on the basis that they would have been granted permission under Appendix Ukraine Scheme had those rules been in force at that date.

The UFS and the HFU Sponsorship Scheme originally opened on 4 March and 18 March 2022, respectively, outside the rules. Both schemes were brought inside the rules on 30 March 2022. The UES was brought into the rules on 3 May 2022. Therefore, UFS and HFU applications granted before 30 March 2022, and UES applications granted before 3 May 2022, were granted outside the rules. Individuals granted LOTR before the Ukraine Schemes were brought into the rules can make valid UPE applications.

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## Persons previously exempt from immigration control

An application will be valid where the applicant was granted LOTR as:

- a Ukrainian national, or their family member as defined by [section 8\(3\) of the Immigration Act 1971](#), (see Exemption from immigration control (Non armed forces) (internal link) for definitions of qualifying family members)
- who was in the UK and exempt from immigration control between 18 March 2022 and 16 November 2023
- who would have met the requirements of Appendix Ukraine Scheme if they had ceased to be exempt from immigration control between 18 March 2022 and 16 November 2023
- who ceased to be exempt from immigration control between 16 November 2023 and 4 February 2025

Ukrainian nationals and their immediate family members who were exempt from immigration control between 18 March 2022 and 16 November 2023 were unable to apply for UES before the cut-off point for consideration due to their exemption.

Where they ceased to be exempt after 16 November 2023 and would have met the requirements of UES had they ceased to be exempt between 18 March 2022 and 16 November 2023, they may have been granted LOTR on the basis that they were in an analogous position to a Ukrainian national who held permission in the UK between the relevant dates. Where this is the case, their UPE application will meet the validity requirements of UKR29.3(c)(ii-iv).

Where such individuals ceased to be exempt prior to 16 November 2023, they would have had deemed leave in accordance with [section 8A\(2\) of the Immigration Act 1971](#), which means that they would have been in the UK with permission and so would have been eligible to make an application to UES on that basis. Where an applicant has been granted permission under UES and subsequently makes an application for UPE, they will meet the validity requirements of UKR29.3(a) (see [Previous permission under Appendix Ukraine Scheme](#)).

An application will be valid where the applicant was granted LOTR as the Ukrainian national would have met the requirements to act as a sponsor under UFS on or before 3:00pm GMT 19 February 2024 had they not been exempt from immigration control at that time.

Family members of a Ukrainian national who was exempt from immigration control, but who were not themselves exempt because they were outside the Ukrainian national's immediate household, may have been unable to apply for UFS because their Ukrainian family member was not able to sponsor them due to being exempt.

Where the Ukrainian would have met the requirements of UFS to act as a sponsor, but for the fact that they were exempt at the time, family members may have been granted LOTR on the basis of a concession to preserve the family unit. Where this is the case, their UPE application will meet the validity requirements of UKR29.3(c)(v).

For guidance on identifying persons exempt from immigration control and the definitions of qualifying family members under section 8(3) of the Immigration Act 1971, see [Exemption from immigration control \(Non armed forces\) \(internal link\)](#).

Applications from individuals who already have indefinite leave to enter or remain, or are British Citizens, or who are exempt from immigration control are void. You must refer to [Validation, variation and withdrawal of applications \(internal link\)](#) for further guidance on void applications.

## **Dnipro children and medical cases**

An application will be valid where the applicant was granted LOTR as a child who was transferred to the UK under specific agreements with the Ukrainian Government or other UK Government Departments.

This includes Ukrainian national children from Dnipro, and their legal guardians, who arrived in the UK in March 2022. They were granted LOTR exceptionally for the same duration and on the same conditions as those arriving under the Ukraine Schemes.

A further example includes children who arrived in the UK following agreement from the Department of Health and Social Care to receive paediatric cancer care. At the request of clinicians, they were accompanied or joined by family members as carers. They were granted LOTR at the discretion of the Home Secretary with the agreement of the Government of Ukraine.

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## **Homes for Ukraine Eligible Minors Concession**

Initially there were no provisions in the Immigration Rules: Appendix Ukraine Scheme for unaccompanied minors applying for a visa under HFU Sponsorship Scheme.

On 15 July 2022 a child concession was introduced for unaccompanied children aged under 18 who had already made such applications so they could be processed. Changes to the Immigration Rules came into effect on 10 August 2022 to enable new applications being made by eligible minors under the rules.

Applicants who were given permission to enter the UK under this concession between 15 July and 10 August 2022 may have been granted LOTR. UPE applications from individuals granted LOTR on this basis will meet the validity requirements of UKR29.3(c)(ix).

See Homes for Ukraine Sponsorship Scheme (internal link) for guidance on the requirements for approval as eligible minors.

### **Applications from children granted LOTR to join their parent or legal guardian before 31 January 2025**

Children who were granted permission to enter the UK before 31 January 2025 to join their parent or legal guardian, who was in the UK with permission under the Ukraine Scheme, may have been granted LOTR.

UPE applications from children granted LOTR on this basis will meet the validity requirements of UKR29.3(c)(x).

### **Exception to the requirement to have been granted permission**

Under UKR 29.4, the requirement to have been granted permission under UKR 29.3 does not apply where the applicant was born in the UK or the Crown Dependencies after 18 March 2022 to a Ukrainian national parent who was granted Ukraine Scheme permission, or the equivalent permission in the Crown Dependencies.

Applicants who meet this requirement can apply directly to the UPE scheme without obtaining prior permission. You must not reject their application on the basis that they have not been granted permission previously.

To determine whether a child applicant meets this requirement, you must confirm that the child was born in the UK or the Crown Dependencies after 18 March 2022. A child born in the UK or the Crown Dependencies must provide a full UK birth certificate showing the names of their parent or parents. For further guidance see:

- [Child](#)
- [Applications from children](#)

You must also confirm that at least one of the child's parents is a Ukrainian national (see [Biometrics and proof of identity](#)) and holds or has previously held permission under Appendix Ukraine Scheme.

### **Previous permission outside the rules not covered by UKR 29.3**

If the applicant was previously granted LOTR on the basis of compelling compassionate grounds but does not meet any of the requirements in UKR 29.3, you must refer such cases to a SCW. SCW should consider whether it is appropriate to exercise discretion to treat the validity requirements as met, and consider whether to make a further grant of LOTR in accordance with the Leave outside the Immigration Rules guidance (internal link). See [Leave outside the rules](#).

See Annex A at the end of this document for examples of previous permissions and their impact on an UPE application.

## Suitability requirements

You must consider the following Suitability requirements under Part Suitability [Immigration Rules - Immigration Rules: Part Suitability - Guidance - GOV.UK](#) when assessing applications under the Ukraine Permission Extension Scheme:

- SUI 2.1. to SUI 2.2. (exclusion or deportation orders)
- SUI 3.1. to SUI 3.2. (non-conductive)
- SUI 4.1. to SUI 4.2. (exclusion from asylum or humanitarian protection)
- SUI 5.1. to SUI 5.5. (criminality)
- SUI 8.1. to SUI 8.2. (involvement in sham marriage or sham civil partnership)
- SUI 9.1., SUI 10.1. and SUI 10.2. (false representations and deception)
- SUI 11.1. to SUI 11.8. (previous breach of immigration laws)
- SUI 14.1. to SUI 14.2. (failure to provide required information)
- SUI 15.1. to SUI 15.2. (admissibility to the Common Travel Area or other countries)
- SUI 20.1. to SUI 25.2. and SUI 28.1. to SUI 30.1. (grounds for refusal and cancellation on arrival)

Grounds that should normally lead to refusal on suitability grounds but are not included for the purposes of this scheme:

- debt to the NHS (paragraph SUI 16.1.)
- unpaid litigation costs (paragraph SUI 17.1)
- purpose not covered by the Immigration Rules (paragraph SUI 18.1.)
- rough sleeping (paragraph SUI 27.1.)
- crew members (paragraph SUI 28.1.)

## Late applications

You must disregard a period of overstaying for the purpose of Part Suitability if Exceptions for Overstayers section of Part Suitability applies [Immigration Rules - Immigration Rules: Part Suitability - Guidance - GOV.UK](#).

## Application submitted on or before 4 August 2025

Exceptions for Overstayers section of Part Suitability applies if the period of overstaying is no more than 90 days and the application for UPE was made on or before 4 August 2025. As is standard on application forms, applicants who submit out-of-time applications are asked to declare any reasons as to why their application was made after the expiry of their previous permission. You do not need to consider these reasons if the application is not more than 90 days out-of-time and was made within this time period, and you can continue to consider the application in the usual way.

## Application submitted on or after 5 August 2025

If the UPE application was submitted on or after 5 August 2025 and the applicant is an overstayer, then you must consider whether an exception to the period of overstaying can be applied under Part Suitability ([Immigration Rules - Immigration Rules: Part Suitability - Guidance - GOV.UK](#)). Paragraph SUI 13.1. of Part Suitability states that an application submitted within 14 days of the applicant's permission expiring maybe disregarded if there was a good reason why the application could not be made in-time. You must consider the reasons that the applicant has given and any evidence they have submitted with their application to consider whether they meet Exceptions for Overstayers section of Part Suitability. If they meet the requirements, up to 14 days' overstaying may be disregarded. If they do not provide good reasons why the application could not be made in-time, then the application should be refused.

You must refer to Applications from overstayers (internal link) for guidance on how to apply Exceptions for Overstayers section of Part Suitability and consider good reasons for late applications. The guidance also sets out how to treat out of time applications made within 14-days of a decision to refuse or reject a previous application which was made in-time as well as the discretion available to caseworkers.

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## Eligibility requirements

To be eligible for UPE an applicant must meet the following requirements:

- the nationality and / or relationship requirements
- the residence requirements

If you are satisfied that all the suitability and eligibility requirements are met, you must grant the application (see [Granting permission](#)).

## Nationality and relationship requirements

To meet the nationality requirement for the scheme, the applicant must satisfy one of the following rules:

- they must be a Ukrainian national who has been granted permission in accordance with UKR 29.3 (see UKR 31.1(a))
- if the applicant is not a Ukrainian national, they must be a person who was granted permission in accordance with UKR 29.3, and who remains:
  - the partner of a Ukrainian national
  - the child of a Ukrainian national
  - the parent of a Ukrainian national who was granted permission under Appendix Ukraine Scheme before they turned 18 years old
  - the fiancé(e) or proposed civil partner of a Ukrainian national
  - a family member granted permission in accordance with the rules at the time in Appendix Ukraine Scheme on the now closed UFS
  - a carer of a child who was transferred to the UK under specific agreements with the Ukrainian Government or other UK Government Departments, (UKR 29.3(c)(vi) or UKR 29.3(c)(vii). (see UKR 31.1(c))
- a parent of (i) a UK or Islands-born child who is in the UK or Islands with permission under Appendix Ukraine Scheme (or equivalent permission in the Islands), or (ii) a child who meets the criteria of UKR 29.4 but who would be eligible for permission if they made an application under Appendix Ukraine Scheme (see UKR 31.1(c)); or a child of a Ukrainian national born in the UK or Islands after 18 March 2022 (see UKR 31.1(d))

Non-Ukrainian nationals who were previously granted permission in accordance with UKR 29.3 based on their relationship to a Ukrainian national, but who are no longer in that relationship will not meet the nationality requirements.

See [Applicant's identity and nationality documentation](#) for information on how to establish the applicant's identity and nationality.

## Parent

A non-Ukrainian applicant (who was previously granted permission under Appendix Ukraine Scheme, or outside the rules in accordance with UKR 29.3(c) or UKR 31.1(b)), who is the parent of a Ukrainian national who was first granted permission under Appendix Ukraine Scheme when they were under 18 years old, will meet the

nationality requirements for UPE, even if their child is over the age of 18 at the time of the non-Ukrainian's UPE application.

A non-Ukrainian applicant may meet the nationality requirements for UPE if they are the parent of a child born in the UK or Islands and the child is in the UK with permission under Appendix Ukraine Scheme or would be eligible for permission if they (the child) made an application.

See Appendix Children (internal link) for guidance on the definition of parent.

Where an applicant is applying as a parent, they must provide a birth certificate showing the names of the child's parent or parents.

Where an applicant is applying as a legal guardian, they must provide a court order or government issued document naming the applicant as the legal guardian of the child.

If an applicant does not hold a copy of the required documents, other evidence demonstrating that they are the parent or legal guardian of the child may be considered.

Where an applicant is applying as a parent of a UK-born child, who is in the UK without permission under Appendix Ukraine Scheme, you must assess whether the child would be eligible under Appendix Ukraine Scheme if they made an application.

## Child

A non-Ukrainian child who was previously granted permission under Appendix Ukraine Scheme, or outside the rules in accordance with UKR 29.3(b) or UKR 29.3(c), as the child of a Ukrainian national will meet the nationality requirements for UPE.

A non-Ukrainian child who was born in the UK or Islands after 18 March 2022 will meet the relationship requirements, provided that at least one parent is Ukrainian and holds or has previously held permission under Appendix Ukraine Scheme.

If neither parent is Ukrainian nor has ever held permission under Appendix Ukraine Scheme, the child applicant will not meet the nationality requirements.

A child born in the UK or Islands must provide a full UK birth certificate showing the names of their parent or parents. For further guidance on documents that should be provided as part of child applications see [Applications from children](#).

## Partner, fiancé or fiancée or proposed civil partner

If a non-Ukrainian applicant was previously granted permission under Appendix Ukraine Scheme, or outside the rules in accordance with UKR 29.3(b) or UKR 29.3(c), as a partner, fiancé or fiancée or proposed civil partner of a Ukrainian national, they must continue to be in a genuine and subsisting relationship with a Ukrainian national who was granted permission under Appendix Ukraine Scheme.

For guidance on how to assess whether a relationship is both genuine and subsisting, and for guidance on carrying out direct checks where the couple are both living in the UK to assess whether a relationship is subsisting, you must refer to [Relationship with a partner \(internal link\)](#). Where you are considering carrying out direct checks, you must write out to the applicant first to ask for their consent.

This means that a non-Ukrainian national cannot rely on a partner relationship with a Ukrainian national who has never held permission under Appendix Ukraine Scheme even if the partner has valid permission to remain in the UK under another route. Similarly, a non-Ukrainian national cannot rely on a partner relationship with a British national, or a national of any other country, as the basis for eligibility under Appendix Ukraine Scheme.

You must be satisfied, based on the evidence provided, that a non-Ukrainian national applying as a partner meets the requirements of [Appendix Relationship with Partner](#).

A “partner” includes a spouse, civil partner or an unmarried partner in a durable relationship similar to marriage or civil partnership of at least 2 years. See: [Relationship with a Partner \(internal link\)](#) for further guidance on the requirements of Appendix Relationship with a Partner and what may constitute acceptable evidence.

A non-Ukrainian applicant can rely on a different partner relationship than the one relied on previously, provided the new partner is Ukrainian and has been granted permission under Appendix Ukraine Scheme and the requirements of Appendix Relationship with Partner are met.

If a non-Ukrainian national who was previously granted permission under Appendix Ukraine Scheme as a partner, fiancé or fiancée or proposed civil partner of a Ukrainian national declares that they are no longer a partner of a qualifying Ukrainian national, they may be eligible for UPE if they are, under UKR 32.1(b):

- the parent or legal guardian of a child who is in the UK with permission under Appendix Ukraine Scheme; or
- the parent or legal guardian of a child who meets the criteria for UKR 29.4 and who would, if they (the child) made an application, be eligible for permission under Appendix Ukraine Scheme (see [Parent](#))

### **A partner, fiancé or fiancée or proposed civil partner relationship with a relevant Ukrainian national who holds Ukraine scheme permission has broken down permanently as a result of domestic abuse**

A non-Ukrainian applicant who was previously granted permission under Appendix Ukraine Scheme, or LOTR as set out in UKR 29.3, as a partner, fiancé(e) or proposed civil partner on the basis of their relationship with a Ukrainian national, who is no longer in a relationship with a Ukrainian national is no longer eligible for UPE, unless they are under UKR 32.1(b):

- the parent or legal guardian of a child who is in the UK with permission under Appendix Ukraine Scheme
- the parent or legal guardian of a child who meets the criteria for UKR 29.4 and who would, if they (the child) made an application, be eligible for permission under Appendix Ukraine Scheme (see [Parent](#))

Where a relationship has broken down due to domestic violence or abuse, and the applicant does not meet either of the criteria listed that may make them eligible for UPE, they can apply for the Migrant Victims of Domestic Abuse Concession. For further information see Migrant Victims of Domestic Abuse Concession (internal link).

## Family members

A non-Ukrainian applicant who was previously granted permission under the UUFS may meet the nationality requirements for UPE if they were granted permission as an immediate family member of a Ukrainian national (see [Parent](#), [Child](#), [Partner](#), [fiancé or fiancée or proposed civil partner](#)).

If the applicant does not satisfy UKR31.1(b)(i)-(iv) of the nationality requirements as a parent, child, partner, fiancé(e) or proposed civil partner, you should refer the case to a SCW to consider whether the applicant meets the nationality requirements as a family member granted in accordance with the UFS Rules in place at the time (UKR31.1(b)(v)).

A non-Ukrainian applicant previously granted under UFS as an extended family member may meet the nationality requirements for UPE, if they were correctly granted in accordance with the UFS Rules in place at the time (see [archived Immigration Rules](#)).

If a non-Ukrainian applicant is applying as a family member on the basis of a previous grant of permission under UFS, you must determine whether they were correctly granted permission under the rules in place at the time.

To have been eligible under the UFS, the applicant must have been an immediate or extended family member, or an immediate family member of an extended family member of the UK-based sponsor and at least one of the immediate family members of the UK-based sponsor must have been a Ukrainian national:

**immediate family member**, which includes a:

- partner of the UK-based sponsor
- child aged under 18 on the date of application of the UK-based sponsor or of the UK-based sponsor's partner
- parent of a child (who is under 18 on the date of application), where the child is the UK-based sponsor
- fiancé or fiancée or proposed civil partner of the UK-based sponsor

**extended family member**, which includes a:

- parent of a UK-based sponsor, or of the UK-based sponsor's partner (where the sponsor or partner is aged 18 or over on the date of application)

- parent of the UK-based sponsor's child or of the UK-based sponsor's partner's child (where the child is under 18 on the date of application)
- grandparent of the UK-based sponsor or of the UK-based sponsor's partner
- grandchild of the UK-based sponsor or of the UK-based sponsor's partner
- sibling of the UK-based sponsor or of the UK-based sponsor's partner
- adult child (aged 18 or over on the date of application) of the UK-based sponsor or of the UK-based sponsor's partner
- aunt or uncle of the UK-based sponsor
- cousin of the UK-based sponsor
- niece or nephew of the UK-based sponsor
- immediate family member of an extended family member**, which includes a:
  - partner of an extended family member
  - child aged under 18 on the date of application of an extended family member
  - parent of a child aged under 18 on the date of application, where the child is the extended family member
  - fiancé or fiancée or proposed civil partner of an extended family member

This means that the non-Ukrainian applicant both:

- must have been part of a family group which included a Ukrainian national who was an **immediate family member** of the UK-based sponsor
- must have been either an **immediate family member**, an **extended family member** or an **immediate family member of an extended family member**, of the UK-based sponsor.

A non-Ukrainian applicant who was previously granted permission under UFS must have met both bullet points above, at the time of their UFS grant, in order to meet paragraph UKR31.1(b)(v) of the nationality requirements for an UPE application.

When considering whether a non-Ukrainian applicant was correctly granted permission under the UFS Rules in place at the time, and the applicant has not provided sufficient information to demonstrate that they were eligible, you must contact the applicant using the 'Write out 1' template to request this information where:

- the applicant has not provided the name of, or confirmed their relationship to, the Ukrainian national with whom they applied to UFS as part of a family group, and this information is not held by the Home Office
- there is insufficient information on file of the applicant's relationship to their UK-based sponsor
- there is insufficient information on file of how the Ukrainian national with whom the applicant applied to tUFS is related to the UK-based sponsor

If you are satisfied based on all the available information that the applicant did not have a qualifying relationship under UFS, you must contact the applicant using the 'Write out 2' template to give the applicant the opportunity to provide information about any **other** relationships which they could have relied on, which existed and qualified at the time that they applied for UFS.

The applicant must provide supporting evidence when providing information about a different qualifying relationship. The number of documents the applicant must provide depends on the distance of the relationship between them and their UK-based sponsor and / or their Ukrainian family member. They must provide documents to show the connection between each relative.

For example, an applicant who is the aunt of their UK-based sponsor (the sister of the UK-based sponsor's mother) could provide:

- their own birth certificate
- their sister's birth certificate
- the UK-based sponsor's birth certificate

This would show that the applicant and her sister have the same parents, and her sister is the UK-based sponsor's mother.

If the applicant is the sister-in-law of the UK-based sponsor's mother, instead of her own birth certificate, she could provide her:

- own marriage certificate
- husband's birth certificate

Where the applicant is seeking to rely on a partner relationship, you must refer to Relationship with a partner (internal link) for guidance on acceptable evidence.

The applicant should provide the requested information and supporting evidence within 14 calendar days of the date of the write-out letter.

If they do not do this within 14 days, you must send a reminder giving them another 14 days to comply.

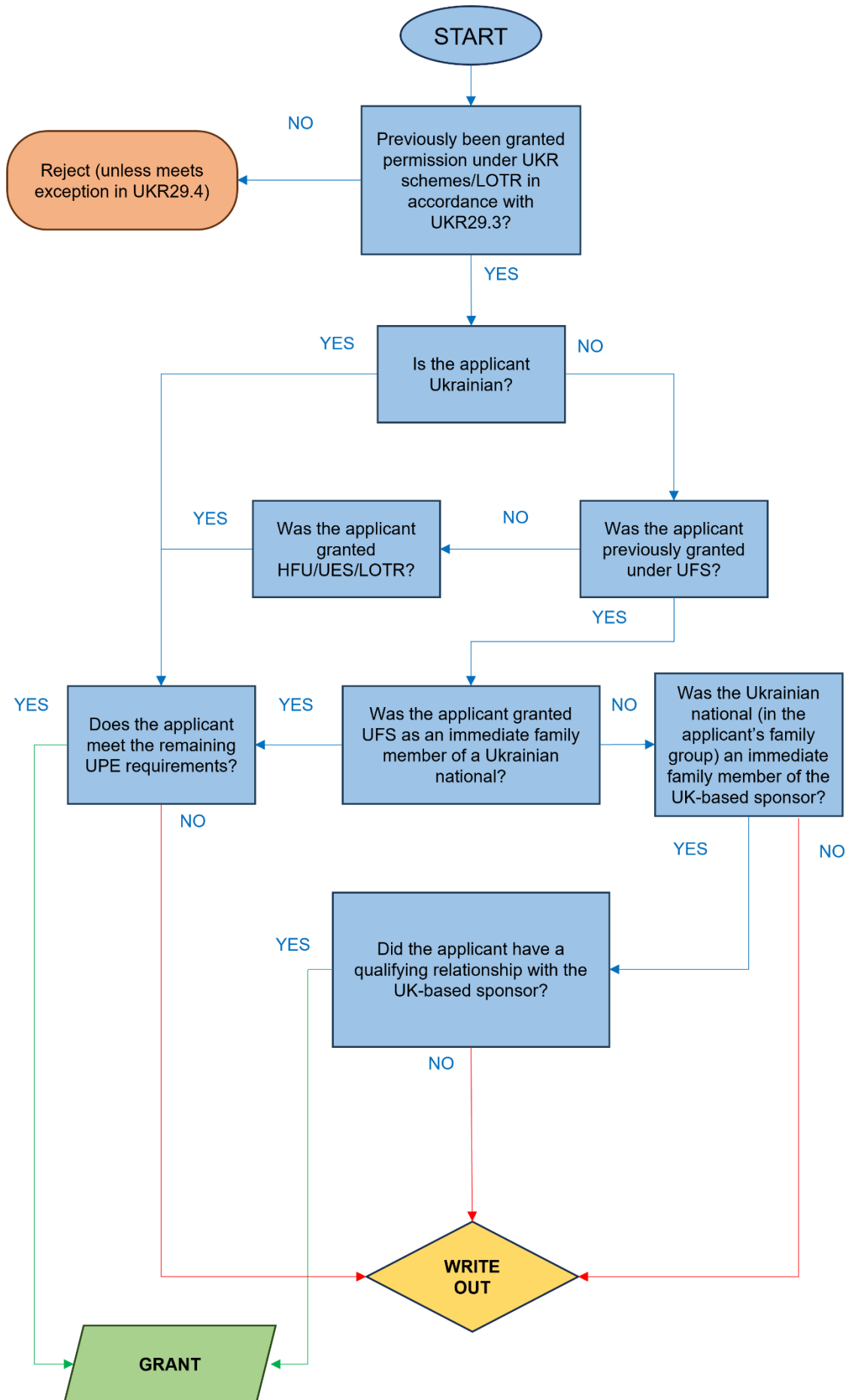
Where the applicant provides the requested information, you must be satisfied, based on the evidence, that the applicant was either correctly granted in accordance with the UFS Rules in place at the time, or has a qualifying relationship that existed and on which they could have relied at the time that they were granted permission under tUFS.

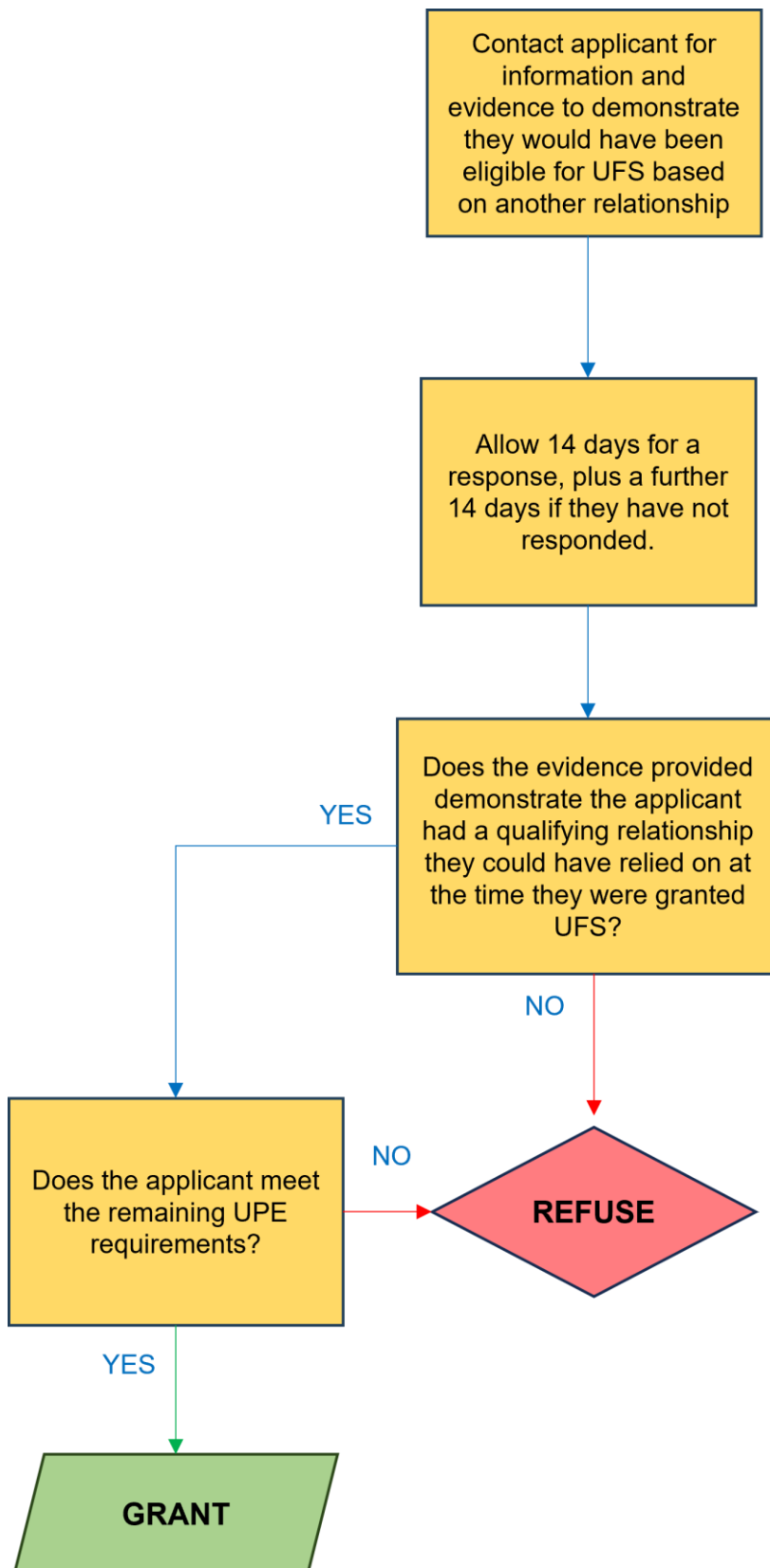
If you do not receive the requested information and supporting evidence after two write-out attempts, you must determine the UPE application on the basis of the information and evidence currently available.

Where you are satisfied, based on the information and evidence available, that the claimed relationship either did not qualify under the UFS Rules, or did not exist at the time, the applicant will not meet paragraph UKR31.1(b)(v) of the nationality requirements for UPE, and you must refuse the application.

You must consider a refusal on grounds of suitability if you are satisfied that there is evidence that deception or a false claim or misrepresentation about a family relationship was made in order to obtain the original permission under Appendix Ukraine Scheme or is being made on the UPE application.

The flowchart below illustrates how to consider applications under the Ukraine Permission Extension Scheme.





### Relationships not covered by the scheme

Applications received by applicants who do not meet the relationship requirements must be refused.

However, applications from other family members may have been accepted and granted LOTR on a discretionary basis, in accordance with the Ukraine Family Scheme Guidance ([internal link](#)), where they were evidenced and there were compelling reasons to do so. A case may be compelling where, for example, the decision to refuse would mean separating an individual from their long-term family unit. This should have been recorded on the caseworking system.

Where this is the case, you must assess on a case-by-case basis whether the relationship and the compelling circumstances on which the applicant previously relied are continuing, and you should consider whether this warrants a further grant of LOTR (see [Leave outside the rules](#)). The period of LOTR granted should be of a duration that is suitable to accommodate or overcome the compelling compassionate grounds raised and no more than necessary based on the individual facts of a case.

There may be applications from other family members who did not meet the relationship requirements under UFS but were erroneously granted permission under the Rules, instead of LOTR, because the relationship was evidenced and there were compelling reasons to do so. You should check the case notes on the caseworking system to identify where this is the case.

Where you are satisfied that the applicant was previously granted under UFS in error, you should consider whether there are compelling compassionate grounds to warrant a grant of LOTR (see [Leave outside the rules](#)), otherwise you may refuse the application.

See Annex B at the end of this document for examples of relationship requirements and their impact on an UPE application.

## Residence requirements

An application may be refused if the applicant has not been living in the UK and the Crown Dependencies, disregarding temporary periods spent in Ukraine, since they:

- arrived in the UK with Ukraine Scheme permission, if they were granted outside the UK
- were granted Ukraine Scheme permission following an in-country application
- were born in the UK or Islands to a Ukrainian national parent with permission under Appendix Ukraine Scheme or the equivalent permission granted in the Islands

The starting point is a presumption that an applicant with permission under Appendix Ukraine Scheme has been living in the UK. Where there is no available information or evidence to the contrary, you should treat an applicant with previous Ukraine Scheme permission as living in the UK for the purposes of the residence requirements.

Temporary periods spent in Ukraine must not be regarded as living outside of the UK (see [Temporary periods spent in Ukraine](#)).

Temporary periods spent in third countries (meaning outside the UK and Crown Dependencies and Ukraine) may be disregarded if the applicant can demonstrate ongoing ties to the UK (see [Temporary periods spent in third countries](#)).

Where an applicant has spent more than a temporary period outside the UK, either in Ukraine or in third countries, you should assess whether the applicant has been living in the UK on a case-by-case basis (see [More than temporary periods spent outside the UK](#)).

A temporary period means an absence from the UK of no more than 12 months, continuous or cumulative, since the applicant arrived in the UK with Ukraine Scheme permission or was granted Ukraine Scheme permission following an in-country application.

You should not regard short visits or holidays as living outside of the UK. A person who frequently leaves the UK on short visits may still be considered to be living in the UK. If you are satisfied the absences are short and do not amount to 'living' outside the UK, you may not require evidence of ongoing ties to the UK. You may refuse the application if you are satisfied the applicant has not been living in the UK and Crown Dependencies, disregarding temporary periods spent in Ukraine, and they have not demonstrated any ongoing ties to the UK for which they require permission to remain, and there are no compelling circumstances as to why they have spent time outside the UK. You must refer such cases to a SCW before refusing an application on the basis that they do not meet the residence requirements.

If there is information or evidence which contradicts the applicant's declaration regarding their time spent living outside the UK, you may consider refusing the application on suitability grounds (see [Suitability requirements](#)).

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## Temporary periods spent in Ukraine

Applicants are not asked to declare periods spent in Ukraine on the application form. You may become aware that an applicant has spent periods in Ukraine where the

applicant discloses this elsewhere in their application or in evidence submitted, or it otherwise becomes apparent from other information available to you, which might include their immigration history as recorded on the case-working system.

When considering whether an applicant has been living in the UK, you must disregard temporary periods spent in Ukraine that are no more than 12 months (calculated either continuously or cumulatively).

### Temporary periods spent in third countries

On the application form, the applicant should declare any periods during which they have lived in a third country (meaning, not the UK or Ukraine). Applicants are also asked to declare what ties they have to the UK.

If the applicant has spent temporary periods in third countries and has not declared any ongoing ties to the UK, you should write out to the applicant to request further information and supporting evidence about any ongoing ties they may have to the UK. If the applicant has declared ongoing ties to the UK, you should write out to request evidence to demonstrate those ties to the UK.

The applicant should provide the requested information and supporting evidence within 14 calendar days of the date of the write-out letter.

If you do not receive the requested information and supporting evidence after 14 days, you must determine the UPE application on the basis of the information and evidence currently available.

You do not need to write out to request supporting evidence where you are satisfied that the applicant has been outside the UK for short visits which do not amount to living outside of the UK, for example short trips for work, study or to visit family, or holidays.

When considering whether an applicant has been living in the UK, you may disregard temporary periods (meaning no more than 12 months cumulatively) spent in third countries where the applicant can demonstrate ongoing ties to the UK which require a grant of further permission (see [Ongoing ties to the UK](#)). For example, the applicant may have been in a third country to visit and maintain ties with family members but nevertheless treats the UK as their primary home and has sufficiently evidenced ties to the UK to demonstrate that.

Where an applicant is unable to demonstrate ongoing ties to the UK, you should consider whether there are any compelling circumstances as to why the applicant has spent time outside the UK and is unable to demonstrate ongoing ties (see [Compelling circumstances](#)).

Where you are satisfied that there are such compelling compassionate circumstances, you may exercise discretion to treat the application as meeting the UPE residence requirements under Appendix Ukraine Scheme.

If an applicant has spent temporary periods outside the UK in third countries and is unable to demonstrate ongoing ties to the UK which require a further grant of permission, and there are no compelling compassionate circumstances, the applicant will not meet the residence requirements and you may refuse the application. You must refer such cases to a SCW before refusing an application on the basis that they do not meet the residence requirements.

## More than temporary periods spent outside the UK

Where an applicant has spent more than 12 months (continuously or cumulatively) outside the UK, either in Ukraine or in third countries, you should assess whether the applicant has been living in the UK on a case-by-case basis.

You should consider whether the applicant has demonstrated ongoing ties to the UK (see [Ongoing ties](#)), and whether there are any compelling compassionate circumstances as to why the applicant has spent time outside the UK (see [Compelling circumstances](#)).

Where you are satisfied that the applicant has demonstrated ongoing ties to the UK, and/or there are compelling compassionate circumstances as to why the applicant has spent time outside the UK, you may exercise discretion to treat the application as meeting the UPE residence requirements under Appendix Ukraine Scheme, notwithstanding that they have spent more than temporary periods outside the UK.

Where a third country national applicant has spent more than temporary periods in their country of origin or former habitual residence, in considering whether they have demonstrated ongoing ties to the UK or whether there are any compelling compassionate circumstances, you should take into account the length of time spent in their country of origin and all available information about any ties to their country of origin, balanced against time spent in the UK and ongoing ties to the UK. Where you are satisfied, on the balance of probabilities, that the applicant is not living in the UK but is instead living in a third country, you may refuse the application.

## Ongoing ties to the UK

A person's ties to the UK may be evident in a number of ways. The nature of those ties, and the degree those ties have been maintained during their absence, will need to be considered when assessing whether an applicant has demonstrated ongoing ties to the UK.

Such ties may include:

- family ties, specifically family members who are dependent on the applicant for support, for example any children who may be attending school in the UK
- property ties, such as any property they own or rent in the UK
- business ties, including any employment or study which is being undertaken in the UK

This is not an exhaustive list and there is no one 'tie' which would in isolation prove that an applicant has ongoing ties to the UK. For example, it is unlikely that family

ties alone would be sufficient to establish ongoing ties to the UK, unless accompanied by other ties demonstrating an applicant's connection to the UK. The applicant may have ties to the UK other than those mentioned above, these are only examples of the types of circumstances which may build a picture of the applicant's circumstances.

There is no set number of documents required to show ongoing ties, and the evidence submitted will depend on the circumstances of the applicant. Examples of suitable evidence to establish a tie include, but is not limited to:

- evidence of living in a property in the UK, such as a tenancy agreement, residential mortgage agreement, letter from landlord, or letter from housing trust
- employment letter confirming the applicant is in regular employment in the UK
- a letter from a local authority – for example where there is contact with child or school placements
- a letter from an educational institution confirming enrolment and attendance on a course of study in the UK
- bank statements showing regular spending activity in the UK
- UK bills, such as council tax, utility bills, phone bills, TV licence, veterinary bills

The length of time spent outside the UK will also be an important factor to consider when assessing whether an applicant has demonstrated ongoing ties to the UK. This must be assessed against all other factors, including the time spent in the UK before they left, and the time they have spent in the UK since their return.

### Compelling compassionate circumstances

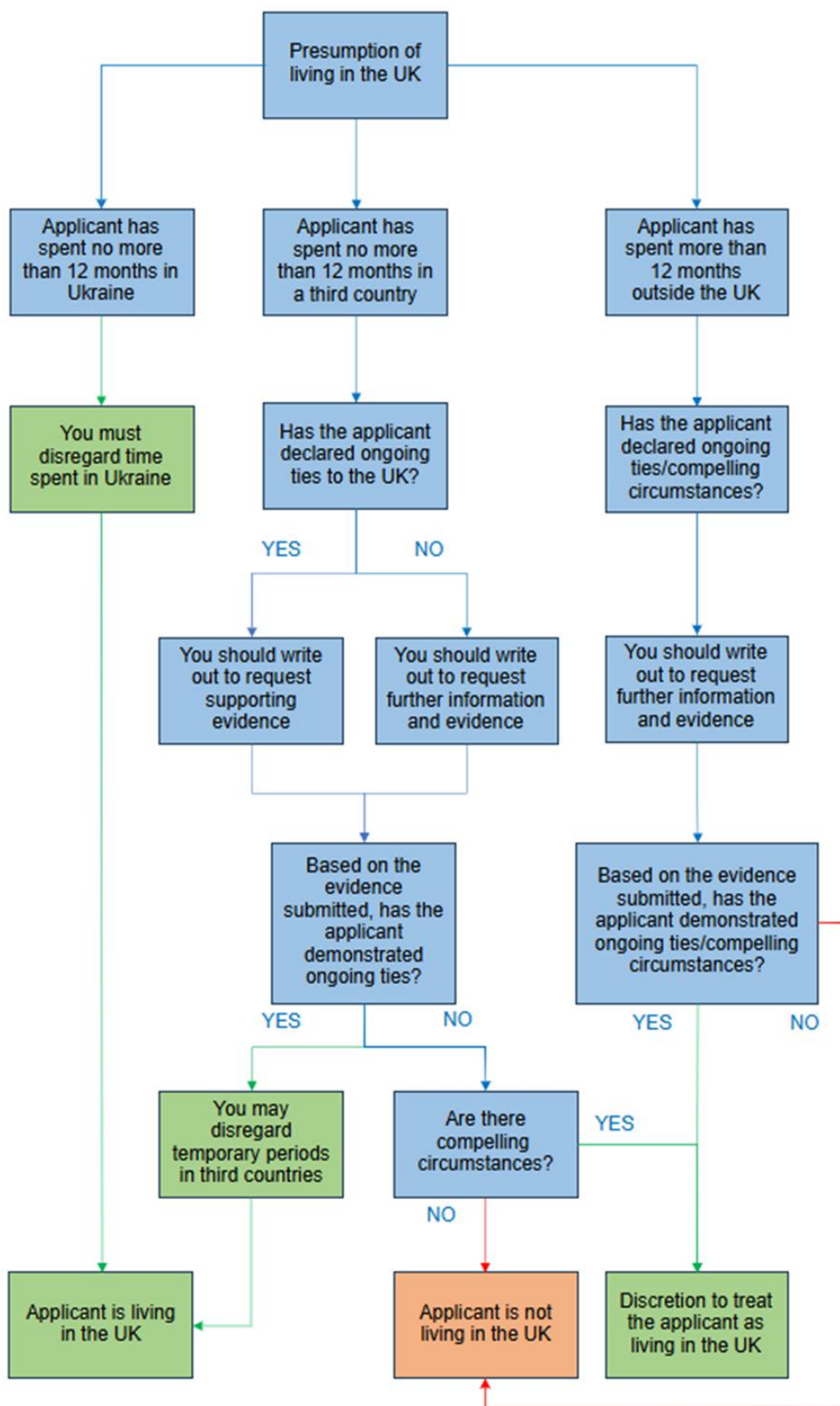
In the absence of adequate evidence to demonstrate ongoing ties, you should consider whether the applicant has any compelling compassionate circumstances as to why they have spent time outside of the UK and are unable to demonstrate ongoing ties to the UK.

A person may leave the UK for a variety of reasons. This may include:

- to access health treatment overseas
- to care for family
- for employment/self-employment
- study

You must consider their reasons for time spent outside of the UK and whether they amount to compelling compassionate circumstances. For example, providing palliative care to an elderly relative in another country may amount to compelling compassionate circumstances. On the other hand, employment in another country is unlikely, without additional evidence, to amount to compelling, compassionate circumstances, and may be regarded as indicative that an applicant is not living in the UK.

The flowchart below illustrates how to consider the residence requirement for the Ukraine Permission Extension Scheme.



See Annex C at the end of this document for examples of the residence requirement and the impact of absences from the UK on an UPE application.

## Applications from children

### Section 55 Duty

You have a duty, under [section 55 of the Borders, Citizenship and Immigration Act 2009](#), to have regard to the need to safeguard and promote the welfare of a child under the age of 18 in the UK.

You must comply with this duty when carrying out actions set out in this instruction in respect of children and those with children. You must follow the principles set out in the statutory guidance [Every Child Matters – Change for Children](#).

This means that consideration of the child's best interests is a primary, but not the only, consideration.

Where a child or children in the UK will be affected by the decision, you must have regard to their best interests in making the decision. You must carefully consider all the information and evidence provided concerning the best interests of a child in the UK and the impact the decision may have on the child.

See guidance on Section 55 and safeguarding child welfare (internal link).

### Documentary evidence

#### Evidence of child-parent relationship

All children should provide documentary evidence of their relationship with their parent, an example being a birth certificate which names the child and parent or parents. Due to the ongoing conflict in Ukraine, decision makers may exercise evidential flexibility where the applicant is unable to obtain the relevant documents and where, through other information and evidence, they are otherwise satisfied of the relationship as claimed.

#### Evidence of child-relative relationship

If the child is not living with their parent or legal guardian but are living with a close relative meaning a grandparent, brother, sister, uncle or aunt (whether full blood or half blood or by marriage or civil partnership) or step-parent, they should provide evidence of that relationship. Due to the ongoing conflict in Ukraine, decision makers may exercise evidential flexibility where the applicant is unable to obtain the relevant documents and where, through other information and evidence, they are otherwise satisfied of the relationship as claimed.

#### Evidence of the parent or legal guardian's nationality or identity document

All children should provide evidence of their parent or legal guardian's nationality or identity document. Examples include a passport, national identity card or Biometric

Residence Permit. Due to the ongoing conflict in Ukraine, decision makers may exercise evidential flexibility where the applicant is unable to obtain the relevant documents and where, through other information and evidence, they are otherwise satisfied of the parent or legal guardian's nationality or identity. However, if a parent or legal guardian has not previously provided a valid passport to the Home Office they will need to do so when requested.

## Evidence of the parent or legal guardian's immigration status

All children should provide evidence of their parent or legal guardian's immigration status where applicable. Examples include a visa reference number or Home Office decision letter.

You need to identify and act on any concerns about the welfare of any child of whom you become aware while considering an application under the scheme.

## Eligibility requirements for applications from children

If the applicant is aged under 18 years on the date of application, they must meet the following requirements:

- the Parental / Legal Guardian Consent requirement (where the child is not living with their parent or legal guardian)
- the Care requirement

## Parental / legal guardian consent requirement

If the applicant is aged under 18 on the date of application, and they are not living with their parent or legal guardian, unless the decision maker is satisfied it is reasonable in the circumstances to grant the child permission without such written consent, the child applicant must have written consent from one of the following under UKR 34.1:

- both parents
- one parent, if that parent has sole legal responsibility for the applicant
- the applicant's legal guardian

Under UKR 34.2, the written consent must confirm that consent is given for:

- the application
- the applicant's living and care arrangements in the UK

The parental consent must include the contact details of the parent or parents or the legal guardian.

## Legal guardian

If a child is living with their legal guardian or if their legal guardian is providing consent for them to live with another adult who isn't their parent or legal guardian, a

legal guardianship document must be provided as part of the application form. If it is not, you must write out to request it before processing the application.

The term 'legal guardian' refers to a guardian appointed according to local laws to take care of a child. 'Local law' here means the law applicable in the country where the legal guardian was appointed rather than the law of the country the applicant is resident in.

Any documents conferring legal guardianship must have been issued by the relevant Ukrainian authority / body, or relevant authority / body of another country.

The Ukrainian Embassy confirmed that in Ukraine specifically, the guardianship authorities are:

- state administrations of districts
- state (military) administration in Kyiv district
- executive body of the city, village or town council

If you are unsure of the validity of a legal guardian document, you must refer the case to a SCW.

The written parental or legal guardian consent must be provided at the point of application. If it is not or if the consent does not include all of the details listed above, you must write out to request it. See: [Apply for the Ukraine Permission Extension scheme: parental consent form](#).

As part of the application process, child applicants are asked to upload a copy of their birth certificate and their parent's identity document. If living with their legal guardian, they will also be asked to upload a copy of the legal guardian document. If the parent has provided consent, you should compare the consent with the documents provided. If the legal guardian has provided consent, you should compare the consent with the legal guardian document.

If it is not possible to obtain parental consent, you must escalate the case to a SCW. Following their review, you may grant the application if you are satisfied that it is reasonable in the circumstances to grant permission. For example, a child may not be able to provide consent from their father who is fighting in the conflict, or the child may have been separated from both parents.

However, you must consider whether it is appropriate to make a safeguarding referral to the local authority based on the lack of parental consent.

## Applications made on behalf of a child by someone who is not their parent or legal guardian

If the application has been made by someone other than the child applicant, their parent or their legal guardian, you must write out to the parent or legal guardian to obtain their consent for the application even if the child is living with their parent or legal guardian.

The parent or legal guardian should be able to confirm their support for the application in correspondence to the Home Office. If the child is not living with their parent or legal guardian, the consent should also include contact details of the parent or parents or legal guardian and consent for the child's living and care arrangements in the UK.

If consent is not provided then you must seek advice from your SCW. If consent is not provided it may be appropriate to make a referral to the Local Authority. This will be to highlight that an application for permission on behalf of a child has been submitted by someone other than the child or their parent / legal guardian and no consent from the parent or legal guardian has been provided.

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## Care requirement

All arrangements for children's care and accommodation in the UK must comply with relevant UK legislation and regulations, including but not limited to the relevant housing legislation and regulations and fire safety regulations. This is to ensure that care and accommodation is suitable and safe for the child.

**You must not refuse a child's application based solely on their care or living arrangements not being adequate.** You must instead refer to the local authority and only make a decision once the local authority has confirmed receipt of the referral.

Information on the casework system will tell you where the child lives or plans to live and with whom. If you have concerns, you can use open-source checks to ensure that the proposed address exists and is residential.

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Suspected overcrowding on its own may not trigger statutory intervention of the local authority. However, examples of accommodation-related concerns that may require internal escalation and then a subsequent referral to the local authority include:

- child is living at an address with several non-related adults without a parent or legal guardian
- child is living with a known criminal
- child is living at an address with a known history of crime or modern slavery

Where a child is not living with their parent, legal guardian or close relative (meaning a grandparent, brother, sister, uncle or aunt (whether full blood or half blood or by marriage or civil partnership) or step-parent), you must make a child referral to the local authority as this may be a private fostering arrangement. You must make this referral regardless of whether you have information that indicates the local authority is already aware of the child. There is further information on private fostering here: [Looking after someone else's child](#).

You must assess whether the care and accommodation arrangements of the child raise any safeguarding concerns. This means where you suspect a child is suffering or likely to suffer significant harm, you must escalate the concern.

If you have any concerns that the child is at risk of trafficking or modern slavery, or any other situation which may be against the child's best interests you should speak to your Safeguarding Lead Officer and refer to the Home Office Safeguarding Advice and Children's Champion (SACC) as required.

### **Related content**

[Contents](#)

# Safeguarding and vulnerable children

Where you have safeguarding concerns for a child or vulnerable adult you should refer to a SCW / safeguarding lead for guidance.

## Requesting further information or evidence

You may determine whether additional information, evidence or further checks are required by contacting the child to confirm their circumstances (where it is appropriate to do so, for example depending on the child's age).

You must only request further information or evidence which is necessary to inform a decision as to whether any safeguarding referral needs to be made, and where the information or evidence does not appear from Home Office records to have been previously provided and / or where updating information is necessary to enable the Home Office to comply with its statutory duties.

If the child's living arrangements are not apparent from the information or evidence provided or otherwise available to you as part of the application or as a result of additional checks, you must establish the living arrangements for the child.

Where there is already some evidence provided or otherwise available to you as part of the application as to the child's living arrangements, you must consider whether further information or evidence about these are needed and, if so, what is needed. Evidence which may be helpful in determining the living arrangements for the child (usually in combination) may include:

- proof of identity of the parent or guardian, such as a passport, national identity card or driving licence (if a document has expired, it may still satisfy you of the parent or guardian's identity)
- evidence of relationship between the child and parent or guardian, such as a full birth certificate, adoption certificate, guardianship order
- proof of the parent's or guardian's address, such as a utility bill, bank statement or NHS medical card
- proof of the child's address

The examples above are not prescriptive or exhaustive. It may be that the child does not themselves directly possess such evidence or that they are unable, due to estrangement or other welfare reasons, to approach the person who may possess the relevant documentation. If so, alternative avenues, such as enquiries with the parent, guardian or other third parties, are to be pursued where possible.

## Enquiries with the parent, guardian or other third parties

You may need to make enquiries to obtain more information than provided on the application form.

Depending on the age of the child, you may be able to get the information or evidence you need from the child themselves through additional enquiries. Otherwise, it may be necessary to speak to the parent or guardian or other third parties in order to obtain the relevant information or evidence.

Documentation is not the only source of information or evidence which may help in determining the living arrangements for the child. Enquiries with other third parties who have a formal relationship with the child, for example teachers or social or healthcare workers, may be helpful for clarification or confirmation.

Generally, if appropriate, the child is to be advised in advance of any enquiries which are to be carried out and who is to be contacted. You must also take account of any known parental issues such as mental or physical illness, parental separation or potential threats to the child (which may be the reason for them making the application without a parent or guardian).

If the child objects to you contacting their parent, guardian or other third parties, you must seek advice from your SCW or the Office of the Children's Champion.

In addition, and in certain circumstances, a formal referral to Children's Services or other agencies may be required, including for example where one or more of the following apply:

- the child appears to be living alone or to have no fixed abode
- the child is, or appears to be, being cared for as part of a non-local authority fostering arrangement
- the child may have been trafficked or is at risk of exploitation
- the child may be at risk of harm or abuse in their current situation

When making a child referral to a local authority you must follow the local authority child referrals guidance ([internal link](#)). Before starting a referral, you should check the referral process for the local authority you are referring to. Some may have their own process through their website or by another means. You should be aware of the differences in legislation and local arrangements across the UK.

You must confirm that the local authority has received the referral form before you make a decision on the application. This can be through written or verbal communication and must be done before a decision is made on the application. You can however make a decision on the application before the local authority has concluded any checks they decide are necessary.

## Aligning children's leave

If the applicant is a child whose parent **or legal guardian** qualifies for UPE or has permission under the Ukraine Scheme **and is in the UK**, the applicant will be granted permission in line with that parent.

Where both parents are in the UK and either qualify for UPE and are granted permission at the same time as the applicant, or have permission granted under the

Ukraine Scheme, and meet the criteria above, the applicant will be granted permission in line with the parent whose permission expires last.

In aligning a child's permission with their parent, you must consider the best interests of the child under Section 55. If aligning permission would mean a child is aligned with a parent who is not involved in their day-to-day care and / or not in the UK, you should consider whether it remains appropriate to align.

### **Related content**

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# Safeguarding and vulnerable persons

Where you have safeguarding concerns for a vulnerable adult you should refer to a SCW / safeguarding lead for guidance.

In certain circumstances, a formal referral to Adult Social Services or other agencies may be required, including for example where one or more of the following apply:

- the adult may have been trafficked or is at risk of exploitation
- the adult may be at risk of harm or abuse in their current situation

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Before starting a referral, you should check the referral process for the local authority you are referring to. Some may have their own process through their website or by another means. You should be aware of the differences in legislation and local arrangements across the UK.

You must confirm that the local authority has received the referral form before you make a decision on the application. This can be through written or verbal communication and must be done before a decision is made on the application. You can however make a decision on the application before the local authority has concluded any checks they decide are necessary.

### **Related content**

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# Granting permission

If you are satisfied that all the suitability and eligibility requirements are met, you must grant the application.

The conditions of grant are code 1A, which means access to work, study and public funds.

## Period of grant

If this is the applicant's first grant of permission on the UPE route, the applicant will be granted permission to stay for 18 months.

If this is the applicant's second grant of permission on the UPE route, the applicant will be granted permission to stay for 24 months.

Whether you are granting 18 or 24 months, you must also consider adding any extant permission the applicant has remaining at the time of the grant up to a maximum of 90 days.

For guidance on the period of permission to be granted to child applicants see [Aligning children's leave](#).

## Related content

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## Refusing permission

If an applicant does not meet the suitability or eligibility requirements of UPE, and it is not appropriate to apply discretion, you must refuse the application.

If an application is rejected or refused, if the applicant has no extant permission to stay in the United Kingdom, you should decide whether it is appropriate to grant immigration bail and set reporting conditions for the applicant. You must refer to Reporting and offender management (internal link) for guidance on bail and reporting conditions.

## Appeals and administrative review

There is no right of appeal or administrative review against a refusal under UPE.

If an applicant's UPE application is rejected or refused, they may apply again, fee free under UPE if they believe they are eligible. For more information on refused / rejected applications, you should refer to Applications from overstayers (internal link) guidance.

There are no restrictions to the number of times a person can apply for the scheme. A new application will ensure a further consideration of the applicant's eligibility and will allow them to submit any additional evidence which was not submitted in their previous application.

If an applicant applies again, you must consider the application afresh, noting any changes to the original or previous applications and considering any new information or evidence provided. If following consideration of the new application, in accordance with this guidance, the applicant falls for refusal, you must draft a full notice of refusal and you must not simply refuse on the grounds that there has been no change in the applicant's circumstances.

The Ukraine Schemes are not Article 8 or Human Rights (HR) routes. If an applicant for permission to stay raises HR issues within their application form, you should note that it has been raised in any refusal wording and set out that they will not be subject to any removal action until any HR claim has been considered. If an applicant wishes to be considered solely on HR grounds, applicants should make a Human Rights application using the further leave application form.

## Leave outside the rules (LOTR)

If an applicant for permission to stay raises a request for LOTR within their application and they do not meet the requirements for UPE, you should consider if there are any compelling compassionate circumstances which would warrant a grant of LOTR.

The period of LOTR granted should be of a duration that is suitable to accommodate or overcome the compassionate compelling grounds raised and no more than necessary based on the individual facts of a case.

For further guidance on considering LOTR on the basis of compelling compassionate grounds see: [Leave outside the Immigration Rules \(internal link\)](#).

### **Related content**

[Contents](#)

# The Crown Dependencies

Jersey, Guernsey and The Isle of Man make up the Crown Dependencies (CDs). They are not part of the UK but are self-governing dependencies of the Crown.

The CDs are collectively referred to as 'the islands' in the Immigration Act 1971 and the British Nationality Act 1981.

The Isle of Man and Guernsey are operating a comparable scheme to UPE.

Applicants residing on the Isle of Man or Guernsey who wish to apply for UPE should use the same application form as those applying under the UK's scheme. Individuals who reside in a CD should apply to the relevant CD. You must not make a decision on an application to the CDs. If you identify an UPE application made from a CD, you must contact the applicant to invite them to withdraw their application. You do not need to carry out any other enrichment activities or assess the applications; this will be done by the authorities in the CDs. However, you must be alert to any potential safeguarding concerns and include these in your referral.

If granted by the CDs, the applicant should be issued with the same duration and conditions of stay which apply to those who are granted permission to remain in the UK.

Applicants can rely on previous residence accrued in the CDs, and / or previous permission granted in the CDs, as part of their UPE application, if they have moved to the UK, to demonstrate that they meet the relevant requirements (see [Residence requirements](#) and [Previous permission under Appendix Ukraine Scheme](#)).

## Identifying Crown Dependency applications

Decision makers can identify a CD application by checking the 'Ukraine Permission Extension Scheme' application form for the applicant's address. Postcodes in the CDs are in the same format as for the UK:

- Isle of Man postcodes begin with 'IM'
- Guernsey postcodes begin with 'GY'
- Jersey postcodes begin with 'JE'

## Referral

If you identify an UPE application made from an applicant resident in a CD, you must notify the relevant CD. The Common Travel Area (CTA) guidance ([internal link](#)) contains contact details for the CDs.

### Related content

[Contents](#)

# Annex A - Previous Permission

## Examples of Previous Permission under Appendix Ukraine scheme

### Example 1 – in the UK with valid non-Ukraine Scheme permission

Person A is a Ukrainian national who has been in the UK with valid permission under the student route and has not previously held permission under Appendix Ukraine Scheme or leave outside the rules (LOTR) in accordance with UKR29.3. As person A has not been granted permission under Appendix Ukraine Scheme, you may reject their application as invalid.

### Example 2 – in the UK without valid permission

Person B is a Ukrainian national who has been in the UK without valid permission since their arrival before 1 January 2022. As person B has never held permission under Appendix Ukraine Scheme, or LOTR in accordance with UKR29.3, you may reject their application as invalid.

### Example 3 – arrived in the UK on a Permission to Travel (PTT) letter but did not vary application in-country

Person C is a Ukrainian national who arrived in the UK on a PTT letter but has not varied their application in-country. PTT letters issued by the Home Office had to be presented to a Border Force officer on arrival to the UK and, in most cases, Border Force would then grant the person a period of 6 months LOTR. To complete their visa application after their arrival in the UK, which would be varied to an application for permission to stay, the applicant had to enrol their biometrics. As person C has not done so, they have not been granted permission to stay under Appendix Ukraine Scheme, and although they have been granted LOTR, this was not in any of the categories set out in UKR29.3. You may therefore reject their application as invalid.

### Example 4 – previously held Ukraine Scheme permission

Person D is a Ukrainian national who previously held permission to enter the UK under HFU. Person D returned to Ukraine to visit family, and their permission expired while they were outside the Common Travel Area. They applied for another form of entry clearance to facilitate their return to the UK, were granted entry clearance and subsequently returned to the UK and made an application to the UPE scheme. As person D has previously held permission under Appendix Ukraine Scheme, even though it is not their most recent grant of permission, their UPE application meets the validity requirement of UKR29.3(a).

## Examples covering permission out the rules

### Example 5 – granted LOTR between 20 February 2022 and 2 May 2022

Person E is a Ukrainian national. Person E came to the UK at the outset of the Russian invasion, and they were granted LOTR on 19 March 2022. As person E was granted permission outside the rules between 20 February and 2 May 2022, their UPE application meets the validity requirement of UKR29.3(b).

## Examples covering persons exempt from immigration control

### Example 6 – ceased to be exempt from immigration control

Person F is a non-Ukrainian national who lives together with their civil partner (person G), who is a Ukrainian national. Person G was employed by the Ukrainian Embassy in London as a consular assistant from 1 March 2022 until 20 May 2024, whereupon they ceased to be exempt from immigration control.

If person F and person G had ceased to be exempt from control between 18 March 2022 and 16 November 2023, they could have relied upon the subsequent period, when they were treated as if they had been given leave to remain in the UK for a period of 90 days in accordance with [section 8A of the Immigration Act 1971](https://www.legislation.gov.uk/ukpga/1971/77/section/8A) <https://www.legislation.gov.uk/ukpga/1971/77/section/8A>, to meet the eligibility requirements of UES. G would have qualified as a Ukrainian national who had held permission in the UK between the requisite dates, and F as a non-Ukrainian who would have last held permission as the partner of a Ukrainian. As this was not the case, they were granted LOTR exceptionally on 25 May 2024, on the basis that they were resident in the UK during the periods that could have qualified them for UES but were unable to hold permission in the UK at that time due to being exempt from immigration control.

They meet the validity requirements of UKR29.3(c)(i-iv).

## Example covering Dnipro children and medical cases

### Example 7 – paediatric cancer patients and carers

Child H is a Ukrainian national child who was receiving in-patient cancer care in Ukraine at the time of the Russian invasion. Child H requires 24-hour care and treatment, and is accompanied by their carer, person I. Both were relocated to the UK on a 'unicorn flight', following agreement from the Department of Health and Social Care, and granted LOTR.

Child H meets the validity requirement of UKR29.3(c)(vii) as a person admitted to the UK for the purposes of urgent medical treatment.

Person I meets the validity requirement of UKR29.3(c)(viii) as the carer of a child who meets the conditions of UKR29.3(c)(vii).

## **Example covering exception to the requirement to have been granted permission**

### **Example 8 – child born in the UK or Crown Dependencies after 18 March 2022**

Child J was born in the UK on 12 December 2023 to Ukrainian parents, both of whom hold Ukraine Scheme permission. Child J was eligible for UES but never made an application and therefore has never held permission under Appendix Ukraine Scheme or LOTR in accordance with UKR29.3. They meet the requirements of UKR 29.4 as a child born in the UK after 18 March 2022.

## **Example covering previous permission outside the Rules not covered by UKR 29.3**

### **Example 9 – surrogate mother granted LOTR**

Person K is a Ukrainian national who entered into a private surrogacy arrangement with British commissioning parents as a surrogate mother, prior to the Russian invasion. Person K came to the UK in August 2022 and was granted LOTR on compelling compassionate grounds. Person K has not been granted permission to stay under Appendix Ukraine Scheme and, although person K has been previously granted LOTR, this was not in any of the categories set out in UKR29.3.

You should consider whether there are compelling compassionate grounds to warrant a further grant of LOTR (see Leave outside the rules).

## **Related content**

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# Annex B – Relationship requirement

## Example of Parent

### Example 1 – parent of Ukrainian child with Ukraine Scheme permission

Person L is a non-Ukrainian national and mother to child M, a Ukrainian national. They applied to come to the UK under the HFU Sponsorship Scheme and were granted entry clearance in 2022. Child M has since turned 18. Person L meets the nationality requirements as she was previously granted permission under Appendix Ukraine Scheme as the parent of a Ukrainian national, and child M was under the age of 18 when they were first granted permission.

### Example 2 – parent of a UK-born child with Ukraine Scheme permission

Person N is a non-Ukrainian national and father to child O, who was born in the UK on 8 January 2022. Child O's mother is a Ukrainian national. Person N is no longer in a relationship with the mother. Child O is a non-Ukrainian national (in line with his father's nationality). Both parents hold permission under Appendix Ukraine Scheme. Child O was granted permission under UES, as the child of a Ukrainian national (the mother) who was born in the UK to parents who qualified under the scheme.

Child O meets the nationality requirements as a non-Ukrainian child who was previously granted permission under Appendix Ukraine Scheme as the child of a Ukrainian national.

Person N therefore meets the nationality requirements as a parent of a child born in the UK with permission under Appendix Ukraine Scheme.

### Example 3 – parent of a child born in the UK or Islands after 18 March 2022

Person P is a non-Ukrainian national and mother to child Q, who was born in the UK on 5 February 2025. Child Q's father is a Ukrainian national with Ukraine Scheme permission. Person P is no longer in a relationship with the father; child Q is a Ukrainian national but has never held permission under Appendix Ukraine Scheme.

Child Q meets the nationality requirements for UPE as a child born in the UK after 18 March 2022 to a Ukrainian parent (the father) with permission under Appendix Ukraine Scheme.

Person P meets the nationality requirements as a parent of a child born in the UK, who would be eligible for permission under Appendix Ukraine Scheme if they (child Q) made an application. As child Q has not applied, their eligibility will need to be assessed in order to establish the eligibility of Person P.

## Example of Partner, Fiancé, Fiancée, or proposed civil partner

### Example 1 – civil partner

Person F is a non-Ukrainian national who lives together with their civil partner (person G), who is a Ukrainian national. They were granted Ukraine Scheme permission. Persons F and G are still in a civil partnership and continue to live together in the UK.

Person F meets the nationality requirement as they were previously granted Ukraine Scheme permission, as a partner (civil partner) of a Ukrainian national.

Person F also meets the relationship requirement as they continue to be in a subsisting relationship with a Ukrainian national who holds Ukraine Scheme permission, and the requirements of Appendix Relationship with Partner are met.

### Example 2 – partner in a durable relationship

Person R, a non-Ukrainian national, is in a long-term relationship with a Ukrainian national. They came to the UK under the HFU Sponsorship Scheme in December 2022 and have been living together in the UK since then.

Person R is in a durable relationship, similar to marriage or civil partnership, for at least 2 years, and meets the definition of ‘partner’ as set out in Appendix Relationship with a partner.

Person R therefore meets the nationality requirement as they were previously granted permission under Appendix Ukraine Scheme as the partner of a Ukrainian national. Person R also meets the relationship requirement as they continue to be in a relationship with a Ukrainian national who holds permission under Appendix Ukraine Scheme.

### Example 3 – fiancé

Person S, a non-Ukrainian national, was engaged to a Ukrainian national. Both person S and their fiancée were in the UK with permission when they were granted permission under the Ukraine Extension Scheme UES in November 2023. As part of their application, they provided a letter from their parish church confirming the date of their wedding. They continue to live together in the UK.

Person S therefore meets the nationality requirement as they were previously granted permission under Appendix Ukraine Scheme as the fiancé of a Ukrainian national, and person S also meets the relationship requirements because their relationship is genuine and subsisting.

## Example 4 - no longer partner of a Ukrainian national

Person T is a non-Ukrainian national who was in a relationship with a Ukrainian national, with whom they had a Ukrainian child. Person T was granted permission under the Ukraine Family Scheme UFS as the partner of a Ukrainian national.

The relationship subsequently broke down, and therefore person T does not meet the requirement under UKR 32.1(a) because the requirements of Appendix Relationship with a partner are not met. However, person T does nevertheless meet the relationship requirement under UKR 32.1(b) because they are the parent of a child in the UK who would, if they made an application, be eligible for permission under Appendix Ukraine Scheme.

## Example of Family members & UFS

### Example 1 – extended family member of UK-based sponsor

Person U is a non-Ukrainian grandmother of the UK-based sponsor, applying as part of a family group of the UK-based sponsor's Ukrainian partner. Person U is an extended family member of the UK-based sponsor. They would have been eligible under the UFS rules, as the Ukrainian partner is an immediate family member of the UK-based sponsor, and person U is 'part of a family group which includes an immediate family member of the UK-based sponsor'. Therefore, person U would meet the nationality requirements of UPE.

### Example 2 – immediate family member of an extended family member of a UK-based sponsor

Person V is a non-Ukrainian partner of a non-Ukrainian cousin of a UK-based sponsor, applying as part of a family group of the UK-based sponsor's Ukrainian partner. Person V is an immediate family member (partner) of an extended family member (cousin) of the UK-based sponsor. Person V would have been eligible under the UFS rules because they are part of a family group which includes an immediate family member of the UK-based sponsor who is a Ukrainian national. Therefore, person W would meet the nationality requirements of UPE.

### Example 3 – immediate family member of Ukrainian national

Person W is a non-Ukrainian cousin of a UK-based British sponsor, applying as part of a family group based on their own Ukrainian child. Person W is an extended family member of the UK-based sponsor. While person W's Ukrainian child is not an immediate family member of the UK-based sponsor, the child would have been eligible under UFS as the extended family member of a UK-based sponsor. Person W does not have a qualifying relationship under UFS. However, person W would meet the nationality requirements of UPE because they were granted permission under Appendix Ukraine Scheme as the parent of a Ukrainian national who was granted permission when they were under 18.

## Example 4 – Ukrainian national not an immediate family member of the UK-based sponsor

Person X is a non-Ukrainian parent of UK-based British sponsor, applying as part of a family group based on the UK-based sponsor's Ukrainian cousin. Person X is an immediate family member of the UK-based sponsor. However, as the Ukrainian national is not an immediate family member of the UK-based sponsor, person X would not have been eligible under the UFS rules. Therefore, person X would not meet the nationality requirements of UPE.

## Example 5 – extended family member of an extended family member of the UK-based sponsor

Person Y is a non-Ukrainian national applying as the cousin of a Ukrainian national, who is the nephew of the UK-based sponsor. Person Y is an extended family member of an extended family member of a UK-based sponsor. They did not have a qualifying relationship with the UK-based sponsor and would not have been eligible under the UFS rules. Therefore, person Y would not meet the nationality requirements of UPE.

## Example 6 – no relationship to Ukrainian national

Person Z is a non-Ukrainian national who was granted permission under UFS, despite not having any relationship with a Ukrainian national, but who was the uncle of a UK-based sponsor with ILR. Person Z presented a Ukrainian residence permit as part of their UFS application, but this is not proof of nationality. Person Z has no family relationship with a Ukrainian national and would not have been eligible under the UFS rules.

### **Related content**

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# Annex C – Residence requirement

## Example of absence from the UK and compelling compassionate circumstances

### Example 1 – recent continuous absence for more than 12 months with no ties or compelling compassionate circumstances

Person 1 arrived in the UK having been granted under the HFU Sponsorship Scheme in 2022. Person 1 has been in a third country for a continuous period of more than 12 months before returning to the UK to apply for UPE on 4 February 2025. Person 1 is unable to demonstrate ongoing ties to the UK and explains that they have been working full-time for an employer in the relevant third country.

You may therefore conclude that person 1 has not been living in the UK since they arrived with Ukraine Scheme permission, as there are no compelling compassionate circumstances as to why they have spent time outside of the UK or are unable to demonstrate ongoing ties, and the fact that Person 1 has been in full-time employment in a third country may indicate that they have instead been living in that country.

### Example 2 – historic cumulative absence for more than 12 months with ongoing ties and compelling compassionate circumstances

Person 2 was granted permission under UES in 2022. Over the course of 2022 and 2023 they have spent over 12 months in Ukraine to provide palliative care for an elderly relative, who passed away in January 2024. Since then, person 2 has not left the UK and has been able to provide utility and other bills for the last three months. They are in employment in the UK and have children enrolled in a UK school.

While they have been absent for more than 12 months cumulatively, they have not left the UK since January 2024, and they have demonstrated ongoing ties to the UK which indicate that they continue to live in the UK. They have also provided compelling compassionate circumstances as to why they were absent from the UK for more than a temporary period (to provide care for a relative). You may therefore conclude that person 2 has been living in the UK since they were granted Ukraine Scheme permission.

### Example 3 – absent from the UK prior to arriving with Ukraine Scheme permission

Person 3 was granted digital Ukraine Scheme permission out of country for 36 months and first arrived in the UK shortly before their Ukraine Scheme permission expired ahead of applying for UPE. In arriving in the UK, they have demonstrated an

intention to now take up their sanctuary offer, and they provided evidence that they have been living in the UK since they arrived with Ukraine Scheme permission. You may therefore conclude that person 3 has been living in the UK since they arrived in the UK with Ukraine Scheme permission.

### Example 4 – short visits or holidays

Person 4 is a Ukrainian child who was granted Ukraine Scheme permission and is currently in full-time education in the UK. They have visited third countries on school trips for a week at a time. Person 4 has only been outside the UK for short visits, which do not amount to 'living outside of the UK'. Therefore, you do not need to write out to request person 4 provide evidence of ongoing ties to the UK. You may rely on the presumption that the applicant has been living in the UK since they were granted Ukraine Scheme permission.

### Example 5 – Third Country Nationals spending time in their country of origin

Person 5 is a non-Ukrainian national who was granted under UFS as the cousin of a Ukrainian national. They have spent 18 months out of the last 36 in their country of origin. When asked to provide evidence of ongoing ties to the UK, they have provided a copy of a tenancy agreement and utility bills, all in the name of their Ukrainian cousin. Person 5 responded to the write-out to explain that they have been returning home for work purposes.

While person 5 has submitted supporting evidence, because these are solely in the name of their cousin, without more these do not demonstrate that person 5 is maintaining ongoing ties to the UK. Furthermore, the fact that person 5 is working in their home country may indicate that they are living in that country, rather than in the UK.

Therefore, as person 5 has not demonstrated ongoing ties to the UK that require a further grant of permission, and there are no compelling compassionate circumstances, person 5 has not been living in the UK since they were granted Ukraine Scheme permission, and you may refuse the application.

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