

## **Private servants in diplomatic households**

### **Tier 5: Temporary Workers – International Agreement**

In June 2008, the Government committed to ensuring that future arrangements concerning overseas domestic workers minimise any risk of abuse or exploitation. In addition, it confirmed that the existing route for domestic workers in private households would be preserved and reviewed, as appropriate, after the first two years' operation of the reformed immigration system and when we have properly road-tested our anti trafficking system. In the light of that commitment, Ministers decided that settlement provisions for private servants in diplomatic households would be retained with the introduction of Tier 5 of the points-based system, when this was implemented on 27 November 2008.

In effect, this means that:

- Any private servant working in a diplomatic household and who was in the UK on or before 26 November 2008 was able to apply under the transitional arrangements that were put in place. If the application is approved, a private servant will receive a one-off grant of leave of up to five years, which is the current threshold for settlement. They will then need to satisfy the requirements in place.

To ensure that all those who would have been eligible to apply under the transitional arrangements are afforded an opportunity to do so, we will exceptionally continue to accept applications under these arrangements for private servants for a further 18 months from implementation. This means we will continue to consider any applications submitted under the transitional arrangements for private servants in diplomatic households before 27 May 2010.

- Private servants in diplomatic households who are new entrants to the UK, applying under the Tier 5: Temporary Workers – International Agreement sub-category on or after 27 November 2008 will be eligible to extend their stay in the UK, as outlined in the Immigration Rules and guidance for both migrants and sponsors. The provisions within the Immigration Rules state that private servants may be granted further extensions to their leave for periods of up to 12 months at a time, up to a total of six years spent in the UK in this category. This instruction confirms that these private servants will now be eligible to apply for settlement once they have reached the threshold for settlement, which is currently five years, at which point they will need to meet the requirements in place at that time. This element of the instruction will be brought within the Immigration Rules at the next formal change in March 2009.