

Tier 1 (Exceptional talent)

This guidance is based on the Immigration Rules.

Tier 1 (Exceptional talent)

About this guidance

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Tier 1 (Exceptional talent)

Key facts

This page lists the key facts for the Tier 1 (Exceptional talent) route.

Category: Tier 1 (Exceptional talent)	
Eligibility requirements	<p>This category is for exceptionally talented people in the fields of science, humanities, engineering and the arts, who wish to work in the UK.</p> <p>Applicants will be already internationally recognised at the highest level as world leaders in their particular field, or have already demonstrated exceptional promise in the fields of science, humanities and engineering and are likely to become world leaders in their particular area.</p>
Application forms	<p>Stage 1 – Tier 1 (Exceptional talent) request an endorsement.</p> <p>Stage 2 – (In UK) - Tier 1 (Exceptional talent) (Overseas) – VAF 9 and VAF 9 Appendix: Tier 1 (Exceptional talent).</p> <p>Extension – Tier 1 (Exceptional talent).</p>
Cost of application	Fees for UK Home Office services.
Is biometric information required for applications made in the UK?	Yes
Code of leave to remain granted	Code 4B
Conditions of leave to remain	<p>Leave to remain under this route is subject to the following conditions:</p> <ul style="list-style-type: none"> • no recourse to public funds • registration with the police, if this is required by paragraph 326 of the Immigration Rules • no employment as a doctor or dentist in training or as a professional sportsperson (including as a sports coach).
How long is leave to remain normally granted for?	<p>Three years and four months – entry clearance</p> <p>Three years – switching in country.</p> <p>Two years - extension.</p>
Are dependants allowed?	Yes
Work and study allowed?	Yes
Switching into this category allowed?	<p>Switching into the Tier 1 (Exceptional talent) category is only allowed if the applicant has or has last been granted leave as a:</p> <ul style="list-style-type: none"> • Tier 2 migrant • Tier 5 (Temporary worker) migrant, sponsored in the

	<p>government authorised exchange sub-category in an exchange scheme for sponsored researchers.</p> <p>There is no provision in the Immigration Rules for a person already in the UK in any other category of stay to switch in-country into the Tier 1 (Exceptional talent) category.</p>
Does this category lead to settlement (indefinite leave to remain)?	Yes
Immigration Rules paragraphs	Paragraph 245B – 245BF

Tier 1 (Exceptional talent)

Changes to this guidance

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This page lists changes to the Tier 1 (Exceptional talent) guidance, with the most recent at the top.

Date of the change	Details of the change
17 July 2013	Completely revised and modernised by the work operational policy team and the modernised guidance team.

Related links

[Contact](#)
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Tier 1 (Exceptional talent)

Tier 1 (Exceptional talent) entry and extension requirements

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	<ul style="list-style-type: none"> ○ a student ○ a student nurse ○ student re-sitting an examination ○ student writing up a thesis, or ○ postgraduate doctor or dentist. • and is currently being sponsored by a government or international scholarship agency, or was being sponsored by a government or international scholarship agency, and that sponsorship came to an end 12 months ago or less. <p>They must provide:</p> <ul style="list-style-type: none"> • unconditional written consent of the sponsoring government or agency with the application, and • any specified documents needed to show this requirement has been met. <p>Requirements of paragraph 245BD</p> <p>In order to be granted leave to remain as a Tier 1 (Exceptional talent) migrant, a person must meet the following requirements:</p> <ul style="list-style-type: none"> • not fall for refusal under the general grounds for refusal • not be an illegal entrant • must score a minimum of 75 points under paragraphs 1 to 6 of Appendix A (see related link) • if the applicant has, or was last granted, leave as a Tier 1 (Exceptional talent) migrant, they must score a minimum of 10 points under paragraphs 1 to 15 of Appendix B (see related link) • they must have, or have last been granted, entry clearance, leave to enter or remain as: <ul style="list-style-type: none"> ○ a Tier 1 (Exceptional talent) migrant ○ a Tier 2 Migrant, or ○ as a Tier 5 (Temporary worker) migrant, sponsored in the Government authorised exchange sub-category in an exchange scheme for sponsored researchers. • must not be in the UK in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded. 	
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	<p>Applicants for entry clearance and leave to remain are also subject to the following conditions:</p> <ul style="list-style-type: none"> • must register with the police if this is required under paragraph 326 of the rules • no recourse to public funds • no employment as a: <ul style="list-style-type: none"> ○ doctor or dentist in training, or ○ professional sportsperson (including as a sports coach). <p>Requirements of paragraph 245BF</p> <p>In order to be granted indefinite leave as a Tier 1 (Exceptional talent) migrant, a person must meet the following requirements:</p> <ul style="list-style-type: none"> • not fall for refusal under the general grounds for refusal • not be an illegal entrant • must score a minimum of 75 points under paragraphs 1 to 6 of Appendix A (see related link) • must have spent a continuous period of five years lawfully in the UK, with absences from the UK of no more than 180 days in any 12 calendar months during that period • must have sufficient knowledge of the English language and sufficient knowledge about life in the UK, unless the applicant is under the age of 18 or aged 65 or over at the date the application is made (see related link: Knowledge of language and life in the UK) • must not be in the UK in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded. 	
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Tier 1 (Exceptional talent)

Tier 1 (Exceptional talent) - limits

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Tier 1 (Exceptional talents)

Points scoring

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Tier 1 (Exceptional talent)

Tier 1 (Exceptional talent) - initial application

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Attributes: pass mark = 75 points	Points available					
Endorsed by designated competent body according to that body’s criteria. See related links: <ul style="list-style-type: none">• Arts criteria• Science criteria	75					

Tier 1 (Exceptional talent)

Initial application - stage 1

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	<ul style="list-style-type: none"> • Science criteria. <p>Although you can accept copies of these documents, if you have any reason to think they are not genuine you can request the originals. The documents must be scanned before being emailed to the designated competent body.</p> <p>You must inform the applicant if they have been successful in gaining an endorsement by email, using the email address given on their application form.</p>	
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Tier 1 (Exceptional talent)

Initial application – Endorsement review

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	<p>Relevant letter</p> <p>The relevant letter used to inform applicants of the decision is:</p> <ul style="list-style-type: none">• Tier 1 (Exceptional Talent) - ICD.4609. <p>This is used for successful and unsuccessful endorsement reviews, as well as to inform applicants their endorsement review has not been accepted. This must be copied into a word document, saved as a PDF and attached to the email to the applicant.</p>	
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Tier 1 (Exceptional talent)

Initial application- stage 2

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Tier 1 (Exceptional talent)

Caseworker actions

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Tier 1 (Exceptional talent)

Caseworker actions – initial application – stage 1

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- Arts Council England application:
 - the Arts Council England application form
 - two letters of endorsement (one letter must be from a UK based individual)
 - up to 10 pieces of supporting documentation (which will be listed on the Arts Council application form).
- The British Academy, The Royal Society, The Royal Academy of Engineering application:
 - the sciences body application form
 - a letter of recommendation from an eminent person in the UK
 - a CV
 - a reference from a UK body (not required for exceptional promise applicants).

Missing evidence

Overseas applications only:

- ask the overseas post to request the missing evidence from the applicant
- save information into the 'Further evidence requested from post' folder in the inbox.

If the applicant fails to supply the required evidence, the case should still be referred to the DCB, however as part of the referral you must tell them missing evidence was requested but has not been received.

If the applicant says they cannot get the missing evidence at all, the case should still be referred to the DCB, however as part of the referral you must tell them that missing evidence was requested but the migrant cannot provide it.

In UK applications:

- if the application is valid you must contact the applicant giving them 14 days to provide the requested document(s).

Asking the DCB to consider an application

At the request of the DCBs, referrals can only be sent on specific days. Contact details are

	<p>as follows:</p> <ul style="list-style-type: none">• Arts Council England (Tier1@artscouncil.org.uk) - Wednesdays• the British Academy (cbba@britac.ac.uk) - Fridays• the Royal Academy of Engineering (international@raeng.org.uk) – no batching day, and• the Royal Society (cbrs@royalsociety.org) – no batching day. <p>You must create an endorsement form for the relevant DCB (see downloads) and save in T1ET folder for that individual using the URN as the file name.</p> <p>You must attach both the form and the relevant supporting evidence to an e-mail ready for sending to the DCB on the relevant batching day.</p> <p>The maximum file size that can be emailed to the DCB is 3MB. If the documentation is larger it must be sent in as few emails as possible.</p> <p>Scans must not be sent as individual pages, but grouped into files. For example a three page letter must not be saved as three separate documents.</p> <p>The email is then saved in the Tier 1 Exceptional Talent Administration mailbox in outlook. If you cannot send the referral, you must save the e-mail as a draft in the 'Not Yet Sent to DCB (Batch)' folder in the Tier 1 (Exceptional Talent) Initial application overseas mailbox.</p> <p>If urgent requests are received, these can be sent to the DCB at any time, but you must tell them the referral is urgent.</p> <p>Response from DCB</p> <p>When a response is received, the endorsement form must be resaved over the top of the old one. You must then update the limit monitoring sheet with the DCB decision, and hyperlink the completed form into the relevant column of the sheet.</p> <p>Overseas posts should confirm when a decision on an application has been made. If they don't you must check CRS for the overseas post's decision and update the limit monitoring</p>	
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	<p>sheet accordingly.</p> <p>Relevant letter The relevant letter used to inform applicants of the decision is the Tier 1 (Exceptional Talent) ICD.4609</p> <p>This is used for successful and unsuccessful applications, and must be copied into a word document which is attached to the email.</p>	
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Caseworker actions – initial application – stage 2

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	<p>Relevant letters</p> <p>The relevant letters used to inform applicants of the decision are:</p> <ul style="list-style-type: none">• Tier 1 (Exceptional talent) approval letter and leaflet combined migrant - ICD.4572• Tier 1 (Exceptional talent) approval letter and leaflet combined rep – ICD.4573• Tier 1 (Exceptional talent) refusal notice – ICD.4574.	
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Caseworker actions – extension application – stage 2

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	<ul style="list-style-type: none">• Tier 1 (Exceptional talent) refusal notice – ICD.4574.	
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Tier 1 (Exceptional talent)

Managing the mailboxes

About this guidance Key facts Tier 1 (Exceptional talent) entry and extension requirements Tier 1 (Exceptional talent) – limits Points scoring Tier 1 (Exceptional talent) - initial application Caseworker actions Tier 1 (Exceptional talent) – switching Tier 1 (Exceptional talent) – application for extension of leave Curtailing leave Tier 1 (Exceptional talent) - change of circumstances Granting or refusing Conditions of leave Dependants	<p>This page tells you the steps to take to manage the Tier 1 (Exceptional talent) mailboxes.</p> <p>There are two mailboxes for Tier 1 (Exceptional talent), one primarily for communicating with applicants and the other for administration purposes.</p> <p>Overseas posts use the administration mailbox to verify stage 1 endorsements and to query whether stage 1 applications are outstanding. The Administration mailbox must be checked twice daily and action taken as appropriate.</p> <p>The external mailbox is used to inform applicants of the progress and outcome of their stage 1 application and will be the main method for applicants to communicate with the Home Office. The communication must be checked frequently and action taken as appropriate.</p> <p>All caseworkers considering applications must be given access to the relevant mailboxes. If you do not have access you must request this from your line manager.</p>	<p>In this section</p> <p>Caseworker actions – initial application – stage 1 Caseworker actions – initial application – stage 2 Caseworker actions – extension application – stage 2</p> <p>Related links</p> <p>Links to staff intranet removed</p>
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Tier 1 (Exceptional talent)

Tier 1 (Exceptional talent) – switching

About this guidance Key facts Tier 1 (Exceptional talent) entry and extension requirements Tier 1 (Exceptional talent) – limits Points scoring Tier 1 (Exceptional talent) - initial application Caseworker actions Tier 1 (Exceptional talent) – switching Tier 1 (Exceptional talent) – application for extension of leave Curtailing leave Tier 1 (Exceptional talent) - change of circumstances Granting or refusing Conditions of leave Dependants	<p>This page tells you who can switch into or apply for leave to remain in the Tier 1 (Exceptional talent) category.</p> <p>An applicant can apply for leave to remain in the UK (including switching from one immigration category to another) if they are here with permission to stay as:</p> <ul style="list-style-type: none">• a Tier 1 (Exceptional talent) migrant• a Tier 2 migrant, or• a Tier 5 (Temporary worker) migrant, sponsored in the government authorised exchange (GAE) sub-category in an exchange scheme for sponsored researchers. <p>For Tier 5 GAE you may have to check Metastorm, CRS, request the VAF or contact the applicant's current sponsor to confirm the subcategory they are in.</p> <p>If you contact the applicant's current sponsor you must not tell them that the applicant has made a Tier 1 (Exceptional talent) application. If the sponsor queries the reason for the request, you must tell them you are checking the immigration status of the migrant.</p> <p>Migrants who were last granted leave in the above categories are only able to switch if they still have valid leave or have overstayed for less than 28 days. Further details on assessing overstaying can be found at the related link: Applications from overstayers (non family routes)</p> <p>There is no provision in the Immigration Rules for a person already in the UK in any other category to switch into the Tier 1 (Exceptional talent) category.</p> <p>You must grant leave to remain from the date the decision is made, not the date the applicant's previous leave expires.</p>	<p>Related links Links to staff intranet removed</p> <p>External links Immigration Rules paragraph 245B – 245BF</p>
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Tier 1 (Exceptional talent)

Tier 1 (Exceptional talent) – application for extension of leave

About this guidance Key facts Tier 1 (Exceptional talent) entry and extension requirements Tier 1 (Exceptional talent) – limits Points scoring Tier 1 (Exceptional talent) - initial application Caseworker actions Tier 1 (Exceptional talent) – switching Tier 1 (Exceptional talent) – application for extension of leave Curtailing leave Tier 1 (Exceptional talent) - change of circumstances Granting or refusing Conditions of leave Dependants	<p>This section tells you how points are scored in the attributes requirement for an extension application in the Tier 1 (Exceptional talent) category.</p> <table><tr><th>Attributes: pass mark = 75 points</th><th>Points available</th></tr><tr><td><p>During the applicants most recent period of leave as a Tier 1 (Exceptional talent) migrant, the applicant has earned money in the UK as a result of employment or self employment in their expert field as previously endorsed by a Designated Competent Body, and that Designated Competent Body has not withdrawn its endorsement of the applicant.</p><p>See in this section link: Extension application documents required.</p></td><td>75</td></tr><tr><th>English language: pass mark = 10 points</th><td></td></tr><tr><td><p>Evidence to prove that the applicant speaks English to the required standard and meets the requirements explained in this guidance.</p><p>See in this section link: English language requirement – extension applications only.</p></td><td>10</td></tr></table>	Attributes: pass mark = 75 points	Points available	<p>During the applicants most recent period of leave as a Tier 1 (Exceptional talent) migrant, the applicant has earned money in the UK as a result of employment or self employment in their expert field as previously endorsed by a Designated Competent Body, and that Designated Competent Body has not withdrawn its endorsement of the applicant.</p> <p>See in this section link: Extension application documents required.</p>	75	English language: pass mark = 10 points		<p>Evidence to prove that the applicant speaks English to the required standard and meets the requirements explained in this guidance.</p> <p>See in this section link: English language requirement – extension applications only.</p>	10	<p>In this section Links to staff intranet removed</p> <p>External links Immigration Rules paragraph 245B – 245BF</p>
Attributes: pass mark = 75 points	Points available									
<p>During the applicants most recent period of leave as a Tier 1 (Exceptional talent) migrant, the applicant has earned money in the UK as a result of employment or self employment in their expert field as previously endorsed by a Designated Competent Body, and that Designated Competent Body has not withdrawn its endorsement of the applicant.</p> <p>See in this section link: Extension application documents required.</p>	75									
English language: pass mark = 10 points										
<p>Evidence to prove that the applicant speaks English to the required standard and meets the requirements explained in this guidance.</p> <p>See in this section link: English language requirement – extension applications only.</p>	10									

Tier 1 (Exceptional talent)

Extension application documents required

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For these purposes, official tax documents are defined as:

- a document produced by HMRC showing details of declarable taxable income on which tax has been paid or will be paid in a tax year (for example a tax refund letter or tax demand)
- a document produced by an employer as an official return to HMRC, showing details of earnings on which tax has been paid in a tax year (for example a P60), or
- a document produced by a person, business, or company as an official return to HMRC, showing details of earnings on which tax has been paid or will be paid in a tax year. The document must have been approved, registered, or stamped by the HMRC.
- Dividend vouchers showing the amount of money paid by the company to the applicant, normally from its profits. They should confirm both the gross and net dividend paid. They must provide a separate dividend voucher or payment advice slip for each dividend payment.

Documents required if the applicant has worked in a self-employed capacity

- A letter from the applicant's accountant confirming the amount of salary the applicant earned in the following format:
 - on headed paper confirming the gross and net pay for the period claimed
 - gives a breakdown of salary, dividends, profits, tax credits and dates of net payments earned
 - if earnings are a share of the net profit of the company, the letter must also explain this.
- All accountants must be either fully qualified chartered accountants or certified accountants who are members of a registered body in the UK.
- Company or business accounts that clearly show the net profit of the company or business:
 - showing both a profit and loss account (or income and expenditure account if the organisation is not trading for profit) and the balance sheet must be signed by a director
 - accounts must meet statutory requirements and clearly show the net profit made over the earnings period to be assessed.

	<p>Documents required for sponsored researchers</p> <p>They must provide evidence of funding which must be provided by an institution, not necessarily in the UK.</p> <p>This can be in the form of a letter on official headed paper confirming the details of funding. It must include the:</p> <ul style="list-style-type: none"> • applicant's name • name of sponsor • name of the host institution where the applicant will be based • details of the funding provided, including the amount of funding. 	
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Tier 1 (Exceptional talent)

English language requirement – extension applications only

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Tier 1 (Exceptional talent)

Curtailing leave

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Tier 1 (Exceptional talent)

Tier 1 (Exceptional talent) - change of circumstances

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<p>To change:</p> <ul style="list-style-type: none">• contact details• details of criminal convictions• representative’s details, or• details of any dependants. <p>They must complete a change form (see related link: Changes during your stay).</p> <p>You must confirm the change of circumstances have been noted in a letter.</p>	<p>If the current grant of leave is a biometric residence permit (BRP), to change their:</p> <ul style="list-style-type: none">• name• date of birth• nationality• gender, or• appearance. <p>A new BRP application must be sent on form BRP (RC), see related link: changes to BRP.</p>			

Tier 1 (Exceptional talent)

Granting or refusing

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Tier 1 (Exceptional talent)

Granting or refusing entry clearance – stage 2

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	<p>There are no appeal rights for those who are applying from overseas, except where the appeal is on human rights or race discrimination grounds.</p> <p>Applicants can ask for an administrative review if they feel there is an error in their decision. For more information on the administrative review procedures, see related link: Annex C: administrative review.</p>	
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Tier 1 (Exceptional talent)

Granting or refusing entry at UK port

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If the applicant is subject to a deportation order, any leave that they have been granted is cancelled. You must refuse under paragraph 320(2) of the Immigration Rules. You must also refer to Border Force policy implementation (BFPI), using the related link, before you make a decision.

If you are considering a refusal on the grounds of national security, public policy, sensitive information or where the decision may affect relations with another country, you must refer to BFPI, see related link.

Restricted - not for disclosure – start of section

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

Restricted - not for disclosure – end of section

Appeal rights and refusal forms

An applicant who does not have entry clearance has no right of appeal against a refusal of leave to enter. You must serve the applicant with form IS 82A, which you can find on CID.

An applicant with valid entry clearance is entitled to an in country right of appeal. You must serve the applicant with form IS 82C, which you can find on CID.

If the applicant is the subject of an extant deportation order, they do not have a right of appeal before removal. You must serve them with form IS 82A, which you can find on CID.

Landing card codes

- Tier 1 (Exceptional talent) – T1T
- Tier 1 (Dependant) – T1R.

Tier 1 (Exceptional talent)

Granting or refusing an extension of stay in the UK – stage 2

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	<ul style="list-style-type: none"> • the applicant does not meet all of the requirements of paragraphs 245BD of the Immigration Rules • any of the general grounds for refusal apply, or • the applicant is in breach of immigration laws, except: <ul style="list-style-type: none"> ○ for any period of overstaying for 28 days or less which will be disregarded, or ○ if the application was submitted before 9 July 2012. <p>For more information, see related link: Applications from overstayers (non family routes).</p> <p>For more information on appeal rights, see related link: 1.0 - Rights of Appeal.</p>	
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Tier 1 (Exceptional talent)

Granting or refusing indefinite leave to remain

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Tier 1 (Exceptional talent)

Conditions of leave

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Tier 1 (Exceptional talent)

Dependants

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Tier 1 (Exceptional talent)

Contact

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Tier 1 (Exceptional talent)

Information owner

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This page tells you about this version of the Tier 1 (Graduate entrepreneur) guidance and who owns it.

Version	1.0
Valid from date	17 July 2013
Policy owner	Work operational policy team
Cleared by director	Sonia Dower
Director's role	Director, policy and rules unit
Clearance date	17 July 2013

Changes to this guidance can only be made by the modernised guidance team (MGT). If you think the policy content needs amending you must contact the work operational policy team, see related link, who will ask the MGT to update the guidance, if appropriate.

The MGT will accept direct feedback on broken links, missing information or the format, style and navigability of this guidance. You can send these using the related link: Email: Modernised guidance team.

Related links
[Changes to this guidance](#)
[Contact](#)

External links
Links to staff intranet removed