

By email:

Head of EUSS and SRC, Settlement, Hong Kong (BNO) and Windrush Compensation Scheme
Home Office SUG team

15 December 2021

Dear Ms Monk,

Return of identity documents submitted as part of EU Settlement Scheme applications

We read your recent response of 25 November to letters from ILPA, and saw the following sentence in the section about identity documents:

“However, where an applicant has sent their identity document to the Home Office and requires it to be returned before their application has been decided, they can contact the SRC to request this. The request will generally be actioned within 10 working days.”

We had understood that identity documents should be returned to applicants automatically, as soon as possible, rather than only on request or once the application was decided.

Would you be able to clarify what the policy and process is on this?

We have had a number of people report to us that they had been waiting for the return of their identity documents for a long time. Some of these reports included an account of asking the Home Office to expedite the return of their identity documents, and being told that doing so may risk invalidating their application.

I include extracts of some recent reports as examples:

Paper application for EU Settlement Scheme status: *“After submitting a manual form application I’ve only received a letter from HO acknowledging receipt of the application, however it’s a standard letter that doesn’t acknowledge receipt of the supporting documents I posted, that includes my passport. [...] The Home Office is not confirming and/or responding to locate my passport, indeed, they advised that it’s at their discretion to return a passport and, if they do, they may cancel the application.”*

Application for EU Settlement Scheme family permit: *“My mum’s passport is still kept by the UKVI. No one is able to answer when she can have it back. That’s the only document she can travel on to the UK which she hasn’t got. The TLCcontact which has been used as the provider to pass all of the relevant documents said she will need to withdraw her application if urgently needs her passport back. Which I find really unfair, especially since it’s been kept for almost a year now.”*

Paper application for EU Settlement Scheme status: *“Wife’s biometric card and husband's passport submitted with application. On request for information, semi-automated response claims that COA is issued when identity has been proven.... Unsure how an application for somebody providing a home office issued biometric card can take 4+ months to simply confirm identity... Unable to travel. Husband unable to travel.”*

Online application requiring the postage of passport: *“I submitted my passport with the application and this remains with the Home Office [six weeks later]. I have no way to track the progress of the application or have any clarity when I will either have my passport returned or my application decision.”*

Would you be able to give us some further information on the process of receiving, processing and returning identity documents, and also whether anything is being done to monitor or improve the delays people are facing?

In addition, would you be able to tell us how long someone needs to wait for the return of their passport (with permit) once they are informed that they are to be granted an EUSS Family Permit?

Kind regards,

Monique Hawkins

Policy and research officer, the3million