



Home Office

# Start-up

Version 4.0

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# About this guidance

This guidance tells caseworkers about the Start-up route.

It is based on [Appendix Start-up of the Immigration Rules](#).

This route is for new entrepreneurs seeking to establish a business in the UK for the first time. Applicants must have an innovative, viable and scalable business idea which has been assessed and supported by an approved endorsing body.

In all cases applicants must provide a letter of endorsement from a Home Office approved endorsing body.

Applicants are only allowed a maximum of 2 years under this route. Leave previously held in the legacy Tier 1 (Graduate Entrepreneur) route counts towards the maximum 2-year limit.

## Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email Economic Migration Policy team.

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

## Publication

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

- version **4.0**
- published for Home Office staff on **13 January 2021**

## Changes from last version of this guidance

The following has been amended since the last version of this guidance:

- updated link on page 10 to 'Validation, variation and withdrawal of applications'

### Related content

[Contents](#)

# Key facts

This page shows you the key facts for the Start-up route.

Key fact	Summary
Validity requirements	<p>In order for an application to be valid the following requirements must be met:</p> <ul style="list-style-type: none"> <li>• any fee and Immigration Health Charge must have been paid</li> <li>• the applicant must have provided any required biometrics</li> <li>• the applicant must have provided a passport or other document which satisfactorily established their identity and nationality</li> <li>• the applicant must be at least 18 years old on the date of application</li> <li>• the applicant must have been issued with an endorsement letter by a Home Office approved endorsing body</li> <li>• the date of application must be no more than 3 months after the date on the endorsement letter</li> <li>• the endorsement must not have been withdrawn by the endorsing body</li> </ul> <p>If the applicant is in the UK at the time of application, they must also:</p> <ul style="list-style-type: none"> <li>• not have, or have last been granted, <i>permission</i> on any of the following routes:               <ul style="list-style-type: none"> <li>○ visitor</li> <li>○ short-term student</li> <li>○ Parent of a Child Student</li> <li>○ Seasonal Worker</li> <li>○ domestic worker in a private household</li> <li>○ outside the Immigration Rules</li> </ul> </li> </ul>
Suitability requirement	<p>The applicant must not fall for refusal under Part 9: grounds for refusal.</p> <p>If applying for permission to stay the applicant must not:</p> <ul style="list-style-type: none"> <li>• be in breach of immigration laws, except that where paragraph 39E applies, any current period of overstaying will be disregarded</li> <li>• be on immigration bail</li> </ul>
Eligibility requirements	<p>This route is for people seeking to establish a business in the UK for the first time. Applicants will have an</p>

	<p>innovative, viable and scalable business idea which has been assessed and supported by an approved endorsing body.</p> <p>All applicants must meet the points requirement (70 points required):</p> <ul style="list-style-type: none"> <li>• business is innovative, viable and scalable - 25 points</li> <li>• the applicant has not previously established a business in the UK - 25 points</li> <li>• English language at level B2 - 10 points</li> <li>• financial requirement - 10 points</li> </ul> <p><b>Previously established businesses</b></p> <p>Applicants whose last permission was:</p> <ul style="list-style-type: none"> <li>• in the Start-up route</li> <li>• on the Doctorate Extension Scheme</li> <li>• in the Tier 1 (Graduate Entrepreneur) route</li> </ul> <p>and who set-up their first business in the UK during that permission of stay will be considered as not having previously established a business in the UK.</p> <p><b>Start-up teams</b></p> <p>Multiple Start-up migrants can apply for endorsement to be co-directors of the same company. However, these are not linked as ‘team’ applications and each applicant must receive their own individual endorsement from an approved endorsing body.</p>
Application Forms	<p>EEA national with a chipped passport either:</p> <ul style="list-style-type: none"> <li>• Start-up or Innovator using the UK Immigration: ID Check app (when available)</li> <li>• the forms listed below for applicants outside or inside the UK (as relevant)</li> </ul> <p>Applicants outside the UK:</p> <ul style="list-style-type: none"> <li>• Start-up or Innovator visa</li> </ul> <p>Applicants inside the UK:</p> <ul style="list-style-type: none"> <li>• Start-up or Innovator permission to stay</li> </ul>
Cost of application:	<p><a href="#">Fees for Home Office services</a></p>

Is biometric information required for applications made in the UK?	Yes
Entry clearance endorsement	START-UP MIGRANT
Code of leave to remain granted	Code 1 + Spt
Conditions of Entry clearance	<p>Entry clearance under this route is subject to the following conditions:</p> <ul style="list-style-type: none"> <li>• no access to public funds</li> <li>• registration with the police, if this is required by Part 10 the Immigration Rules</li> <li>• work (including self-employment and voluntary work) permitted except for employment as a professional sportsperson (including as a sports coach)</li> <li>• study subject to subject to the ATAS condition in <a href="#">Appendix ATAS</a></li> </ul>
How long is entry clearance / leave to remain normally granted for?	<p>2 years, or the remaining balance of 2 years if the applicant has previously held leave in Tier 1 (Graduate Entrepreneur) or Start-up.</p> <p>Maximum of 2 years total grant of leave allowed under Start-up.</p>
Are dependants allowed?	Yes
Is switching into this category allowed?	See Validation requirements
Does this category lead to settlement (indefinite leave to remain)?	No
Immigration Rules paragraphs	<a href="#">Appendix Start-up</a>

#### Related content

[Contents](#)

#### Related external links

[Appendix Start-up of the Immigration Rules](#)

[Appendix ATAS of the Immigration Rules](#)

Validation guidance

[Part 9 Grounds for Refusal guidance](#)

# Documents not in English

This page tells you about what an applicant must provide if they are providing a document which is not in English.

All documents provided with an application must be in English or Welsh. If they are not, the applicant must provide the original and a full translation which has been independently verified.

The translation must:

- confirm that it is an accurate translation of the original document
- be dated
- include the full name and signature of the translator or an authorised official of the translation company
- include the translator or translation company's contact details
- be fully certified and include details of the translator or translation company's credentials, if the applicant is applying in the UK

## **Related content**

[Contents](#)



# Initial checks: all applications

This section tells you what initial checks you must carry out before you consider an application.

Before you consider an application, you must check that the:

- application is valid
- applicant's passport or travel document is genuine
- application and biometric information are registered and verified

## Validation

In order for an application to be valid the applicant must:

- paid the relevant fee for this type of application
- provided their biometrics
- paid the Immigration Health Charge for the relevant period (this will normally be full 2 years, unless they have already spent time in the Start-up or Tier 1 (Graduate Entrepreneur) routes)
- have provided a passport or other document that establishes their identity and nationality
- have been issued with an endorsement letter from an endorsing body for the Start-up route, dated no more than 3 months before the date of the application
- the endorsement must not have been withdrawn by the endorsing body

If the application is being made from in the UK, the applicant must not have, or have last been granted permission as:

- as a visitor
- as a short-term student
- as a Parent of a Child Student
- as a Seasonal Worker
- as a Domestic Worker in a Private Household
- outside the Immigration Rules

All applicants must be aged 18 or over at the time of application.

If the applicant held permission as a student and was sponsored for their fees and living costs in the UK by a government or international scholarship agency, and the sponsorship is ongoing or was last awarded less than 12 months before the date of application the applicant must:

- have been granted written consent to make the application by their sponsoring government or agency
- provide a letter from each sponsoring organisation confirming this

The letter must be issued by an authorised individual of that organisation and contain contact details which allow it to be verified.

Where an applicant has not demonstrated that they have met a requirement which could be addressed, such as where they have not paid the IHC for the required period, you should normally write out and allow them the opportunity to address this. Where the application fails on the basis of something that cannot be addressed such as age or current immigration status or where you have requested missing information and have not received this within the time given, you must normally reject their application. For further information see: Validation of application guidance for further information.

## Maximum period in the route

The maximum period an individual can spend in the Start-up route is 2 years. Time spent in either the Start-up, Tier 1 (Graduate Entrepreneur) routes or a combination of both must be considered when assessing how long an applicant has already spent in this capacity.

Where an applicant has already spent the maximum period permitted in these routes you must refuse the application on that basis.

## Covid-19 concession

Applicants who have already received the full 2 year period allowed in the route, but have been unable to develop their business sufficiently to switch into the Innovator route due to the impact of the Covid-19 pandemic can be exceptionally a further 12 months.

In order to qualify for this, applicants are required to apply in the normal way, including obtaining a new endorsement. They will need to satisfy the endorsing body that they have made reasonable progress with their business, taking the impact of the pandemic into account.

You must only consider granting an applicant on this basis if they have not received an extension under this concession in the past.

For more information, see:

- Validation, variation and withdrawal of applications

## Endorsement letter

All applicants for permission in the Start-up route must have been endorsed in this category by an [endorsing body listed on the GOV.UK website](#).

The applicant must provide an endorsement letter issued by the endorsing body, which includes **all** of the following information:

- the name of the endorsing body
- the endorsement reference number
- the date of issue, which must be no earlier than 3 months before the date of application
- the applicant's name, date of birth, nationality and passport number
- confirmation that the applicant has not previously established a business in the UK, unless this was during a period when they held permission in the Start-up, Tier 1 (Graduate Entrepreneur) routes or in the Doctorate Extension Scheme
- a short description of the applicant's business venture and the main products or services it will provide to its customers
- the applicant's business venture is innovative, viable and scalable in accordance with the rules set out in [Appendix Start-up](#)
- the endorsing body is reasonably satisfied that the applicant will spend the majority of their working time in the UK on developing business ventures
- the name and contact details (telephone number, email and workplace address) of an individual at the endorsing body who will verify the contents of the letter to the Home Office if requested

An endorsement cannot be accepted if:

- it has been used more than 3 months after date of issue
- it has been withdrawn by the endorsing body
- the endorsing body has lost its status as an endorsing body at the date of decision

## Start-up teams

Applicant's do not need to be the sole founder of the business and may be a member of an entrepreneurial team and share the same business idea and plan as another Start-up team member.

However, each member of the Start-up team must be issued their own individual endorsement and meet all the requirements of the route in their own right.

### Related content

[Contents](#)

# Checking endorsement validity

This page tells entry clearance officers how to check the validity of endorsements.

You must check the validity of any endorsement provided with a Start-up application by contacting the Start-up route inbox stating:

- the name of the applicant
- the secure reference number
- the name of the endorsing body
- the contact name on the endorsement letter

Once the Start-up route inbox manager has confirmed the validity of the endorsement, you must reply to this email stating the following:

- the decision on the application
- the date the decision was made
- the date the application was submitted

This process must be followed in all cases.

## **Related content**

[Contents](#)

[Endorsement](#)

[List of approved endorsing bodies](#)

# Points scoring requirement

This page tells you about the points scoring requirement that all applicants in the Start-up route must meet.

All applicants must score a total of 70 points in order to be granted permission in the Start-up route. Points are awarded for:

Requirement	Points available
Business is innovative, viable and scalable.	25
The applicant has not previously established a business in the UK	25
English Language at level B2	10
Financial requirement	10
Total number of points required	70

## Business is innovative, viable and scalable

Paragraph SU 5.1. of the Immigration Rules sets out the requirements an individual must satisfy in order for their business to be considered innovative, viable and scalable.

The Endorsing body who are supporting the applicant's application must state in the endorsement letter that they are satisfied that the applicant meets this requirement. However, where there are reasons to doubt that the applicant meets this requirement, such as where it is unclear that they have the relevant knowledge or skills to carry out their business plan or it's unclear how the applicant's proposed business meets a market need or creates a competitive advantage, you must only award points for this if you are satisfied that the applicant meets the requirement.

Where there is insufficient information to reach a decision, you can request further information from the applicant to support their claim.

## The applicant has not previously established a business in the UK

In order to award points for this requirement you must be satisfied that the applicant has not previously established a business that has commenced trading in the UK, unless their last permission to stay was:

- in the Start-up route
- in the Tier 1 (Graduate Entrepreneur) route
- on the Doctorate extension scheme

and the business commenced trading during this period.

Where an applicant has established a business in the UK and did not hold permission to stay in the any of the above routes you must consider whether this business commenced trading, such as whether they have made a sale or provided services, regardless of whether payment has been received for this.

There are a number of reasons why an individual may choose to register their business ahead of commencing trading such as to secure intellectual property such as the name of the business.

## English language

The applicant must have at least a B2 level of English language ability, as defined in the Council of Europe's common European framework for language and learning.

How an applicant can demonstrate that they meet this requirement is set out in [Appendix English Language of the Immigration Rules](#).

For more information, see: English language

## Financial requirement

[Appendix Finance](#) of the Immigration Rules sets out how applicants demonstrate that they have sufficient funds to establish and maintain themselves in the UK.

## Level of funding

Where an applicant is applying from outside of the UK or has not already been in the UK for at least the 12 months before their application they must demonstrate that they have sufficient funds to support themselves and any dependants.

The relevant levels for Start-up applicants are:

- £1,270 for the main applicant
- £285 for a dependant partner
- £315 for a first child
- £200 for each subsequent child

## Verifying finances

To verify an applicant's finances, you must make sure:

- they have personal savings (in line with the appropriate levels of funding required) held for a consecutive 28 day period (finishing on the date of the closing balance on the statement), ending no more than 31 days before the date of their application
- the endorsing body confirms in the endorsement letter that it has awarded the appropriate amount of maintenance funding to the applicant

When the funds are in a currency other than pounds sterling, you must use the:

- rates published on the [OANDA website](#) to convert the amount
- exchange rate on the date of the application

## Acceptable finances

Evidence must be in the form of cash funds held in an account (this includes savings accounts and current accounts, even when notice must be given). For full guidance on how this requirement can be met see: Financial requirement guidance

### **Related content**

[Contents](#)

### **Related external links**

Dependants policy guidance

Financial requirement guidance

# Genuine Start-up applicant

This page tells you about how to consider whether an applicant is a genuine start-up applicant.

For an applicant to qualify in the Start-up route, you must be satisfied on the balance of probability that the applicant is a genuine Start-up applicant.

To assess an applicant's credibility, you must consider all of the information provided in the application and, if applicable, in the credibility interview.

You must not refuse an applicant on genuineness grounds without interviewing them, unless:

- the application has been refused previously on the grounds of not being a genuine Start-up applicant and there have been no changes to the material circumstances, or no new evidence has been provided
- there have been a significant number of identical or very similar applications, and the caseworker has interviewed a sample of these applicants and is satisfied that they are not genuine and the facts of the case mean that the applicant would not be able to refute the allegation of lacking credibility

If, having reviewed the application – including information obtained during the interview – you are not satisfied on the balance of probability that the applicant is genuine, you must refuse the application under paragraph SU 7.1.

If the caseworker refuses an applicant on credibility grounds, they must clearly set out their allegations and reasoning and argument behind these that form the basis for their decision. If a statement made by an applicant is interpretable in different ways, then the caseworker must provide a justification for which way they have interpreted the information.

The English language ability of an applicant can be used as a relevant factor in assessing credibility, however, the caseworker must clearly provide a justification in any refusal letter.

## **Related content**

[Contents](#)



# Cancelling permission

This page tells you about cancelling the leave of a Start-up migrant.

You can cancel a migrant's permission in this route if the institution that endorsed the application for the current grant of permission:

- loses its status as an endorsing institution for Start-up migrants
- withdraws the migrant's endorsement

The Home Office may also cancel permission for other reasons, for example, if the applicant commits a serious offence or breaches their conditions of their stay. For more information, see: [Suitability: grounds for cancellation of entry clearance, permission to enter and permission to stay](#).

## **Related content**

[Contents](#)

## **Related external links**

[Suitability: grounds for cancellation of entry clearance, permission to enter and permission to stay](#)

# Change of circumstances

This page tells you about a change of circumstances for a Start-up migrant.  
The applicant must use the appropriate form:

<b>Change of circumstances</b>	<b>Biometric Residence Permit (BRP)</b>
<p>A change form (see: <a href="#">changes during your stay</a>) to change:</p> <ul style="list-style-type: none"><li>• contact details</li><li>• details of criminal convictions</li><li>• representative's details</li><li>• dependants' details</li></ul> <p>If not already done so, you must note the change of circumstances on ATLAS.</p>	<p>If the current grant of leave is a Biometric Residence Permit (BRP), to change their:</p> <ul style="list-style-type: none"><li>• name</li><li>• date of birth</li><li>• nationality</li><li>• gender</li><li>• appearance</li></ul> <p>A new application must be sent on the no time limit (NTL) or transfer of conditions (TOC) form, see: <a href="#">Transfer your visa to a new passport</a>.</p>

## Related content

[Contents](#)

# Grant or refuse

This section tells you how to grant or refuse an application under the Start-up category.

## Grant permission

You must grant permission if:

- the applicant meets all the requirements of Appendix Start-up to the Immigration Rules
- none of the general grounds for refusal in part 9: grounds for refusal apply

## Length of permission

If the application is granted, the applicant will be given 2 years' (minus any previous time spent in the Start-up or Tier 1 (Graduate Entrepreneur) routes).

## Refusing permission

You must refuse the application if:

- the applicant has not provided the required evidence to show they meet all of the requirements of the relevant paragraphs of the Immigration Rules
- any of the grounds for refusal in part 9 apply- you must read the guidance on [grounds for refusal](#) and on what paragraphs to use

## Biometrics for applications made outside the UK

Successful applicants for entry clearance are given a [Biometric residence permit \(BRP\)](#). If the entry clearance application is successful, they must be given a 30-day visa to allow them to collect their BRP after they have arrived in the UK.

## Appeals

See: [appeals guidance](#).

## Rights of appeal and administrative review - out of country applications

Applicants cannot appeal against our decision. However, if they think the Home Office has made an error in considering their application, they can apply for an administrative review. Details of how to make an administrative review application must be included in the decision letter.

For further information on administrative reviews, see: [Ask for a visa administrative review](#).

## Biometrics for applications made inside the UK

You must grant leave on code 1 + Spt.

The wording on the Biometric Residence Permit (BRP) is as follows.

**Front:**

START UP MIGRANTLEAVE TO REMAIN  
RESTRICTED WORK  
OR SPORTSPERSON

**Reverse:**

NO PUBLIC FUNDS  
REGISTER/REPORT TO POLICE (if applicable)

## Refuse permission

You must refuse permission if:

- the applicant does not meet all of the relevant requirements of [Appendix Start-up of the Immigration Rules](#)
- any of the [grounds for refusal](#) in part 9 of the Immigration Rules apply and you consider refusal appropriate – see guidance on Part 9: grounds for refusal
- the applicant is in breach of immigration laws, except:
  - any period of overstaying allowed under the Immigration Rules

### Related content

[Contents](#)

[Part 9: grounds for refusal](#)

# Managing the Start-up route inbox

This page tells leave to remain caseworkers how to manage the Start-up route inbox.

You must check the Start-up Route inbox on a daily basis. This section gives examples of the types of emails you may receive and how to deal with them.

Once you have dealt with an email, you must move it from the Start-up inbox to the 'Endorsement Notifications' folder.

## The endorsing body has issued an endorsement

They will have provided a copy of the endorsement with the email. You must update the Start-up allocation spreadsheet stored in the team's local area.

Each endorsing body has a specific number of secure reference numbers (SRNs). You must record the applicant's details against the correct SRN detailed on the endorsement.

You must record the following information and then save the spreadsheet:

- date of the endorsement
- applicant's name
- qualification details
- business intention

## The endorsing body has withdrawn their endorsement for an applicant

The endorsing body can withdraw their endorsement at any time, including during the application process or after the application is approved.

You must identify what stage of the process the application is at on ATLAS. If there is no application currently recorded, you must record details of the endorsing body's decision on the limit monitoring spreadsheet - change the status from 'Endorsement Given' to 'Endorsement Withdrawn'.

If the application is under consideration, you must record details of the endorsing body's decision on ATLAS comments, then record the decision on the limit monitoring spreadsheet. The following is an example of the ATLAS wording required:

'Notification received from (state name of endorsing body) on (date) - the Endorsing Body has advised the Home Office they no longer wish to endorse the migrant (reason).'

If a grant of leave has already been made, the applicant's current leave may fall to be curtailed - you must follow the current curtailment guidance.

If there is an application currently under consideration it will fall to be rejected – you must follow the current validation guidance.

## **The endorsing body says the applicant has missed their regular contact**

The applicant must make contact with the endorsing body after 6 months and 12 months. The endorsing body must advise the Home Office if the applicant has missed a contact. Update ATLAS notes with the missed contact.

Unless there are exceptional circumstances for missing contact points (and the applicant and the endorsing body have agreed an alternative date for a meeting) the expectation is that the endorsing body should withdraw their endorsement. If the endorsing body states they wish to withdraw their sponsorship, follow the instructions in the [endorsing body has withdrawn their endorsement](#) section.

## **The endorsing body is asking a policy question or general query**

If you cannot provide a direct response to the endorsing body, you must liaise with your higher executive officer (HEO) and with the Economic Migration Policy team. You must send a holding response to the endorsing body.

Once you have received a response from the HEO, you must reply to the endorsing body.

## **The endorsing body has been removed from the list**

If you receive notification that a body has been removed from the list of approved endorsing bodies, you must:

- update the allocation monitoring spreadsheet
- change the endorsing body status field to void then contact the curtailments team, giving them the details of any other applicants associated with that endorsing body
- provide the applicant's full name and case ID

## **The endorsing body says the applicant is breaching their conditions**

You must establish if there is enough evidence to curtail the applicant. If there is enough evidence to prove the applicant is breaching their conditions, you must complete the curtailment in line with current procedures.

If there is not enough evidence, note ATLAS with details of the endorsing body email and no further action is required.

## An overseas post is requesting verification of an endorsement

You must check that the SRN and applicant details given by the post match the details given previously by the endorsing body which are stored on the allocation monitoring spreadsheet.

If the details match those on the spreadsheet, you must respond to the post confirming the details supplied are correct.

If the details do not match, you must send a holding response to the post and contact the endorsing body to confirm the endorsement is as issued.

You must:

- update the spreadsheet with the endorsement details if the endorsement is correct
- confirm the information with the post as received from the endorsing body

## An overseas post is notifying a case decision

You must check the details of the applicant on the allocation monitoring spreadsheet, to make sure it matches, and update it with the post decision.

### **Related content**

[Contents](#)

[Endorsement](#)

[Curtailed leave](#)

# Dependants

This page tells you which dependants can join a person who comes to the UK as a Start-up migrant.

Under paragraphs SU 13.1 – SU 22.3 of the Immigration Rules, the following dependants are allowed to come to the UK to join a person granted permission in this category, provided they meet the requirements of the rules:

- spouse, civil partner or unmarried partner
- dependent children

For more details on how to assess applications by dependants in this route, see [Dependent family members in work routes](#)

## **Related content**

[Contents](#)

## **Related external links**

[Family members of Points-Based System](#)