



Note Verbale No. 296/24

Protocol Directorate of the Foreign, Commonwealth and Development Office presents its compliments to all diplomatic missions and international organisations and, on behalf of UK Visas and Immigration (UKVI), has the honour to refer to Protocol Directorate's Note No A248/22 of 21st December 2022 on the provisions relating to private servants in a diplomatic or consular household, or in the household of an employee of an international organisation.

The Directorate wishes to confirm, for clarity, that private servants employed in a diplomatic or consular household, or in the household of an employee of an international organisation, and paid for privately by the person employing them, are not exempt from UK immigration control and are therefore required to meet the provisions under the Temporary Work: International Agreement route. Details are available at:

<https://www.gov.uk/international-agreement-worker-visa>

The Immigration Rules and grant conditions for the International Agreement route are set out online within:

<https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-t5-temporary-worker-international-agreement-worker>

The Directorate wishes to draw the attention of diplomatic missions and international organisations to changes to the Immigration Rules governing applications from private servants seeking permission to stay in the UK. Since 16 May 2024, private servants making initial applications for entry clearance are required to meet an English language requirement, showing evidence of being at level B1 of the Common European Framework of Reference for Languages in reading, writing, speaking and listening. Private servants extending their permission are required to provide evidence of payment of their salary for the three months immediately before their application.



The Directorate wishes to remind diplomatic missions, consular posts and international organisations that, under Article 41(1) of the Vienna Convention on Diplomatic Relations 1961, Article 55(1) of the Vienna Convention on Consular Relations 1963 and the relevant provisions of an international organisation's headquarters agreement, it is the duty of all members of the mission, members of the consular post and members of an international organisation "to respect the laws and regulations of the receiving State". This applies to the terms and conditions of employment, including hours of work and pay, and treatment of all domestic staff. In particular, the Directorate wishes to draw attention to the requirement for private servants to provide on application written evidence of the terms and conditions of their employment in the United Kingdom which must confirm that they will be paid at least the National Living Wage, or the National Minimum Wage if they are 18-22 years old. The current hourly rates are published online at:

<https://www.gov.uk/national-minimum-wage-rates>

The Directorate also wishes to advise that **all** payments to private servants sponsored under the Temporary Work - International Agreement route must be made into the private servant's bank account in the UK or overseas; payments cannot be made via third parties such as relatives overseas. Pre-paid cards such as FOREX are acceptable, however, a private servant's employer must be able to provide evidence that they have made payments. Cash payments are not permitted. Non-compliance with the terms of the sponsorship guidance and the duties set out therein could lead to the revocation by UKVI of the sponsorship licence. Further information for persons coming to the UK as an overseas domestic worker is available online at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/730783/Overseas_Domestic_Worker_applicant_leaflet_2018_V2.1.pdf



In addition, the Directorate wishes to advise that UKVI has a dedicated team to act as a Single Point of Contact for all missions and are happy to discuss compliance requirements and examples of non-compliance that come to light. Enquiries should be addressed to UKVI's Embassy Team at: UKVIEmbassyTeam@homeoffice.gov.uk

Finally, diplomatic missions and international organisations are reminded of the requirement to notify the Directorate of the arrival and departure of all private servants, using Form 1, which should be sent electronically to DMIOU.

Protocol Directorate of the Foreign, Commonwealth and Development Office avails itself of this opportunity to renew to all diplomatic missions and international organisations the assurances of its highest consideration.

FOREIGN, COMMONWEALTH & DEVELOPMENT OFFICE
LONDON SW1A 2AH

27 June 2024

