



If you wish to apply for indefinite leave to remain in the UK on form SET(O), please read these guidance notes and the separate UK Visas and Immigration photograph guidance before making your application.

Contacting Us

Our main website address for contacting us is given below.

Our Website www.gov.uk/government/organisations/uk-visas-and-immigration

For information about immigration law and policy, the services offered by our Premium Service Centres, to see and download application forms and related guidance, and to book an appointment to apply in person.

Our Premium Service Centres

Our Premium Service Centres are for premium service applications only. Their addresses and opening times are given below. For details of the services and facilities provided by each of the Premium Service Centres, please go to our website.

Belfast	Drumkeen House, Drumkeen Complex, Upper Galwally, Belfast, BT8 6TB Tuesday, Thursday & Friday 9:00 - 16:00
Cardiff	General Buildings, Ground Floor, 31-33 Newport Road, Cardiff, CF24 0AB Monday to Friday 9:00 - 16:00
Croydon	Lunar House, 40 Wellesley House Road, Croydon, CR9 2BY Monday to Friday 8:00 - 16:00
Glasgow	Festival Court, 200 Brand Street, Govan, Glasgow, G51 1DH Monday to Thursday 8:30 - 16:30, Friday 8.30 - 16:00
Liverpool	The Capital Building, 6 Union Street, Liverpool, L3 9AF Monday to Friday 8:30 - 16:00
Sheffield	Vulcan House, 6 Millsands, Sheffield, S3 8NU Monday to Friday 9:00 - 16:00
Solihull	Dominion Court, 41 Station Road, Solihull, Birmingham, B91 3RT Monday to Friday 9:00 - 16:00

1. For which applications must you use form SET(O)?

Form SET(O) must be used if you are applying for indefinite leave to remain in one of the following categories or routes:

- work permit holder
- work permit holder - dependant
- PBS Dependant
- employment not requiring a work permit
- businessperson
- innovator
- investor
- highly skilled migrant
- highly skilled migrant under the terms of the HSMP indefinite leave to remain (ILR) judicial review policy document
- self-employed lawyer
- writer, composer or artist
- Tier 1 (General) migrant
- Tier 1 (Entrepreneur) migrant
- Tier 1 (Entrepreneur) migrant - Accelerated route
- Tier 1 (Investor) migrant
- Tier 1 (Investor) migrant - Accelerated route
- Tier 2 migrant
- UK ancestry
- bereaved partner
- other purposes/reasons not covered by other application forms

You and any dependants applying with you must be in the UK to apply.

You must not use this form to make asylum or similar claims - see next page.

You must not use this form

- to make an application for asylum or international protection (this includes an application for humanitarian protection or an Article 3 European Convention on Human Rights (ECHR) application made on protection grounds). or
- to make further submissions on asylum or human rights grounds after the refusal or withdrawal of an earlier asylum or human rights claim.

2. Qualifying for indefinite leave to remain

To qualify for indefinite leave to remain in the categories of the Immigration Rules for which you must use form SET(O), you must meet the requirements set out in the following parts of the Rules:

- Part 5 work permit holder, work permit holder - dependant, highly skilled migrant*, employment not requiring a work permit, UK ancestry
- Part 6 businessperson, innovator, investor, and writer, composer or artist
- Part 6A Tier 1 migrant, Tier 2 migrant
- Part 8 bereaved partner, PBS dependant.

The full Immigration Rules are on our website.

* If you applied successfully under the highly skilled migrant programme (HSMP) before 3 April 2006, your application for indefinite leave to remain will be considered under the terms of the HSMP indefinite leave to remain (ILR) judicial review policy document.

From 28 October 2013, in order to qualify for indefinite leave to remain, all applicants aged 18-64 must meet the two parts of the Knowledge of Language and Life requirement by:

- passing the Life in the UK test,

And one of the following language qualifications:

- having a speaking and listening qualification in English at B1 level or above of the Common European Framework of Reference for Languages (CEFR), or
- having a degree that was taught or researched in English, or
- being a national of an English-speaking country.

Guidance regarding the KOLL requirement can be found on our website at

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/285139/KoLL_v14.0EXT.pdf

The categories which are not subject to this requirement are the following: ; bereaved partner; and highly skilled migrant under the terms of the HSMP indefinite leave to remain (ILR) judicial review policy document.

3. Who may apply on this form?

You and your partner and/or children under 18 if they are applying as your dependants (if allowed by the relevant immigration rules - see below). "Partner" means a spouse, civil partner, unmarried or same-sex partner.

Children aged 18 or over may not be included; they must each apply individually and pay the specified fee, as must any children under 18 if there is some reason preventing them from applying with you.

4. The fee

- Standard fees
- Council of Europe Social Charter (CESC) fees

The fees for nationals of countries which ratified the 1961 Council of Europe Social Charter (CESC), ie Croatia, FYR Macedonia or Turkey, are different but only if they are applying under the following

categories or routes:

- work permit holder
- highly skilled migrant (of either kind)
- Tier 1 (General) migrant
- Tier 1 (Entrepreneur) migrant
- Tier 2 migrant.

For applications made in person at a Premium Service Centre, the total fee includes a £100 appointment fee, which may be retained should the applicant fail to attend their appointment without good reason.

Please note the following:

- Please note that when making large or multiple payments using your credit card, the anti-fraud measures that banks operate sometimes stop the full payment being taken. This can happen for a number of reasons. To prevent this you may inform your bank of your intention to make large or multiple payments in advance so that your bank allows the full payment to be taken when you submit your application.
- Please be aware that not all banks offer this service.
- If you do not pay the specified fee, the application will be invalid and will be returned to you.
- We will not refund the fee if we refuse the application or if you withdraw it.

For information about methods of payment, please see the payment details guidance on page 2 of the form.

For more information about the current fees, please go to our website.

5. When to apply

You and any dependants applying with you should apply before the end of your/their permitted stay in the UK.

There is a qualifying period to complete in most of the categories on this form. It runs either from

- the date on which you entered the UK with a visa in the relevant category; or, if you did not enter the UK with such a visa, from
- the date on which you were first granted permission to remain in the UK in the relevant category.

If you entered the UK with a visa several weeks or more after the date from which it was valid for use, you may need to apply for an extension of stay to complete the relevant qualifying period.

Please do not apply more than 28 days before completing the qualifying period. If you apply earlier than that, your application may be refused. If that happens, we will not refund the fee and you will have to pay again when reapplying.

The qualifying periods are as follows:

5 years In the work permit holder, employment not requiring a work permit, businessperson, innovator, investor, self-employed lawyer, writer, composer or artist, UK ancestry, Tier 1 and Tier 2 categories or routes.

3 years in the Tier 1 (Entrepreneur) - accelerated route. Applicants must ensure that they qualify for the accelerated route before submitting an application for indefinite leave to remain on that basis.

2 or 3 years in the Tier 1 (Investor) - accelerated route, depending on the level of investment in the UK. Applicants must ensure that they qualify for the relevant accelerated route before submitting an application for indefinite leave to remain on that basis.

5 years or 4 years in the highly skilled migrant category. The 4-year qualifying period applies only to applications made under the terms of the HSMP indefinite leave to remain judicial review policy document. Those terms apply only if you applied successfully under the highly skilled migrant programme (HSMP) before 3 April 2006. All other highly skilled migrant applications are subject to the 5-year period.

There is no qualifying period in the bereaved partner category.

6. Making sure your application is valid

Paragraphs 34-34I of the Immigration Rules specify certain requirements with which an application on a form specified for the purpose of the Rules must comply. To make a valid application, you must:

- apply on the current version of form SET(O)
- pay the specified fee by one of the methods specified in the payment guidance.
- provide photographs of yourself and any dependants who are applying with you as specified in the application form
- complete section 7 (Personal History) as required
- sign the declaration in section 13.
- send the application by prepaid post or, if permitted, by courier to UK Visas and Immigration, or make it in person at a Premium Service Centre if the premium service is available.

If you fail to do any of these things, your application will be invalid and we will return it to you. This could result in the loss of appeal rights if your permitted stay has run out by the time you make a valid application.

7. Ensuring your application is complete

You do this by completing every relevant section of the form as required and providing all the documents specified for your particular application, including your passport and those of any dependants applying with you. If you do not do this, we reserve the right to decide your application on the basis of the information and documents provided.

It is important, therefore, to provide an explanation if you cannot give us all relevant information or documents when making your application.

8. Completing the form

Please use a black pen to complete the form; write names, addresses and similar details in capital letters.

In the payment details and other sections where you give personal details and addresses, leave an empty box between each part of the name and of the address.

Please note that we always use the personal details in an applicant's passport or travel document for official purposes, including any residence permit if the application is granted.

Take care to complete all sections as required, including the Personal History section. Follow the guidance on page 2 of the form when completing the payment details. Read the notes in various sections of the form.

As already emphasised in part 7 of these notes, you must enclose a letter of explanation if you are unable to provide all the required information or any relevant specified documents.

9. Photographs

For your application to be valid, it is mandatory to provide the following photographs:

- Two identical passport-size photographs of yourself with your full name written on the back of each one.
- Two identical passport-size photographs of any dependants applying with you with their full name written on the back of each one.

The photographs you provide must also comply with the format requirements specified in the separate Home Office photograph guidance.

Please ensure that you place the photographs in a small sealed envelope and attach it to section 1 of the form as instructed there - and without any staples, clips, pins or anything else which could mark or damage the photographs.

10. Documents

Documents provided with the application must be originals. All supporting evidence must be in the form of original documents. In addition you should provide photocopies of each of these documents including any pages of your passport(s) that contain personal details, visas or immigration stamps (foreign or UK). These do not have to be notarised by a solicitor or legal representative. If you are unable to provide the original document, we may accept a copy certified by the body or authority which issued the original (for example, a copy of a savings book certified by the building society or bank), or by a notary. The reasons for not being able to provide the original document must be explained in a covering letter. We are unlikely to grant your application without the original document. Any documents which are not in English must be accompanied by a reliable English translation. Make sure passports or travel documents are signed.

From 31 October 2011 the Immigration Rules have been amended: Tier 2 (General), Tier 2 (Intra Company Transfer) and Work Permit holders applying for settlement must provide specified documentary evidence in order to demonstrate that they are being paid at or above the appropriate rate for settlement applications. The documents you must provide with your application are either: a payslip and a personal bank or building society statement, or a payslip and a building society pass book.

Payslip: This must be the most recent payslip. It must be dated no earlier than one calendar month before the date of the application. It should either be an original payslip or on company-headed paper. If the payslip is not on headed paper or is a printout of an online payslip, you must provide a letter from your sponsor, confirming the payslip is authentic. The letter from the sponsor must be on company headed paper, and must be signed by a senior official.

Personal bank or building society statement: This must be the most recent statement dated no earlier than one calendar month before the date of the application. The statement must clearly show your: name; account number; the date of the statement; the financial institution's name and logo; and transactions by the sponsor covering the period no earlier than one calendar month before the date of the application.

We can also accept as evidence:

A bank or building society statement printed on the bank's or building society's letterhead, but this excludes mini-statements from automatic teller machines (ATMs);

An electronic bank or building society statement from an online account, but it must contain all of the details listed above. You must also provide either: a supporting letter from their bank or building society, on company headed paper, confirming the statement provided is authentic, or an electronic bank or building society statement bearing the official stamp of the bank or building society on every page;

A building society pass book: This can be accepted instead of a bank or building society statement. It must clearly show your: name; account number; financial institution's name and logo; and transactions by the sponsor covering the period no earlier than one calendar month before the date of the application. You may submit a photocopy of the pass book which has been certified by the issuing building society on company headed paper, confirming the statement provided is authentic.

New instruction regarding evidence of absences:

From 13th December 2012 applicants in qualifying employment categories for ILR are required to submit documentary evidence of all absences from the UK, as specified in Section 6.3 of the form, and caseworker guidance

<https://www.gov.uk/government/publications/indefinite-leave-to-remain-calculating-continuous-period-in-uk>

New instruction regarding evidence of source of funds:

From 13th December 2012, Tier 1(Investors) applying for accelerated settlement are required submit evidence of the source of the additional funds invested, as specified in section 9E to 9F of the form.

11. Applying by post - the address

If you are applying by post, the address to which you must send an application on form SET(O) is:

UK Visas and Immigration

SET(O)

Indefinite Leave to Remain

PO Box 591

Durham

DH1 9FS

Posting it to any other address will not only delay your application but could make it invalid. This address is only to be used when sending your application. Please use the address given in part 16 for any other correspondence about your application.

If you use Recorded or Special Delivery, this will help us to record the receipt of your application. Make sure that you keep the Recorded or Special Delivery number.

We will return your passport(s) and other documents by Recorded Delivery. If you would like them to be returned by Special Delivery, you must provide a prepaid Special Delivery envelope which is large enough.

You will receive a letter of acknowledgement within a few days of your application being received unless there is a problem concerning the payment of the fee, in which case you will be contacted as soon as possible.

12. Applying in person

We offer a premium service to people who apply in person at our Premium Service Centres. This service is available only for applications which are straightforward and do not require further enquiries.

The premium service is not available for applications as a businessperson, innovator, investor, self-employed lawyer, Tier 1 (Entrepreneur) migrant or Tier 1 (Investor) migrant or on the grounds of long residence; or where the applicant has spent part of their time in the Crown Dependencies – Jersey, Guernsey, Isle of Man, Sark, Alderney.

Applications can be made in person at a Premium Service Centre for a same day consideration of your application. There is an additional fee for this service and all fees will be taken when you book an appointment. For more details and to book an appointment please visit:

<https://www.gov.uk/ukvi-premium-service-centres>

Appointments. To apply in person, you must book an appointment in advance with one of the Premium Service Centres. You can do this online at:

<https://www.gov.uk/ukvi-premium-service-centres>

If you make one for some time ahead, please check that the application form you use is still valid on the day of your appointment.

If you are taking the Life in the UK test, you must allow at least 2 working days between passing the test and attending your appointment – see 22j on page 7.

The Premium Service Centre addresses and opening times are given on the front page of these guidance notes.

For the latest information about their opening times and services, please see our website.

13. Settlement checking service

You may wish to use the Settlement Checking Service operated by a number of local authorities. Please see the UK Visas and Immigration's website for details if one is operated in your area.

14. Sending your application by courier

Applications made on this form as a businessperson, innovator, investor, self-employed lawyer, Tier 1 migrant or Tier 2 migrant may be delivered by courier at the following address between 9.00 and 5.00 on Monday - Friday (excluding public holidays).

UK Visas and Immigration

Leave to Remain - SET(O)

Millburngate House

Durham

DH97 1PA

15. Decision times

For the latest information on our service standards please go to our website.

Applications which are not straightforward and/or which require further enquiries take longer to decide. These include applications by people who have remained here unlawfully after the expiry of their permitted stay.

As we cannot tell in advance how long it will take for particular cases to be decided, our general advice is not to make any non-urgent travel arrangements until your passport(s) or travel document(s) are returned.

16. Your status while your application is being considered

If you and any dependants apply before the end of your permitted stay in the UK, your/their existing immigration status, including any permission to work, will continue until your/their application(s) is/are decided.

17. Contacting us after you have applied

If you need to contact us after you have applied, please do so as follows.

To send us more information about your application, write to the following address (not the one to which you posted your application):

UK Visas and Immigration

Liverpool Settlement Casework

PO Box 306

Liverpool

L2 0QN

and give the following details in your letter:

- the applicant's full name, date of birth and nationality
- any Recorded or Special Delivery number
- the date on which the application was posted, made in person or delivered by courier
- the Home Office reference number if you have one.

If you need your passport because you have to travel urgently and unexpectedly, use the return of documents request form at:

<https://www.gov.uk/visa-documents-returned>

Your application will be treated as withdrawn if your passport is returned for travel abroad before we are able to decide the application.

18. Obtaining application forms

You can obtain application forms, the accompanying guidance notes and the UKVI photograph guidance from our website at www.gov.uk/government/organisations/uk-visas-and-immigration

19. Other enquiries

We also have the following freephone textphone number: **0800 38 98 28 9**.

20. Choosing an immigration adviser

Immigration advisers are regulated by the Office of the Immigration Services Commissioner (OISC). Their website at www.oisc.gov.uk contains a list of authorised advisers. It also has links to websites for solicitors, barristers and legal executives. If you have a complaint about an immigration adviser or need other information, the OISC contact details are:

Office of the Immigration Services Commissioner (OISC)

5th Floor

21 Bloomsbury Street

London

WC1B 3HF

Telephone: 0345 000 0046

Alternatively the Solicitors Regulation Authority, which regulates solicitors in England and Wales, can help you find a solicitor if you contact them on 0870 606 2555 or visit their website at www.sra.org.uk

The address and telephone number for any complaints about a solicitor are:

Legal Ombudsman

PO Box 6806,

Wolverhampton,

WV1 9WJ

Telephone: 0300 555 0333

21. Complaints about our service

If you wish to make a complaint about our service, please refer to the complaints page on our website for detailed information on how to do so.

22. Data protection notice

We will treat all information provided by you in confidence but may disclose it to other government departments, agencies, local authorities, the police, foreign governments and other bodies for immigration purposes or to enable them to perform their functions.

We may also use the information provided by you for training purposes. The information in the payment details page will be known to the private contractor engaged by the Home Office to process application payments.

23. Biometric residence permits

A leaflet explaining the Biometric Residence Permit including the application process is available to download at the following location:

<https://www.gov.uk/biometric-residence-permits>

24. Requesting the return of your documents

If you have sent your documents to us with your application, but you now need them back urgently, you can request the return of your documents via email. We normally return your documents within 20 working days but we don't recommend that you book any travel until you have received your documents. See the Return of Documents page on our website at

www.gov.uk/government/organisations/uk-visas-and-immigration