Visitor guidance

This pack contains:

- 1 A mock up of a web page, this is a landing page which provides links to the guidance relevant for visitors.
- 2 Step-by-step overviews of visitor decisions, this is a quick reference guide aimed at helping new users navigate the decision-making process.
- 3 Decision-maker guidance, this is in-depth guidance on different aspects of a visitor application
- 4 Recording requirements and other procedures, this is a snapshot of procedural guidance that is directly linked to visitor policy

We want users to be able to access different layers of guidance depending on their need and experience. A new user might choose to start with the step-by-step overviews and follow the links to more detailed and specific guidance. An experienced user might know the question they are looking to answer and need to be able to find it quickly. We would welcome your feedback on how the different layers of guidance work for you.

1

Visit

How to consider applications to visit the UK					
Policy objective: to regulate the entry and stay of people coming to visit the UK. Visits are usually for up to six months and for a temporary purpose, such as tourism, visiting friends and family or attending a bu meeting. Visitors cannot work or study in the UK unless they are carrying out permitted activities.					
Latest updates	New rules for visitors New rules for visitors implemented on [DATE]				
Rules Visitor Rules	Step-by-step overviews Quick reference guides to the process for making a decision on a visitor application with links to further guidance	Decision maker guidance In-depth guidance on visit applications fo decision makers			
		Recording requirements and other procedures A guide to recording requirements for visitor decisions and other procedures			
Useful links	General grounds for refusal (suitability) Referrals Human trafficking Public funds				

Visitors step-by-step overviews

Quick reference guides to the process for making a decision on a visitor application with links to further guidance

Contents

Section one: visit visa (visitors except transit)

A quick reference guide to the process for making a decision on a visit visa with links to further guidance

Section two: visitors at the border

A quick reference guide to the process for making a decision on a visitor at the UK border with links to further guidance

Section three: extension of stay as a visitor

A quick reference guide to the process for making a decision on an application to extend stay in the UK as a visitor with links to further guidance

Section four: referral requirements overview

A page of links to further guidance on referrals

Section five: quick guide to eligibility rules

A quick guide to which eligibility rules apply to different visits

Section one: visit visa (visitors except transit) A quick reference guide to the process for making a decision on a visit visa with links to further guidance

	LINKS TO GUIDANCE
Does the applicant meet all the mandatory identity and suitability checks? Are any additional checks required?	Mandatory suitability and identity checks Visitor decision maker guidance: suitability
 Is the applicant a genuine visitor? Do they intend to make a genuine visit, undertake activities that are permitted and leave at the end of their stay? Do they have sufficient funds, maintenance and accommodation for the duration of their stay? Will they be doing any prohibited activities such as undertaking employment, study that is not incidental, accessing free NHS care they are not entitled to, or marrying / entering into a civil partnership without the correct visa? 	Visitor decision maker guidance: genuineness and credibility Visitor decision maker guidance: maintenance and accommodation Visitor decision maker guidance: permitted and prohibited activities
If there are additional eligibility requirements for their type or purpose of visit, does the applicant meet them? • Children • Private medical treatment • Approved Destination Scheme (ADS) visits • Marriage and civil partnership • Permitted Paid Engagements (PPE)	Visitor decision maker guidance: children Visitor decision maker guidance: private medical treatment Visitor decision maker guidance: ADS Visitor decision maker guidance: marriage and civil partnership Visitor decision maker guidance: permitted paid engagements (PPE)
 Is there a requirement to make a referral? If the applicant fails to meet the Visitor Rules, but there are genuinely exceptional or compelling circumstances to consider leave outside the rules? Is there a mandatory referral requirement? 	Leave outside the immigration rules Referral requirements overview
 What duration of visa to grant? Is there a set duration of grant (ADS and PPE)? Have they applied for a long term visit visa? Is there reason to grant the full 6 months? Is there reason to grant a single entry visa? 	Visitor decision maker guidance: long term visit visas Visitor decision maker guidance: short duration visas – when and how to grant Visitor decision maker guidance: single entry visit visas – when and how to grant
Have you met all the relevant recording requirements?	Recording requirements

Section two: visitors at the border

A quick reference guide to the process for making a decision on a visitor at the UK border with links to further guidance

	LINKS TO GUIDANCE
Does the applicant meet all the mandatory identity and suitability checks? Are any additional checks required?	Mandatory suitability and identity checks Visitor decision maker guidance: suitability
If the applicant has a visa or existing leave to enter, do they meet any of the grounds for cancellation?	Visitor decision maker guidance: suitability
 If the applicant is a child with a visa endorsed as accompanied are they with the specified adult? If the applicant does not have a visa or existing leave to enter, do they need a visa in advance? Visa nationals not on the exceptions list (including invalid Electronic Visa Waiver (EVW)) Visitor for marriage or civil partnership Academic, academic dependant, visitor for private medical treatment coming for more than 6 months as a visitor If the applicant is a non-visa national, are they a 	Visitor decision maker guidance: <u>children</u> <u>Visitor Rules</u> <u>Visitor decision maker guidance:</u>
 genuine visitor? Do they intend to make a genuine visit, undertake activities that are permitted and leave at the end of their stay? Do they have sufficient funds, maintenance and accommodation for the duration of their stay? Will they be doing any prohibited activities such as undertaking employment, study that is not incidental, accessing free NHS care they are not entitled to, or marrying / entering into a civil partnership without the correct visa? 	genuineness and credibility Visitor decision maker guidance: maintenance and accommodation Visitor decision maker guidance: permitted and prohibited activities
If there are additional eligibility requirements for their type or purpose of visit, does the applicant meet them? • Children • Private medical treatment • Permitted Paid Engagements (PPE)	Visitor decision maker guidance: children Visitor decision maker guidance: private medical treatment Visitor decision maker guidance: permitted paid engagements (PPE)
 Is there a requirement to make a referral? If the applicant fails to meet the Visitor Rules, but there are genuinely exceptional or compelling circumstances to consider leave outside the rules? 	Leave outside the immigration rules Referral requirements overview

• Is there a mandatory referral requirement?	
Have you met all the relevant recording	Recording requirements
requirements?	

6

Section three: extension of stay as a visitor A quick reference guide to the process for making a decision on an application to extend stay in the UK as a visitor with links to further guidance

	LINKS TO GUIDANCE
Has the applicant submitted a valid application?	Specified application forms and procedures
Does the applicant meet all the mandatory identity and suitability checks? Are any additional checks required?	Mandatory suitability and identity checks Visitor decision maker guidance:
	suitability
 Is there a requirement to make a referral? If the applicant fails to meet the Visitor Rules, but there are genuinely exceptional or compelling circumstances to consider leave outside the rules? Is there a mandatory referral requirement? 	Leave outside the immigration rules Referral requirements overview
 Is the applicant a genuine visitor? Did they enter as a visitor? Do they intend to make a genuine visit, undertake activities that are permitted and leave the UK at the end of their stay? Do they have sufficient funds, maintenance and accommodation for the duration of their stay? Will they be doing any prohibited activities such as undertaking employment, study that is not incidental, accessing free NHS care they are not entitled to, or marrying / entering into a civil partnership without the correct visa? 	Visitor decision maker guidance: genuineness and credibility Visitor decision maker guidance: maintenance and accommodation Visitor decision maker guidance: permitted and prohibited activities
 Does the applicant meet the requirements for an extension of stay? Have they already had the maximum period permitted? Have they met the requirements of the Visitor Rules throughout their stay? 	<u>Visitor Rules</u>
Have you met all the relevant recording requirements?	Recording requirements

Section four: referral requirements overview

A page of links to further guidance on referrals

You must see the following guidance: transfer or refer a case

Where the applicant does not meet the Visitor Rules, but there are compassionate and compelling circumstances you should see the following: <u>leave outside the rules.</u>

The following table provides an additional list of circumstances when applications must be referred with links to the relevant visitor guidance.

Applications that must be referred	Who to	Guidance
Approval to grant a single- entry visa (where this is not mandatory)	Entry Clearance Manager (ECM)	Single entry visit visa – when and how to grant
Approval to grant a short duration visa	ECM	Short duration visa
Concerns about a child's welfare at the border	Local authority children's services department and/or the police where appropriate.	Child not travelling or residing with their parent or guardian
Private foster care arrangements (unless this has been completed by applicant)	Local authority	Private foster care
Communicable disease, serious ill health, etc	Medical officer	Referral to a medical officer
Further advice required on medical case	Referred Casework Unit (RCU)	Deferring applications – when and how to do this
Approval for report from a doctor who is not the medical inspector	ECM	Requesting a report from a doctor (not the medical inspector)
Visitor admits to intending healthcare in UK	Port medical inspector	Applications at the border for medical visits
Concern that an employer is using visitor route to circumvent PBS routes	Sponsorship management team	UKVI: Employers using visitors to undertake work or fill a roll

The referrals to RCU should be made on the referral pro forma and should clearly state what guidance you need and include comprehensive information, documentary evidence and if relevant, a full medical report.

Section five: quick guide to eligibility rules A quick guide to which eligibility Rules apply to different visits

Type of visitor	Eligibility requirements	Additional eligibility requirements	Activities
Visitor	V4	if applicant is a child: V5.1-V5.4	Appendix 3 (unpaid activities)
		if coming for private medical treatment: V5.5 - V5.8	Appendix 5 (paid activities for performers at permit free festival)
		if coming under the ADS Agreement: V5.9	
		if applying to extend stay: V8	0
Permitted Paid Engagement	V4	V6	Appendix 3 (unpaid activities)
Engagement visitor			Appendix 4 (permitted paid engagements)
			Appendix 5 (paid activities for performers at permit free festival)
Marriage or civil partnership visitor	V4	V7	
T	V9		
G	<u>, (</u>		

Visitor decision maker guidance manual

In-depth guidance on visit applications for decision makers

Contents

Section one: basics

Basic guidance on types of visit and how to make a decision

Section two: genuineness and credibility

Guidance on what being a genuine visitor means, applies to all visitors except transit

Section three: period of stay granted

What length and type of entry will be granted in different circumstances, applies to entry clearance only

Section four: suitability

How the new suitability Rules apply to visitor applications, applies to all visitors

Section five: maintenance and accommodation and sponsorship

Guidance on maintenance and accommodation requirements and sponsors, applies to all visitors except transit

Section six: permitted and prohibited activities for visitors

Guidance on visitors coming to the UK for tourism, visits to friends and family, business or work related reasons

Section seven: children Guidance on applications from children visiting the UK

Section eight: private medical treatment Guidance on applications for private medical treatment as a visitor

Section nine: Approved Destination Status (ADS) Guidance on applications under the ADS scheme in China

Section ten: permitted paid engagements (PPE) Guidance on applications for a permitted paid engagements visa

Section eleven: marriage and civil partnership Guidance on applications to marry or enter into a civil partnership as a visitor

Section twelve: transit Guidance on applications to transit the UK

Section thirteen: endorsements and codes Guidance on what endorsements and codes must be used for visitors

Section fourteen: changes to this guidance

A record of recent changes to this guidance

Section one: basics

Basic guidance on types of visit and how to make a decision

Types of visitor
Burden of proof and evidence
Supporting documents
Evidence and refusals

YTypes of visitor

There are four types of visits:

- 1. Visitor;
- 2. Visitor for marriage or civil partnership;
- 3. Permitted paid engagements visitor; and
- 4. Transit visitor.

All visitors (except transit visitors) need to meet the eligibility requirements for visitors.

Depending on the purpose of visit, some visitors need to meet additional requirements, e.g. children, visitors for private medical treatment and ADS visitors. They can do the permitted activities set out in Appendix 3 of the Visitor Rules.

Visitors for marriage or civil partnership are different from other visitors because both visa nationals and non-visa nationals require a visa for a visit of 6 months or less.

Permitted paid engagements visitors are different because they are allowed to be paid in the UK and are limited to 30 days. They can do the permitted activities set out in Appendices 3 and 4 of the Visitor Rules.

Transit visitors need to meet a different set of eligibility requirements, and these will vary depending if they are transiting airside (direct airside transit visas) or landside (transit visitors).

∀Burden of proof and evidence

You must assess the visitor's credibility and intentions to visit the UK and decide whether the applicant meets the requirements in the Visitor Rules. You must be satisfied that the applicant is a genuine visitor.

It is the applicant's responsibility to ensure they provide evidence to satisfy you that they meet the Visitor Rules. For visa applications this will usually mean a combination of the information on the application form and any supporting evidence supplied by the applicant. At the border, it is up to the officer to determine what questions to ask. You must assess all the information provided by the applicant and any other evidence that may be relevant to the case. This must include any locally held information.

You should be satisfied that the applicant has showed the following:

- they intend to make a genuine visit, undertake activities that are permitted (V4.6 – V4.7 and Appendix 3) and will leave at the end of their stay; and
- they have sufficient funds, maintenance and accommodation for the duration of their stay in the UK (V4.8 – 4.11); and
- they will not be undertaking employment or studying in the UK (V4.12 4.14); and
- they will not be accessing medical treatment unless they meet one of the exceptions such as private treatment (V4.15).

Look for evidence for each requirement of the Visitor Rules and make an assessment in the round.

Supporting documents

Applicants must have a valid passport (or travel document).

To show genuine intent to visit

For most visitors there are no specified supporting documents that they must supply to satisfy you they are a genuine visitor. There is advice on the types of documents that applicants might want to supply to show this here:

https://www.gov.uk/government/publications/visitor-visa-guide-to-supportingdocuments

Supporting documents should back up statements made on the application form.

For visa applications, locally held information will help determine whether and what supporting evidence is needed to satisfy you that an applicant will be a genuine visitor.

At the border, whether you ask for supporting evidence will depend on the questions you ask and the answers applicants give.

If a visitor provides one or more of the documents referred below, this is not enough alone to show that the applicant intends to comply with their conditions of stay or leave the UK at the end of their visit:

- a return ticket;
- a hotel booking; or
- other evidence to support their reasons for visiting the UK.

You must not ask for or accept a written guarantee or undertaking from the applicant concerning the length of their stay.

It is not possible to enforce guarantees from third parties that a visitor will comply with their conditions of stay, or to leave the UK at the end of a specific period.

Specified by the Rules

The Visitor Rules do ask for specific evidence for:

- a child who is not travelling with their parents or legal guardian (V5.3b);
- applicants coming for private medical treatment (V5.7);
- applicants for a permitted paid engagements (V6.4c);
- applicants for a marriage or civil partnership visa (V7.1).

To show they are coming to do a permitted activity

Appendix 3 of the Visitor Rules sets out permitted activities. Some of the types of business activities are only permitted in specific circumstances for people employed overseas in specific sectors. There is no set evidence to show an applicant meets these requirements.

For a visa application, the form should provide details, but you will normally need to see further evidence to be satisfied that the applicant meets the detail of the requirements.

At the border you will need to ask what employment the applicant is does overseas and what they are coming to do in the UK. A letter from an employer on headed paper that sets out what the applicant is coming to do is useful evidence in these cases.

VEvidence and refusals

You should normally refuse if the applicant does not produce any evidence over and above the form, or the evidence produced is not enough to satisfy you he or she meets the requirements. All decisions must be made on the specific circumstances of the individual's application.

The evidence you use to justify a refusal must be factual, clear, and relevant to the Rules applying to the application. Where this is the case the burden of proof will remain with the applicant rather than the decision maker. For example, if an applicant in the past accessed public funds in the UK or had a poor immigration history, this factual evidence would be used in the refusal.

Section two: genuineness and credibility

Guidance on what being a genuine visitor means, applies to all visitors except transit

Genuine intention to visit

Credibility and intentions – grounds for doubting

Credibility and intentions – borderline decisions

Frequent or successive visits – how to assess if an applicant is making the UK their main home

Genuine intention to visit

See paragraphs <u>V4.6- V4.7 of the Visitor Rules</u>

Travel history

You must check the applicant's travel history in their passport (or, for visa applications on the form). A pattern of travel that shows the applicant has previously complied with UK immigration law is useful evidence that an applicant is a genuine visitor. As is travel to other countries, especially the USA, Canada, Australia, New Zealand, Ireland, Schengen countries or Switzerland.

Travel history should not be the only consideration in deciding whether you are satisfied an applicant is a genuine visitor. You should consider each application in the round and take account of social and economic factors (see below) and any locally held information.

Where the applicant is a first-time traveller, you will need to rely on other evidence to satisfy you they have a genuine intent to visit.

Social, economic and family ties

To assess if an individual is genuinely seeking to come to the UK for a limited period, you must take into account the applicant's social, economic and family ties to their country of residence. For visa applications, this information will be on the application form. You may also want to see supporting evidence to back up statements in the application form. At the border, you may want to ask questions on any of the following areas.

Examples where an applicant is likely to have ties to their country of residence include:

- maintains their own home or any other property in the country where they live;
- is in ongoing employment (or self-employment) that is likely to continue on their return;
- has family or friends in the country they live in; or
- is currently a student, and likely to continue studying on their return.

Plans for their visit to the UK

You must also consider:

- any travel arrangements and details of bookings (including onward or return flights); and
- if the applicant has family or friends in the UK.

For visa applicants, this information will be on the application form. You may also want to see supporting evidence to back up statements in the application form where there is locally held information indicating this would be useful. At the border you might want to ask questions about what the individual is coming to do and see tickets, hotel bookings, or other supporting evidence.

You should check that the applicant is undertaking activities that are permitted for their type of visit. For visa decisions, this should be shown by the application form or supporting documents. At the border you should ask why the applicant is coming to the UK.

VCredibility and intentions – grounds for doubting

See paragraphs V4.6 – V4.7 of the Visitor Rules

You might doubt the credibility and intentions of a visitor if:

- they or their sponsor (for example if they are visiting a friend, relative) have attempted to deceive a Home Office officer;
- there are clear discrepancies between the statement made by the visitor and the statement made by the third party sponsor. Particularly on points where the sponsor could reasonably be expected to know the facts but does not;
- the visitor has no evidence to support their reasons for visiting the UK;
- the sponsor has no relationship to the applicant;
- the applicant has few economic and family ties in their country of residence and no history of compliant travel.

If a Border Force officer has doubts about the intentions of an applicant, they can examine them further under paragraph 2A of schedule 2 of the 1971 Immigration Act. Paragraph 4 of schedule 2 of the 1971 Immigration Act also allows a Border Force officer to search an applicant and their baggage. This may reveal items which demonstrate a person intends to work or live in the UK.

VCredibility and intentions – borderline decisions

See paragraphs <u>V4.6 – V4.7 of the Visitor Rules</u>

For visa applications, if the applicant meets all the Visitor Rules, but you have residual doubts about their intentions to return home after their visit but not enough evidence to refuse them leave to enter or remain, you should consider whether to grant a <u>short duration visa</u>.

At the border, you must use code 3 if you have doubts about the person but not enough evidence to refuse leave to enter.

See <u>Recording requirements for UKVI and Border Force: Credibility and intentions –</u> <u>borderline decisions</u> for information you must record where you have residual doubts.

✓ Frequent or successive visits – how to assess if an applicant is making the UK their main home or place of work

See paragraph V4.7(d) of the Visitor Rules

You should check the applicant's travel history: how long are they spending in the UK and how frequently are they returning? You must assess if they are, in effect, making the UK their main home.

To do this, you should look at:

- the purpose of the visit and intended length of stay stated;
- the number of visits made over the past 12 months, including the length of stay on each occasion, the time elapsed since the last visit, and if this amounts to the individual spending more time in the UK than in their home country;
- the purpose of return trips to the visitor's home country and if this is used only to be readmitted to the UK;
- the links they have with their home country such as:
 - main residence;
 - employment;
 - o family;
 - o other long term commitments; and
 - o where they are registered for tax purposes;
- evidence the UK is their main place of residence, for example:
 - if they have registered with a general practitioner (GP); or
 - send their children to UK schools;
- the history of previous applications, for example:
 - if the visitor has previously been refused under the family rules and subsequently wants to enter as a visitor you must assess if they are they using the visitor route to avoid the rules in place for family migrants joining British or settled persons in the UK.

There is no specified maximum period which an individual can spend in the UK in any period such as "6 months in 12 months". However, if it is clear from an individual's travel history that they are making the UK their home you should refuse their application.

Section three: period of stay granted

What length and type of entry will be granted in different circumstances

Long term visit visas (multiple entry)
Single entry visit visa – when and how to grant
 Short duration visa – when and how to grant

∀Long term visit visas (multiple entry)

Applicants may apply for a visit visa that allows multiple visits of up to 6 months at a time over a period of:

- two years;
- five years; or
- 10 years.

PPE, ADS and Transit visitors may not apply for or be granted long term visit visas.

Applicants for a long term visit visa must meet all the Visitor Rules relevant to their visit. For example they must not intend to make the UK their main home or place of work.

If you are satisfied the applicant meets the Visitor Rules, you must then decide whether to issue the length of visit visa applied for.

You must be satisfied that the applicant has demonstrated a genuine intention to visit on a regular basis. You should consider:

- Credible ongoing reason to visit a successful applicant will show a frequent and continued need to come to the UK, such as family links or an established business connection. Applicants for a visit visa with the sole purpose of marrying or entering into a civil partnership in the UK, as well unaccompanied children and those entering the UK for medical reasons are unlikely to demonstrate a credible ongoing reason to visit.
- Stability of personal circumstances as far as possible, an applicant's financial circumstances and ties to their home country should be unlikely to change significantly during the validity of the visa.
- Travel history a person does not need to have previously held a visit visa before being issued with one which has a longer validity. However, a history of international travel which shows the individual's compliance with UK or other immigration laws will be relevant to deciding whether the applicant intends to leave the UK at the end of each visit. Previous travel history can be evidenced in a current valid passport, or previous passport.
- · Holding a valid visa for another country including -
 - Australia;
 - Canada;

- o Ireland;
- New Zealand;
- Schengen countries;
- Switzerland; or
- \circ the USA;

may be relevant to deciding whether the applicant is a genuine visitor, especially if they can provide evidence to show:

- o they complied with conditions of entry to that country; or
- $\circ\;$ they were not removed from a country on their last trip.
- Refusal of visa application for other countries may also be relevant.

If you are not satisfied the applicant meets the Visitor Rules you must refuse their application.

Where the applicant meets the Visitor Rules, but does not show a need to visit the UK on a regular basis and therefore does not qualify for a long-term visit visa, you can issue a visit visa for up to 6 months. In such cases, no refund (full or partial) is available.

You must provide clear reasons for the decision to grant a visa for a shorter period than that applied for in a covering letter when the passport is returned.

Related guidance

Frequent or successive visits – how to assess if an applicant is making the UK their main home or place of work

∀Single entry visit visa – when and how to grant

Most visit visas allow the person to enter the UK multiple times during its period of validity.

You must not issue a visa if the applicant does not meet the Visitor Rules. You should not routinely issue single-entry visit visas to first time visitors

Permitted paid engagement visit visas must be single-entry. See paragraph V1.9 of the Visitor Rules.

ECOs must obtain the authority of the ECM before issuing a single-entry visit visa (except for ADS or PPE visas).

For other visitors, you must only issue a single-entry visit visa in certain cases, such as:

- children whose visit is sponsored by charities; or
- in residual doubt cases where the applicant meets the Rules but you have a residual doubt and there is nonetheless a clearly established, verifiable and compelling reason to visit the UK (see examples below).

A non-exhaustive list of examples of where it may be appropriate to issue a single entry visit visa includes:

- key witness (non-expert) at a criminal, civil or family court appearance;
- a visit at the request of the police or other agency to assist enquiries;
- to attend the funeral of an immediate family member;
- to attend a specific one-off bona fide event the applicant has been invited to, for example a religious convention;
- to conduct a specific business transaction in the UK where the person's attendance is essential; or
- to visit an immediate family member who is pregnant or who is seriously ill.

∀Short duration visa – when and how to grant

Unless there are grounds for not issuing a multi-entry or long term visit visa, you should issue the visa applied for.

See <u>Recording requirements for UKVI: Granting a short duration visa</u> for information you must record.

Grounds for limiting the duration of a visa

- Children should only be granted a long term visa which is valid to six months past their 18th birthday. For example, a 14 year old applying for a five or ten year long term visit visa, the visa expiry date should be limited to the date that is six months after the applicant's 18th birthday.
- Where it is appropriate to issue a single entry visa.
- If they hold a travel document:
 - with permission to enter another country that must be exercised before a given date; or
 - that restricts how long they may be outside their country of normal residence.

Related guidance:

Frequent or successive visits – how to assess if an applicant is making the UK their main home

Section four: suitability

How the new suitability Rules apply to visitor applications, applies to all visitors

Visitor suitability Rules – relationship to Part 9 of the Immigration Rules

Visitor suitability Rules – relationship to Part 9 of the Immigration Rules

Unlike other routes, visitors are not subject to the General Grounds for Refusal. Instead you must apply the <u>suitability requirements in Part V3 of the Visitor Rules</u>. These are a single set of requirements that apply to all visitor applications whether for a visit visa, for leave to enter at the border, or for an extension in the UK.

Where an application falls to be refused it must be done with reference to the relevant paragraph of <u>part V3</u> and not under <u>Part 9 of the Immigration Rules</u> (paragraph 320-324)

However, the current guidance on Part 9 is relevant when applying Part 3 of the Visitor Rules: <u>General Grounds guidance</u>.

See also guidance on: Examples of standard refusal wording Curtailment

Section five: maintenance and accommodation and sponsorship

Guidance on maintenance and accommodation requirements and sponsorship, applies to all visitors except transit

Maintenance and accommodation Maintenance and accommodation provided by a third party Sponsor undertakings on maintenance and accommodation Other third party support (non financial)

∀Maintenance and accommodation

See paragraphs V4.8 – V4.11 of the Visitor Rules

You should check the applicant has access to sufficient resources to maintain and accommodate themselves adequately for the whole of their planned visit to the UK.

There is no set level of funds required for an applicant to show this.

An applicant may be maintained and accommodated from personal funds or through third party support.

At the border you may want to ask where the applicant will be staying and ask the applicant to show evidence they have access to funds reasonable for their visit.

For visa applications you should look at the application form and any financial supporting documents to assess this requirement. You should consider the likely cost of their stay and asses any sources of revenue that will continue to be paid to the applicant whilst they are visiting the UK.

You must also take into account any ongoing financial commitments the applicant has in their country of residence such as rent/mortgage payments and any dependants who they support financially, including those who are not travelling with them.

Their income or savings, minus their financial commitments, must be sufficient to meet the likely costs they will incur in the UK and be reasonable expenditure in light of their financial situation.

The following are examples (not requirements) of the types of evidence that would show a visa applicant has sufficient resources to maintain and accommodate themselves. The applicant:

- has already paid for accommodation and other expenses, for example where they are travelling as part of a package holiday, and they submit documents to show this payment has already been made;
- is planning to stay in a hotel, and can show they have sufficient resources to pay for this and other day-to-day expenses for themselves and any dependants

travelling with them (it is not enough to show that a reservation for a hotel has been made); or

• is planning to stay with friends or relatives in their home and they submit evidence that shows adequate accommodation is available for their use, over and above the number of people who normally live in the home and there are sufficient rooms available for all.

Where an individual provides documents which shows sufficient funds for their planned stay, but either all or the majority of these funds have not been held in their account for long, you may want to make further checks to establish the origin of this money. Where the applicant is unable to show that the funds are genuinely theirs, they cannot be counted in any assessment.

Where a child is applying to come to the UK as a visitor, it is the responsibility of their parent to provide documents to show their financial position to cover the costs likely to be incurred by the child in the UK.

At the border, if an unaccompanied child is travelling to the UK, you may want to ask for evidence about how their visit is to be funded.

✓ Maintenance and accommodation provided by a third party

See paragraph V4.11 of the Visitor Rules See paragraph V3.16of the Visitor Rules

Maintenance and accommodation support can be provided by a third party, including family members, friends and other people with whom the applicant has a personal or professional established relationship. The third party can be based inside or outside the UK. If they are inside the UK, they must not be in breach of immigration law.

Any maintenance or accommodation provided by a person in breach of the UK's immigration laws must be discounted.

You may want to check whether the third party is supporting the visitor's application for genuine reasons, by carrying out checks on any previous applications the third party has supported.

Where you have doubts around the intentions of the third party to provide this support, you must refuse.

To assess this, you should consider the following factors:

- the relationship between the applicant and the third party sponsor; and
- the third party's previous history of 'sponsoring' visitors. For example, previous failures to support visitors may call into question their intention and ability to do so for this application.

For visa applications, where more evidence is required, you may want to check with the applicant or third party sponsor:

- where they met;
- how they maintain communication; and/or
- how often they communicate.

If the third party sponsor is a friend or family member providing financial support for the visitor, they must satisfy you that they have enough funds available to adequately support themselves and anyone normally dependent on them, as well as the visitor.

You should take into account the applicant and third party's financial and economic circumstances in deciding whether evidence is needed to satisfy you over and above the details provided on the application form.

∀Sponsor undertakings on maintenance and accommodation

See paragraph V2.8 of the Visitor Rules

You should only request an undertaking on maintenance and accommodation for applicants who are coming for more than three months who will be totally dependent on their sponsor for the whole period.

See <u>Recording requirements for UKVI: Sponsor undertakings on maintenance and</u> <u>accommodation</u> for information you must record and actions you must take where a sponsor gives an undertaking on maintenance and accommodation.

VOther third party support (non financial)

Only sponsors providing maintenance and accommodation are mentioned in the Visitor Rules. Sometimes third parties such as sponsors and MPs may send undertakings in support of a visit application. These are not enforceable. You should not actively seek out such an undertaking or accept an offer to provide one.

Where a third party undertaking is provided with an application, you may consider it as a factor relevant to establishing the applicant's intentions, but it is not evidence of funds.

See <u>Recording requirements for UKVI: MP letter in support of an application</u> on what to do when an MP writes to Post in support of an application.

Section six: permitted and prohibited activities for visitors

Guidance on visitors coming to the UK for tourism, visits to friends and family, business or work related reasons

Permitted activities - tourism
Prohibited activities – employment
Employment that falls under the points based system
Permitted activities for visitors – business, creative, sport etc
Payment
Prohibited activities - study
Permitted activities – incidental study
Permitted activities - educational exchange visits
Prohibited activities – free NHS treatment

Y Permitted activities - Tourism

<u>See Appendix 3 of the Visitor Rules</u> <u>See V5.9 for the Approved Destination Scheme</u>

You must be satisfied that the activities are permitted and are genuine and credible.

For visa applications, you should expect the applicant to have some plans for their stay.

At the border, you should expect the applicant to be able to answer questions on what they plan to do.

✓Prohibited activities – employment

See paragraph V4.12 of the Visitor Rules See Appendix 3 of the Visitor Rules See Appendix 4 of the Visitor Rules

You must check what an applicant is coming to do in the UK.

Visitors are not allowed to undertake employment in the UK on any basis whether it is paid or unpaid – they are allowed to carry out permitted paid engagements but these must not breach the definition of employment.

For visa applications you should consider whether the information about what the applicant is coming to do on the application form or any supporting documents would, in practice, amount to employment under V4.12. Permitted activities under Appendix 3 should not amount to employment.

At the border, you will need to ask the applicant to describe what they are coming to do and for how long.

For example, where the visitor is coming to provide advice to colleagues at their UK office, this must not amount to filling a role or providing short-term temporary cover for a role. Where you believe this is the case, you must refuse the application and notify the sponsor management team.

See <u>Recording requirements for UKVI: Employers using visitors to undertake work or</u> <u>fill a role</u> for information you must record and details of where to send information where you suspect this is the case.

Volunteering exception

Visitors are not allowed to undertake volunteering. However where members of a girl guide or scout group are coming to the UK to take part in a holiday camp, and will be carrying out duties which involve looking after other group members, this is acceptable provided it is:

- an incidental part of their holiday;
- there is no payment for the activities; and
- the guide member has no employment contract with the guide club in the UK.

Payment

See paragraph V4.13 of the Visitor Rules See Appendix 4 of the Visitor Rules See Appendix 5 of the Visitor Rules

Visitors cannot receive payment for activities unless they meet one of the exceptions in paragraph V4.13 of the Visitor Rules.

While visitors may receive reasonable expenses for their travel and subsistence or per-diems, these should not equate to appropriate payment levels for the activity undertaken.

Visitors may bill a client in the UK for their time, where they are contracted to provide services to a UK company and the majority of the contract work is done outside the UK. However this must not equate to the visitor's income. The payment that is billed to the client should only be incidental to the visitor's income.

For visa applicants, where the level of expenses shown on the application form amounts to payment levels you should refuse the application.

At the border, you may want to ask whether the applicant will be being paid in the UK for any business activities.

YEmployment that falls under the points based system

<u>See paragraphs V4.13 – V4.13 of the Visitor Rules</u> <u>See Appendix 4 of the Visitor Rules</u> Visitors must not be undertaking any form of employment in the UK. A nonexhaustive list of types of employment under the points based system is below:

- Named researchers undertaking grant funded research. They must apply under <u>Tier 2 of PBS.</u>
- Lecturers undertaking a series of fee-paid lectures. They must seek entry under <u>Tier 2 of PBS.</u>
- Sponsored researchers. They must enter the UK under <u>Tier 5 (government</u> <u>authorised exchange) of PBS</u>.
- Religious workers who intend to fill a vacancy as a religious worker must apply and qualify under <u>Tier 2 (Ministers of religion) of PBS</u>.
- Religious workers intending to work temporarily as a paid religious worker must apply and qualify under <u>Tier 5 (Religious workers) of PBS</u>.
- Sikh religious entertainers (Kirtani players), as well as any entertainer intending to base themselves in the UK to work, do not qualify and must apply under either <u>Tier 2 (General)</u> or the creative and sporting sub-category of <u>Tier 5</u> (<u>Temporary worker</u>) of PBS.

Related guidance: Permitted paid engagements

VPermitted activities for visitors – business related

See Appendices 3 and 5 of the Visitor Rules

Visitors can only undertake activities set out in Appendix 3.

Check that the applicant has explained their main reason for coming to the UK and that this is one of the permitted activities. For visa applicants this will be on their application form. At the border you will need to ask.

Where they are intending to carry out an activity relating to their employment overseas, they must satisfy you that the activity is permitted – this often means understanding how it links to their employment in their home country. It is useful for applicants to provide a letter from their employer or inviting organisation to support the reason for their visit and provide an itinerary, but this is not a requirement.

You should assess whether the period of leave requested is credible in view of the activities they are seeking to do. For example where a visitor wants to stay for more than 1 month for business, you should carefully consider who will be covering their role in their home country and whether in fact, they are coming to the UK to fill a role or make the UK their main place of work.

General business activities

See <u>V.APP-3.5 of the Visitor Rules</u>

Consider how long these activities are due to last in order to determine whether the applicant is genuine and not taking employment in the UK. For visa applications this evidence might be included on a letter from an employer.

A visitor can come to the UK to sign deals and contracts but they must not be staying on to engage in that employment. For example, a visitor can register a company or sign a take-over of a company in the UK, but they would not be allowed to run that company as a visitor.

Where a visitor is carrying out site visits and gathering facts for their overseas work, you must make sure that the activities undertaken amount to gathering information, inspecting the organisation, quality-assuring goods and products in order to report back to their company overseas, as opposed to engaging in running the business from the UK.

Visitors are also permitted to undertake certain business activities such as attending conferences, which can include seminars whilst in the UK,. We would expect these to be arranged prior to their arrival. For visit applications this evidence might be provided on the form, or by supporting documents. At the border you may want to ask to see conference papers.

Whilst the majority of conferences will be formal speaker-led events usually lasting for a couple of days and focus on a specific topic or sector, they can also include familiarisation programmes, and seminars for overseas nationals coming to learn about UK practices.

An example of a familiarisation programme would be overseas professionals coming to the UK to learn about UK practice in a specific area, e.g. law, finance, or public administration. Where a visitor is taking part in a familiarisation programmes, they should be able to provide a programme of events for the conference if requested.

Whilst there is no restriction on the duration of a conference it would be reasonable to expect conferences to be no more than a couple of weeks in duration. Where a conference is longer, you should check to the programme of events to ensure that it does not amount to a course of study.

Intra-corporate activities

See V.APP-3.6 - V.APP-3.7 of the Visitor Rules

Where an applicant is coming to undertake intra-corporate activities, this should be linked to a specific project and of a short duration. You must be satisfied that the applicant is not coming to fill a role in the company as an "intra-company transferee" which must be done on a Tier 2 ICT visa. If that is the case, the application must be refused.

You should check that the applicant will mainly be based at their company's offices and not at client sites unless it is for meetings.

Audits can include health and safety, financial and manufacturing audits: for example in the car manufacturing industry where visitors may inspect the quality of cars being produced at their UK plant, as well as financial audits. Audits must be strictly internal to the group of companies the visitor works for overseas: this includes branches and subsidiary companies. If the applicant has not provided evidence of this, you may want to check company records online to confirm if the companies are in the same group.

Entrepreneurs

See <u>V.APP-3.8 of the Visitor Rules</u>

The visitor can only take part in meetings, and discussions to obtain funding for their business. They must not be working as an entrepreneur in the UK equivalent to work under the Tier 1 entrepreneur route.

Manufacturing and supply of goods

See <u>V.APP-3.9 of the Visitor Rules</u>

Visitors can work on a piece of equipment, computer software or hardware in the UK that is manufactured or supplied by their company overseas, and only where the UK company has a contract with that overseas manufacturer or supplier. You should expect visitors to stay for less than 1 month to carry out this activity because they will be in employment overseas. If they request longer, you must look carefully at what they will be doing in the UK and what the terms of their employment overseas are.

Clients of UK export companies

See V.APP-3.10 of the Visitor Rules

You should check whether there is a contract of service between the two companies and that the visitor is only coming for talks and meetings as opposed to engaging in work for their company.

Science, research and academia

See <u>V.APP-3.11 of the Visitor Rules</u>

Academics must be highly qualified within their field of expertise and currently working in that field. This will generally be people with PhDs or higher. If the applicant does not provide evidence of this, you can usually find a biography on the relevant university website.

Academics may come to the UK for up to 12 months to undertake research, for example, for a book, provided they are on sabbatical leave from their home institution. Their spouse/partner and/or children can accompany them for this duration. Academics can carry out other permitted activities at Appendix 3 for up to 6 months.

You should ensure that researchers and scientists remain paid and employed by their overseas employer and are only carrying out activities that are incidental to their employment overseas e.g. providing advice on an international project, or sharing knowledge on research they are working on overseas. If they want to undertake productive research in the UK they will need to consider applying under Tiers 2 or 5 of the points based system.

Eminent senior doctors or dentists must have been working for a number of years in their profession. They may come to the UK to take part in research, teaching or clinical practice as long as this remains incidental to their employment overseas.

PLAB Test

See V.APP-3.22 of the Visitor Rules

Where a person is undertaking the Professional and Linguistic Assessment Board (PLAB) test this will not usually include any study in the UK and should not be counted toward the permitted period of study. In cases where they are unsuccessful in passing PLAB within the 6 month period they will not be able to extend their leave under these Rules.

Where an individual successfully passes the test and wishes to remain in the UK they will need to qualify under the relevant Tier of the points-based system. As visitors are not permitted to switch into Tier 2 or 5 in-country they will need to apply for this from outside the UK.

Legal

See V.APP-3.12 - V.APP-3.13 of the Visitor Rules

Where a person is summoned to the UK to attend a court hearing, you should check whether their evidence could be given by video-link by contacting the court. Any person summoned by a UK court would need to provide evidence to confirm why their attendance in person is necessary.

Religion

See V.APP-3.14 of the Visitor Rules

You should check that the person is not seeking to take up an office, post or appointment in the UK.

They can, however, undertake pastoral duties which can include one-off engagements such as conducting wedding ceremonies or funerals, provided these are one-off engagements for which they are not receiving payment and they continue to be in employment overseas.

Creative See V.APP-3.15 - V.APP-3.17 of the Visitor Rules

An artist can include anyone coming to the UK to undertake an activity that is connected to the arts – this does not include religious entertainers. Examples include:

- poets;
- photographers;
- designers;
- artists; and
- make-up artists.

Entertainers include dancers, comedians, members of circus acts or members of film crew.

Artists and entertainers can be accompanied by their personal or technical staff provided they are attending the same event as the entertainer.

Technical staff or production team members can include, but are not restricted to:

- conductors;
- choreographers; or
- stage managers.

Personal staff of artists and entertainers can also qualify. Examples include, but are not restricted to:

- make-up artists;
- personal bodyguards; or
- press officers.

Sport See <u>V.APP-3.18 - V.APP-3.19 of the Visitor Rules</u>

You must consider whether the individual is being employed as a professional sports-person on a rolling 6 month basis. If that is the case, you should refuse and inform the applicant to consider applying for a work visa under Tiers 2 or 5 of the points based system.

Examples of technical or support staff include but are not restricted to:

- physiotherapists;
- coaches;
- dieticians;
- bodyguards;
- press officers;
- polo grooms:
 - o but only when they are accompanying a polo player; and
 - not intending to base themselves in the UK for the sporting season to take up employment in the stables.

Examples of officials

- lines people; or
- umpires.

Overseas roles requiring specific activities in the UK See V.APP-3.20 of the Visitor Rules

It is possible for certain types of professionals to visit the UK to carry out their work. For example, drivers on an international route and interpreters. You must check the visitor continues to be employed and paid by their company overseas.

∀Prohibited activities - study

See paragraph V4.14 of the Visitor Rules See V.APP-3.21 of the Visitor Rules

The Rules limit visitors to a maximum period of 30 days study. This should normally be incidental to a visitor's general purpose for coming to the UK rather than their main purpose. If the main reason for coming to the UK is to undertake study, check to ensure that they are not using frequent visits to pursue a longer course – especially where this would not meet the requirements of the relevant study route.

Where an individual is coming to undertake a period of study in excess of the permitted 30 day period, they should apply under the short term study route or Tier 4 of the points-based system.

Work-related training

See V.APP-3.22 of the Visitor Rules

Visitors cannot come to the UK to deliver training, unless they are providing shortperiods of training (for example a few weeks at the most) to colleagues at the UK branch of their overseas company.

Visitors can receive training provided it is strictly one-off and on techniques and business practices used in the UK that are necessary for their work overseas. It can only be provided by a UK company that has a contract to provide training or training facilities to the visitor's employer, or the UK branch of the visitor's employer.

It is possible for a company to provide training seminars to overseas visitors, where they are not necessarily a training company but offer bespoke sessions on tools and techniques, e.g. an international oil company who provide specialist training on aspects of their work such as drilling techniques.

Training should be typically class-room based and/or involve familiarisation or observation. Some practical training is allowed provided it does not amount to "training on the job". It is acceptable for a visitor to learn how to use a piece of equipment in the UK but you must carefully assess how long they intend to do this for and make sure there is no risk that they will be working for that company in the UK.

You would normally expect a visitor to carry out training for less than 1 month. If the visitor requests longer, you should consider who will be covering their work overseas and whether their training activities actually amount to taking employment in the UK.

English language training is not permitted, other than 30 days' incidental training at an approved institution (see V.APP-3.21 of the Visitor Rules).

Related Guidance: <u>Tier 4 guidance</u>

YPermitted activities – incidental study

See paragraphs V4.14 of the Visitor Rules See V.APP-3.21 of the Visitor Rules

There is no longer a visitor route for students. Instead, applicants coming for less than 11 months' study must apply as short term students, unless their proposed course is within the limited incidental study (30 days) allowed under Appendix 3 of the Visitor Rules.

If the applicant provides information that they will be studying in the UK you must be satisfied that their proposed course is allowed under Appendix 3 of the Visitor Rules or a school exchange.

A proposed course of study is permitted for a visitor if the study is incidental to the main purpose of their visit, for example, where the main purpose of the visit is a holiday but this will also involve a diving course.

You must consider the type of study that the visitor is coming to do. If the applicant is taking a recreational course (for example, a course purely for leisure purposes), they can attend any type of institution. This does not include English language courses. Examples of recreational courses are:

- activity courses, such as a day's horse riding, archery, or a week's orienteering;
- arts and craft courses, such as a day's pottery, a week's painting, woodworking;
- cultural courses, such as a day's theatre workshop, a week's music appreciation; or
- a dancing course.

Courses that lead to formal qualifications are not normally considered recreational. Qualifications for this purpose do not include attendance certificates.

Non-recreational short courses, including English language courses or study that is part of a course of study overseas, are allowed, but only if the provider meets the criteria of Appendix 3 of the Visitor Rules.

You must also consider the length of study. The permitted 30 days can either be in one period or multiple periods totalling no more than 30 days, for example, study on 30 separate days.

You must make sure that the visitor is not making repeat visits in order to complete a course of study which should be carried out either under the short-term student route or Tier 4 of the Points based system.

YPermitted activities - educational exchange visits

See paragraph V4.14 of the Visitor Rules See V.APP-3.21 of the Visitor Rules You must check that the children are in full time education in their home country and that any teachers accompanying the group are employed overseas.

Exchanges and educational visits should be mainly about broadening horizons and deepening intercultural understanding. The precise nature of the visit is for the school to decide. You may wish to see evidence of a programme of cultural visits or other activities to satisfy you that the school's expectations for the exchange students are not the same as for their own pupils.

∀Prohibited activities – free NHS treatment

See paragraph V4.15 of the Visitor Rules See paragraphs V5.5 – V5.8 of the Visitor Rules

Visitors are not eligible for free of charge treatment on the National Health Service (NHS), unless an exemption from charge applies in law, and therefore may be billed for any NHS treatment received in the UK. Further details are in <u>the Department of Health guidance on overseas visitors</u>.

Section seven: children

Guidance on applications from children visiting the UK

Duty of care towards children	
Child not travelling or residing with their parent or guardian	
Parental consent and responsibility for care in home country	
Private foster care	
Child visiting to stay with a host family	
Child visit organised by a charity	
Accompanied children (visa nationals)	
Unaccompanied children (visa nationals)	

∀Duty of care towards children

See paragraphs V5.1-V5.4 of the Visitor Rules

You must make sure a child's welfare is taken into account when considering an application from someone under the age of 18

The Home Office has a statutory duty of care towards children under section 55 of the Borders, Citizenship and Immigration Act 2009, and it is mandatory for UK-based staff to complete the e-learning course on this duty. For more information, see related link: <u>Safeguard and promote child welfare</u>.

Child not travelling or residing with their parent or guardian

See paragraphs V5.1-V5.4 of the Visitor Rules

Where a child is not travelling or residing in the UK with their parent or guardian, you must be satisfied that care and reception arrangements are adequate and that the requirement for parental consent has been met.

See <u>Recording requirements for UKVI: Child not travelling or residing with their</u> parent or guardian for information you must record.

If details are missing, unclear or other factors raise concerns about the child's welfare, you must make further enquiries to confirm the identity and residence of the host and make sure the child is expected.

If you remain concerned about the child's welfare in the UK, you must refuse the application.

At the Border

Under the section 55 duty, if you have any concerns about a child's welfare you must contact your local authority children's services department and/or the police where appropriate.

Children's Services will advise on the suitability of the sponsor and will take the child into their care, if they agree that the sponsor is unsuitable or if there is no responsible sponsor.

YParental consent and responsibility for care in home country

See paragraph V5.3 of the Visitor Rules

If the parent or guardian is the person making the application on behalf of the child this will usually satisfy the requirement for parental consent.

If the applicant's parents are divorced, the consent must come from the parent who holds legal custody or sole responsibility.

If the application is not made by the parent or guardian, and there are no other factors which give cause for concern, a letter from the parent or guardian confirming their relationship to the child and consenting to the child's application will be sufficient to establish that this requirement has been met.

If the applicant provides information that the parent they will be travelling with is not the parent who holds legal custody you should seek consent from both parents.

If the legal authorities (meaning the police or judiciary, not a legal representative of one parent) in the child's country of residence have indicated that they are at risk of being moved out of the country without consent you should seek consent from both parents.

You should also request consent from both parents where you are concerned that the child may be at risk.

If there is nothing from the parent or guardian to support the application and no reasonable explanation why this is the case, the application must be refused.

If an application is made by someone other than the parent or guardian, unless that person is a social worker who holds parental rights and cares for the child, you must make enquiries about the identities of accompanying adults.

Unless you have cause for concern, you do not need to make detailed enquiries into the acceptability of adults who are to accompany the child.

See <u>Recording requirements for UKVI: Parental consent and responsibility for care in</u> <u>home country</u> for information you must record about accompanying adults.

If you have any concerns relating to child trafficking you must consult the <u>guidance</u> on human trafficking.

If there is no parental consent, refer to the following guidance: <u>Child under 18, no parent or guardian written consent</u>

Private foster care

See paragraphs V5.2-V5.3 of the Visitor Rules

A visitor under the age of 18 is considered to be in private foster care when they are:

- under 16 years old or under 18 years old for those who have a disability;
- being cared for on a full-time basis for more than 28 days; and
- not being cared for by parents or close relatives.

Unless:

- a close relative, parent or legal guardian is looking after them, or
- the child is part of a group travelling and staying together and accompanied by an adult, for example, a school group.

If a foster carer or relative who is not a parent or guardian will have responsibility for the child's care whilst in the UK, the applicant must be able to show the following to satisfy you that reception and care arrangements are adequate:

- a written statement of consent from the parent or guardian;
- the name and date of birth of the intended foster carer;
- the address where the applicant will be living;
- the relationship of foster carer to the applicant;
- authority from parent(s) or legal guardian allowing the foster carer to care for the applicant during their stay in the UK;
- where applicable, a letter from the school to include details of the foster care arrangements; and
- confirmation that the parents have or will notify the relevant UK local authority, including the reply from the local authority if they have one.

You must make every reasonable effort to make sure the documents presented are genuine.

In England:

Private foster care arrangements must be notified to the relevant local authority by:

- the parents and/or other carer of the visitor;
- other parties to the arrangement, for example the education provider; or
- the Home Office if it has not already been done.

In Scotland:

The regulations require that parents including a guardian or relative:

• notify the local authority of arrangements to be made for the fostering of their children privately under the 1984 Act (regulation 3); and

• make provision for the local authority to investigate the suitability of such private fostering arrangements in the interests of the child (regulations 4 to 6) and for the visiting of such foster children by the local authority (regulation 7).

In Northern Ireland:

The regulations are equivalent to those in England. Health and social care trusts must be notified of private foster care arrangements lasting more than 28 days in relation to children under 16 years old (or under 18 if they have a disability).

Child visiting to stay with a host family

See paragraphs V5.2-V5.4 of the Visitor Rules

The checks you must make will vary and depend on whether the child is accompanied or unaccompanied. In all cases a clear record of who is responsible for the child's welfare in their home country and whilst in the UK is imperative.

For host families you need to establish the identity and address of the hosts and you must make sure that the care arrangements are satisfactory. In routine cases this could mean seeing a letter from the host family.

See <u>Recording requirements for UKVI: Child visiting to stay with a host family</u> for information you must record about care arrangements.

At the border

Where a child does not present any kind of paperwork concerning the care arrangements, you must pursue enquiries as you see fit to satisfy yourself that the children are not at risk.

VChild visit organised by a charity

See paragraphs V5.2-V5.4 of the Visitor Rules

Charities must provide the following information where they are involved in organising a child's visit to the UK:

- full details of the hosts allocated to accommodate the children whilst in the UK;
- full details of checks carried out on the hosts these checks must be in line with the charity's own child protection policy and any Charities Commission or Devolved Authority requirements, such as CRB checks; and
- they must state whether this is the first or a subsequent visit sponsored by the charity for the child.

You must be satisfied that appropriate checks have been carried out by the charity before a visa application is submitted. At the time of application any CRB checks must be no more than three years old.

Charities may only change host families allocated to children, and as stated on the visa application form, in exceptional circumstances. Full details of the new host family and the checks carried out on them must be presented (as set out above).

Where children are not residing with host-families (for example in cases where they may be residing in residential centres), charities must provide full details of the arrangements.

Where a child's visit exceeds 28 days, under child foster care arrangements the host family must present evidence to satisfy you that they have contacted their local Social Services for a home assessment. Where a home assessment has been completed and approved, evidence of this must be provided.

Where a council declines to carry out such an assessment, their response and any relevant evidence to demonstrate that suitable arrangements have been made for the child's stay in the UK must be provided.

You must only issue visas when you are satisfied that children will be adequately accommodated and duty of care obligations have been met.

Related guidance:

How charities facilitating visits by children should register their details

✓Accompanied children (visa nationals)

See paragraph V5.4 of the Visitor Rules

Issuing an accompanied visa to a child

If a child is travelling in the company of an adult, the adult's name and passport number must be included on the child's visa.

If the child intends to travel with two adults one after another during the validity of the visa (for example, the child may arrive with one parent and then travel for a day trip to France with the other), each of the adult's passport numbers must be entered on the vignette. The passport numbers are sufficient as there is not enough space on the vignette to allow for the names of two people as well as the passport numbers

See endorsements and codes for the information you must include on the vignette.

Accompanied children at the border

The child's visa will only be valid if they are accompanied by the adult identified on the vignette endorsement. A child who seeks to enter the UK in the company of an adult other than the person identified on their visa must be refused.

If you have concerns over the identity of the accompanying adult, you must:

- check the passport number, initial and surname in the passport of the accompanying adult against the details recorded for the child's visa on the CRS computer record; and
- advise the post that issued the visa so they may make a note against the record, in case subsequent application(s) are made by the same person.

In cases where the accompanying adult has travelled with the child but remains airside and does not accompany the child into the UK, the terms of the visa will not be met. Further enquiries must be made of the child and of the accompanying adult, if the latter can be found. In such cases it is appropriate to refuse the child entry.

If the accompanying adult has legitimately obtained a replacement passport since the issue of the child's visa, the old cancelled passport is acceptable as evidence of identity to allow the child's entry.

If the original passport has been retained by the issuing authority, the new passport is acceptable if it:

- gives the original passport number in full; and
- contains an official endorsement confirming it replaces the previous passport.

Photocopies of the original passport are not, on their own, reliable evidence of identity.

✓Unaccompanied children (visa nationals)

See paragraph V5.4 of the Visitor Rules

You must pay particular attention to applications and to the circumstances of a child coming to the UK on their own.

A child with an 'unaccompanied child visitor' visa may travel with or without an accompanying adult. For example, they may have obtained a multi-entry visa and be unable to advise in advance who they will travel with on subsequent trips to the UK.

Section eight: private medical treatment

Guidance on applications for private medical treatment as a visitor

11 month medical visit visas – when to grant
Assessing a visit for private medical treatment
Referral to a medical officer – when you must do this
Length of treatment
Confirming the details of a doctor in the UK
Danger to public health
Deferring applications – when and how to do this
Requesting a report from a doctor (not the medical inspector)
Surrogacy
Applications at the border for medical visits

∀11 month medical visit visas – when to grant

See paragraph V1.7 of the Visitor Rules See paragraph V5.8 of the Visitor Rules

You must make sure that individuals applying for an 11 month visa for private medical treatment have provided medical evidence to support their stay in the UK for this amount of time. The majority of visitors seeking private medical treatment would be expected to stay for 6 months or less.

∀Assessing a visit for private medical treatment

See paragraphs V5.5-V5.8 of the Visitor Rules

A visitor wishing to come to the UK for medical treatment may not be in a position to present specific documentary evidence for the proposed treatment. But they must provide satisfactory evidence concerning:

- their medical condition and treatment;
- expenses likely to be incurred;
- how they will be funded; and
- the likely duration of their treatment.

If you need to make checks on the evidence, you can search the General Medical Council (GMC) list of registered medical practitioners using the related link: <u>List of registered medical practitioners</u>. Or you can contact them using their telephone enquiry service on 0845 357 3456.

If you cannot find the consultant listed in the register, you must make enquiries with the hospital where the consultation or treatment is due to take place to confirm whether the consultant carries out work there. You must contact the consultant or hospital in the UK if you have doubts about the costs or arrangements for private treatment given to you by the applicant.

Related guidance: <u>Prohibited activities for visitors – free medical treatment</u>

∀Referral to a medical officer – when you must do this

See paragraph V3.13(a) of the Visitor Rules See paragraph V5.6 of the Visitor Rules

You must refer the applicant to a medical officer if the applicant has a communicable disease, or suffers, or appears to suffer, from a serious illness or disability, whatever the reason for their visit.

A medical inspector can refuse admission to someone who meets the criteria but is undesirable for medical reasons. For example, if a person is suffering from a severe mental disorder and the medical inspector has issued a certificate recording an illness other than a communicable disease.

∀Length of treatment

<u>See paragraph V1.7 of the Visitor Rules</u> <u>See paragraphs V5.7 – V5.8 of the Visitor Rules</u>

A long period of treatment, for example, 6 or 11 months may be acceptable, provided there is a clear need for the patient to be in the UK to receive treatment and they have enough funds to meet all costs. You must assess how long treatment is likely to take and whether it will be successful. For example, fertility treatment could go on for some years without success. As long as you obtain the applicant's consent, you will be able to get good estimates by speaking with the consultant who is due to treat them.

Where a visitor is applying for an extension of stay for private medical treatment, if the applicant is reliant on funds from abroad, you must ask for proof that the funds are transferable, as certain countries operate strict exchange controls. If there is evidence the person is relying on a third party for funding, you must get fresh confirmation of the third party sponsor's willingness and ability to meet the cost.

Confirming the details of a doctor in the UK

See paragraph V5.7 of the Visitor Rules

To check if a doctor is registered with the General Medical Council (GMC) a search can be made on the <u>list of Registered Medical Practitioners</u>. This will also show if the doctor is on the Specialist Register (but not which hospital they work at). Where there is doubt, contact the hospital directly to confirm the doctor is a consultant there.

∀Danger to public health

See paragraph V3.13(a) of the Visitor Rules See paragraph V5.6 of the Visitor Rules

Refer all applicants for medical clearance who may have a communicable disease, or suffer, or appear to suffer, from a serious illness or disability, whatever the reason for their visit.

∀Referring applications – when and how to do this

See paragraphs V5.5-V5.8 of the Visitor Rules

Occasionally, it may be necessary for an application to be referred for further guidance. For example:

- if an applicant has a history of mental illness or suffers from a chronic complaint and is likely to need hospital treatment;
- if it is unclear whether the applicant is 'ordinarily resident' in the UK and is therefore eligible for free National Health Service (NHS) treatment.

See <u>Referral requirements</u> overview for information on how to make a referral / deferral for medical advice.

VRequesting a report from a doctor (not the medical inspector)

See paragraphs V5.5-V5.8 of the Visitor Rules

Any doctor or medical adviser, including the patient's own general practitioner, is likely to charge a fee. For this reason, a decision to request a report as part of the consideration of an application must be approved by a manager at least one grade higher than the person considering the application.

For more information on British Medical Association (BMA) guidance on fees, see related link: <u>BMA - Fees.</u>

See <u>Recording requirements for UKVI: Requesting a report from a doctor (not the</u> <u>medical inspector)</u> for how to seek a doctor's report and what information to record.

∀Surrogacy

There is no provision in the Rules for a woman to be allowed into the UK for the purpose of being a surrogate mother.

Any application from a woman to enter the UK to act as a surrogate should normally be refused on the grounds that there is no provision in the Rules.

Related guidance: Medical Issues

Applications at the border for medical visits

See paragraphs V5.5-V5.8 of the Visitor Rules See paragraph V3.13(a) of the Visitor Rules

If a person says they are receiving, or intend to receive, health or medical treatment in the UK, they must be referred to the port medical inspector.

Admission can be refused on the advice of the port medical inspector.

If an applicant is successful they may be granted no more than six months, subject to a condition prohibiting access to public funds, study and work.

Section nine: Approved Destination Status (ADS)

Guidance on applications under the ADS agreement in China

ADS visit visas

✓ ADS visit visas

See paragraph V5.9 of the Visitor Rules

The Approved Destination Status (ADS) Agreement is an agreement between the UK and China allowing Chinese nationals to enter the UK with an approved tour group

Applicants with ADS visas are permitted to come to the UK as part of the tour group – they cannot undertake activities at Appendices 3 (except tourism), 4 or 5.

You must use VISIT - ADS Code 3 for a maximum period of 30 days and marked 'single' or 'dual' to indicate the number of entries to the UK for which it is valid.

In most cases the visa for ADS tourists will be valid for one entry to the UK during the period for which the visa is valid. However, in cases where the tour group's itinerary involves onward travel to Europe and then requires the group to re-enter the UK on their homeward journey, dual entry visas may be issued.

44

Section ten: permitted paid engagements (PPE)

Guidance on applications for a permitted paid engagements visa

Permitted Paid Engagement visitors – assessing applications

Visiting examiners or assessors

Visiting lecturers

Other recognised organisations who may invite visiting examiners or

assessors or visiting lecturers for PPE

Designated air pilot examiner

Qualified lawyers

Arts, entertainment or sporting professionals

✓Permitted Paid Engagement visitors – assessing applications

See Part V6 of the Visitor Rules

Visitors undertaking permitted paid engagements are allowed to undertake any of the activities at Appendix 3 and 4. For example a professional footballer may enter to give a paid interview and also attend meetings to discuss a deal.

You must make sure that PPE visitors are not using this route on a repeat basis for temporary employment. Whilst payment is allowed, this is strictly for short engagements and you must consider whether the applicant's main place of employment is overseas.

Where you have evidence of the PPE visitor making repeat visits, you must refuse the application.

Visiting examiners or assessors

See Part V6 of the Visitor Rules See V.APP-4.1 (a) of the Visitor Rules

Permitted activities under this heading include:

- marking papers;
- moderating marking;
- attending exam boards;
- drafting reports;
- attending clinical skills examinations or vivas; and/or
- participating in or chairing a selection panel.

Given the short term nature of this route, experts will normally be employed outside the UK and therefore intend to return to this employment on completion of their engagement. Where an academic is fully retired and carries out one-off examination work, this would not count as their full-time occupation and you must refuse their application. However, an individual who is semi-retired, carrying out regular examination work and earning income from this, will qualify under this route.

Where the proposed activities include examining at a further education establishment, their application must be refused, as they must apply under $\underline{\text{Tier 2}}$ to do this.

Evidence

The engagement must relate to the applicant's expertise and/or qualifications, and full time profession overseas. In assessing this you must consider their employment overseas, which must be in a field relevant to their engagement here.

Applicants must provide a copy of their invitation from an Higher Education Institution (HEI), arts or research organisation as listed above. The invitation should show why the individual has been chosen to carry out the PPE (because of their skills or expertise), and set out how the engagement links to the venue and how long the engagement is for. Other evidence could include publications by the applicant in their particular field of expertise or a letter from their employer confirming where they work and area of expertise.

Visiting lecturers

See Part V6 of the Visitor Rules See V.APP-4.1 (b) of the Visitor Rules

Given the short term nature of this route, experts must be employed outside the UK (this does not have to be as a full time lecturer) and intend to return to this employment on completion of their engagement.

Where an expert is fully retired and carries out a one-off lecture, this will not count as their full-time occupation and you must refuse their application. However, an individual who is semi-retired, carrying out regular lectures and earning income from this, will qualify under this route.

If an individual is invited to give a lecture at an HEI as part of a course this is acceptable, providing they are not replacing the formal role of the course teacher at the HEI.

Where this is the case applicants must apply under the relevant tier of the pointsbased system.

The nature of their lecture will, in the majority of cases directly relate to the area in which they are employed overseas. In cases where they are coming to the UK to lecture on an unrelated area you must take care to verify the applicant's qualifications in this area, such as:

• any previous employment or posts held in this area;

- publications on the subject; or
- other recognised qualifications.

Evidence

This must show that the engagement relates to the applicant's expertise and/or qualifications, and full time profession overseas. In assessing this you must consider their employment overseas which must be in a field relevant to their engagement in the UK.

Applicants must provide a copy of their invitation.

Other evidence can include:

- publications by the applicant in a particular field;
- evidence of previous lectures given in that field of expertise; or
- a letter from their employer confirming where they work and area of expertise.

✓Other recognised organisations who may invite visiting examiners or assessors or visiting lecturers for PPE

<u>See Part V6 of the Visitor Rules</u> See V.APP-4.1 (a) and (b) of the Visitor Rules

The Home Office recognises publicly funded research institutions, such as:

- research organisations could include independent research organisations and those Research Council Funded Institutes;
- museums (this must be the primary purpose of the venue);
- art galleries (where the primary purpose of the venue is to exhibit art as opposed to selling it or any other activity); and
- arts centres, arts festivals, theatres and other arts venues.

∀Designated air pilot examiner

See Part V6 of the Visitor Rules See V.APP-4.1 (c) of the Visitor Rules

To make sure a training organisation is regulated by the CAA see related link: <u>Civil</u> <u>Aviation Authority.</u>

If you are unsure about the training organisation status, you must contact the Civil Aviation Authority to confirm they are an approved facility for providing flight training.

You must make sure the engagement relates to the applicant's expertise and/or qualifications, and full time profession overseas. Given the nature of this engagement the applicant must be employed overseas as a member of that country's national aviation authority, for example the Federal Aviation Authority in the USA.

∀Qualified lawyers

See Part V6 of the Visitor Rules See V.APP-4.1 (d) of the Visitor Rules

Qualified lawyer covers:

- counsel;
- advocates;
- attorneys;
- barristers; and
- solicitors.

In addition to advocacy work, lawyers entering under these provisions are permitted to take an active role in the preparation of a hearing which may need one or more preparatory visits.

Where it is clear from the invitation or other information the case is likely to last longer than one month, you must find out if the applicant's involvement will be required for the entire duration. If it is, you must refuse the application on the basis that they are not genuinely seeking entry for a period no longer than one month.

If the qualified lawyer is representing a client based overseas, the engagement must still relate to a UK-based hearing. Rights of audience are not required for:

- arbitration;
- other alternative dispute resolution hearings; or
- certain tribunal hearings.

Where the activity relates to other non-contentious work (and not dispute resolution work), they must be refused. This route is for legal work specifically relating to resolving disputes.

Evidence

They must provide confirmation of the lawyer's right of audience (or 'temporary call') which would allow an overseas lawyer to represent a client in a UK court.

Lawyers can be expected to demonstrate their qualifications. It is common to show a practising certificate or certificate of good standing. This document will vary depending on the regulatory body involved

VArts, entertainment or sporting professionals

See Part V6 of the Visitor Rules See V.APP-4.1 (e) of the Visitor Rules An arts organisation includes all organisations involved in artistic activities such as galleries, arts faculties or departments in universities, schools and venues involved in producing or staging of events.

A sports organisation includes any organisation involved in organising or staging sporting events or matches.

To qualify, applicants must be able to demonstrate this is their full time profession. In assessing this you must consider factors such as:

- standing;
- reputation;
- earnings, recognising that some artists may earn lower salaries in certain countries; and
- existing work commitments outside of the UK.

An arts professional can include fields across the performing and creative arts, for example:

- musicians;
- visual artists;
- writers;
- circus practitioners;
- film makers;
- dancers;
- choreographers; or
- photographers where this is being done for an artistic rather than commercial (such as media work or studio portraits) purpose.

Artists may be taking part in activities such as:

- judging panels;
- giving lectures;
- talking about, presenting or launching their work to other professionals or the public;
- taking part in panel debates;
- professional conferences.

Follow this link for more information on <u>up and coming writers</u>.

Fashion models who are coming to the UK to undertake a specific engagement can use this route, providing they do not intend to base themselves in the UK long term.

Evidence

Applicants must be able to provide documentation showing they have been invited by one of the above bodies in the UK, to undertake an engagement for no longer than 1 month.

They must also provide documents to show they are an established professional artist, entertainer or sports professional, such as:

- publications they have produced;
- publicity material for performances, screenings concerts, talks, readings and exhibitions;
- evidence of awards;
- media coverage and reviews; or
- proof of recent performances.

50

Section eleven: marriage and civil partnership

Guidance on applications to marry or enter into a civil partnership as a visitor

Giving notice of intention to marry or enter into a civil partnership Non-visa nationals who have not applied for a visit visa to come to the UK to marry or enter into a civil partnership Holders of existing visit visas who want to enter to UK to marry or enter into a civil partnership

Giving notice of intention to marry or enter into a civil partnership

See paragraphs V7.1 – V7.2 of the Visitor Rules

For guidance on what someone giving notice of marriage is required to do (including what documents they are required to have with them) see: <u>Marriages and civil</u> <u>partnerships in the UK</u>

Where an individual is unable to satisfy this requirement they may still be able to qualify as a visitor, subject to meeting all of the other visitor criteria.

✓Non-visa nationals who have not applied for a visit visa to come to the UK to marry or enter into a civil partnership

See paragraph V1.4 of the Visitor Rules

Non-visa nationals who want to visit the UK to marry or enter into a civil partnership and have not applied for a visa in advance must be refused.

VHolders of existing visit visas who want to enter to UK to marry or enter into a civil partnership

See paragraphs V7.1 – V7.2of the Visitor Rules

Visitors who already have a visit visa to enter the UK and who are now seeking entry to marry or enter into a civil partnership must hold a visit visa specifically for this purpose.

Related guidance: <u>Giving notice of intention to marry or enter into a civil partnership</u>

Section twelve: transit

Guidance on applications to transit the UK

When to issue a single entry visitor in transit visas
 When to issue a multiple visitor in transit visa
 Removal directions when refusing entry as a transit visitor
 Other guidance on transit

When to issue a single entry visitor in transit visas

A single entry visitor in transit visa can be issued on rare occasions for a maximum period of six months validity, but would only confer leave to enter for 48 hours and allow the applicant to enter the UK once.

Related guidance <u>Short duration visas – when and how to issue</u> <u>Single entry visas</u>

When to issue a multiple visitor in transit visa

You may issue a multiple visitor in transit visa if the applicant's passport and visa for the country of destination are still valid for at least two months after the expiry of the multiple entry visa. This will allow the applicant to transit the UK any number of times within the period for which the visa is valid. The two month rule for the multiple entry visa is not compulsory for a single entry visa.

∀Removal directions when refusing entry as a transit visitor

When refusing entry to the UK as a transit visitor, you must take one or other of the following actions where a person fails to satisfy the requirements of Part V9 of the Visitor Rules:

- if the passenger is on the outbound leg of their journey, you must set removal directions back to the point of embarkation;
- if the passenger was in direct transit through the last point of embarkation, you must arrange removal to the place where they started their journey;
- you can use your discretion on a case by case basis to remove a passenger to the country they are seeking to transit to if you believe the person will be accepted there.

VOther guidance on transit

You can find guidance on other types of transit here: <u>Direct Airside Transit Visa (DATV)</u> <u>Crew - seamen</u> <u>Crew - air</u> Cruise ship passengers

Section thirteen: endorsements and codes

Guidance on what endorsements and codes must be used for visitors

Endorsements		
Endorsements for accompanied children (visa nationals)		
Entry codes for use at the border		
Permitted Paid Engagement (PPE) visitors at the border		
On entry refusal codes at the border		

V Endorsements

Visas:

- Visit * (purpose of visit will be captured from the application form)
- Visit Academic 12 months
- Visit Academic Dependant 12 months
- Visit- Marriage/CP
- Visit Child Accompanied
- Visit Child Unaccompanied
- Visit Private Medical Treatment 11 months
- Visit ADS
- Visit PPE

You must indicate whether a visa is valid for multiple, single or dual entry by the endorsement of either 'MULT' or '1' or '2' after 'Number of Entries' on the vignette.

Related links: <u>Single entry visit visa – when and how to grant</u> <u>Short duration visa – when and how to grant</u>

✓ Endorsements for accompanied children (visa nationals)

If the child is travelling with one adult you must include the adult's passport number, initial and surname on the child's vignette

If the child is travelling with two adults the endorsement must read 'only valid if acc. by [passport number of first adult], or [passport number of second adult]'.

∀Entry codes for use at the Border

Non visa nationals

If you are satisfied that the person meets all the requirements you must grant leave to enter for up to six months with employment prohibited using 5N. Use code 3 only where there are doubts about the person but not enough evidence to refuse leave to enter.

Visa nationals

If you are satisfied that the person meets all the requirements, endorse the entry clearance with an open date stamp and record the appropriate code from the list of statistical codes given below on the landing card.

Category of LTE codes to be used at the border [to be confirmed]:

YPermitted Paid Engagement (PPE) visitors at the border

If you are satisfied the person meets all the requirements you must grant leave to enter for up to one month using code 4 (Statistical code PPE visitor) specifying they are only allowed to work for the organisation who invited them

∀On entry refusal codes at the border

- A1 Insufficient funds for proposed visit;
- A2 Not satisfied genuine visitor;
- A4 Unsatisfactory or unacceptable arrangements for proposed study;
- E4 Lack of required visa or entry clearance.

Section fourteen: changes to this guidance

A record of recent changes to this guidance

Changes to visitor guidance	
Changes to the Visitor Rules	

✓ Changes to visitor guidance

This table lists changes to the 'Visitor' guidance, with the most recent at the top.

Date of the change	Details of the change	
Date Month Year	Brief explanation for the change here	

∀Changes to the Visitor Rules

Date change implemented	Detail of change(s)	Rationale/Reason for Change
	New Visitor Rules introduced	To rationalise the visitor routes available and provide greater clarification of permissible activities for visitors.

Recording requirements and other procedures

A guide to recording requirements for visitor decisions and other procedures

UKVI: Granting a short duration visa UKVI: Sponsor undertakings on maintenance and accommodation UKVI and Border Force: Credibility and intentions – borderline decisions UKVI: MP letter in support of an application UKVI: Employers using visitors to undertake work or fill a role UKVI: Child not travelling or residing with their parent or guardian UKVI: Parental consent and responsibility for care in home country UKVI: Child visiting to stay with a host family UKVI: Requesting a report from a doctor (not the medical inspector) UKVI: Extension of stay where a person is receiving NHS medical treatment UKVI: Process for visit visa refusals for groups

∀ UKVI: Granting a short duration visa

Where an ECO issues a visa for less than 6 months, it must be referred to an ECM for approval and recorded locally for MI purposes.

Where an applicant has requested 6 months, but has been issued less leave, the ECO must issue a letter clearly explaining the reasons for this. In such cases, no refund (full or partial) is available.

✓ UKVI: Sponsor undertakings on maintenance and accommodation

You should complete the certification on the form, keep a copy on file and send the original sponsorship undertaking to DWP. Please refer to local address list for details of where to send to.

V UKVI and Border Force: Credibility and intentions – borderline decisions

Where you have residual doubts you must record full details of their stated intentions, especially those given verbally, either on:

- Proviso;
- the landing card;
- CID; or
- a written account of the interview.

✓ UKVI: MP letter in support of an application

If an MP writes directly to Post in support of an application, you should send an acknowledgement stating that when the application is assessed, the MP's letter will be taken into account together with all other available evidence.

VUKVI: Employers using visitors to undertake work or fill a role

Where you have concerns that specific companies in the UK are sending visitors to their offices to undertake work or fill a roll, and circumventing the Points based system employment routes, you must record this in the notes section on Proviso and refer it to the sponsor management team.

VUKVI: Child not travelling or residing with their parent or guardian

You must enter the following details on PROVISO or CID to record this:

- name, address and landline telephone number of the parent or carer in the child's home country;
- the host in the UK; and
- the person accompanying the child.

✓ UKVI: Parental consent and responsibility for care in home country

You must record the following details about accompanying adults:

- names and passport number. This is necessary for the child's visa;
- address in the home country;
- any address in the UK or abroad;
- employment details; and
- their relationship to the child, their parent or guardian and their host in the UK.

✓ UKVI: Child visiting to stay with a host family

Proviso details must be updated to show that satisfactory care arrangements are met and to include the name, address and telephone number of the intended family or carer, as well as the parents' contact details.

Failure to make sure this information is readily available may result in a lengthy delay for the child at the border.

VUKVI: Requesting a report from a doctor (not the medical inspector)

If you require a doctor's report you must:

- make a note in the file explaining why the medical report is necessary and refer the proposal to a senior caseworker or an entry clearance manager for approval before any further action is taken;
- send or hand to the person (or in the case of a child, the guardian), form ICD 0867 seeking their consent for a medical report to be prepared by their doctor;

• on receipt of the patient's consent, write to the doctor asking for a full report and enclose ICD 0868.

Forms ICD 0867 and ICD 0868 can be found on the CID database

∀ UKVI: Extension of stay where a person is receiving NHS medical treatment

If a person is refused, the refusal notice must be accompanied by a letter, making it clear to the applicant that they can make a fresh application if they are prepared to seek the treatment privately.

✓ UKVI: Process for visit visa refusals for groups

Each visitor in a group must be served with individual refusal notices.

However, a child's notice of refusal should be served on the parent or guardian. It is inappropriate to give a teenage child a notice of refusal that makes negative inferences to their parent's circumstances or financial information.

If the family group has provided one set of financial documents to support all the applications, it is appropriate to refer to these in each notice.

Equally, when refusing other non-related groups, for example, a tour group, you must take care to make sure no applicant receives inappropriate information about another group member on their notice of refusal.