



Code of Practice for Fashion Models

Introduction

The modelling industry is truly international and intensely competitive on the global stage. Models have agent representation in multiple markets and work worldwide, continuously, and wherever there is a demand for their services, thus requiring them to be able to travel and work in different markets. For the UK to continue to retain its reputation and competitiveness in this global industry and to ensure that creative production is undertaken in the UK (photo shoots, London Fashion Week etc) models must be able to enter and exit the UK smoothly. The British Fashion Model Agents Association (BFMA), together with the British Fashion Council (BFC) (with whom the BFMA is affiliated and through whom model agents are recognised) in consultation with the Home Office, the Department for Digital Culture, Media & Sport, the Department for Business, Energy & Industrial Strategy, Equity, and commercial clients representing high street retailers, e-commerce companies, publishers and designers, have arrived at this industry Code of Practice.

Purpose

The purpose of this document is to provide guidance to UK Visa Sponsor model agencies on applications to bring models to the UK and to give greater clarity to visa sponsors, to ensure they work legitimately within their sponsor's licence.

This document should be read in conjunction with [Appendix J of the Immigration Rules](#). It is the responsibility of the visa applicant and their sponsor, to ensure they comply with the Immigration Rules. This Code of Practice ties into the broader areas of work being undertaken by the BFMA and the BFC to ensure the safeguarding and well-being of models. It should protect against 'rogue' agencies, looking to exploit the system for inappropriate means.

The Code of Practice in Appendix J of the Immigration rules has been effective from 10th January 2019. The criteria in this document will be reviewed so that modified Criteria may be issued.

Background

In a global industry competing for “new faces”, the greatest challenge can be that the agents are often seeking to bring in less experienced models to develop their careers in this market, despite their unique potential, before another agency in another country can do so.

Models’ incomes vary widely according to experience, potential and from one job to the next. Models need this work in order to maximise their, and their agency’s earnings.

Context

Models can be classified into 4 different categories, the definitions of which will serve to explain how the models will meet the Eligibility Criteria laid out in [Appendix J of the Immigration Rules](#).

- 1 Top models**

These are high earners and people who are recognised not just as models but may, also, be personalities in their own right.

- 2 Commercial models**

These models have a sufficient level of experience that they are already established, if not in the UK, certainly in their own or other markets. They may already be known to UK clients or will certainly have been pre-marketed, however, photographs alone are not sufficient, except for models flying in for a particular job. For UK model agencies, these models represent the majority of earnings potential.

- 3 Model required for continuity**

The model has worked for the same client, within the past two years, prior to coming to the UK.

- 4 New Faces**

This is a generic description for new models to the industry and where UK agencies will invest considerably because they can see the potential. They are critical to the life blood of the industry and the UK is renowned for developing new and successful models. There are two different categories:

 - **New Faces – working**

Such models will likely have a couple of years of experience and are just reaching the stage where they are becoming proficient in their careers. They may be entirely new to the UK market, or on a second or third visit, but their potential is clear. For this to be optimised, their portfolios need to be developed and this will include new test photography, editorial shoots, and, of course, appointments with potential clients. In the latter case, it can take time for the appointments to be completed and, only then, are clients likely to confirm bookings as they fit the new models into their schedules.
 - **Future Faces**

Akin to an academy, such models will be new to the market but will have shown considerable promise and, being the ‘latest’ face, will likely be much sought after, particularly by photographers and print or digital media alike. And, of course, at London Fashion Week.

Sponsors

In order to use this Code of Practice a model agent must hold a Sponsor's licence under Tier 2 and/or Tier 5 and thereby be eligible to assign Certificates of Sponsorship.

A Sponsor's licence issued under Tier 2 or Tier 5 is valid for 4 years, after which time it may be renewed. Agents should note that a Sponsor's licence may be revoked by the Home Office at any time if the Sponsor is seen to be failing in its compliance with its duties. If a Sponsor's licence is revoked, a model's leave to remain may be curtailed.

Home Office sponsor guidance is available by clicking the buttons below:



Sponsors can get advice from the sponsorship, employer and education helpline:

Sponsorship, employer and education helpline

Telephone: 0300 123 4699
Monday to Thursday, 9am to 5pm
Friday, 9am to 4:30pm
[Find out about call charges](#)

UK businesses and Tier 1 (Investors) can get help from the Business Helpdesk:

Business Helpdesk
businesshelpdesk@homeoffice.gov.uk

Certificates of Sponsorship

A Certificate of Sponsorship (COS) will be assigned to a model once the Sponsor has confirmed that the application on behalf of the model has satisfied the requirements of this Code of Practice.

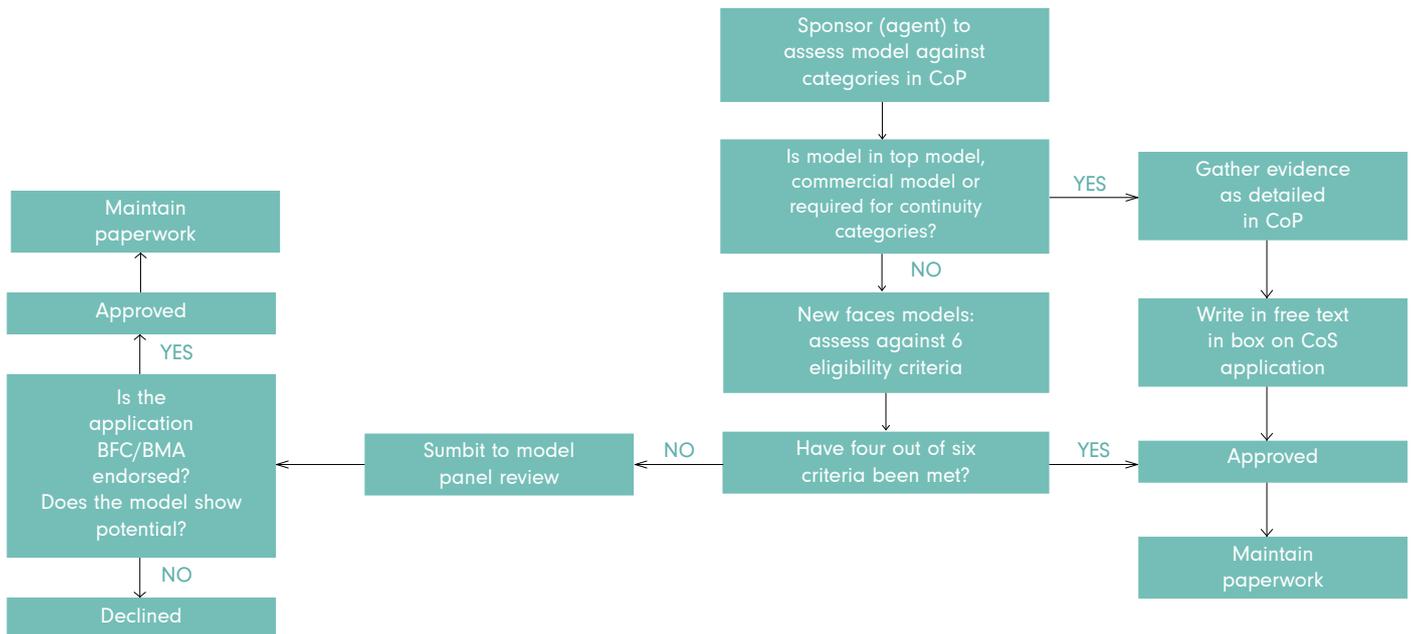
Earnings

A model must enter the UK with a pre-booked engagement, in the form of a catwalk show, editorial, e-commerce, or, at a minimum, a test shoot by a professional photographer. The sponsoring agent will guarantee that the pre-booked engagement is paid at National Minimum Wage, and the minimum confirmed earnings from the pre-booked engagement(s) will be the amount that is entered into the CoS application. Should the model's earnings exceed this amount over the period of the visa, the system will be updated at the end of the visa with the total earnings on expiration of the CoS.

It is a requirement of the continuity rule that a model must work every 14 days from the date of entry to the UK. If a model fails to work in those 14 days they will be required to leave the UK.

Exemptions from advertising for those deemed to be making an additional contribution to the UK labour market:

Overview of the Application Process



1

Top models

A sponsor must be able to supply evidence that the model has international status, e.g. publications, Publicity materials, press engagements, relevant social media presence.

2

Commercial models

A Sponsor must be able to provide the following evidence:

- Evidence of previous engagements or of commercial status in the UK and/or
- Evidence of working in markets other than the UK

3

Model required for continuity

The sponsor must be able to provide evidence of continuity with the same client over past two years, e.g. confirmation of past and intended bookings.

4

New Faces

Models must meet 65% of the New Faces Eligibility Criteria (see below) for the Modelling Industry, as endorsed by the British Fashion Council. Sponsors must be able to provide evidence of which Criteria are met. All evidence required must be held and made available on request in the event of an inspection.

Required endorsement for those falling outside the above criteria:

New Faces Eligibility Criteria for the Modelling Industry

Six Eligibility Criteria have been set out to demonstrate a model's eligibility to enter the UK to work. Each criterion is both transparent and can be evidentially supported. A minimum score across 65% of the criterion must be achieved for an applicant to be considered.

A BFC approved Selection Panel will be put in place to endorse specific models with real potential that are unable to fulfil the required four Criteria. Applications will still be required to be scored against the Criteria and the supporting documents submitted to the Panel to enable them to make a decision.

The six Eligibility Criteria are:

1 BFC recognised or BFMA agency

For the BFC to recognise a BFMA agency, the latter must be able to demonstrate adherence to the Eligibility Criteria that have been established. In this context, financial probity and stability are essential. This means that the agencies are able legitimately to underwrite the financial support of applicants such that they will not be a burden to the State. They will have been required to meet the prerequisites from the Department for Business, Energy and Industrial Strategy Employment Agencies Act.

Non BFMA agency models must fulfil the same Criteria and the agency must be recognised by the BFC. To achieve this endorsement they must meet financial underwriting criteria and they must be known to the BFC.

Evidence required: Detailed records must be kept

2 A legitimately held, previous Tier 5 CoS issued

In such an event, the model will already have been able to demonstrate his or her potential earnings and this should carry a level of CoS support.

Evidence required: Financial and engagement records to be readily available from previous visit/s

3 Pre-booked London Fashion Week or paid engagement of equivalent profile

This is a guarantee of work.

Evidence required: Copies of confirmed booking/s

4 Walked on an international circuit

If any model has, within the last 2 years, walked at one of the internationally recognised circuits (by the BFC) this will fulfil an eligibility criterion.

Circuits include, but not exclusively, New York, London, Milan, Paris, Dubai, Moscow, Berlin, LA, Spain (Madrid/Barcelona), Germany (Berlin), Austria, Australia, Singapore, Sao Paolo, China (Shanghai/Shenzhen), Japan (Tokyo).

Evidence required: Copies of dated, foreign agency bookings or show photography

5 Earning potential. Recognised work experience - international

Here a model must demonstrate previous work in other markets within the two years previous to the application and indicate that the value of such work would be sufficient to cover their CoS identified earnings in the UK.

Evidence required: Written confirmation from foreign agency indicating value (using OANDA currency conversion rate), quality and nature of work in previous 2 years

6 Recognised go-see, test, casting or interview

Agencies will have pre-booked a number of appointments and will be able to demonstrate this from a given model's 'chart'. A minimum of 4 appointments must have been booked in the first 2 weeks, see below requirements on earnings.

Evidence required: The client appointments must be with BFC/BFMAA recognised UK clients. Photographic tests must be through agency recognised photographers.

All evidence required must be held and made available on request in the event of an inspection.

Selection panel

The Panel will be used for New Faces where there will be little or no immediate experience, and therefore who do not meet the 4 eligibility Criteria.

The BFC has selected a panel has been put in place to endorse models that demonstrate real potential, that are unable to fulfil the required four Criteria. The BFC would act as the administrative secretariat to the panel, to review submissions, send to panel members and view responses.

A panel of a minimum of 10 professionals in the industry ranging from casting directors, producers, designers, photographers and clients has been assembled. To ensure efficiency and meet timescales for each endorsement, applications will be submitted to 10 of the panel on a rotating basis, with a minimum of 3 of the 10 approving the application for the endorsement to be given.

To endorse the model, 3 conditions must be met:

- The sponsor must be a BFMA or BFC approved agency (this check will be carried out by the BFC)
- Three (3) of the panel must accept the model's potential
- The 3 panel members approving the model's potential must declare they are independent of the sponsor/model (this check will be carried out by the BFC)

To apply to the panel, the sponsor should fill in and submit the template (see Appendix 1), along with up to four images, to include:

- One full-length
- One head shot
- One profile
- One expressive

Sponsors should ensure that all images are completely anonymous (model name nor country of origin nor agency name).

Any images are not anonymous will be rejected by the BFC and not reviewed, thereby delaying the approval process.

Submissions must be made via email to the BFC,
modelvisa@britishfashioncouncil.com

The BFC will aim to respond within 2 working days to submissions. The BFC will inform the sponsor of the decision by email and the sponsor will use this to support the applicant's COS to be issued. The sponsor must retain this paperwork, along with paperwork of evidence against the Eligibility Criteria, in case of inspection.

Home Office Support

If you are an agent or Sponsor and have a general query about the Sponsor application process or for specific enquiries regarding individual applications about the migration application process, please contact UK Visas and Immigration (UKVI) on **0300 123 2241**.

Alternatively, UK businesses can get help by emailing the Business Helpdesk at:

businesshelpdesk@homeoffice.gov.uk

Glossary

BFC recognised or BFMA agency

An Agency that is either a bone fide member of the BFMA or is an agency recognised by the BFC (<https://bfma.fashion/current-members/>)

Certificate of Sponsorship

A certificate assigned to a non-EU/EEA model by a sponsor model agent. Such a certificate will quote a unique reference number that links to information held by the Home Office about the individual's job and personal details.

Home Office

The department of the UK government responsible for immigration, counter-terrorism, police, drugs policy, and related science and research.

Sponsor

A model agent which has satisfied the Home Office Criteria to assign Certificates of Sponsorship.

Appendix 1

Form for Panel Endorsement

Sponsor Agency Name	
Sponsor Agency Address	
Sponsor Agency Contact	
Name	
Email	
Telephone	
Evidence against Eligibility Criteria in Code of Practice	
Eligibility Criteria	Description of evidence held
BFC recognised/BFMA Member	Y/N
A legitimately held previous Tier 5 CoS issued	Y/N
Pre-booked or paid engagement	Please provide details
Walked on an international circuit	Please provide details
Earning potential. Recognised work experience - international	Please provide details
Recognised go-see, test, casting or interview	Please provide details
<p>Please attach no more than four (4) of images, to include</p> <ul style="list-style-type: none"> • One full-length • One head shot • One profile • One expressive <p>PLEASE NOTE: The images should be completely anonymous have no reference to the model or agency name. Any images that contain any reference will be rejected and not reviewed, thereby delaying the approval process.</p> <p>The email should be no more than 4 MB in size. Please email completed forms to: modelvisa@britishfashioncouncil.com</p>	
For BFC use only	
Confirm BFMA/BFC recognised: Y N	Confirm panel approved: Y N
BFC employee name:	Unique Reference Number:

In accordance with the Data Protection Act 1998, the British Fashion Council guarantees that information given on this form will not be used to discriminate against you in any way. Additionally, the British Fashion Council strives to ensure that all personal information revealed in this form will be stored securely and accurately. Your personal details will not be divulged to, or shared with, any third party or used for any other reason than to measure the impact and success of this project. While the British Fashion Council will endeavour to ensure that your business data remains up to date, we would appreciate if you could notify us of any change in circumstances.