

This guidance is to be used for all Tier 5 governing body endorsement requests made on or after the 4 September 2019.

Section 1: overview of governing body endorsements for Tier 2 (Sportsperson) and Tier 5 (Temporary Worker) Creative and Sporting categories of the points-based system

This page provides a brief explanation of the endorsement requirements a sport governing body has agreed UK sponsors of Tier 2 (Sportsperson) and/or Tier 5 (Temporary Worker) Creative and Sporting categories of the points-based system, must show.

The Tier 2 (Sportsperson) category is for elite sportspeople and coaches who are internationally established at the highest level and whose employment will make a significant contribution to the development of their sport at the highest level in the UK, and who will base themselves in the UK.

The Tier 5 (Temporary Worker) Creative and Sporting category is for sportspeople (and their entourage where appropriate) and coaches who are internationally established at the highest level in their sport, and/or will make a significant contribution to the development of their sport in the UK.

Sport governing body is one recognised by one of the home country sports councils such as Sport England. Every governing body must be approved by the Home Office before they are included in [Appendix M of the Immigration Rules](#).

The application process explained: migrants applying to come to the UK under either of the sporting categories above need to be sponsored by an organisation that has a sponsor licence under Tier 2 (Sportsperson) or Tier 5 (Temporary Worker) Creative and Sporting.

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 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 leave to enter or remain in the UK. Each individual must also have a personal endorsement from the governing body for their sport before you assign the certificate of sponsorship.

The list of governing bodies and the tiers for which they are currently approved by the Home Office is in [Appendix M of the Immigration Rules](#).

Length of endorsement

Governing body endorsements should be issued for a period appropriate to the period of approval for sponsorship or the tier under which the migrant's application is being made, that is:

Type of application	Tier	Length of endorsement
Sponsor	Tier 2 (Sportsperson) and/or Tier 5 (Temporary Worker) Creative and Sporting	4 years from date of issue
Migrant	Tier 2 (Sportsperson)	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.
Migrant	Tier 5 (Temporary Worker) Creative and Sporting	For the length of the contract or up to a maximum of 12 months, whichever is the shorter period.

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 category, 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 leave to remain. Leave to remain 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.



British Wheel of Yoga Governing Body Endorsement requirements

Supplementary Employment

Migrants are eligible to undertake supplementary employment under the Home Office supplementary employment regulation. The 'Supplementary employment' section of the [Tiers 2 & 5: guidance for sponsors](#) has more information on this.



Section 2: requirements

These pages explain the British Wheel of Yoga requirements under the Tier 2 (Sportsperson) and Tier 5 (Temporary Worker) Creative and Sporting categories and are effective from 4 September 2019.

These requirements are applicable to the UK.

Consultation

The following requirements have been agreed by the Home Office following consultation between the British Wheel of Yoga (BWY) and a range of independent yoga teachers and yoga organisations.

Review

The requirements will be reviewed annually. The next review will be in September 2020.

Length of season

Yoga runs throughout the year.

Requirements

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

Category	Requirement
Sponsor Tier 2 (Sportsperson) and/or Tier 5 (Temporary Worker) Creative and Sporting	Requests for endorsements will only be issued to: <ul style="list-style-type: none">• BWY• BWY accredited organisations• non BWY accredited organisations that have been operating for a minimum of 2 years and have a membership base



Category	Requirement	
<p>Migrant</p> <p>Tier 2 (Sportsperson) and/or Tier 5 (Temporary Worker) Creative and Sporting</p>	<p>Yogi/Yoga Teacher</p>	<p>Tutors will be required to evidence a minimum of 10 years experience of teaching and where possible will have a recognised yoga teaching qualification at the equivalent of UK Level 4 or above, including a demonstrable knowledge of human anatomy from a recognised accredited school. The ability to communicate effectively in English, in writing and orally, is essential.</p> <p>Additional evidence to demonstrate that a tutor is recognised internationally will be required in support of an application. Evidence which is acceptable will include:</p> <ul style="list-style-type: none"> • international publication of a recognised text book(s) on yoga or specific aspects of yoga practice • evidence including dates of teaching at international events (other than the tutor's country of birth or current residence), such as press coverage, reviews and the event programme • evidence of patronage and/or a clear lineage to an internationally recognised yoga organisation/school which offers formal qualifications in yoga and related studies • being the founder of, or a yoga elder of, an internationally recognised yoga tradition or style which has been commonly adopted internationally and/or has a quantifiable membership base



Category	Requirement
	<p>Suspensions</p> <p>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 tutoring or 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.</p>

Further information

This information is available on the [British Wheel of Yoga](http://www.bwyo.org.uk) website.

For any queries relating to the requirements or the endorsement process please contact:

British Wheel of Yoga
 25 Jermyn Street
 Sleaford
 Lincolnshire
 NG34 7RU

Telephone: 01529 306851

Email: office@bwy.org.uk

Information on visas and immigration is available on the [GOV.UK](http://www.gov.uk) website.

Section 3: Dispute handling procedures

Where an application for either a yoga teacher covered by the requirements for a governing body endorsement as set out for Tier 2 (Sportsperson) & Tier 5 (Temporary Worker- Creative and Sporting) has been refused on the grounds that the individual fails to meet the published requirements, the sponsor may seek a review of the application. The sponsor will have 28 days to request such a review. In these cases, the BWY 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 panel available and the decision of the panel is final. Sponsors should therefore ensure that 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 player during the season unless his status changes and he meets the requirements whereby a new application can be submitted.

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 the BWY.

A review shall be commenced by the appellant lodging with the BWY and Governance Director, a notice of appeal within 28 days of the decision appealed against. 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 £125. 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 Panel shall be comprised as detailed below.

b. The Panel

The panel will be appointed by the Disciplinary Hearings Manager. The appointed panel shall consist of: an independent chairman, and member (s) from the BWY National Executive Committee that were not involved in the initial decision.



c. Power of the Panel

An endorsement request may be refused if the individual does not meet the relevant criteria set out in this document or fails to provide the mandatory documents. The BWY will notify an individual in writing of any endorsement request which is refused setting out the reasons for refusal.

An individual shall have 7 days from the date of the written refusal to submit an appeal in writing to the BWY. An individual may only appeal on the basis that the BWY have not applied the endorsement criteria correctly.

The BWY shall consider the appeal and any evidence submitted in support and shall, within 7 working days of the receipt of the appeal, notify the individual of its decision.

d. The Decision

The decision will be based only on whether the criteria contained within this document have been correctly applied. The decision shall be final and binding. There are no other grounds of appeal.