

By email:

Minister Kevin Foster MP  
Copied: Home Office SUG team

12 August 2022

Dear Kevin Foster MP,

**Adding evidence to existing closed applications to the EUSS instead of creating new applications**

We, together with Settled, wrote to you on [18 May 2022](#)<sup>1</sup> about the upgrade path from pre-settled to settled status. We described in detail the advertised upgrade process, and how this can lead some people to inadvertently add evidence to an existing, already decided, application rather than starting a new application.

We received a reply on 30 May which unfortunately did not address the questions we included in our letter. However, we appreciate that you said you welcome our feedback and are grateful for bringing these issues to your attention.

In light of the above, we would like to describe a different variation of the same problem. The use case we described in our May letter was about people with existing pre-settled status wanting to apply for settled status. In this letter, we want to highlight the use case of people who currently have no immigration status who thought they had submitted a new application.

We illustrate with a brief timeline summary of someone applying to the EU Settlement Scheme:

- P, an EU citizen, arrived in the UK in September 2020.
- A variety of Covid-19 related circumstances led to difficulties evidencing their arrival in the UK before 31 December 2020. These circumstances included for example last minute travel changes because of red-listing decisions, and not starting a planned employment opportunity or registering with a GP due to lockdown. P was living with and supported by someone in the UK, therefore also did not have a rental agreement or other evidence. However, P was added to the council tax bills.
- P submitted an application to the EU Settlement Scheme in March 2021.
- P received a refusal in May 2021, on the grounds of insufficient evidence.
- After conversations with the EU Settlement Resolution Centre, P was advised to submit a new application, adding more explanations and potential sources of evidence.

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<sup>1</sup> <https://the3million.org.uk/publication/2022053001>

- P believed they did so in mid June 2021, shortly before the EU Settlement Scheme application deadline. In fact they got confused by the website, and had not realised they needed to start afresh from the 'EU Exit: ID Document Check' app. Instead, they had followed the links to log in to their 'dashboard', had seen their application which did not mention it was refused, and had used the prominent "Provide requested evidence or photos" button to add their extra documents.
- P did not realise they had done anything wrong.
- In fact, they were strengthened in their belief that they had undertaken the correct process because they received an email on the same day from the Home Office, from the email address [apply.to.visit.or.stay.in.the.uk@notifications.service.gov.uk](mailto:apply.to.visit.or.stay.in.the.uk@notifications.service.gov.uk) with subject header "Evidence submitted". The email stated (our emphasis):

*Dear [xxxx],*

*Application number: [xxxx-xxxx-xxxx-xxxx].*

*Your evidence has been uploaded and submitted.*

***We will look at the files you have uploaded. You will receive an email with your status when we have processed your application.***

*If you need to upload more evidence, sign in to your application using the link below. To sign in you will need the travel document ID you used during your application. The travel document ID you used ends in \*\*\*\*\*[xxx].*

*Sign in to your application at <https://apply-to-visit-or-stay-in-the-uk.homeoffice.gov.uk/dashboard>*

***Contact us***

*If you need help, contact UK Visas and Immigration at <https://www.gov.uk/contact-ukvi-inside-outside-uk>*

- Over the following months, if P attempted to contact the EU Settlement Resolution Centre [EUSRC], they were unable to get through if they wanted to get a progress update. We described this difficulty in obtaining application progress updates in detail in our earlier letter of 18 May 2022, and a transcript diagram of a sample call to the EUSRC on 10 May 2022 is also shown [here](#)<sup>2</sup>.
- Eventually they were able to speak to someone at the EUSRC, and when they asked how their second application was progressing, they were told there was no second application. P expressed their upset over this, and mentioned the email they had received in June 2021 stating the evidence would be looked at.
- The EUSRC staff member said there had been a known glitch in the Home Office systems, resulting in these emails being sent out when they related to applications which were closed, and told P to submit a new application, and to include an explanation about the glitch to account for the late application.
- A new application was submitted in February 2022, and status was finally granted in July 2022.

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<sup>2</sup> <https://the3million.org.uk/sites/default/files/documents/t3m-transcript-EUSRCHelpline-10May2022.pdf>

We have a number of questions relating to the above:

- Q1. From the EUSRC staff member's comments, it is apparent that there was a recognised glitch in the EU Settlement Scheme process which meant emails were sent to people stating that newly submitted evidence would be looked at, when in fact this evidence would not be looked at as the application had already been previously decided.
- a. Is it possible to run a programmatic audit to identify any such emails that were sent to applicants after their application had already been decided? If not, why is this not possible?
  - b. For any such emails that are identified, is the Home Office making contact with the applicants to ensure that they are informed that the email was sent in error, that a new application must be created, and clear advice given on how a new application must be submitted?
  - c. How many such emails were sent in error?
  - d. When was this glitch corrected such that adding evidence to a closed application does not result in an email to the applicant telling them their evidence will be considered?
  - e. Was a further change implemented such that adding evidence to a closed application automatically results in an email to the applicant explaining to them that their evidence will not be considered as the application is closed, together with clear advice on how to submit a new application?
- Q2. As also asked in Q5 of our letter of 18 May 2022, will you update the dashboard view of applications to show the correct status sought (pre-settled / settled) and state / outcome (pending, granted, refused, invalid, withdrawn, void) of each application?
- Q3. Will you add some clear explanation on the dashboard view of applications about the difference between adding evidence to an existing application and how to create a new application?

Kind regards,

Monique Hawkins  
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