



Home Office

# Domestic workers in private households

This guidance is based on the Immigration Rules.

# Domestic workers in private households

## About this guidance

<p><a href="#">Key facts</a> <a href="#">Domestic worker qualifying criteria</a> <a href="#">Evidence required from the applicant</a> <a href="#">Extension requirements</a> <a href="#">Compliance with UK employment laws</a> <a href="#">Human trafficking</a> <a href="#">Granting or refusing</a> <a href="#">Changing employer</a> <a href="#">Settlement</a> <a href="#">Dependants</a></p>	<p>This guidance tells you how to consider applications for leave in the domestic workers in private households category under paragraphs 159A-159H of the Immigration Rules.</p> <p>This guidance is based on the Immigration Rules. See related link for the Immigration Rules.</p> <p>This route allows entry for domestic workers currently employed by a person overseas to accompany their employer into the UK, for the purpose of domestic work.</p> <p>The route for overseas domestic workers in private households was introduced into the Immigration Rules on 18 September 2002, having previously existed as a concession outside of the Immigration Rules. Under these rules, established domestic workers could:</p> <ul style="list-style-type: none"><li>• accompany their employer to the UK and receive leave for a maximum of 12 months at a time</li><li>• change employers in the UK provided they continued to be employed as a domestic worker and meet the other requirements of the route</li><li>• become eligible to apply for indefinite leave to remain when they had completed 5 years continuous lawful residence</li></ul> <p><b>Changes to the Immigration Rules 6 April 2012 and 6 April 2016</b></p> <p>Changes made to the Immigration Rules on 6 April 2012 limit entry in this capacity to established domestic workers who accompany their employer visiting the UK. Changes to the Immigration Rules coming into effect on 6 April remove the restriction on workers admitted in this category changing employers, and they do not need to make an application in order to do so.</p> <p>Domestic workers applying to enter on or after 6 April 2012 are limited to a maximum 6 months in the UK.</p> <p>Those who entered before 6 April 2012:</p> <ul style="list-style-type: none"><li>• can still extend their leave</li><li>• are eligible for indefinite leave to remain (ILR) after they have completed 5 years, providing they meet the full requirements of the rules when they apply</li></ul> <p>Changes to this guidance – This page tells you what has</p>	<p><b>Related links</b> Link to staff intranet removed.</p> <p><b>See also</b> <a href="#">Changes to this guidance</a></p> <p><a href="#">Contact</a></p> <p><a href="#">Information owner</a></p> <p><b>External links</b> <a href="#">Immigration Rules paragraphs 159A – 159H</a></p>
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	<p>changed since the previous version of this guidance.</p> <p><b>Contacts</b> – This page tells you who to contact for help if your senior caseworker or line manager can't answer your question.</p> <p><b>Information owner</b> – This page tells you about this version of the guidance and who owns it.</p> <p><b>Safeguard and promote child welfare</b> – This page explains your duty to safeguard and promote the welfare of children and tells you where to find more information.</p> <p><b>Domestic workers and modern slavery</b> Those who are admitted as an overseas domestic worker and are found to be the victim of slavery or human trafficking can apply for an extension of stay on that basis. There is also guidance on the circumstances in which enforcement action should be taken in respect of a person admitted as an overseas domestic worker and who is a potential victim of slavery or human trafficking. See guidance on victims of modern slavery.</p> <p><b>Interviews</b> From May 2016, UK Visa &amp; Immigration (UKVI) will pilot the interviewing of applicants who submit after-entry applications in the overseas domestic worker in private household category of stay.</p> <p>While this pilot is ongoing, a person who submits an application in this category of stay may be invited for interview where an initial examination of the application suggests that relevant requirements of the Immigration Rules are not met (and, in particular, where there are indications that the requirements of the rules relating to the worker's terms of conditions of employment are not met).</p> <p>Caseworkers must assess the application against the Immigration Rules in the normal way, and complete the Overseas Domestic Worker Indicator cover sheet in respect of the application. The Overseas Domestic Worker Indicator cover sheet can be found in the Temporary Migration shared drive through the overseas domestic worker (ODW) folder. If one or more of the interview indicators is hit, an 'ODW Pilot Special Conditions Flag' should be placed on the case and a note placed on CID under restricted 'Case awaiting interview'. The case should be allocated to TMT11 which will arrange for an interview referral to be sent to the Interview Hub Team.</p>	
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The purpose of the interview will be to establish that the relevant requirements of the Immigration Rules are met. If, however, during the interview the interviewer becomes aware of information that gives rise to a concern that the interviewee is a potential victim of slavery or human trafficking, they should inform the individual:

- that the purpose of the interview is to assist in assessing their overseas domestic worker (ODW) application
- they would also like to ask some questions to consider whether the applicant would benefit from any other assistance
- that the interview will continue
- that they are not required to answer questions which are aimed at determining whether they should be offered any assistance

If the applicant's representative objects to the line of questioning, interviewers should:

- explain that these questions are to make sure that all aspects of their client's ODW application is in line with the Immigration Rules, possibly asking why they are objecting to the line of questioning
- ask the representative to leave to enable you to continue with the interview if the representative continues to object - this may be appropriate if the applicant is looking apprehensive or nervous contact CFI colleagues to join the interview

Interviewers should be aware that in the event that they identify a potential victim of slavery or human trafficking, they may need to act as a First Responder. Information on the role of a First Responder and making a referral to the National Referral Mechanism can be found in the Victims of Modern Slavery: frontline staff guidance, which also contains guidance on indicators of forced labour and domestic servitude.

## Key facts: Domestic workers in private households

This page shows you the key facts for Domestic workers in private households.

Entry requirements	<p><b>Entry requirements (for applicants who applied to enter the UK on or after 6 April 2012)</b></p> <p>The applicant must:</p> <ul style="list-style-type: none"><li>• be aged 18-65 inclusive</li><li>• not intend to live in the UK for extended periods through frequent or successive visits</li><li>• have been employed as a domestic worker for one year or more immediately before the application for entry clearance under the same roof as the employer or in a household the employer uses for themselves on a regular basis</li><li>• provide evidence to demonstrate the connection between employer and employee</li><li>• provide a letter from the employer confirming the domestic worker has been employed by them in that capacity for the 12 immediately before the application</li><li>• provide one of the following documents covering the same period of employment as covered in the letter above:<ul style="list-style-type: none"><li>○ pay slips or bank statements showing payment of salary</li><li>○ P60 form detailing earnings, tax and national insurance contributions paid</li><li>○ confirmation of health insurance paid</li><li>○ contract of employment</li><li>○ work visa, residence permit or equivalent passport endorsement for the country in which the domestic worker was employed by that employer</li><li>○ visas or equivalent passport endorsement to confirm the domestic worker has travelled with the employer</li></ul></li><li>• intend to work for the employer whilst they are in the UK and intend to travel in the company of either:<ul style="list-style-type: none"><li>○ a British or European Economic Area (EEA) national employer, or that employer's British or EEA national spouse, civil partner or child, if the employer's usual place of residence is outside the UK and the employer does not intend to remain in the UK more than 6 months</li><li>○ a British or EEA national employer's foreign national spouse, civil partner or child where the employer does not intend to remain in the UK beyond 6 months</li><li>○ a foreign national employer or the employer's spouse, civil partner or child where the employer is seeking or has been granted entry clearance or leave to enter under part 2 of the Immigration Rules</li></ul></li><li>• intend to leave the UK at the end of 6 months or at the same time as the employer, whichever is the earlier</li></ul>
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- have agreed in writing, terms and conditions of employment in the UK with the employer, including specifically, that the applicant will be paid in line with the National Minimum Wage Act 1998, and produces evidence of this in the form set out in appendix 7 of the Immigration Rules with the entry clearance application
- satisfy the entry clearance or immigration officer that throughout their time in the UK they will be paid at least the national minimum wage rate that they are entitled to by law
- provide a statement from their employer that the work they shall carry out in the UK does not constitute employment under paragraph 57 of the National Minimum Wage Regulations 2015
- not take employment other than as a domestic worker in a private household
- maintain and accommodate themselves adequately without recourse to public funds
- hold a valid entry clearance for entry in this capacity

**Extension requirements (for applicants who applied to enter the UK on or after 6 April 2012).**

The applicant must:

- have entered the UK with valid entry clearance as a domestic worker in a private household
- have been granted less than 6 months leave to enter in this capacity
- have continued to be employed for the duration of leave granted as a domestic worker in the private household of the employer who they entered with or joined in the UK
- satisfy the Secretary of State that throughout their time in the UK they will be paid at least the national minimum wage rate that they are entitled to by law
- provide a statement from their employer that the work they shall carry out in the UK does not constitute employment under paragraph 57 of the National Minimum Wage Regulations 2015
- continue to be needed for employment for the period of the extension sought as a domestic worker in a private household the employer lives in, if there is evidence of this in the form of written terms and conditions of employment in the UK as set out in appendix 7 and evidence the employer is living in the UK
- meet the requirements of paragraph 159A(iv) and (vii)

The applicant must not:

- intend to take employment except as a domestic worker in the private household of their employer
- be in the UK in breach of immigration laws except for any

	<p>period of overstaying for a period of 28 days or less after 09 July 2012 which will be disregarded</p> <p><b>Extension requirements (for applicants who applied to enter the UK before 6 April 2012).</b></p> <p>The applicant must:</p> <ul style="list-style-type: none"> <li>• have entered the UK with a valid entry clearance as a domestic worker in a private household under the rules in place before 6 April 2012</li> <li>• have continued to be employed for the duration of leave granted as a full time domestic worker in a private household</li> <li>• continue to be needed for employment for the period of the extension sought as a domestic worker in a private household under the same roof as their employer or in the same household the employer has lived in and where evidence of this in the form of written terms and conditions of employment in the UK as set out in appendix 7 with evidence that the employer resides in the UK</li> <li>• satisfy the Secretary of State that throughout their continued employment they will be paid at least the national minimum wage rate that they are entitled to by law</li> <li>• provide a statement from their employer that the work they shall carry out in the UK does not constitute employment under paragraph 57 of the National Minimum Wage Regulations 2015</li> <li>• meet the requirements of paragraph 159A (i) and (vii)</li> </ul> <p>The applicant must not:</p> <ul style="list-style-type: none"> <li>• intend to take employment except as a full time domestic worker in a private household</li> <li>• be in the UK in breach of immigration laws except for any period of overstaying for a period of 28 days or less which will be disregarded</li> </ul>
Application forms	Application made outside UK – VAF2 Extension (within UK) – FLR(O) Indefinite leave to remain – SET (O)
Cost of application:	<a href="#">Fees for Home Office services</a>
Entry clearance mandatory?	Yes
Is biometric information required for applications made in the UK?	Yes
Code of leave to remain granted	Code 4
Entry clearance endorsements	Under rules before 6 April 2012:

	<ul style="list-style-type: none"> <li>• DOMESTIC WORKER (OTHER) No recourse to public funds. Duration is a maximum of 12 months</li> <li>• DOMESTIC WORKER (VISITOR) No recourse to public funds. Duration is 6 months</li> </ul> <p>The endorsement must not give the employer's details</p> <p>Under rules on or after 6 April 2016:</p> <ul style="list-style-type: none"> <li>• MULT VISA ODW – PRIVATE HOUSEHOLD (name of migrant) (passport number) No recourse to public funds</li> <li>• Leave to enter will be granted for up to 6 months</li> </ul>
Conditions of leave	No recourse to public funds
How long is leave normally granted for?	<p>Under rules before 6 April 2012:</p> <p>Initial applications:</p> <ul style="list-style-type: none"> <li>• up to 12 months</li> <li>• up to 6 months when entering with a visitor</li> </ul> <p>Extensions:</p> <ul style="list-style-type: none"> <li>• a period not exceeding 12 months</li> <li>• where the application is decided before the current leave expires, a period not exceeding 12 months plus the time remaining before the expiry of the current leave</li> </ul> <p>Under rules on or after 6 April 2012:</p> <ul style="list-style-type: none"> <li>• maximum period of stay 6 months or length of stay of employer, whichever is the shorter</li> </ul>
Are dependants allowed?	<p>Under rules before 6 April 2012: Yes</p> <p>Under rules on or after 6 April 2012: No</p>
Work and study allowed?	Work permitted only as a domestic worker in a private household. Must not intend to study.
Is switching into this category allowed?	No
Does this category lead to settlement (indefinite leave to remain)?	<p>Under rules before 6 April 2012: Yes</p> <p>Under rules on or after 6 April 2012: No</p>
Is knowledge of language and life required?	Yes for indefinite leave to remain applications
CID case type	<p>Overseas Domestic Workers – LTR (where entry was under the Immigration Rules before 6 April 2012)</p> <p>Overseas Dom Wk (April 12)(Priv Household) - LTR (where</p>

	entry was under the Immigration Rules on or after 6 April 2012)
Immigration Rules paragraphs	159A-159H

## Domestic workers in private households

### Changes to this guidance

<a href="#">Key facts</a> <a href="#">Domestic worker qualifying criteria</a> <a href="#">Evidence required from the applicant</a> <a href="#">Extension requirements</a> <a href="#">Compliance with UK employment laws</a> <a href="#">Human trafficking</a> <a href="#">Granting or refusing</a> <a href="#">Changing employer</a> <a href="#">Settlement</a> <a href="#">Dependants</a>	<p>This page lists changes to the 'Domestic workers in private households' guidance, with the most recent at the top.</p>	<p><b>Related links</b></p> <p><a href="#">Contact</a></p> <p><a href="#">Information owner</a></p> <p>Link to staff intranet removed.</p> <p><a href="#">About this guidance</a></p>											
	<table border="1"> <thead> <tr> <th data-bbox="450 384 831 432">Date of the change</th> <th data-bbox="831 384 1532 432">Details of the change</th> </tr> </thead> <tbody> <tr> <td data-bbox="450 432 831 619">9 June 2016</td> <td data-bbox="831 432 1532 619">           Change request:           <ul style="list-style-type: none"> <li>• granting or refusing entry clearance               <ul style="list-style-type: none"> <li>○ endorsement for entry clearance issued under the rules after 6 April 2016</li> </ul> </li> </ul> </td> </tr> <tr> <td data-bbox="450 619 831 842">12 May 2016</td> <td data-bbox="831 619 1532 842">           Change request:           <ul style="list-style-type: none"> <li>• About this guidance:               <ul style="list-style-type: none"> <li>○ new sub-heading 'Interviews' has been added</li> </ul> </li> </ul> </td> </tr> <tr> <td data-bbox="450 842 831 1294">6 April 2016</td> <td data-bbox="831 842 1532 1294">           Change request:           <ul style="list-style-type: none"> <li>• About this guidance:               <ul style="list-style-type: none"> <li>○ sub-heading 'Changes to the Immigration Rules 6 April 2012 and 6 April 2016' has been changed</li> <li>○ new sub-heading Domestic Workers and Modern Slavery has been added</li> </ul> </li> <li>• references to paragraph 57 of the National Minimum Wage Action added throughout this guidance</li> </ul> </td> </tr> <tr> <td data-bbox="450 1294 831 1401"></td> <td data-bbox="831 1294 1532 1401">           For previous changes to this guidance you will find all earlier versions in the archive. See related link: Domestic workers in private         </td> </tr> </tbody> </table>		Date of the change	Details of the change	9 June 2016	Change request: <ul style="list-style-type: none"> <li>• granting or refusing entry clearance               <ul style="list-style-type: none"> <li>○ endorsement for entry clearance issued under the rules after 6 April 2016</li> </ul> </li> </ul>	12 May 2016	Change request: <ul style="list-style-type: none"> <li>• About this guidance:               <ul style="list-style-type: none"> <li>○ new sub-heading 'Interviews' has been added</li> </ul> </li> </ul>	6 April 2016	Change request: <ul style="list-style-type: none"> <li>• About this guidance:               <ul style="list-style-type: none"> <li>○ sub-heading 'Changes to the Immigration Rules 6 April 2012 and 6 April 2016' has been changed</li> <li>○ new sub-heading Domestic Workers and Modern Slavery has been added</li> </ul> </li> <li>• references to paragraph 57 of the National Minimum Wage Action added throughout this guidance</li> </ul>		For previous changes to this guidance you will find all earlier versions in the archive. See related link: Domestic workers in private	
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		households - archive.		
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## Domestic workers in private households

### Domestic worker qualifying criteria

<p><a href="#">Key facts</a> <a href="#">Evidence required from the applicant</a> <a href="#">Extension requirements</a> <a href="#">Compliance with UK employment laws</a> <a href="#">Human trafficking</a> <a href="#">Granting or refusing</a> <a href="#">Changing employer</a> <a href="#">Settlement</a> <a href="#">Dependants</a></p>	<p>This section tells you what you must check to see if an applicant meets the entry requirements in the domestic worker in a private household category.</p> <p>All applicants seeking to enter in this capacity must have entry clearance.</p> <p>When you consider an application you must check:</p> <ul style="list-style-type: none"><li>• the application is valid</li><li>• the applicant's passport or travel document is genuine</li><li>• the applicant meets the substantive requirements of the category</li><li>• there are no general grounds for refusal</li><li>• the applicant has given their biometric information</li></ul> <p>For more information, see related links:</p> <ul style="list-style-type: none"><li>• specified application forms and procedures</li><li>• passports and travel documents</li><li>• general grounds for refusal</li><li>• biometric information</li></ul> <p><b>Entry requirements</b></p> <p>An applicant seeking entry to the UK as a domestic worker in a private household must meet the requirements set out in paragraph 159A of the Immigration Rules.</p> <p>Under paragraph 159A the applicant must:</p> <ul style="list-style-type: none"><li>• be aged 18-65 inclusive</li><li>• have been employed as a domestic worker under the same roof as the employer, or in a household the employer uses for themselves on a regular basis, for one year or more immediately before applying for entry clearance and provide evidence to demonstrate</li></ul>	<p><b>In this section</b></p> <p><a href="#">Previous employment</a></p> <p><a href="#">Employment in the UK</a></p> <p><b>Related links</b></p> <p>Links to staff intranet removed.</p> <p><b>External links</b></p> <p><a href="#">Immigration Rules paragraphs 159A – 159H</a></p> <p><a href="#">Immigration Rules - paragraphs 46G-46L</a></p> <p><a href="#">Immigration Rules: paragraph 6</a></p> <p><a href="#">Appendix 7 of the Immigration Rules</a></p>
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the connection between employer and employee

- provide a letter from the employer confirming the domestic worker has been employed by them in that capacity for the twelve months immediately before the application
- provide one of the following documents covering the same period of employment as covered in the letter above:
  - pay slips or bank statements showing payment of salary
  - evidence of tax paid
  - evidence of health insurance paid
  - contract of employment
  - work visa, residence permit or equivalent passport endorsement for the country in which the domestic worker has been employed by that employer
  - visas or equivalent passport endorsement to confirm the domestic worker has travelled with the employer
- intend to work for the employer whilst the employer is in the UK and intend to travel in the company of either:
  - a British or European Economic Area (EEA) national employer, or that employer's British or EEA national spouse, civil partner or child, where the employer's usual place of residence is outside the UK and where the employer does not intend to remain in the UK beyond 6 months
  - a British or EEA national employer's foreign national spouse, civil partner or child where the employer does not intend to remain in the UK beyond 6 months
  - foreign national employer or the employer's spouse, civil partner or child where the employer is seeking, or has been granted, entry clearance or leave to enter under part 2 of the Immigration Rules (visitors)
- intend to leave the UK at the end of 6 months or at the same time as the employer, whichever is the earlier
- satisfy the entry clearance or immigration officer that throughout their time in the UK they will be paid at least the national minimum wage rate that they are entitled to by law
- provide a statement from their employer that the work they shall carry out in the UK does not constitute employment under paragraph 57 of the National Minimum Wage Regulations 2015
- have agreed in writing, terms and conditions of employment in the UK, with the employer, including specifically that the applicant will be paid in line with the National

Minimum Wage Act 1998 and produces evidence of this in the form set out in appendix 7 of the Immigration Rules with the entry clearance application

- maintain and accommodate themselves adequately without recourse to public funds
- hold a valid entry clearance for entry in this capacity

The applicant must not:

- take employment other than as a full time domestic worker, within the terms of paragraph 159A of the Immigration Rules
- intend to live in the UK for extended periods through frequent or successive visits

For more information on the documentary evidence the applicant must provide to prove they meet the entry requirements under paragraph 159A, see link on left: Evidence required from the applicant.

Successful applicants will be issued with a letter, by an entry clearance officer, with their visa, informing them they have rights under the UK’s criminal and employment laws. See related link: Overseas domestic worker information letter.

The main points on which the immigration officer needs to be satisfied are:

- the applicant holds a valid entry clearance, for endorsements see table below
- there is no reason to believe false representations were made in order to obtain the entry clearance or that circumstances have changed since its issue
- refusal is not justified on the grounds of restricted returnability, medical grounds, grounds of criminal record, or on the grounds that the person is the subject of a deportation order or their exclusion is conducive to the public good

For applicants who applied to enter the UK before 6 April 2012	DOMESTIC WORKER (OTHER)
For applicants who applied to enter the UK before 6 April 2012 - where the employer is entering as a visitor	DOMESTIC WORKER (VISITOR)
For applicants who applied to enter the UK	MULT

on or after 6 April 2012

VISA ODW – PRIVATE HOUSEHOLD

Entry clearance will normally allow unlimited entries within the period of validity shown on the entry clearance. Leave to enter will only be endorsed by the officer on the applicant's first arrival in the UK and not on any subsequent occasions.

## Domestic workers in private households

### Frequency and duration of stay

<p><a href="#">Key facts</a> <a href="#">Domestic worker qualifying criteria</a> <a href="#">Evidence required from the applicant</a> <a href="#">Extension requirements</a> <a href="#">Compliance with UK employment laws</a> <a href="#">Human trafficking</a> <a href="#">Granting or refusing</a> <a href="#">Changing employer</a> <a href="#">Settlement</a> <a href="#">Dependants</a></p>	<p>This page tells you about the frequency and duration of stay when deciding domestic worker applications.</p> <p><b>Frequency and duration of stay</b> Domestic workers cannot live in the UK on a continuous basis, even if they leave the UK for short periods to avoid overstaying.</p> <p>There is no specific limit on the number of times a domestic worker can come to the UK, or a definitive rule which states they can only stay in the UK for '6 months in a 12 month period'. Domestic workers, however, must not be living in the UK for extended periods because of frequent, successive visits.</p> <p>For example, an individual spends 5 or 6 months in the UK as a domestic worker and returns after a short break outside of the UK for a further 5 or 6 months.</p> <p>This could amount to genuine residence. However, this is not a hard and fast rule and you must consider the circumstances of each case on an individual basis.</p> <p><b>Assessing residence through successive grants of leave as a domestic worker</b> You must consider the following factors to assess whether the domestic worker is residing in the UK because of frequent, successive visits:</p> <ul style="list-style-type: none"><li>• the purpose and intended length of stay stated on the domestic worker's visa application form or to the immigration officer</li><li>• the number of grants of leave as a domestic worker over the past year (rolling 12 month period), including:<ul style="list-style-type: none"><li>○ the length of stay on each occasion</li><li>○ the time elapsed since the last grant of leave as a domestic worker</li><li>○ whether this amounts to the individual spending more time in the UK than in their home country</li></ul></li><li>• the purpose of return trips to the domestic worker's home country and whether this is</li></ul>	<p><b>Related links</b> <a href="#">Previous employment</a>  <a href="#">Employment in the UK</a></p> <p><b>External links</b> <a href="#">Immigration Rules paragraphs 159A – 159H</a></p>
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used only to be readmitted to the UK: the links they have with their home country such as:

- main residence
- family or other long term commitments
- where they are registered for tax purposes
- evidence the UK is their main place of residence such as:
  - have they registered with a general practitioner (GP)
- evidence the UK is their employer's main place of residence such as:
  - where they are registered for tax purposes
  - whether they are making frequent, successive visits with or without the domestic worker

## Domestic workers in private households

### Previous employment

<p><a href="#">Key facts</a> <a href="#">Domestic worker qualifying criteria</a> <a href="#">Evidence required from the applicant</a> <a href="#">Extension requirements</a> <a href="#">Compliance with UK employment laws</a> <a href="#">Human trafficking</a> <a href="#">Granting or refusing</a> <a href="#">Changing employer</a> <a href="#">Settlement</a> <a href="#">Dependants</a></p>	<p>This page explains the requirements for previous employment for domestic workers.</p> <p><b>Period of previous employment</b> The applicant must have been employed by their current employer as a domestic worker for a minimum period of 12 months immediately before their application for entry clearance. Evidence of the period of previous employment must be provided by the employer.</p> <p>The purpose of the minimum period of previous employment with the employer (or with the employer's spouse or minor child forming part of the same household as the employer) is to make sure there is a genuine existing relationship between employer and employee. It is also to prevent recruitment of overseas domestic workers by people in the UK.</p> <p>A short gap within the 12 months does not necessarily disqualify the applicant. An explanation of any gap in employment must be provided with the application to make sure any break does not indicate the lack of a genuine existing relationship between employer and employee.</p> <p><b>Terms of previous employment</b> Before coming to the UK the applicant must have carried out duties as a domestic worker in the private household belonging to the employer. These duties must have been:</p> <ul style="list-style-type: none"><li>• under the same roof as the person receiving the services</li><li>• working in a household the employer uses on a regular basis</li></ul> <p>For example, their own private family home(s), to establish a legitimate connection between employer and employee. Duties carried out in a home belonging to family members of the employer (if the employer does not live in the same household) will not qualify the worker to be admitted under this category.</p>	<p><b>Related links</b> <a href="#">Employment in the UK</a> <a href="#">Evidence required from the applicant</a> <a href="#">Frequency and duration of stay</a></p> <p><b>External links</b> <a href="#">Immigration Rules paragraphs 159A – 159H</a></p>
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## Domestic workers in private households

### Employment in the UK

<p><a href="#">Key facts</a> <a href="#">Domestic worker qualifying criteria</a> <a href="#">Evidence required from the applicant</a> <a href="#">Extension requirements</a> <a href="#">Compliance with UK employment laws</a> <a href="#">Human trafficking</a> <a href="#">Granting or refusing</a> <a href="#">Changing employer</a> <a href="#">Settlement</a> <a href="#">Dependants</a></p>	<p>This page explains the requirements for domestic workers employment in the UK.</p> <p><b>Type of employment in the UK</b> The applicant must be intending to work full time in a domestic capacity under the same roof as their employer or in a household the employer uses themselves on a regular basis and where there is evidence of a connection between the domestic worker and their employer.</p> <p>Domestic workers may not be employed to work as a domestic worker for a business, agency or be self-employed.</p> <p>The employer's company may pay the domestic worker's wages provided it is part of the employer's employment package. If the employer owns the business they may arrange to pay the domestic worker through their business, but you must make sure the domestic worker will be working only in the employer's private household. For example by checking the address of employment given.</p> <p><b>Job description in the UK</b> Domestic workers may include:</p> <ul style="list-style-type: none"><li>• cleaners</li><li>• chauffeurs</li><li>• gardeners</li><li>• cooks</li><li>• nannies</li><li>• those carrying out personal care for the employer or a member of the employer's family</li><li>• those providing a personal service relating to the running of the employer's household, for example, those whose duties include protecting the employer and members of their family</li></ul>	<p><b>Related links</b> <a href="#">Previous employment</a></p> <p><a href="#">Compliance with UK employment laws - National minimum Wage</a></p> <p><a href="#">Frequency and duration of stay</a></p> <p><b>External links</b> <a href="#">Immigration Rules paragraphs 159A – 159H</a></p>
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## Domestic workers in private households

### Evidence required from the applicant

<p><a href="#">Key facts</a> <a href="#">Domestic worker qualifying criteria</a> <a href="#">Extension requirements</a> <a href="#">Compliance with UK employment laws</a> <a href="#">Human trafficking</a> <a href="#">Granting or refusing</a> <a href="#">Changing employer</a> <a href="#">Settlement</a> <a href="#">Dependants</a></p>	<p>This page tells you about the documentary evidence an applicant in the domestic worker in a private household category must provide with their application.</p> <p>The documentary evidence is to prove they meet the specified requirements to enter or extend their stay or be granted leave to remain.</p> <p><b>Confirming previous employment</b></p> <p>The applicant must provide a letter from their employer confirming they have been employed by them as a domestic worker for the 12 months immediately before making the application for entry clearance.</p> <p>They must also provide one document from the following list relating to the same period of employment:</p> <ul style="list-style-type: none"><li>• evidence of payment of salary, for example pay slips or bank statements</li><li>• evidence of payment of tax</li><li>• evidence of payment of health insurance</li><li>• contract of employment</li><li>• work visa, residence permit or equivalent passport endorsement for the country in which they worked as a domestic worker</li><li>• visas or passport endorsements confirming they travelled with the employer</li></ul> <p><b>Specific terms and conditions of employment</b></p> <p>A 'statement of terms and conditions of employment' or a 'contract of employment' completed and signed by themselves and their employer.</p> <p>You must make sure the document submitted is in the form at appendix 7 of the Immigration Rules. This includes confirmation of:</p> <ul style="list-style-type: none"><li>• pay</li></ul>	<p><b>Related links</b></p> <p><b>External links</b> <a href="#">Immigration Rules paragraphs 159A – 159H</a></p> <p><a href="#">Appendix 7 of the Immigration Rules</a></p>
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- time off
- sleeping accommodation to be provided to the domestic worker
- holiday entitlement

This documentary evidence is required for applications:

- for entry clearance
- to extend stay, this applies to all applicants regardless of when they entered the UK with valid entry clearance
- under the rules in place before 6 April 2012, for settlement and, when a domestic worker changes employer

#### **Confirming maintenance and accommodation**

Evidence the domestic worker can maintain and accommodate themselves adequately without recourse to public funds such as:

- recent pay slips or bank statements showing payment of salary
- details of the employee's address in the UK
- the sleeping accommodation whilst here

This documentary evidence is needed for applications:

- for entry clearance
- to extend stay, this applies to all applicants regardless of when they entered the UK with valid entry clearance

#### **Confirming employer residency in the UK**

Evidence the employer is residing in the UK at the address given such as a:

- passport or travel document
- document relating to the residing address, such as:
  - property rental
  - tenancy agreement
  - recent council tax bill

- recent utility bill

This is required for any application to extend stay regardless of when the applicant entered the UK with valid entry clearance.

For those applying to extend their stay under the rules on or after 6 April 2012, evidence of their continued hotel booking is acceptable instead of property rental or tenancy agreement or recent council tax or utility bills relating to the residing address.

## Domestic workers in private households

### Extension requirements

<p><a href="#">Key facts</a> <a href="#">Domestic worker qualifying criteria</a> <a href="#">Evidence required from the applicant</a> <a href="#">Compliance with UK employment laws</a> <a href="#">Human trafficking</a> <a href="#">Granting or refusing</a> <a href="#">Changing employer</a> <a href="#">Settlement</a> <a href="#">Dependants</a></p>	<p>This section explains the requirements a person in the UK as a domestic worker in a private household must meet to get an extension of stay in the UK.</p> <p>For more information, see links in this section:</p> <ul style="list-style-type: none"><li>• Extension: applicants who applied to enter UK before 6 April 2012</li><li>• Extension: applicants who applied to enter UK on or after 6 April 2012</li></ul>	<p><b>In this section</b> <a href="#">Extension – applicants who applied to enter UK before 6 April 2012</a>  <a href="#">Extension – applicants who applied to enter UK on or after 6 April 2012</a>  <b>External links</b> <a href="#">Immigration Rules paragraphs 159A – 159H</a></p>
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## Domestic workers in private households

### Extension: applicants who applied to enter UK before 6 April 2012

<p><a href="#">Key facts</a> <a href="#">Domestic worker qualifying criteria</a> <a href="#">Evidence required from the applicant</a> <a href="#">Extension requirements</a> <a href="#">Compliance with UK employment laws</a> <a href="#">Human trafficking</a> <a href="#">Granting or refusing</a> <a href="#">Changing employer</a> <a href="#">Settlement</a> <a href="#">Dependants</a></p>	<p>This page explains the requirements a person must meet to extend their stay in the UK as a domestic worker in a private household if they entered the UK with valid entry clearance under the rules in place before 6 April 2012.</p> <p>These individuals are allowed to extend their visas up to either:</p> <ul style="list-style-type: none"><li>• a maximum of 12 months at a time</li><li>• where the application is decided before the current leave expires, a period not exceeding 12 months plus the time remaining before the expiry of the current leave</li></ul> <p>When you consider an application you must check:</p> <ul style="list-style-type: none"><li>• the application is valid</li><li>• the applicant's passport or travel document is genuine</li><li>• the applicant meets the substantive requirements of the category</li><li>• there are no general grounds for refusal</li></ul> <p>For more information, see related links:</p> <ul style="list-style-type: none"><li>• specified application forms and procedures</li><li>• passports and travel documents</li><li>• general grounds for refusal</li></ul> <p><b>Requirements for extension of stay</b> An applicant seeking further leave to remain will need to show they continue to meet the requirements set out in paragraph 159EA of the Immigration Rules.</p> <p>Under paragraph 159EA the applicant must:</p> <ul style="list-style-type: none"><li>• have entered the UK with valid entry clearance as a domestic worker in a private</li></ul>	<p><b>Related links</b></p> <p>Links to staff intranet removed.</p> <p><a href="#">Compliance with UK employment laws - National minimum wage</a></p> <p><b>External links</b> <a href="#">Immigration Rules paragraphs 159A – 159H</a> <a href="#">Appendix 7 of the Immigration Rules</a></p>
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- household under the rules in place before 6 April 2012
- have continued to be employed for the duration of leave granted as a domestic worker in a private household
- continue to be required for employment for the period of the extension sought as a full time domestic worker in a private household the employer lives in and where there is evidence of a connection between employer and employee
- satisfy the entry clearance or immigration officer that throughout their time in the UK they will be paid at least the national minimum wage rate that they are entitled to by law
- provide a statement from their employer that the work they shall carry out in the UK does not constitute employment under paragraph 57 of the National Minimum Wage Regulations 2015
- not intend to take employment except as a domestic worker in the private household
- not be in breach of immigration laws, except:
  - for any period of overstaying for 28 days or less which will be disregarded
  - if the application was submitted before 9 July 2012
- must also meet the following requirements:
  - they must be aged 18-65 inclusive
  - they must be able to show they can maintain and accommodate themselves adequately without recourse to public funds

For more information on overstayers, see related link: [Applications from overstayers \(non family routes\)](#).

The applicant must only intend to work for one employer at a time, doing one job, full time. They are not allowed to work for a business or agency or become self-employed.

To prove they meet the requirements of paragraph 159EA they must provide:

- an application form FLR(O) together with the following specified documents:
  - an updated 'statement of the terms and conditions of employment' or 'contract of employment' signed by the employer and employee, providing all the information needed on the form at appendix 7 of the Immigration Rules (see related link). This must include full details of the domestic worker's duties

- evidence the employer is residing in the UK at the address given, such as a passport or travel document and property rental or tenancy agreement or recent council tax or utility bills relating to the residing address
- evidence they continued to be employed for the duration of leave granted as a full time domestic worker in the private household of the employer - they must be able to show they can maintain and accommodate themselves without recourse to public funds - for example:
  - recent pay slips or bank statements showing payment of salary
  - details of the employee's address in the UK
  - the sleeping accommodation whilst here

For more information see link on left: Evidence required from the applicant.

The endorsement for those who entered the UK with valid entry clearance under the rules in place before 6 April 2012 is:

Vignette:

- DOMESTIC WORKER (OTHER) No recourse to public funds. Duration is a maximum of 12 months
- DOMESTIC WORKER (VISITOR) No recourse to public funds. Duration is 6 months

Biometric residence permit (BRP):

- DOMESTIC WORKER  
LEAVE TO REMAIN  
RESTRICTED WORK  
PRIVATE HOUSEHOLD ONLY

The back of the card will hold:

- NO PUBLIC FUNDS and police registration if required

	The GCID case type is: Overseas Domestic Worker – LTR.	
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## Domestic workers in private households

### Extension – applicants who applied to enter UK on or after 6 April 2012

<p><a href="#">Key facts</a> <a href="#">Domestic worker qualifying criteria</a> <a href="#">Evidence required from the applicant</a> <a href="#">Extension requirements</a> <a href="#">Compliance with UK employment laws</a> <a href="#">Human trafficking</a> <a href="#">Granting or refusing</a> <a href="#">Changing employer</a> <a href="#">Settlement</a> <a href="#">Dependants</a></p>	<p>This page explains the requirements a person must meet to extend their stay in the UK as a domestic worker in a private household if they entered the UK with valid entry clearance under the rules in place on or after 6 April 2012.</p> <p>These individuals are allowed to extend their visas to take their stay in the UK up to a maximum of 6 months where they were granted less than 6 months on entry.</p> <p>When you consider an application you must check:</p> <ul style="list-style-type: none"><li>• the application is valid</li><li>• the applicant's passport or travel document is genuine</li><li>• the applicant meets the substantive requirements of the category</li><li>• there are no general grounds for refusal</li></ul> <p>For more information, see related links:</p> <ul style="list-style-type: none"><li>• specified application forms and procedures</li><li>• general grounds for refusal</li></ul> <p><b>Requirements for extension of stay</b></p> <p>An applicant seeking further leave to remain with their employer must show they meet the requirements set out in paragraph 159D of the Immigration Rules.</p> <p>Under paragraph 159D the applicant must:</p> <ul style="list-style-type: none"><li>• have entered the UK with a valid entry clearance as a domestic worker in a private household (this will be in the form of a stick-in vignette which is placed in the passport or travel document)</li><li>• have been granted less than 6 months leave to enter in this capacity (the relevant date for calculating an extension under paragraph 159E is the date on the entry clearance)</li></ul>	<p><b>Related links</b></p> <p>Links to staff intranet removed.</p> <p><a href="#">Compliance with UK employment laws - National minimum wage</a></p> <p><b>External links</b></p> <p><a href="#">Immigration Rules paragraphs 159A – 159H</a></p> <p>Link to staff email removed.</p> <p><a href="#">Appendix 7 of the Immigration Rules</a></p> <p><a href="#">Application Form FLR(O)</a></p>
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stamp)

- have continued to be employed for the duration of leave granted as a domestic worker in the private household of the employer with whom the applicant entered or joined in the UK
- continue to be required for employment for the period of the extension sought as a domestic worker in a private household the employer lives in
- not intend to take employment except as a domestic worker in the private household of the employer
- intend to leave the UK at the end of 6 months or at the same time as the employer, whichever is the earlier
- satisfy the entry clearance or immigration officer that throughout their time in the UK they will be paid at least the national minimum wage rate that they are entitled to by law
- provide a statement from their employer that the work they shall carry out in the UK does not constitute employment under paragraph 57 of the National Minimum Wage Regulations 2015
- have agreed in writing, terms and conditions of employment in the UK with the employer, including evidence to show the applicant will be paid in line with the National Minimum Wage Act 1998 and any regulations made under it, by using the form set out in appendix 7 (see related link)
- maintain and accommodate themselves adequately without recourse to public funds

The applicant must not:

- take employment other than as a domestic worker in a private household
- be in breach of immigration laws, except:
  - for any period of overstaying for a period of 28 days or less after 09 July 2012 which will be disregarded

For more information on overstayers, see related link: Applications from overstayers (non family routes).

The applicant must only intend to be working for the employer with whom they came to the UK on a full time basis. They are not allowed to work for a business or agency or become

self-employed.

To prove they meet the requirements of paragraph 159D they must provide:

- an application form FLR(O) together with the following specified documents:
  - an updated 'statement of the terms and conditions of employment' or 'contract of employment' signed by the employer and employee, providing all of the information needed on the form at appendix 7 of the Immigration Rules (see related link) - this must include full details of the domestic worker's duties
  - evidence the employer is residing in the UK at the address given such as a passport or travel document and property rental or tenancy agreement or recent council tax or utility bills which relate to the residing address
- evidence to show they continued to be employed for the duration of leave granted as a domestic worker in the private household of the employer - they must be able to show they can maintain and accommodate themselves without recourse to public funds - for example:
  - recent pay slips or bank statements showing payment of salary
  - details of the employee's address in the UK
  - the sleeping accommodation whilst here

The endorsement for those granted under the rules in place after 6 April 2012 is:

Vignette:

- MULT  
VISA ODW – PRIVATE HOUSEHOLD  
(name of migrant)  
(passport number)  
No recourse to public funds

Biometric residence permit (BRP):

- DOMESTIC WORKER-PH  
LEAVE TO REMAIN

Rear

- NO PUBLIC FUNDS  
(Police registration not applicable as leave cannot extend beyond 6 months)

You must also make sure the BRP includes the employer's name.

Vignettes central coordination team (CCT) will place the employer's name on the card. Contact them using the related link supplying the case details and the name of the employer. You must wait for CCT to confirm the employer details have been entered before you produce the BRP card.

For more information about creating a free text permit, see related link.

The GCID case type is:

- Overseas Dom Wk (April 12)(Priv Household) – LTR

## Domestic workers in private households

### Compliance with UK employment laws: National minimum wage

<p><a href="#">Key facts</a> <a href="#">Domestic worker qualifying criteria</a> <a href="#">Evidence required from the applicant</a> <a href="#">Extension requirements</a> <a href="#">Human trafficking</a> <a href="#">Granting or refusing</a> <a href="#">Changing employer</a> <a href="#">Settlement</a> <a href="#">Dependants</a></p>	<p>This page explains the national minimum wage (NMW) requirements for domestic workers.</p> <hr/> <p><b>Official – sensitive: start of section</b></p> <p>This information has been removed as it is restricted for internal Home Office use.</p> <hr/> <p><b>Official – sensitive: end of section</b></p> <p>Domestic workers should be paid at least the NMW. For NMW rates, see related link: <a href="#">GOV.UK - National minimum wage rates</a>.</p> <p>Employers of domestic workers must provide a statement confirming that the work to be carried out in the UK does not meet the terms of paragraph 57 of the National Minimum Wage Regulations 2015. This section provides an exemption from the NMW for those living as part of the family.</p> <p>All domestic workers must have a contract using the template provided in appendix 7. This contract was revised in April 2015 and must be completed in full for all applications for leave to enter and leave to remain.</p> <p>You must check that the salary arrangements meet the requirements of the National Minimum Wage Regulations. These rates are amended, usually annually, so you must make sure that you are using the correct rates. There is a calculator at the related link <a href="#">GOV.UK - National minimum wage</a> - that can be used to check whether salaries meet the relevant rate. You must make sure that salaries quoted in monthly (or other) time periods</p>	<p><b>Related links</b> Link to staff intranet removed.</p> <p><b>External links</b> <a href="#">Immigration Rules paragraphs 159A – 159H</a></p> <p><a href="#">Appendix 7 of the Immigration Rules</a></p> <p><a href="#">GOV.UK - National minimum wage rates</a></p> <p><a href="#">GOV.UK - National minimum wage: accommodation</a></p>
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	<p>are prorated to a weekly sum. The calculation for this would be to take a monthly sum, multiply it by 12, and divide by 52.</p> <p>Please note that that the only amount that may be offset against the NMW is an accommodation offset. The amount is specified in related link <a href="#">GOV.UK - National minimum wage: accommodation</a>. Allowances for items such as food, travel, phone calls, and so on, cannot be offset against the NMW entitlement.</p> <p>Where you are not satisfied that the NMW entitlement is met, the application should be refused.</p>	
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## Domestic workers in private households

### Human trafficking

<p><a href="#">Key facts</a> <a href="#">Domestic worker qualifying criteria</a> <a href="#">Evidence required from the applicant</a> <a href="#">Extension requirements</a> <a href="#">Compliance with UK employment laws</a> <a href="#">Granting or refusing</a> <a href="#">Changing employer</a> <a href="#">Settlement</a> <a href="#">Dependants</a></p>	<p>This page explains what action to take when you suspect human trafficking in domestic worker cases.</p> <p>From 1 April 2009 the UK has been bound by the Council of Europe Convention on action against trafficking in human beings.</p> <p>The purpose of the Convention is to:</p> <ul style="list-style-type: none"><li>• prevent and combat trafficking in human beings</li><li>• identify and protect victims of trafficking and to safeguard their rights</li><li>• promote international cooperation against trafficking</li></ul> <p>If human trafficking is suspected you must seek advice from a manager or single point of contact (SPOC) on human trafficking.</p>	<p><b>Related links</b></p> <p>Links to staff intranet removed.</p> <p><b>External links</b> <a href="#">Immigration Rules paragraphs 159A – 159H</a></p>
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## Domestic workers in private households

### Granting or refusing

<p><a href="#">Key facts</a> <a href="#">Domestic worker qualifying criteria</a> <a href="#">Evidence required from the applicant</a> <a href="#">Extension requirements</a> <a href="#">Compliance with UK employment laws</a> <a href="#">Human trafficking</a> <a href="#">Changing employer</a> <a href="#">Settlement</a> <a href="#">Dependants</a></p>	<p>This section tells you about granting or refusing an application for a domestic worker.</p> <p>For more information, see links in this section:</p> <ul style="list-style-type: none"><li>• <a href="#">Granting or refusing entry clearance</a></li><li>• <a href="#">Granting or refusing entry at UK port</a></li><li>• <a href="#">Granting or refusing an extension of stay in UK</a></li></ul>	<p><b>In this section</b> <a href="#">Granting or refusing entry clearance</a> <a href="#">Granting or refusing entry at UK port</a> <a href="#">Granting or refusing an extension of stay in UK</a></p> <p><b>Related links</b></p> <p>Links to staff intranet removed.</p> <p><b>External links</b> <a href="#">Immigration Rules paragraphs 159A – 159H</a> <a href="#">Immigration Rules paragraphs 320 – 322 (12)</a></p>
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## Domestic workers in private households

### Granting or refusing entry clearance

<p><a href="#">Key facts</a> <a href="#">Domestic worker qualifying criteria</a> <a href="#">Evidence required from the applicant</a> <a href="#">Extension requirements</a> <a href="#">Compliance with UK employment laws</a> <a href="#">Human trafficking</a> <a href="#">Granting or refusing</a> <a href="#">Changing employer</a> <a href="#">Settlement</a> <a href="#">Dependants</a></p>	<p>This page tells you about granting or refusing an application made overseas to come to the UK as a domestic worker.</p> <p><b>Grant entry clearance</b> You must grant entry clearance if the applicant:</p> <ul style="list-style-type: none"><li>• meets all the requirements of paragraph 159A – 159H of the Immigration Rules</li><li>• none of the general grounds for refusal in paragraph 320 apply</li></ul> <p><b>Endorsement for entry clearance issued under the rules in place after 6 April 2016</b></p> <ul style="list-style-type: none"><li>• ODW – PRIVATE HOUSEHOLD</li><li>• No recourse to public funds. Domestic worker in a private household</li></ul> <p><b>Endorsements for applicants who entered the UK with valid entry clearance under the rules in place before 6 April 2012:</b></p> <ul style="list-style-type: none"><li>• ‘DOMESTIC WORKER (OTHER)’</li><li>• where the employer is entering as a visitor, ‘DOMESTIC WORKER (VISITOR)’</li></ul> <p><b>Refusing entry clearance</b> You must refuse the application if:</p> <ul style="list-style-type: none"><li>• the applicant has not provided the required evidence they meet all the requirements of paragraph 159A of the Immigration Rules</li><li>• any of the general grounds for refusal in paragraph 320 apply</li></ul> <p>To see the relevant paragraphs in the Immigration Rules to refer to when refusing domestic workers see related link: Immigration Rules paragraphs 320 – 322 (12)</p>	<p><b>In this section</b> <a href="#">Granting or refusing entry at UK port</a></p> <p><a href="#">Granting or refusing an extension of stay in UK</a></p> <p><b>Related links</b> Link to staff intranet removed.</p> <p><b>External links</b> <a href="#">Immigration Rules paragraphs 159A – 159H</a></p> <p><a href="#">Immigration Rules paragraphs 320 – 322 (12)</a></p>
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## Domestic workers in private households

### Granting or refusing entry at UK port

<p><a href="#">Key facts</a> <a href="#">Domestic worker qualifying criteria</a> <a href="#">Evidence required from the applicant</a> <a href="#">Extension requirements</a> <a href="#">Compliance with UK employment laws</a> <a href="#">Human trafficking</a> <a href="#">Granting or refusing</a> <a href="#">Changing employer</a> <a href="#">Settlement</a> <a href="#">Dependants</a></p>	<p>This page tells you about granting or refusing entry at a UK port to a person seeking to enter the UK as a domestic worker.</p> <p><b>Grant leave to enter</b> Before you grant leave to enter, you must be satisfied:</p> <ul style="list-style-type: none"><li>• the applicant has valid entry clearance</li><li>• there are no reasons to believe the applicant gave false information to obtain the entry clearance or that circumstances have changed since it was issued</li><li>• none of the general grounds for refusal in paragraphs 320 to 321 of the Immigration Rules apply</li></ul> <p><b>Refusing entry</b> You must refuse entry if:</p> <ul style="list-style-type: none"><li>• the applicant does not have entry clearance</li><li>• the applicant has not provided the required evidence they meet all the requirements of paragraph 159A of the Immigration Rules</li><li>• any of the general grounds for refusal in paragraphs 320 to 321 apply: you must read the guidance on general grounds for refusal and on what paragraphs to use, by using the related link: General grounds for refusal</li></ul> <p><b>Refusal paragraphs – no entry clearance</b> You must refuse a:</p> <ul style="list-style-type: none"><li>• visa national seeking entry without valid entry clearance under paragraph 320(5) of the Immigration Rules</li><li>• non-visa national seeking entry without valid entry clearance under paragraph 159C of the Immigration Rules</li></ul>	<p><b>In this section</b> <a href="#">Granting or refusing entry clearance</a></p> <p><a href="#">Granting or refusing an extension of stay in UK</a></p> <p><b>Related links</b> Link to staff intranet removed.</p> <p><b>External links</b> <a href="#">Immigration Rules paragraphs 159A – 159H</a> <a href="#">Immigration Rules paragraphs 320 – 321</a></p>
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## Domestic workers in private households

### Granting or refusing an extension of stay in the UK

<p><a href="#">Key facts</a> <a href="#">Domestic worker qualifying criteria</a> <a href="#">Evidence required from the applicant</a> <a href="#">Extension requirements</a> <a href="#">Compliance with UK employment laws</a> <a href="#">Human trafficking</a> <a href="#">Granting or refusing</a> <a href="#">Changing employer</a> <a href="#">Settlement</a> <a href="#">Dependants</a></p>	<p>This page tells you when to grant or refuse an extension of stay to a person seeking an extension of stay as a domestic worker.</p> <p><b>Granting an extension for applicants who entered the UK with valid entry clearance under the rules in place before 6 April 2012</b></p> <p>You must grant leave to remain if all the following requirements are met:</p> <ul style="list-style-type: none"><li>• the person meets all the requirements of paragraph 159EA of the Immigration Rules, see link on left: Extension requirements</li><li>• you are satisfied none of the general grounds for refusal in paragraph 322 applies, see related links: Immigration Rules paragraphs 320-324 and General grounds for refusal</li></ul> <p><b>Grant period</b></p> <p>You must grant an extension for:</p> <ul style="list-style-type: none"><li>• up to 12 months</li><li>• where the application is decided before the current leave expires, a period not exceeding 12 months plus the time remaining before the current leave expires</li></ul> <p>The GCID case type is:</p> <ul style="list-style-type: none"><li>• Overseas Domestic Worker – LTR</li></ul> <p><b>Applicants who entered the UK with valid entry clearance under the rules in place on or after 6 April 2012:</b></p> <p>You must grant leave to remain up to a period of 6 months less the period already spent in the UK in this capacity if all the following requirements are met:</p> <ul style="list-style-type: none"><li>• the person meets all the requirements of paragraph 159D of the Immigration Rules, see link on left: Extension requirements</li><li>• you are satisfied none of the general grounds for refusal in paragraph 322 applies, see</li></ul>	<p><b>In this section</b></p> <p><a href="#">Granting or refusing entry clearance</a></p> <p><a href="#">Granting or refusing entry at UK port</a></p> <p><b>Related links</b></p> <p>Links to staff intranet removed.</p> <p><b>External links</b></p> <p><a href="#">Immigration Rules paragraphs 159A – 159H</a></p> <p><a href="#">Immigration Rules paragraphs 320 – 324</a></p>
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related link: Immigration Rules paragraphs 320-324

The GCID case type is:

- Overseas Dom Wk (April 12)(Priv Household) – LTR

**Refuse extension**

If you are considering refusing an extension of stay on grounds that are not specific to domestic workers, you must refer to the following guidance using the related links:

- general grounds for refusal
- Immigration Rules paragraphs 320-324

You must refuse an extension of stay as a domestic worker in private households if the applicant does not meet all of the requirements of the relevant paragraphs of the Immigration Rules. These are paragraph 159EA if before 6 April 2012 and paragraph 159D if on or after 6 April 2012.

**Refusal wording**

This is not an exhaustive list of reasons. You must use these paragraphs in combination with any other appropriate paragraphs, for example if you are also refusing on general grounds. See related link: General grounds for refusal.

For information on appeal rights, see related link: Appeals policy.

**Applicants who entered the UK with valid entry clearance under the rules in place before 6 April 2012:**

‘You have applied for an extension of stay in the United Kingdom as a domestic worker in a private household who entered the UK under the Rules in place before 6 April 2012...’

Reason and paragraph	Suggested wording
Not entered with valid entry clearance before	‘...but the Secretary of State is not satisfied that you entered the UK with a valid UK entry clearance as a

	6 April 2012 Paragraph 159EA with reference to 159EA(i)	domestic worker in a private household under the Rules in place before 6 April 2012.'		
	Not continuously employed as a domestic worker Paragraph 159EA with reference to 159EA(ii)	'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you have been continuously employed for the duration of your leave granted as a domestic worker in a private household.'		
	Not required as a domestic worker for period of extension sought in same household Paragraph 159EA with reference to 159EA(iii)	'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you continue to be required for employment for the period of the extension sought as a domestic worker in a private household under the same roof as the employer or in the same household that the employer has lived in.'		
	Intention not to work except as a domestic worker Paragraph 159EA with reference to 159EA(iv)	'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you do not intend to take employment except as a domestic worker in a private household.'		
	Not 18-65 years inclusive Paragraph 159A with reference to 159A(i)	'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you are aged 18-65 inclusive.'		
	National minimum wage Paragraph 159A (va)	'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you will be paid at least the National Minimum Wage to which you are entitled by law throughout your stay in the UK.'		

	<p>Maintenance and accommodation</p> <p>Paragraph 159A(vii)</p>	<p>'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you can maintain and accommodate yourself adequately without recourse to public funds.'</p>		
	<p>Breach of immigration laws</p> <p>Paragraph 159EA with reference to 159EA(vi)</p>	<p>'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you are not in the UK in breach of immigration laws.'</p>		
	<p><b>Applicants who entered the UK with valid entry clearance on or after 6 April 2012:</b>          'You have applied for an extension of stay in the United Kingdom as a domestic worker in a private household who entered the UK under the Rules in place on or after 6 April 2012...'</p>			
	<p><b>Reason and paragraph</b></p>	<p><b>Suggested wording</b></p>		
	<p>Not entered with valid entry clearance</p> <p>Paragraph 159D with reference to 159D(i)</p>	<p>'...but the Secretary of State is not satisfied that you entered the United Kingdom with a valid UK entry clearance as a domestic worker in a private household.'</p>		
	<p>Not granted less than 6 months as a domestic worker</p> <p>Paragraph 159D with reference to 159D(ii)</p>	<p>'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you have been granted less than 6 months leave to enter as a domestic worker in a private household.'</p>		
	<p>Not continued as a domestic for duration of leave in household of employer</p> <p>Paragraph 159D with reference to 159D(iii)</p>	<p>'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you have continued to be employed for the duration of leave granted as a domestic worker in the private household of the employer with whom you entered or joined in the UK.'</p>		

	<p>Not required as a domestic worker for period of extension sought in employer household</p> <p>Paragraph 159D with reference to 159D(iv)</p>	<p>'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you continue to be required for employment for the period of the extension sought as a domestic worker in a private household that the employer lives in.'</p>		
	<p>Intention not to work except as a domestic worker</p> <p>Paragraph 159D with reference to 159D(v)</p>	<p>'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you do not intend to take employment except as a domestic worker in a private household of the employer.'</p>		
	<p>Intention to leave the UK</p> <p>Paragraph 159A with reference to 159A(iv)</p>	<p>'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you intend to leave the UK at the end of six months in the UK or at the same time as the employer, whichever is the earlier.'</p>		
	<p>Intention to leave the UK – live in the UK for extended periods</p> <p>Paragraph 159A with reference to 159A(iv)</p>	<p>'...but in view of [insert details for the refusal ...] the Secretary of State is satisfied that you intend to live for extended periods in the UK as a result of your frequent / successive visits.</p>		
	<p>National minimum wage</p> <p>Paragraph 159A (va)</p>	<p>'....but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you will be paid at least the National Minimum Wage to which you are entitled by law throughout your stay in the UK.'</p>		
	<p>Maintenance and accommodation</p> <p>Paragraph 159A(vii)</p>	<p>'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you can maintain and accommodate yourself adequately without recourse to public funds.'</p>		

	Breach of immigration laws  Paragraph 159D with reference to 159D(vii)	'...but in view of [insert details for the refusal ...] the Secretary of State is not satisfied that you are not in the UK in breach of immigration laws.'		
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## Domestic workers in private households

### Changing employer in UK

<p><a href="#">Key facts</a> <a href="#">Domestic worker qualifying criteria</a> <a href="#">Evidence required from the applicant</a> <a href="#">Extension requirements</a> <a href="#">Compliance with UK employment laws</a> <a href="#">Human trafficking</a> <a href="#">Granting or refusing</a> <a href="#">Settlement</a> <a href="#">Dependants</a></p>	<p>This page explains when a domestic worker can change their employer in the UK.</p> <p>Domestic workers who entered the UK with entry clearance issued under the rules in place before 6 April 2012 are allowed to change employer at any time. When they apply for leave to remain or change employer, they must not intend to work in a business or be self employed. They must work as a domestic worker for one employer, doing one job, full time.</p> <p>Domestic workers who entered the UK with entry clearance issued under the rules in place on or after 6 April 2016 are allowed to change employer at any time provided the new employment is as a domestic worker in a private household. They do not need to seek permission to change employment and remain in the UK for whichever is the shorter period of:</p> <p>6 months the period left of their leave</p> <p><b>Employer</b> The employer must be mainly based in the UK. A person must not be allowed to remain as a domestic worker when the employer is not living in the UK.</p> <p>There may be acceptable cases where the employment continues while the employer is abroad, for example, where a:</p> <ul style="list-style-type: none"><li>• housekeeper takes care of a property</li><li>• cook works for the employer's family in the UK while the employer is abroad.</li></ul> <p>However, the employer must still regularly spend time in the UK each year. You must consult a senior caseworker or team leader before you reach a decision in cases where the employer is absent for more than 6 months a year.</p> <p><b>Change of employer: caseworker action</b></p>	<p><b>Downloads</b> Link to staff intranet removed.</p> <p><b>Related links</b> Link to staff intranet removed.</p> <p><b>External links</b> <a href="#">Immigration Rules paragraphs 159A – 159H</a></p>
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When a domestic worker who entered the UK with entry clearance issued under the rules in place before 6 April 2012 changes employer, they are asked to tell the Home Office at the earliest opportunity. In some instances, the employer or a representative will send a letter. When informed of a change, you must:

- note the details on GCID case comments, and
- complete a 'change of employer' template (see related link).

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**Official – sensitive: start of section**

This information has been removed as it is restricted for internal Home Office use.

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**Official – sensitive: end of section**

## Domestic workers in private households

### Settlement

<p><a href="#">Key facts</a> <a href="#">Domestic worker qualifying criteria</a> <a href="#">Evidence required from the applicant</a> <a href="#">Extension requirements</a> <a href="#">Compliance with UK employment laws</a> <a href="#">Human trafficking</a> <a href="#">Granting or refusing</a> <a href="#">Changing employer</a> <a href="#">Dependants</a></p>	<p>This page explains the requirements for settlement for domestic workers. This is only permitted for applicants who were admitted to the UK under rules in place before 6 April 2012.</p> <p><b>Applicants who entered the UK under the rules in place before 6 April 2012</b> Provided a domestic worker continues to meet the requirements of the domestic workers rules, they can apply for settlement once they have spent a continuous period of five years in the UK employed in this category. You must refer to paragraph 159G of the Immigration Rules when deciding a settlement application (see related link).</p> <p>You must grant settlement to a domestic worker providing they:</p> <ul style="list-style-type: none"><li>• have spent a continuous period of 5 years in the UK in this capacity</li><li>• have met and continue to meet the requirements set out in paragraph 159A of the Immigration Rules throughout the 5 year period</li><li>• continue to be required for employment as a domestic worker as confirmed by the current employer</li><li>• are working for one employer, doing one job, full time</li><li>• can satisfy the English language and knowledge of life criteria (see related link)</li><li>• must not be in breach of immigration laws, except:<ul style="list-style-type: none"><li>○ for any period of overstaying for 28 days or less which will be disregarded, or if the application was submitted before 9 July 2012</li></ul></li></ul> <p>For more information on overstayers, see related link: Applications from overstayers (non family routes).</p>	<p><b>Related links</b></p> <p>Links to staff intranet removed.</p> <p><b>External links</b> <a href="#">Immigration Rules paragraphs 159A – 159H</a></p>
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## Domestic workers in private households

### Dependants

<p><a href="#">Key facts</a> <a href="#">Domestic worker qualifying criteria</a> <a href="#">Evidence required from the applicant</a> <a href="#">Extension requirements</a> <a href="#">Compliance with UK employment laws</a> <a href="#">Human trafficking</a> <a href="#">Granting or refusing</a> <a href="#">Changing employer</a> <a href="#">Settlement</a></p>	<p>This page explains when dependants accompanying a domestic worker can be granted leave. This is only permitted for applicants who were admitted to the UK under rules in place before 6 April 2012.</p> <p>Domestic workers who entered under the rules in place before 6 April 2012 can bring their dependants to the UK under paragraphs 194 or 197 of the Immigration Rules. However, paragraphs 193A and 196G explicitly remove the right to bring dependants for domestic workers entering under the rules on or after 6 April 2012.</p> <p>Dependants must have entry clearance. They must be admitted for a period in line with the domestic worker on:</p> <ul style="list-style-type: none"><li>• code 1 (if the main applicant's employer is not a visitor)</li><li>• code 3 (if the main applicant's employer is a visitor).</li></ul> <p>If you grant a dependant and extension of leave it must be for the same period of time as the main applicant on code 1 conditions.</p> <p>For more information on considering applications from dependants, see related link: Dependants of part 5 migrants.</p>	<p><b>Related links</b> Link to staff intranet removed.</p> <p><b>External links</b> <a href="#">Immigration Rules paragraphs 159A – 159H</a>  <a href="#">Immigration Rules paragraphs 193A – 199B</a></p>
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## Domestic workers in private households

### Contact

<p><a href="#">Key facts</a> <a href="#">Domestic worker qualifying criteria</a> <a href="#">Evidence required from the applicant</a> <a href="#">Extension requirements</a> <a href="#">Compliance with UK employment laws</a> <a href="#">Human trafficking</a> <a href="#">Granting or refusing</a> <a href="#">Changing employer</a> <a href="#">Settlement</a> <a href="#">Dependants</a></p>	<p>This page explains who to contact for more help with a specific case in the domestic worker in a private household category.</p> <p>If you have read the relevant Immigration Rules and this guidance and still need more help with this category, you must first ask your senior caseworker or line manager.</p> <p>If the question cannot be answered at that level, you may email:</p> <ul style="list-style-type: none"><li>• Migration Policy Unit, for guidance on policy, see related link</li><li>• for entry clearance officers, email Entry clearance complex case advice team (ECCCAT), see related link</li><li>• for Border Force officers, email Border Force operations advice and support, see related link: Email BF OAS Enquiries</li></ul> <p>Changes to this guidance can only be made by the Guidance, Rules and Forms team (GRaFT). If you think the policy content needs amending you must contact the Migration Policy Unit, who will ask the GRaFT to update the guidance, if appropriate.</p> <p>The GRaFT will accept direct feedback on broken links, missing information or the format, style and navigability of this guidance. You can send these using the link: Email: Guidance – making changes.</p>	<p><b>Related links</b> <a href="#">Changes to this guidance</a>  <a href="#">Information owner</a></p> <p><b>External links</b></p> <p>Links to staff email removed.</p>
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## Domestic workers in private households

### Information owner

[Key facts](#)  
[Domestic worker qualifying criteria](#)  
[Evidence required from the applicant](#)  
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This page tells you about this version of the 'Domestic workers in private households' guidance and who owns it.

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Changes to this guidance can only be made by the Guidance, Rules and Forms team (GRaFT). If you think the policy content needs amending you must contact the Migration Policy Unit, who will ask the GRaFT to update the guidance, if appropriate.

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

[Contact](#)

**External links**

Links to staff email removed.