

This guidance is to be used for all International Sportsperson governing body endorsement requests made on or after the **25 January 2024**.

### **Section 1: Overview of governing body endorsements for the International Sportsperson route of the points-based system**

This page provides a brief explanation of what endorsement requirements apply in respect of the International Sportsperson route of the points-based system. The Immigration Rules for the International Sportsperson route can be found at [Appendix International Sportsperson](#).

The **International Sportsperson** route is for elite sportspeople and coaches who:

- are internationally established and whose employment will make a significant contribution to the development of their sport at the highest level in the UK
- who will base themselves in the UK
- will be filling a post that cannot be filled by a suitable British citizen or person who has a right to enter or stay in the UK without restriction.

**The application process explained:** migrants applying to come to the UK under the International Sportsperson route need to be sponsored by an organisation that has an International Sportsperson sponsor licence.

If you wish to sponsor such migrants, you must have a sponsor licence. Before you apply to the Home Office for a licence you must be endorsed by the relevant **sports governing body** for your sport. This endorsement confirms to the Home Office that the application for a licence is from a genuine sports club (or equivalent) that has a legitimate requirement to bring migrants to the UK as sportspeople. Once licensed, you can assign certificates of sponsorship to a sportsperson or coach with a job offer that allows them to apply for entry clearance or permission to stay in the UK. Each individual must also have a personal endorsement from the relevant **approved sports governing body** for their sport before you assign the certificate of sponsorship.

An **approved sports governing body** is one specified in [Appendix Sports Governing Bodies](#) of the Immigration Rules. Each governing body must be recognised by one of the home country sports councils such as Sport England, and will have been approved by the Home Office before being included in [Appendix Sports Governing Bodies](#) of the Immigration Rules.

Sports governing bodies will work within the Home Office's '[Code of practice for sports governing bodies](#)' and must comply with any immigration

regulations, UK legislation and the principles of the points-based system as detailed on the [GOV.UK](https://www.gov.uk) website.

### **Length of endorsement**

Governing body endorsements should be issued for a period appropriate to the period of approval for sponsorship, that is:

<b>Type of application</b>	<b>Length of endorsement</b>
<b>Sponsor</b>	4 years from date of issue.
<b>Migrant</b>	For an initial maximum period of 3 years, with a further extension of a maximum period of 3 years. If the contract is for fewer than 3 years, it will be issued for the length of the contract.

### **Change of employment**

If a migrant is intending to change employer, their new employer must request a new governing body endorsement. The endorsement can be issued for the length of the contract or to the maximum period permitted within the route, whichever is the shorter. The new employer must assign a new certificate of sponsorship to the migrant to allow them to apply to the Home Office for new permission to stay. Permission to stay must be granted before the migrant can start work with the new employer.

### **Salary**

The salary should be agreed as part of the contract between the migrant and the sponsor. This and the other conditions of employment should be at least equal to those normally given to a resident worker for the type of work undertaken.

### **Supplementary employment**

International Sportsperson migrants are eligible to undertake supplementary employment under the Home Office supplementary employment regulations. The 'Supplementary employment' section [Workers and Temporary Workers: guidance for sponsors - Sponsor an International Sportsperson guidance](#) has more information on this.

### **Compliance with the Code of Practice for Sports Governing Bodies**

In reviewing this criteria, Scottish Canoe Association confirms we have reread the Code and agree to our roles and responsibilities as set out within. We confirm we have acted in full compliance with the principles of the Code during this annual review.

## **Section 2: Requirements**

This section explains the Scottish Canoe Association requirements for the International Sportsperson route. The requirements are effective from **25 January 2024**.

Only the roles listed as part of this criteria are eligible for endorsement.

These requirements are applicable to Scotland.

### **Consultation**

The following requirements have been agreed by the Home Office following consultation with the Scottish Canoe Association and British Canoeing.

Prior to contacting the Home Office during the annual review of this criteria, Scottish Canoe Association confirms that full consultation has been carried out, this includes any organisation that could be interpreted as an interested party, such as clubs, bodies, or player associations related to Canoeing in the UK.

### **Review**

The requirements will be reviewed annually. The next review will be in December 2024.

### **Length of season**

The season for Canoeing runs from 1 January to 31 December.

### **Requirements**

The table below shows the endorsement requirements for sponsors and migrants:

<b>Category</b>	<b>Requirement</b>
<b>Sponsor</b>	Sponsor endorsement will be issued to the following, upon request: <ul style="list-style-type: none"><li>• Scottish Canoe Association</li><li>• Scottish Canoe Association Affiliated Club</li></ul>

<b>Migrant</b>	<b>Coaches</b>	<p>In order to qualify for an endorsement, Coaches must meet both of the following requirements:</p> <ol style="list-style-type: none"> <li>1. Coaches must have a minimum of 3 years technical coaching experience at Junior National level or above and can provide evidence of progressing athletes towards World Level performance (Senior, Junior or U23 World Championships, Olympic Games, or Paralympic Games) . They must provide evidence of working within development frameworks aligned with that of British Canoeing; and</li> <li>2. Individuals must hold National Coaching qualifications at Level 3 (or above) or appropriate equivalent experience and/or appropriate higher level education qualification (e.g. a sports science qualification) and will need to undertake health and safety and first aid qualifications and have an awareness of child welfare, child protection and Safeguarding issues.</li> </ol> <p>Applicants seeking permission for a period of more than 12 months will also be required to meet the English language requirement.</p> <p>The Scottish Canoe Association will not endorse applications for individuals where it is considered the application is an attempt to circumvent the requirements for Coaches.</p> <p>Decisions will be made by a Scottish Canoe Association sub-committee (CEO, Chairperson and Performance Director) who will consider written applications from the organisation concerned which must include full and complete job descriptions.</p> <p>Should permission be granted, the Scottish Canoe Association will monitor the individual's activities against the job description which has been submitted. The sub-committee will give written reasons for their decision. The sub-committee's decision will be subject to dispute resolution as set out below.</p>
<b>Injuries, Absences and Suspensions</b>		

Unavailable for work means the applicant was not available to coach due to injury or suspension and written evidence supporting this, setting out the games missed and the reason(s), must be provided by the applicant National Association or club doctor to Scottish Canoe Association for consideration.

Consideration will be given to the following when applying the criteria: injury; a period of maternity or paternity leave; serious illness or any legitimate medical reasons; suspension; international duty; bereavement; or family crisis.

In order to obtain the governing body endorsement, the individual must not be subject to a provisional suspension or any unexpired period of ineligibility from coaching activities in any jurisdiction as a result of being charged with or found guilty of a corruption offence and/ or a doping offence and/ or another misconduct offence.

## **Dispute Handling Procedures**

Where an application for a migrant covered by the requirements for a governing body endorsement as set out for International Sportsperson has been refused on the grounds that the migrant fails to meet the published requirements, the sponsor may seek a review of the application. The sponsor will have 28 days to request a review. In these cases, Scottish Canoe Association will refer the sponsor's evidence to an independent panel as set out below.

Where possible the sponsor's supporting evidence will be sent to the panel in advance for their consideration in order to allow an informed decision. Sponsors should note that, in respect of any application, there will only be one review panel available and the decision of the Review Panel is final (subject to final appeal). Sponsors should therefore ensure all evidence it wishes to present in support of its application is presented to the panel. If the sponsor has previously made an application that was unsuccessful at panel a further panel cannot be requested for the same migrant during the season unless their status changes and they meet the requirements whereby a new application can be submitted.

If the initial review is refused, the migrant may request a final appeal as set out at point **d**.

### **a. The Review**

The request for a review may only be made by the sponsor for whom the governing body endorsement has been initially rejected by Scottish Canoe Association.

A review shall be commenced by the sponsor submitting a notice of appeal within 28 days of the initial decision to the Scottish Canoe Association and Governance Director. The notice of appeal shall:

- i. set out details of the decision appealed against and, if the whole of the decision is not appealed against, identify that part of it which is appealed against;
- ii. set out in full the grounds of appeal and an appellant shall not be entitled to rely in any ground of appeal not set out in the notice of appeal; and
- iii. be accompanied by a deposit of £100. The panel shall have discretion as to whether the deposit is returned.

The procedure for appeal will be in accordance with the Disciplinary Regulations and the Review Panel shall be comprised as detailed below.

**b. The Review Panel**

The Review Panel will be appointed by the Disciplinary Hearings Manager. The appointed Review Panel shall consist of: an independent chairman, one representative of the migrant (who has not been involved in the initial decision) and one representative of named further representatives.

**c. Refusal at Review**

An endorsement request at review may be refused if the migrant does not meet the relevant criteria set out in this document or fails to provide the mandatory documents.

Scottish Canoe Association will notify the sponsor and the migrant in writing of any endorsement request which is refused at review stage, setting out the reasons for refusal.

**d. Final Appeal**

The migrant shall have 7 days from the date of the written refusal at review stage to submit a final appeal in writing to Scottish Canoe Association.

PLEASE NOTE: The migrant may only submit a Final Appeal on the basis that the Scottish Canoe Association have not applied the endorsement criteria correctly.

The Scottish Canoe Association shall consider the final appeal and any evidence submitted in support and shall, within 7 working days of the receipt of the final appeal, notify the migrant of its decision.

**e. The Decision**

The Scottish Canoe Association will make a decision using the above criteria which shall be final and binding. There are no other grounds of appeal.