



Ms Monique Hawkins
the3million
124 City Road
London
EC1V 2NX
monique.hawkins@the3million.org.uk

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Dear Ms Hawkins,

Thank you for your letter of 18 July about issues faced by applicants wishing to convert from pre-settled to settled status under the EU Settlement Scheme (EUSS). Please note you are receiving a reply from an official. I am sorry for the delay in responding to your letter. I address in turn below the issues you raised.

Q1. Please revisit our letter of [18 May 2022](#), and reply individually to each of the questions Q1 to Q7 in that letter:

1. Has the route to switch from pre-settled to settled status, as advertised on the GOV.UK website, been subject to any end-user testing? If so, can you supply any results and conclusions from this testing? Please see an illustration of the issue [here](#).

We conduct extensive testing before implementing any changes. We continually look to make improvements to ensure users understand that they have a UKVI account and how they can use it.

We are grateful for your feedback and have now amended the GOV.UK page (www.gov.uk/settled-status-eu-citizens-families/switch-from-presettled-status-to-settled-status) to clarify the actions pre-settled status holders have to take in order to obtain settled status, including the need to update their identity document if it has changed. These amendments were published in the week commencing 17 July 2023.

We will be making further improvements, including to the dashboard view of previous EUSS applications. We are reviewing the 'sign in' and 'prove your identity' journeys and making improvements so that it is clearer as to how to start a new application if the person already holds pre-settled status.

Please note that the video you have shared does not accurately reflect the correct process for switching from pre-settled to settled status and could wrongly lead to people creating a second UKVI account if they miss the messaging regarding the need to update their identity document and proceed to use the 'EU Exit: ID Document Check' app with a different identity document.

Currently, applicants switching from pre-settled to settled status need to start a new application by using the 'prove your identity' button on the start page at: <https://apply-to-visit-or-stay-in-the-uk.homeoffice.gov.uk/euss>

They will need to use their current identity document. If their identity document has changed since they applied for pre-settled status, they must update their UKVI account with the details of their new identity document before they can apply to switch to settled status. They can do this by using the 'update my details' service at: www.gov.uk/update-uk-visas-immigration-account-details/update-your-ukvi-account.

2. Will you commit to urgently reviewing and updating the advertised process, to make sure no-one inadvertently adds residence evidence to an already granted application when they are in fact intending to upgrade from pre-settled to settled status, and to make sure everyone following the links on the GOV.UK website is clearly informed about the correct upgrade process?

We welcome feedback on how we can improve our services and the application journey for our customers. As indicated above, we continue to review the application process and public-facing guidance to ensure the process is as simple as possible.

We anticipate iterative changes from September 2023 to help ensure customers follow the correct process to switch to settled status where they have pre-settled status. As of 30 June 2023, 608,380 people had already done so.

3. How many times has the “Switch from pre-settled status to settled status” [Apply to the EU Settlement Scheme \(settled and pre-settled status\): Overview - GOV.UK \(www.gov.uk\)](#) settled-status been clicked?

We do not publish data on page views for GOV.UK. However, we are able to provide some indicative data using analytical tools, which shows that, from 1 January to 31 August 2023, there were 454,917 page views for this GOV.UK page.

4. Are you able to run a process to identify all pre-settled applications where extra evidence was added to an already granted application? If so:

a. How many applications have had extra evidence added after the pre-settled status had already been granted?

b. Is it possible for the Home Office to consider this extra evidence, and where it shows five years of continuous residence, accept this as an application for (and grant) settled status, or convert this to an application for (and grant) settled status?

c. Will you contact all these pre-settled status holders to inform them of what has happened and what they should do next?

We are aware of an issue whereby applicants have been uploading evidence to a previous, already concluded, EUSS application. We are looking into solutions to this issue.

We recently announced that, for those pre-settled status holders who have not yet switched to settled status, their pre-settled status will be automatically extended by two

years shortly before it expires to ensure that nobody loses their immigration status because they have not made a second application to the EUSS.

The extension will be applied automatically to their digital status so there will be no need for them to contact the Home Office. They will be notified directly once the extension has been applied and the notification will also explain how they can switch to settled status. These changes will be implemented from September 2023 when the first grants of pre-settled status are due to expire.

Alongside these changes, we also intend to take steps to automatically convert as many eligible pre-settled status holders as possible to settled status without them needing to make a second application to the scheme. To do this, we plan to undertake automated checks of pre-settled status holders against government-held information, for example to ensure their ongoing continuous residence in the UK. Safeguards will be in place to ensure that settled status is not wrongly granted, for example to someone who does not have the required continuous residence in the UK. We are aiming to have this automated process in place during 2024.

5. Will you update the dashboard view of applications to show the correct status sought (pre-settled / settled) and outcome (granted, refused, invalid, withdrawn, void) of each application?

Several improvements have been made to the dashboard view, to reflect whether a decision has been made or if the application is still pending. Where a decision has been made, this does not currently include the outcome, but displays that a decision has been made and the decision date and signposts to the decision letter, which confirms the outcome of the application. If granted, the decision letter will signpost the person to the 'view and prove' service to view and share their immigration status. We intend to launch further improvements to the application dashboard in early 2024.

6. In light of the millions of people who have been granted pre-settled status after a process to validate their identity, eligibility and suitability, will you meet with us and/or consider any changes to the process to switch to settled status, including but not limited to any of the following:

a. Not requiring a completely new application for settled status, but instead accepting extra evidence of required continuous residence linked with an existing granted pre settled status application?

b. Not requiring the same onerous identity check options if someone is using the same identity document as they used for their pre-settled status application?

c. Not requiring the same onerous identity check options if someone is using a renewed version of the identity document that they used for their pre-settled status application, and which they already attached to their pre-settled status UKVI account?

d. Not undergoing the same suitability checks from first principles, given that suitability checks were already concluded with the pre-settled status application, and instead looking only at suitability factors for the time between the grant of pre-settled status and the application for settled status?

As mentioned above, we are planning during 2024 to automate the process of converting from pre-settled to settled status for as many individuals as possible, which will remove the need for applicants to engage in the steps you identify above.

7. Will you update the general visas and immigration webpage (<https://www.gov.uk/browse/visas-immigration>) to properly provide for family members of EU, EEA and Swiss citizens who need to apply for status under the EU Settlement Scheme or switch from pre-settled to settled status under the EU Settlement Scheme?

The general visas and immigration webpage mentioned above already contains a link for 'EU, EEA and Swiss citizens' (www.gov.uk/browse/visas-immigration/eu-eea-swiss) where customers can find further links to relevant pages containing specific information aligned to their individual circumstances.

Q2. Article 18(1)(e) of the Withdrawal Agreement states “*the host State shall ensure that any administrative procedures for applications are smooth, transparent and simple, and that any unnecessary administrative burdens are avoided;*”.

Would you agree the Home Office is in breach of Article 18(1)(e) of the Withdrawal Agreement specifically with respect to these upgrade applications?

We have considered your question carefully, but we do not agree that the requirement to submit the required evidence of identity and nationality for a settled status application, even if the person holds pre-settled status, is a breach of Article 18(1)(e). The Citizens' Rights Agreements expressly provide that the host state is entitled to verify applicants' identity when they apply for a residence status (be that temporary or permanent residence status). See, for example, Article 18(1)(i) of the Withdrawal Agreement. This position under the Citizens' Rights Agreements reflects the position under EU free movement law.

It is important that pre-settled status holders wishing to switch to settled status follow the correct process, as outlined above. We are grateful for your comments regarding the GOV.UK page about proving identity and nationality in an EUSS application (<https://apply-to-visit-or-stay-in-the-uk.homeoffice.gov.uk/euss/prove-your-identity>) and we will consider how it can be improved.

We continue to offer additional support to vulnerable citizens in applying to the EUSS. We have announced a further £2.5 million until 31 March 2025 for the network of grant-funded organisations across the UK which provide such support, bringing the total amount of grant funding to £32 million. There is further support available through the Resolution Centre, which provides telephone and email assistance to applicants, and 'We Are Digital', which helps applicants complete the online application process.

Yours sincerely,

EEA Citizens' Rights & Hong Kong Unit
Email: Public.Enquiries@homeoffice.gov.uk