



Home Office

Tier 1 (Exceptional talent)

Version 20.0

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About this guidance

This guidance tells you about the Tier 1 (Exceptional talent) category of the points-based system (PBS).

This guidance is based on the [Immigration Rules part 6A](#), paragraphs 245B to 245BF.

The category closed to new entrants and extensions, on 20 February 2020. The route was replaced by Global talent. This category was for highly skilled people in the fields of science, humanities, engineering, the Arts (encompassing culture, fashion, architecture, film and television), and digital technology who wished to work in the UK.

Applicants were already internationally recognised at the highest level as leaders in their particular field or had demonstrated exceptional promise and were likely to become leaders in their particular field.

Applications for settlement as a Tier 1 (Exceptional talent) migrant can continue to be submitted after 20 February 2020 and details of how to consider such cases appear in this document.

Contacts

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

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

Publication

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

- version **20.0**
- published for Home Office staff on **02 March 2020**

Changes from last version of this guidance

This version applies a number of changes following the Immigration Rules changes of 20 February 2020:

- sections relating to initial applications and extensions have been removed following the closure of the Tier 1 (Exceptional talent) route

- information on transitional arrangements has been included for migrants who have their endorsement and need to obtain leave or already hold Tier 1 (Exceptional talent) leave and need to extend this
- information on absences for research purposes which are not included in the maximum 180 day period allowed for settlement
- changes to the qualifying period for settlement for some applicants

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Tier 1 (Exceptional talent): key facts

This page provides an overview of the route.

Category: Tier 1 (Exceptional talent)

Key Facts	Summary
Eligibility requirements	<p>This category was for highly skilled people in specific, recognised fields who wished to work in the UK.</p> <p>Applicants were already internationally recognised at the highest level as leaders in their particular field or had already demonstrated exceptional promise and were likely to become leaders in their particular field.</p>
Is biometric information required?	Yes
Conditions of leave to enter or remain	<p>Leave to enter or remain under this route was subject to the following conditions:</p> <ul style="list-style-type: none">• no recourse to public funds• registration with the police, if this is required by paragraph 326 of the Immigration Rules• no employment as a doctor or dentist in training or as a professional sports person (including as a sports coach)• study subject to the following restriction: <p>The migrant is allowed to study, but they must obtain an Academic Technology Approval Scheme (ATAS) certificate for the course or research they intend to undertake and present it to their education institution before they start if:</p> <ul style="list-style-type: none">• they are over age 18 (or will be over 18 by the time their leave expires)• their course is one of the following:<ul style="list-style-type: none">○ a doctorate or master's degree by research in one of the disciplines listed in paragraph 1, appendix 6 of the Immigration Rules○ a taught master's degree or other postgraduate qualification in one of the disciplines listed in paragraph 2, appendix 6 of the Immigration Rules○ a period of study or research in excess of 6 months in one of the disciplines listed in paragraphs 1 or 2, appendix 6 of the

Key Facts	Summary
	<p>Immigration Rules at an institution of higher education where this forms part of an overseas postgraduate qualification</p> <p>If their course (or research) completion date is postponed or delayed for more than 3 calendar months or there are any changes to the course contents (or the research proposal), they must apply for a new ATAS certificate within 28 calendar days. They must also provide a printout of the new certificate to their institution promptly.</p>
Are dependants allowed?	Yes
Work and study allowed?	Yes, study subject to the Academic Technology Approval Scheme (ATAS) restrictions described above.
Does this category lead to settlement (indefinite leave to remain)?	Yes
Immigration Rules paragraphs	Paragraph 245B – 245BF

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Tier 1 (Exceptional talent) transitional arrangements

This page tells you how applicants should be treated if they are affected by the closure of the Tier 1 (Exceptional talent) category.

Applying for entry clearance or leave to remain in line with a Tier 1 (Exceptional talent) endorsement

Applicants can use a valid Tier 1 (Exceptional talent) endorsement to apply for Global Talent. The initial requirements mirror those previously applied to Tier 1 (Exceptional talent) applicants. Further details are available in the Global Talent guidance.

Extending Tier 1 (Exceptional talent) leave

Applicants who already hold Tier 1 (Exceptional talent) leave and who wish to extend their stay must do so under the Global Talent category. The extension requirements mirror those previously applied to Tier 1 (Exceptional talent) applicants. Further details are available in the Global Talent guidance.

Applying for settlement (Indefinite Leave to Remain (ILR))

Applicants who are currently in the UK under Tier 1 (Exceptional talent) and who wish to apply for settlement (Indefinite Leave to Remain) may do so without the need switch into the Global Talent route.

The requirements for settlement are covered in this guidance.

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Tier 1 (Exceptional talent) settlement requirements

This page tells you how points are scored and outlines other mandatory requirements for a settlement (Indefinite Leave to Remain (ILR)) application in the Tier 1 (Exceptional talent) category.

Attributes: pass mark = 75 points	Points available
During their most recent period of leave as a Tier 1 (Exceptional talent) migrant, the applicant has earned money in the UK as a result of employment or self-employment in their expert field as previously endorsed by an endorsing body, and the endorsing body has not withdrawn its endorsement of the applicant. For more information, see the Documents required for settlement section .	75

The continuous period of leave required varies depending on a migrant's specific circumstances. The applicant must have spent a continuous period of:

- 3 years lawfully in the UK, if their last endorsement by an endorsing body was either:
 - under that body's criteria for "exceptional talent"
 - under The Royal Society, The Royal Academy of Engineering or The British Academy criteria for "exceptional promise"
- 5 years lawfully in the UK, if their last endorsement by an endorsing body was under Arts Council England or Tech Nation criteria for "exceptional promise"

Applicants are able to have absences from the UK of no more than 180 days in any continuous 12 calendar months during that period.

Where the applicant was endorsed by The Royal Society, The Royal Academy of Engineering or The British Academy, any absence linked to their grant of leave (such as a scientist undertaking research overseas), does not count as an absence, regardless of length.

Applicants are not requested to provide specific evidence to demonstrate that the absence was for reasons linked to their endorsement; however, if you have concerns you may request further details from the applicant such as a letter from their employing/hosting organisation confirming the reasons for the absence.

Further details on the continuous period of leave can be found in the relevant guidance.

They may combine leave spent in the following categories towards the qualifying period:

- Tier 1 (General)
- Tier 1 (Entrepreneur)
- Tier 1 (Investor)
- Tier 2 (General)
- Tier 2 (Minister of religion)
- Tier 2 (Sportsperson)
- Innovator

The applicant must also:

- not fall for refusal under the general grounds for refusal, and must not be an illegal entrant
- have sufficient knowledge of the English language and life in the UK, in line with appendix KoLL of the Immigration Rules, unless they are under the age of 18 or aged 65 or over at the date the application is made
- not be in the UK in breach of immigration laws, except that any period of overstaying allowed by the immigration rules will be disregarded

If the applicant meets all the above criteria, you must grant their application.

If the applicant does not meet the above criteria, you must refuse their application.

Refusal wording is available from indefinite leave refusal wording.

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Tier 1 (Exceptional talent) documents required for settlement

This page tells you the documents that an applicant must provide with their application for settlement (Indefinite Leave to Remain (ILR)).

You must only accept specified documents as evidence that an applicant has earned money in the UK as a Tier 1 (Exceptional talent) migrant. Money must be from employment or self-employment in their expert field. The expert field must be the same as previously stated when the applicant was endorsed by an endorsing body.

Evidence of earnings in expert field

One of the following must be provided by all applicants:

- a contract of service or work between the applicant and a UK employer or institution which indicates the field of work they have undertaken
- a letter on the UK institution or employer's official headed paper confirming the applicant has earned money in their expert field

Salaried employee or a director of a limited company

At least one of the following must be provided:

- payslips in one of the following formats:
 - formal payslips
 - on the organisation's official letter-headed paper or stationery – if not on headed paper they must have the organisation's official stamp
 - printouts of online payslips must be provided with a letter from the applicant's employer, on the company's headed paper, confirming the applicant's earnings
- personal bank (or building society) statements showing payments made to the applicant from their employer or a limited company of which they are a director, in the following format:
 - statements printed on the bank's letter-headed paper
 - electronic bank statements either with a supporting letter from the bank, on company headed paper, confirming the statements provided are authentic, or a printed statement with the official bank stamp on every page
- an official tax document produced by Her Majesty's Revenue & Customs (HMRC) or employer, showing earnings on which tax has been paid or will be paid in a tax year – for these purposes, official tax documents are defined as:
 - a document produced by HMRC showing details of declarable taxable income on which tax has been paid or will be paid in a tax year (for example, a tax refund letter or tax demand)
 - a document produced by an employer as an official return to HMRC, showing details of earnings on which tax has been paid in a tax year (for example, a P60)

- a document produced by a person, business, or company as an official return to HMRC, showing details of earnings on which tax has been paid or will be paid in a tax year: this must have been approved, registered, or stamped by HMRC
- dividend vouchers showing the amount of money paid by the company to the applicant, normally from its profits: they should confirm both the gross and net dividend paid and a separate dividend voucher or payment advice slip must be provided for each dividend payment

Applicant has worked in a self-employed capacity

At least 1 of the following must be provided:

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

Sponsored researchers

Applicants must provide evidence of funding from an institution, not necessarily in the UK. This can be in the form of a letter on official headed paper confirming the details of funding. It must include the:

- applicant's name
- name of sponsor
- name of the host institution where the applicant will be based
- details of the funding provided, including the amount of funding

Applicant is still endorsed by the relevant endorsing body

There are no documentary requirements to demonstrate applicants are still endorsed by the relevant endorsing body.

If the relevant endorsing body decides to withdraw its endorsement of a migrant they will inform the caseworking team based in Sheffield who will update the limit

monitoring spreadsheet to record this information. CID must also be updated with details.

If you are considering an extension or settlement application, there are no comments on CID indicating an endorsement has been withdrawn and you do not have access to the limit monitoring spreadsheet, you must contact the Tier 1 (Exceptional talent) administration mailbox to confirm the endorsement is still valid.

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Tier 1 (Exceptional talent) curtailing leave

This page tells you about curtailing the leave of a Tier 1 (Exceptional talent) migrant.

You can curtail a person's leave in this category if the endorsing body that endorsed the application for the current grant of leave withdraws the person's endorsement.

There is separate curtailment guidance which explains additional reasons which may result in the curtailment of an applicant's leave.

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Tier 1 (Exceptional talent) change of circumstances

This page tells you where to find more information on changes of circumstances for a Tier 1 (Exceptional talent) migrant.

The applicant is required to undertake different actions depending on whether they are inside or outside the UK and whether they have a biometric residence permit (BRP). There are more details on how to report a change of circumstances available on [GOV.UK](https://www.gov.uk).

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Tier 1 (Exceptional talent) dependants

This page tells caseworkers which dependants can join a person who comes to the UK in the Tier 1 (Exceptional talent) category of the points-based system.

Under [paragraphs 319A-319K of the Immigration Rules](#), the following dependants are allowed to come to the UK to join a person with valid entry clearance or leave to remain in this category, provided they meet the requirements of the rules:

- spouse, civil partner, unmarried or same-sex partner
- dependent children

For more information on the requirements that dependants must meet in order to be granted leave in line with a Tier 1 (Exceptional talent) migrant, see: [dependant family members of Points-Based System migrants and Appendix W Workers](#).

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