



Home Office

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Aaron Behar

By Email: request-778710-e21a83ac@whatdotheyknow.com

FOI Reference: 65470

Date: 6 September 2021

Dear Mr. Behar

Thank you for your e-mail of 6 August, in which you ask for information related to the Turkish European Community Association Agreement (ECAA). Your request has been handled as a request for information under the Freedom of Information Act 2000. Your original queries, together with responses are below.

- **What measures, policy, discussions or any other information subject to the FOIA is available that would shed light on any measures that the UK Home Office has put in place for those ECAA Turkish Businesspersons who already hold ECAA visas who have been unable to travel to the visa. In particular, the policy should clarify whether such persons who have been unable to travel to the UK are entitled to a new 3 month entry clearance vignette with a new 1 year entry clearance or whether the existing policy is to only issue the remaining period on the initial entry clearance in situations where applicants have been unable to travel to the UK due to the COVID19 situation despite having a valid ECAA entry clearance visa. Any citations or response should could a link to the source.**

In response to the COVID-19 pandemic, from June 2020, UK Visas and Immigration (UKVI) offered customers whose 30 day vignettes had expired the option to apply to have them replaced initially free of charge. At the same time, we extended the validity of vignettes from 30 to 90 days and that is now the standard validity.

These arrangements applied to all customers holding limited validity vignettes, including ECAA Turkish businesspersons. Information about COVID-19 arrangements for UK visa applicants and temporary UK residents is published on GOV.UK: [Coronavirus \(COVID-19\): advice for UK visa applicants and temporary UK residents - GOV.UK \(www.gov.uk\)](https://www.gov.uk/coronavirus-uk-visa-applicants)

Where a customer applies for a replacement vignette, this is not a fresh application for entry clearance, except in limited circumstances e.g. partners with permission under Appendix FM¹, meaning the expiry date of the permission will remain as originally granted.

¹ If the reduced validity of the permission granted by an entry clearance would affect a customer's ability to meet a minimum residency requirement including partners with permission under Appendix FM.

- **Why have the previous ECAA Turkish Businessperson Guidance that was available on the Home Office website been removed?**
- **In light of question 4 above, do/did all Entry Clearance Officers (in Istanbul, Abu Dhabi, Amman Jordan, Sheffield) have access to ECAA Entry Clearance guidance in assessing entry clearance applications under the ECAA?**

Prior to 11pm GMT on 31 December 2020, the UK was a signatory to the ECAA as part of its membership of the EU and the transition period agreed under the EU Withdrawal Agreement. Application forms, caseworker guidance and gov.uk webpages for ECAA workers and business persons reflected the relevant ECAA arrangements, as it applied, until 11pm on 31 December 2020.

Following the UK's departure from the EU, and the ending of the transition period at 11pm on 31 December 2020, the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 disapplied certain directly effective immigration rights under EU law including provisions within the ECAA between the EU and Turkey. Applications submitted on or before 31 December 2020 continue to be considered under the previous arrangements and caseworker guidance that existed up until the 31 December 2020.

New transitional arrangements for ECAA workers and business persons were commenced from 11pm on 31 December 2020 as set out in Appendix ECAA Extension of Stay. As a result, on 31 December 2020, revised and updated application forms, caseworker guidance and .gov.uk applicant information was published so that it was clear to prospective applicants which rules (Appendix ECAA Extension of Stay) and the associated caseworker guidance would apply to applications submitted from 11pm on 31 December 2020 onwards.

The previous ECAA guidance for Turkish business and employed applications has remained unchanged since 31 December 2020, and continues to be available and accessible to all caseworkers via Home Office intranet and associated training material to ensure that outstanding ECAA Business Persons entry clearance applications (dated 31 December 2020 or earlier), administrative reviews and subsequent litigation can be dealt with in accordance with the previous ECAA arrangements.

- **Ordinarily all ECAA applications were decided by Sheffield. What was the policy measures, reasons or purposes, that precipitated the outsourcing of the decision making relating to ECAA applications to Visa decision centres in Abu Dhabi, UAE, Amman, Jordan, and Istanbul, Turkey.**

The Home Office received a significant increase in Turkish ECAA business person visa applications before the route closed on 31 December 2020.

Due to this surge of applications prior to the closure of the route, to make best use of available resources across Visas and Citizenship and to ensure that individual applicants received a decision within as shorter timeframe as possible, other decision making centres (DMCs), in addition to Sheffield, in Istanbul, Abu Dhabi and Amman Decision Making Centres, were deployed to consider the cases. Assessment at overseas DMCs for main applicants ended in May 2021, dependent entry clearance applications, allowed under the current Appendix ECAA rules, are routed to Sheffield.

- **What training, if any, did such ECO managers/persons in visa decision making centres other than Sheffield have in assessing ECAA applications. This can be a quality review process by a person in Sheffield or another**

person familiar with and/or having experience with actioning ECAA applications. If no responsive data exists, then please state so.

Sheffield caseworking team delivered training and mentoring and ongoing support to the DMCs overseas in line with training delivered to Sheffield staff.

In accordance with normal decision quality activity, all staff who were new to the ECAA route had all of their decisions subjected to review by entry clearance managers. Caseworkers progressed sequentially to lower percentages of reviews as they demonstrated decision quality.

Managers and caseworkers continued to consult with the Sheffield ECAA team as specific matters arose in individual applications and to also ensure consistency of decision across all case working sites.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to foirequests@homeoffice.gov.uk, quoting reference 65470. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

As part of any internal review the Department's handling of your information request would be reassessed by staff who were not involved in providing you with this response. If you were to remain dissatisfied after an internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the FOIA.

A link to the Home Office Information Rights Privacy Notice can be found in the following link. This explains how we process your personal information:
<https://www.gov.uk/government/publications/information-rights-privacy-notice>

Yours sincerely

M. Fernandes

Migration and Borders Group