



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:

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

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

Our Premium Service Centres are for premium service applications only. For details of the services and facilities provided by each of the Premium Service Centres, please go to www.gov.uk/ukvi-premium-service-centres/find-a-premium-service-centre

1. When a SET(O) form must be used

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

Tier 1 (General)	PBS Dependant route
Tier 1 (Entrepreneur)	Employment not requiring a work permit, for example, Overseas Domestic Worker
Tier 1 (Entrepreneur) - Accelerated route	Representatives of an overseas business
Tier 1 (Exceptional Talent)	Highly skilled migrant under the terms of the HSMP indefinite leave to remain (ILR) judicial review policy document
Tier 1 (Investor)	Bereaved partner route
Tier 1 (Investor) - Accelerated route	UK ancestry route
Tier 2	Retired Persons of Independent Means

The SET(O) form can also be used for other purposes/reasons not covered by other application forms.

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.

A list of alternative application forms used for indefinite leave to remain can be found on our website: www.gov.uk/government/collections/uk-visa-forms#forms-for-application-to-settle

Normally, when considering settlement applications, we will only decide whether you qualify for indefinite leave to remain in the UK. If you do not qualify for indefinite leave to remain, we will not consider whether you would meet the requirements for limited leave. You must use a different specified form if you want to apply for limited leave to remain.

If you are applying as a Bereaved Partner or you have indicated that you are using the SET(O) for other purposes/reasons not covered by another form, and you do not qualify for indefinite leave to remain, we **may** vary your application to be used for limited leave to remain. In this event we will ask you to pay any relevant immigration health surcharge, under the Immigration (Health Charge) Order 2015. If you fail to pay a required immigration health surcharge, we will not vary your application. Your SET(O) application fee will be retained and your settlement application will be refused.

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 a SET(O) form, you must meet the requirements set out in the following parts of the Rules:

- Part 5 - employment not requiring a work permit, Representative of an Overseas Business, UK ancestry
- Part 6A - Tier 1, Tier 2
- Part 7 – Retired Persons of Independent Means
- Part 8 bereaved partner, PBS dependant

The full Immigration Rules are available on GOV.UK: www.gov.uk/guidance/immigration-rules.

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.

Knowledge of Language and Life

In order to qualify for indefinite leave to remain, all applicants aged 18-64 must meet both 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

www.gov.uk/government/publications/knowledge-of-life-and-language-in-the-uk

The categories which are not subject to this requirement can be found at the following link:

www.gov.uk/english-language/exemptions.

The Knowledge of Language and Life in the UK requirement changed on 19 November 2015. An English language qualification at B1 level or above is only now acceptable if it is on the list of acceptable Home Office qualifications. This can be found at: www.gov.uk/english-language/approved-english-language-qualifications. Other English language qualifications will not be accepted for this purpose.

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

For applications made in person at a Premium Service Centre, the total fee includes a £100

appointment fee which may be retained should you fail to attend your appointment without good reason. For more information see www.gov.uk/ukvi-premium-service-centres/change-or-cancel-an-appointment.

Please note the following:

- 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 want to 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. 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. The current application fees also appear on the form.

5. When to apply

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

For most categories covered by this form, you must complete a qualifying period in the UK before you can qualify for settlement. 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 following routes: Tier 1, Tier 2, employment not requiring a work permit, representatives of an overseas business, UK ancestry and retired persons of independent means.
- 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.
- 4 years or 5 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.

Further information about how the qualifying period is calculated can be found in the modernised guidance: www.gov.uk/government/publications/indefinite-leave-to-remain-calculating-continuous-period-in-uk

Applications for indefinite leave to remain will fall for refusal if you have overstayed beyond the end of the last period of leave to enter or remain you were granted. The only exceptions are where your application is made:

- Within 14 days of your previous leave expiring and we consider there is a good reason beyond your/your representative's control, provided in or with the application, why the application could not be made in time; or
- Within 14 days of:
 - the refusal of the previous application for leave; or
 - the expiry of any leave which has been extended by section 3C of the Immigration Act 1971; or
 - the expiry of the time-limit for making an in-time application for administrative review or appeal (where applicable); or
 - any administrative review or appeal being concluded, withdrawn or abandoned or lapsing.

If there are good reasons beyond your control which prevented you from applying in time, you must submit evidence of these with your application. All cases will be decided on their merits.

These overstaying requirements do not apply if you are applying as a bereaved partner.

6. 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, national identity card 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, including any separate policy guidance documents referenced.

You must enclose a letter of explanation if you are unable to provide all the required information or any relevant specified documents.

7. Making sure your application is valid

Paragraph 34 of the Immigration Rules specifies 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 the SET(O) form;
- pay the specified fee by one of the methods specified in the payment guidance;
- provide a valid passport or (unless a PBS applicant) a national identity card or travel document for yourself and any dependants who are applying with you as specified in the application form, as evidence of your identity and nationality, unless it is not available for reasons beyond your control;
- provide photographs of yourself and any dependants who are applying with you as specified in the application form (see section 9 for more details);

- complete section 7 (Personal History) as required;
- sign the declaration in section 14;
- 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.

8. 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. 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.

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 photograph guidance for passport applications at www.gov.uk/photos-for-passports.

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. Passport, national identity card or travel document

For your application to be valid, it is **mandatory** to provide your valid passport or (except a PBS applicant) a national identity card. If you do not have either of these, you must provide your most recent passport or (except if you are a PBS applicant), your most recent national identity card. If you don't have either of these, you can provide a travel document. You also need to include the valid passport, national identity card or travel document of any dependants applying with you as evidence of your identity and nationality, unless it is not available for reasons beyond your control. If your document is lost or stolen, you should replace it before making your application unless there are reasons beyond your control why you cannot.

Reasons beyond your control may include where you do not have a national authority to provide a document, or where you have applied for a document and your national authority cannot provide one in time for you to make your application.

If you cannot provide your valid passport, national identity card or travel document, then you must provide an explanation as to why this is. If it has been lost or stolen, you must provide your crime reference number and reasons why you have not been able to provide a replacement document.

If your passport is already with the Home Office, you must tell us and provide information as to why we already hold your passport, national identity card or travel document.

If you are not enclosing a valid passport, national identity card or travel document, then you must provide alternative satisfactory evidence of your identity and nationality, which must include your full name, date of birth and nationality.

11. Documents

All supporting evidence must be in the form of original documents. 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.

Tier 2 (General), Tier 2 (Sportsperson) and Tier 2 (Intra Company Transfer) migrants 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. Further details of the documents you should supply are specified in the Tier 2 Policy Guidance.

Some 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.

Tier 1(Investor) migrants 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.

Further Information – Tier 1 (Entrepreneur), Tier 1 (Investor), Tier 1 (Exceptional Talent) and Tier 2

Full guidance on the criteria you must meet for ILR and the documents you should provide are available in the relevant Policy Guidance document on gov.uk.

Tier 1 (Entrepreneur):

www.gov.uk/government/publications/guidance-on-application-for-uk-visa-as-tier-1-entrepreneur

Tier 1 (Investor):

www.gov.uk/government/publications/guidance-on-application-for-uk-visa-as-tier-1-investor

Tier 1 (Exceptional Talent):

www.gov.uk/government/publications/guidance-on-policy-for-uk-visas-under-tier-1-exceptional-talent

Tier 2:

www.gov.uk/government/publications/guidance-on-application-for-uk-visa-as-tier-2-worker

12. Applying by post - the address

If you are applying by post, you must send your SET(O) application form to:

UK Visas and Immigration
SET(O)
Indefinite Leave to Remain

PO Box 591
Durham
DH1 9FS

Posting your application to any other address will delay the application and could make it invalid. Please use the address given in part 16 for any other correspondence about your application.

If you use Royal Mail 'Signed For' or 'Special Delivery Guaranteed', this will help us to record the receipt of your application. Make sure that you keep the reference number.

We will return your passport(s) and other documents using Royal Mail 'Signed For'. If you would like them to be returned 'Special Delivery Guaranteed', you must provide a prepaid 'Special Delivery Guaranteed' envelope which is large enough.

You are required to provide biometrics so a Biometric Residence Permit (BRP) can be issued if your application for indefinite leave to remain is successful. You will generally receive a letter inviting you to provide your biometrics within one month of submitting your postal application – make sure you follow those instructions when you receive them. If you do not provide your biometrics, your application will be invalid.

13. 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 do not require further enquiries.

The premium service is **not** available for the following applications:

- Stage 1 (Endorsement) of Tier 1 (Exceptional Talent),
- Tier 1 (Entrepreneur);
- Tier 1 (Investor); or
- any category of application where you have spent part of your time in the Crown Dependencies – Jersey, Guernsey, Isle of Man, Sark or 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:

www.gov.uk/ukvi-premium-service-centres

If you make an appointment for some time ahead, please check that the application form you use is still valid on the day of your appointment. Please ensure that your Premium Service Centre appointment is no earlier than 28 days before you complete your qualifying period. If you attend a Premium Service Centre appointment and submit your application more than 28 days before completing your qualifying period, your application will normally be refused and your fee retained.

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.

For the latest information about our Premium Service Centre opening times and services, please go to our website: www.gov.uk/ukvi-premium-service-centres/find-a-premium-service-centre.

14. Sending your application by courier

Only applications made on this form as a Tier 1 or Tier 2 migrant may be delivered by courier. These should be delivered to the following address between 9.00am and 5.00pm on Monday - Friday (excluding public holidays).

UK Visas & Immigration
Home Office

Wearside House
Riverside Place
Freemans Reach
Durham
DH1 1SL

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 your application to be decided, it is in your interest not to make any non-urgent travel arrangements until your passport(s), national identity card(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 leave to remain 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 and have applied for any of the following:

- Tier 1 (Exceptional talent)
- Tier 1 (Entrepreneur)
- Tier 1 (Investor)
- Tier 1 (General)
- HMSP
- Tier 2
- PBS Dependant
- UK Ancestry
- Employment not requiring a work permit e.g. Overseas Domestic Workers
- Representatives of an Overseas Business
- Retired Persons of Independent Means

You must write to the following address:

Tier 1 ILR
PO Box 3468
Sheffield
S3 8WA

If you need to contact us and have applied for any of the following:

- Bereaved partner
- Other purpose/reasons not covered by any other application form

You must write to the following address:

UK Visas and Immigration
Liverpool Settlement Casework
PO Box 306
Liverpool
L2 0QN

In all cases please write clearly on the envelope the name of the route that you are applying for.

In your letter please give the following details:

- the applicant's full name, date of birth and nationality
- the Royal Mail 'Signed For' or 'Special Delivery Guaranteed' number, if used
- the date on which the application was posted, made in person or delivered by courier
- the Home Office reference number if you have one

18. 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 our website at: www.gov.uk/visa-documents-returned

We normally return your documents within 20 working days of receipt of your request but we recommend that you avoid booking any travel until you have received your documents.

Your application will be treated as withdrawn if you request the return of your passport to travel abroad before we are able to make a decision about your application.

19. Obtaining application forms

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

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

Legal Ombudsman

PO Box 6806,
Wolverhampton,
WV1 9WJ

email: enquires@legalombudsman.org.uk

Telephone: 0300 555 0333

You can also visit the Legal Ombudsman website at www.legalombudsman.org.uk/

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: www.gov.uk/government/organisations/uk-visas-and-immigration/about/complaints-procedure

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

More information about the Biometric Residence Permit including the application process is available at the following location:

www.gov.uk/biometric-residence-permits