

AFFORDABILITY · APPLICATION GUIDE

Home Office fee waiver applications

The affordability test, the evidence required and how a fee waiver fits with the application it supports, updated for 2026.

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Please read first. This guide is general information about UK immigration law as at 8 August 2026. It is not legal advice, no outcome is guaranteed, and the Immigration Rules and Home Office fees change frequently. Always check the current position on GOV.UK or take advice.

How we work

- Enquiry — you contact the firm by telephone, email or the enquiry form, and we confirm whether we are able to help.
- Advice appointment — a solicitor reviews your circumstances and explains the position, the route options and the requirements that apply on those facts.
- Scope and fees agreed in writing — no application work begins before this is confirmed.
- Evidence preparation — we set out what is needed, review what you provide and identify gaps before submission.
- Submission — the application and the written submissions are checked and approved by a solicitor before they are filed.
- After submission — we deal with Home Office correspondence and keep you updated until the matter concludes.

SECTION 01

What a fee waiver is

A fee waiver is a decision by the Home Office that an applicant does not have to pay the application fee, and in most cases the immigration health surcharge, because they cannot afford it. It is applied for separately, and before, the immigration application it supports.

Fee waivers are available for specified human rights based applications, including applications under the family and private life routes, and for certain other categories set out in the published guidance. They are not available for every application type.

A fee waiver application is decided on financial evidence. It is not a means of delaying an application, and a refusal usually leaves only a short period in which to pay the fee before the underlying application is treated as invalid.

SECTION 02

The affordability test

The Home Office will grant a fee waiver where the applicant satisfies it that at least one of the following applies:

- You are not able to afford the fee
- You do not have a place to live and cannot afford one
- You have a place to live but cannot afford your essential living costs, such as food or heating
- You have a very low income and paying the fee would harm the wellbeing of a child you are responsible for

The assessment looks at income, savings and assets against reasonable essential living costs, and at the support available from any other person. Where a partner, family member or third party provides support, the Home Office will expect their financial position to be evidenced too.

SECTION 03

Evidence

Fee waiver applications are refused far more often for missing evidence than for income that is genuinely too high. The evidence should cover the whole of the period the Home Office asks about, normally the six months before the application.

- Bank statements for every account held by the applicant and any partner, covering the full period, with no missing pages
- Evidence of all income: payslips, benefit award letters, pension statements, tax credits or universal credit statements
- Evidence of housing costs: tenancy agreement, rent statements, or a letter from the person providing accommodation
- Evidence of essential outgoings: utilities, council tax, food, travel, childcare and any medical costs
- Evidence of any support received from third parties, and their financial position
- Evidence relating to children, including school letters and free school meals or benefit evidence
- A statement explaining the household's circumstances and how the figures fit together

Explain any unusual credit or debit on a bank statement in the covering statement. Unexplained deposits are one of the most common reasons for a refusal.

SECTION 04

How the process works

- 1. The fee waiver application is completed and submitted online, before the immigration application.
- 2. The Home Office reviews the financial evidence and may request further information, usually with a short deadline.
- 3. If the fee waiver is granted, a reference is issued and the immigration application must be made within the period stated in the decision, normally ten working days.
- 4. If the fee waiver is refused, the immigration application must normally be made and paid for within a short period, again usually ten working days, to preserve continuity of leave.
- 5. There is no right of appeal against a fee waiver refusal, although a fresh application with better evidence may be possible.

Timing matters. Where existing leave is close to expiry, a fee waiver application made in time can protect status under section 3C of the Immigration Act 1971, but only if the underlying application is then made within the period allowed.

SECTION 05

Common reasons for refusal

- Bank statements missing for part of the period, or for one account in the household
- Income declared that is not evidenced, or evidence that does not match the declared figures
- Third-party support that is not disclosed, or is disclosed but not evidenced
- Outgoings claimed without documentary support
- Savings or assets not explained, including funds held abroad
- Deposits into an account that are not explained in the statement of circumstances

These are general observations drawn from published guidance and from decisions we see. They are not a prediction about any individual application.

WORKING WITH US

How we can help

Andrew Williams Solicitors is a regulated immigration law practice. Our solicitors advise on and prepare applications in this area, and every submission is checked and approved by a solicitor before it is filed.

- Assessment of whether a fee waiver application is appropriate on your facts
- A structured evidence list for your household
- Review of financial evidence and identification of gaps before submission
- Preparation of the statement of circumstances and written submissions
- Management of the deadlines that follow a grant or a refusal
- Preparation of the underlying immigration application once the fee position is resolved

Professional indemnity and scope of service

We use internal working methods to support our solicitors in delivering an efficient, evidence-led service. The following applies without exception:

- We are a regulated law firm providing legal services. We are not a technology or software provider.
- Any internal working methods we use support our solicitors. They are not products, and they are not supplied, licensed or made available to clients.
- Clients receive legal advice from a solicitor. Clients do not receive access to any internal system.
- No internal working method makes, replaces or influences a legal judgment. Every piece of advice and every submission is prepared and approved by a solicitor.
- We do not control Home Office decisions, processing times, eligibility or policy, and we make no representation that we do.

- Nothing in this guide is a guarantee of any outcome, timescale or eligibility.

IMPORTANT INFORMATION

Disclaimer and terms of use

- This guide is general information about UK immigration law and Home Office practice as at 8 August 2026. It is not legal advice and must not be relied on as advice about your own circumstances.
- The Immigration Rules, Home Office fees, published service standards and policy guidance change regularly and often at short notice. Figures and requirements stated here were checked against GOV.UK on the date shown and may have changed since. Always check the current position on GOV.UK, or take advice, before you make an application.
- No solicitor can guarantee the outcome of an immigration application or appeal. Every case is decided by the Home Office, or by the tribunal, on its own facts and on the evidence submitted.
- Andrew Williams Solicitors accepts no liability for any loss arising from reliance on this guide. Downloading or reading this guide does not create a solicitor and client relationship. A relationship begins only once we have issued, and you have accepted, a written engagement letter.
- We strongly recommend that you take advice from a regulated immigration solicitor before making or responding to any immigration application.

Sources checked

- GOV.UK — Fee waiver: human rights based and other specified applications (checked 8 August 2026)
- GOV.UK — Family visas: apply, extend or switch, fee waiver section
- Home Office immigration and nationality fees table

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ABOUT THE AUTHOR

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Andrew Nathaniel Williams is the principal solicitor and founder of Andrew Williams Solicitors, an immigration practice based in Leeds. He holds a Bachelor of Laws (LLB Hons) and a Postgraduate Diploma in Legal Practice, and began working in immigration law in 2001 as a caseworker at the Refugee Legal Centre in Leeds.

Andrew qualified as a solicitor in 2004 and established the practice that trades today as Andrew Williams Solicitors in 2007. He has held supervisory roles in immigration practices in Leeds, Hull and Manchester, and has acted in family, work, settlement, fee waiver and appeal matters at every level from initial application to the Upper Tribunal.

Andrew practises through the firm, which is authorised and regulated by the Solicitors Regulation Authority. The firm holds professional indemnity insurance as required by the SRA Indemnity Insurance Rules.

FIRM AND REGULATORY DETAILS

DETAIL	INFORMATION
Practice name	Andrew Williams Solicitors
Legal entity	Leeds Legal Solutions Ltd, also known as Andrew Williams Solicitors
Regulator	Solicitors Regulation Authority
SRA number	558148
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Opening hours	Monday to Friday, 9.00am to 4.00pm
Website	www.awsolicitors.co.uk/fee-waiver-application/

To arrange an advice appointment, call 0113 244 1911, email clients@awsolicitors.co.uk, or use the enquiry form at www.awsolicitors.co.uk/contact/. We confirm the scope of work and our fees in writing before any application work begins.