

Factsheet - Innovator founder

Purpose

This visa route is designed for individuals seeking to establish a business in the UK based on an innovative, viable, and scalable business idea they have generated, or to which they have significantly contributed. The applicant must have a key role in the day-to-day management and development of the business they set up in the UK.

Applicants can either be the sole founder of the business or apply as a member of an entrepreneurial team. The business can already be trading at the time of application. In all cases, the applicant must be part of the founding team.

Eligibility requirements – points test

An applicant must secure 70 points from the categories below, of which 50 must either be under the ‘New Business’ criteria or under the ‘Same Business’ criteria, but not both.

New business	50 points
Business plan	30
Business venture is innovative, viable and scalable	20
Same business	50 points
Previous permission was in Innovator Founder, Innovator, Start-up or Tier 1 (Graduate Entrepreneur) route and they continue to pursue a business with an approved endorsement	10
Business is active, trading, and sustainable and demonstrates significant achievements against the business plan	20
Applicant is active in the day-to-day management and development of the business	20
Ability to speak English language to an approved standard	10 points
<p>The minimum level is CEFR Level B2 in all four language elements: reading, writing, speaking and listening.</p> <p>The applicant can demonstrate they meet this requirement in a range of ways, including (but not limited to) being from a majority English-speaking country, holding a degree taught in English or passing a Home Office-approved English language test.</p>	

Financial requirement	10 points
<p>Those applying for entry clearance or who are applying for permission to stay and have been in the UK for less than 12 months at the date of application, must have accessible funds of at least £1,270. Funds must be held for a continuous 28-day period and evidenced in a compliant format.</p>	

Length of and conditions of immigration permission

This route offers a maximum period of stay of three years per application. There is no maximum time limit in the route and it can lead to settlement in the UK.

An applicant is allowed to work in the endorsed business. They can also be employed in other roles with a skill level at or above level 3 on the Regulated Qualifications Framework (A-level equivalent) and may study in the UK.

Endorsing bodies

An applicant must have an appropriately issued endorsement from an [endorsing body](#) approved by the Home Office for this route.

An endorsing body must inform the Home Office of specified concerns it has about a migrant’s business progress, checkpoint compliance or immigration condition compliance. Immigration permission as an Innovator Founder will be cancelled if an endorsing body withdraws its endorsement of an individual migrant or if it loses its status as an endorsing body for this route.

Endorsement criteria for applicants will differ depending on whether the applicant is relying on a ‘new business’ or the ‘same business’.

“**New business**” endorsement can occur where the application is an initial application or an extension application, and the applicant is pursuing a different business venture from the one that was assessed in the endorsement which led to their previous grant of immigration permission.

“**Same business**” endorsement can occur where the applicant previously had their business idea endorsed under the new business criteria (or on the Startup or Tier 1 (Graduate Entrepreneur) and the applicant is still pursuing the same business venture. Applicants who changed their business venture with approval from their endorsing body at their last checkpoint will need to meet the “same business” criteria when they apply.

In all cases the endorsement must be obtained before making an application. This means that an applicant who is in the UK with existing immigration permission must ensure they have received an endorsement and made an application under the Innovator Founder route before their current permission expires, so that they can avoid overstaying.

Endorsement criteria for initial and extension applications

New business endorsement criteria	Same business endorsement criteria
<ul style="list-style-type: none"> ▶ Innovation: the applicant has a genuine and original business plan that meets new or existing market needs and/or creates a competitive advantage. ▶ Viability: the applicant has, or must be actively developing, the necessary skills, knowledge, experience and market awareness to successfully run the business. This criterion will only be met if the business plan is realistic and achievable based on the applicant's available resources. ▶ Scalability: there is evidence of structured planning and of potential for job creation and growth into national and international markets. 	<ul style="list-style-type: none"> ▶ The business is active, trading and sustainable. ▶ The applicant has made significant progress against their business plan. ▶ The company is registered with Companies House and the applicant is listed as a director or member of that business. ▶ The applicant is involved in the day-to-day management and development of the business. ▶ The applicant has attended at least two checkpoint meetings with their endorsing body at regular intervals during their last period of permission, and confirms they will have at least two checkpoint meetings in their next permission.

Confirmation that the applicant meets the appropriate endorsement criteria must be included in an endorsement letter, which must also contain details of the endorsing body, information identifying the applicant and their business plans.

The endorsement letter must also confirm:

- ▶ The applicant is a fit and proper person;
- ▶ The endorsing body has no concerns over the legitimacy of any source of funds; and
- ▶ The endorsing body has no reason to believe the applicant or their business may have obtained funds unlawfully or have unsatisfactorily explained wealth.

The endorsement must not have been withdrawn by the body by the time the application is considered by the decision maker.

Genuineness and other considerations

In addition to having an endorsement, the Home Office may carry out a balance of probability test if they have reason to believe there are specific grounds to doubt that an applicant is genuine. This will usually take place if the Home Office has information that the endorsing body may not have seen or considered when assessing their suitability for endorsement. An assessment could include a review of an applicant's:

- ▶ Ability and intention to establish a business in the UK;
- ▶ Intention to comply with their immigration conditions; and/or
- ▶ Any other reason to doubt genuineness.

The Home Office can ask for further information or evidence from the applicant or endorsing body, and have discretion to refuse the application if not satisfied that the endorsement was issued appropriately.

An applicant under this route must meet suitability criteria and may be required to meet TB requirements if applying for entry clearance.

Settlement

If the applicant is making a settlement (indefinite leave to remain) application, the endorsement letter must confirm that the 'same business' endorsement criteria continue to be satisfied (except that the business must be shown to be sustainable for at least the following 12 months, and the applicant must show they have demonstrated an 'active key role' in the day-to-day management and development of the business), and that the applicant's business venture meets at least two of the following requirements:

- ▶ At least £50,000 has been invested into the business and actively spent furthering the business.
- ▶ The number of the business's customers has at least doubled within the last three years and is currently higher than the mean number of customers for other UK businesses offering comparable main products or services.
- ▶ The business has engaged in significant research and development activity and has applied for intellectual property protection in the UK.
- ▶ The business has generated a minimum annual gross revenue of £1 million in the last full year covered by its accounts.
- ▶ The business is generating a minimum annual gross revenue of £500,000 in the last full year covered by its accounts, with at least £100,000 from exporting overseas.
- ▶ The business has created the equivalent of at least ten full-time jobs for resident workers.
- ▶ The business has created the equivalent of at least five full time jobs for resident workers, which have an average (mean) salary of at least £25,000.

Where the applicant relies on job creation criteria, jobs must have existed for at least 12 months and comply with all relevant UK legislation, and must require at least 30 hours paid work per week. Two-part time roles combined can also meet the single full-time job requirement.

An applicant can rely on any combination of the above, even if similar or overlapping, but cannot rely on one requirement twice.

If the business venture has one or more other team members who are applying for, or who have been granted, settlement as an Innovator Founder, they cannot share the same means of meeting the settlement requirements.

Dependants

An Innovator Founder can be accompanied or joined by their spouse, civil partner or unmarried partner (where they have lived together for at least two years) and dependent children aged under 18 when they first apply. Unless the dependant has been living in the UK for at least 12 months already, they will also need to meet a financial requirement of £285 for a partner, £315 for the first child dependant and £200 for each additional child dependant. Dependants must meet suitability criteria and TB certificates may also be required.

Dependants may also qualify for settlement either at the same time or after the Innovator Founder. Important points to note are that a partner dependant must complete five continuous years as the Innovator Founder's partner dependant and must normally have less than 180 days absences in any 12-month period. Child dependants aged 16 or over must not be living an independent life. Any dependants aged 18 or over must pass the 'Life in the UK' test.

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