

LOST, STOLEN, UNSERVED OR INCORRECT STATUS DOCUMENTATION

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1 Introduction

1.1 Audience and Purpose

This instruction is intended for the sight of all officers who may be responsible for considering issues relating to status documentation.

It is intended to explain procedures regarding lost and stolen status documents, re-served status documentation, requests for new status documentation and processing requests for new United Kingdom Residence Permits (UKRPs).

It does not include the process for re-issuing UKRPs in the event of a lost or stolen national passport and asylum officers should contact Asylum Enquiries for advice on how to process these types of cases.

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2 Decisions

2.1 Post-14/03/04 Decisions

All decisions to grant leave made on or after 15 March 2004 should be served with United Kingdom Residence Permits (UKRPs) in passports or on Immigration Status Documents (ISDs), with ISD Accompanying Letters, as instructed in the instruction [Issuing Status Documentation](#).

2.2 Pre-15/03/04 Decisions

All decisions to grant leave made before 15 March 2004, but not served, should also be served with UKRPs. If a Personalised Date Stamp (PDS) authenticated status letter has already been prepared, this should be cancelled on file and new paperwork prepared in line with the instruction [Issuing Status Documentation](#).

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3 Lost, Stolen, or Undelivered Documents

3.1 Undelivered Documents

If it is claimed that the UKRP has not been delivered, local records must be checked (if applicable, the relevant office post room) to determine if the letter was despatched. If it was despatched, the Post Office must be contacted to determine if the letter was delivered, and who signed for it. The Royal Mail through their website: <http://www.royalmail.com>, operate a "Track & Trace" service that allows for the delivery status of Recorded Delivery items to be ascertained. A copy of the signature should be requested if delivery is disputed and records indicate otherwise. The recipient should be informed that the document has been signed for and invited to respond. (It should be noted that the Post Office does not keep details of recorded deliveries over a year old).

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3.2 Lost or Stolen Documents

Where the recipient, or their representative has reported status documentation as having been lost or stolen or they claim that it was not delivered, officers should investigate the claim. Upon loss or theft of a UKRP, the holder must report the same to the UKBA in a statement giving full details (see below). Only if these points are answered and a satisfactory explanation is received should a replacement UKRP be issued.

Applicants claiming that they have lost their UKRP and requesting a replacement must be required to complete and submit a statement to UKBA detailing the following:

- In what name was the document issued;
- On what date was the document issued;
- From what office was the document issued;
- On what date was the document last seen;
- On or between which dates do you think the loss/theft (delete as applicable) took place;
- Brief details of where the loss/theft (delete as applicable) took place;
- Details of all items lost or stolen on the same occasion;
- Crime reference number or a website report reference number if applicable;
- "Affirmation: I (name of applicant) confirm that to the best of my knowledge all of the information given above is true and accurate. Should the original document be found or recovered by me or anyone known to me I will return it to the issuing office without delay;"
- Date;
- Signature of applicant.

3.2.1 Updating Internal Databases with details of lost or stolen Status Documents.

The following actions should be taken whenever an applicant reports the loss of a status document:

- Update the relevant CID notes to indicate the date and circumstances of the loss together with the actions taken;
- Forward the name, date of birth. and nationality of the applicant, together with the number of the missing UKRP to the UKRP Central Co-ordination Team to ensure that the details are placed on the Watchlist
- Ensure that the letter informing the UKBA of the loss and any supporting evidence is placed on file and the file fully minuted.

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3.3 Action to be Taken in All Cases

- Review the evidence given by the recipient, and draft a full minute outlining the investigation undertaken and the reasons for agreeing or refusing to reissue the documents. If there is not sufficient detail to make an informed decision, inform the recipient that further details are required. If in doubt officers should contact a senior officer for advice and minute the file accordingly;
- Where the officer is satisfied that the status documentation has been lost, stolen, or not delivered, a replacement document should be issued, using the covering letter ASL.2579 'Replacement Documents Covering Letter' (see paragraph 5);
- Where the caseworker is not satisfied that the status documentation has been lost, stolen, or undelivered the case file should be minuted setting out why the caseworker disputes the claim that the documents have been lost/stolen/undelivered. The case file should then be forwarded to their senior caseworker. The senior caseworker should review the minute and documents submitted by the recipient and make their recommendation. If the claim warrants further investigation or it is proposed not to reissue status documents, advice from Asylum Enquiries can be sought on a case-by-case basis, and where appropriate the case will be referred to LAB. Where the senior caseworker is satisfied that the status documentation has been lost, stolen, or not delivered, the caseworker should arrange for a replacement document to be issued and prepare an ASL.2579 'Replacement Documents Covering Letter';
- Details of the original document should be notified to the UKRP UKRP Central Co-ordination Team;
- If the document has been lost internally a detailed report should be sent to the Security and Anti Corruption Unit (SACU), who may wish to investigate the loss, depending upon the individual circumstances.

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4 Requests for New Status Documentation

4.1 Where the Recipient Alleges That Their Personal Details are Incorrect on Their Status Document

In reviewing requests for ISD amendments officers must take into consideration Council Regulation (EC) No. 1030/2002, which lays down a uniform format for residence permits for third-country nationals. It provides that “without prejudice to data protection rules, persons to whom the residence permit is issued shall have the right to verify the personal particulars contained in the residence permit and, where appropriate, to have them corrected or deleted” (Article 4). A residence permit is defined as “any authorisation issued by the authorities of a Member State allowing a third-country national to stay legally on its territory” and so will include all status documentation. This Regulation is binding on the UK.

Each claim will have to be taken into consideration on its own merit with any decision based upon the facts of the individual case. The key consideration, in light of the regulation, is whether the recipient had the opportunity to verify their details prior to/and including when the ISD was issued i.e. has there been ample opportunity in the asylum process for their details to be verified by UKBA and vice versa (See ‘Considering requests for changes of detail on Immigration Status Documents’ below).

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4.2 Considering Requests for Changes of Detail on Immigration Status Documents

In cases where it is claimed that the ISD has been issued with incorrect details the following points in particular should be considered before deciding on the appropriate action:

- Are the details given consistent throughout the process?; For example, details given by the recipient when they claimed asylum and during the ARC issuing process, in the SEF Self-Completion, or at the substantive asylum interview, and if appropriate the declaration for National Insurance number, etc.;
- Are the details consistent with any proof of identity or further documentation provided by the recipient e.g. passport, birth certificate, membership card etc.;
- The number of times the recipient has been in contact with the Home Office and could have reasonably been expected to inform us that their details are incorrect. This could include the screening stage, from the SEF self-completion or at the substantive interview, or on a One-Stop Notice and photographs submitted by the recipient;
- Previous attempts by recipient or their representatives to amend the recipient’s details and any response made by the Home Office;
- Consider the time scale between when status documents were issued and when the request for change of details was submitted;

In cases where requests to change details are to be declined, the letter ASL.2680 ‘Request to Amend Documents’ must be used and adapted where necessary to outline why the request to change personal details is being declined. If necessary a senior caseworker should be consulted before issuing ASL.2680.

In a few cases it may become apparent that the request to change the details of an ISD indicates that leave has been gained by deception, these cases should be directed to a senior officer to consider if cancellation action should be undertaken. Examples include where the identity of the person was the material reason for granting leave and changes to these details wholly undermine the reason why the person has been granted leave, See [Cessation, Cancellation and Revocation Guidance](#).

If the applicant or their representative responds insisting upon the change, but provides no new evidence, refer to Asylum Enquiries for further advice.

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4.3 Where UKBA Have Made an Error, or Where the Applicant has Changed Their Name Lawfully or Where the UKRP was Originally Issued Without a Photograph

Where status documentation has been issued which contains an error, or where the applicant has lawfully changed their name, or where a UKRP was originally issued without a photograph and the recipient now wishes to submit a photograph to be placed on the UKRP, officers should request all original paperwork (and evidence of a name change where appropriate) and re-issue paperwork in line with 'Issuing, Re-issuing or Re-serving Status Documents' below. **No action should be taken until all original documents have been submitted.**

From the 9th October 2006 we implemented the requirements of European law for all UKRPs to be issued with photographs (point 14 of the Annex to the Council Regulation (EC) 1030/2002 and Article 9 of the same Regulation). Therefore, any UKRPs issued after the Regulation became effective **must** be issued with a photograph.

This means that UKBA will no longer be acting lawfully by issuing UKRPs which do not have a photograph.

In cases where the applicant has requested replacement status documentation, this **MUST NOT** be implemented unless the applicant has submitted four photographs. Where no photographs are on the file, officers should write to the recipient requesting photographs using the returned photograph pro-forma (ASL.2365) as instructed in [Issuing Status Documentation](#).

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5 Issuing, Re-Issuing or Re-Serving, Status Documentation

5.1 Action required when reissuing a UKRP in a passport or ISD or issuing an ISD in exchange for a status letter

The UKRP should be held where applicable in the applicant's passport or in an ISD, depending on the leave issued, as instructed in Issuing Status Documentation. In all cases the officer should check that the person has not been naturalised as a British citizen by checking CID.

If it is requested that a UKRP be placed in a valid passport, check the case file and CID to determine whether the person has a Home Office Travel Document (HOTD). If the recipient is in possession of a HOTD, they should be informed that they need to return it before the UKRP can be issued on their passport. Officers should retain the passport until the HOTD is returned. Also, check if refugee status has been granted as it might be appropriate to investigate possible re-avilment. See Cessation, Cancellation and Revocation Guidance

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5.2 Re-issued or Re-served ISD or UKRP Where an Error is Accepted in the Original Paperwork

All original status documentation must be requested from the person or their representative. Four recent passport-sized colour photographs **MUST** be requested for the UKRP if none are available from the file. Further action **MUST NOT** be taken until all the previous paperwork and the required number of photographs have been received.

Once it has all been received, Officers should action the following:

- Write a consideration minute giving reasons for change;
- If appropriate update CID with revised details of applicant;
- Prepare two copies of **ASL. 2680** 'Request to Amend Documents';
- Generate one ISD - Select the appropriate ISD from:
 - **ASL.2150** 'Immigration Status Document' If replacing a grant of exceptional leave to remain or enter;
 - **ASL.2151** 'Immigration Status Document – Refugee Status';
 - **ASL.2152** 'Immigration Status Document – Humanitarian Protection';
 - **ASL.2373** 'Immigration Status Document – Discretionary Leave';
- Generate one copy of **ASL. 2957** 'Issue of Immigration Status Document Minute Sheet';
- Place documents including original ISD, if appropriate, in a clear plastic sleeve attached to file and send file to the decision serving unit, following instructions on the ASL.2957;
- The decision serving unit will arrange for a new UKRP to be produced by sending it to the Secure Handling Unit who will then spoil the old permit and issue a new one using the original CID case reference number and return the UKRP to the decision serving unit. Asylum Case Owners are expected to complete the 'decision serving unit' issuing action.

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5.3 Replacing Lost or Stolen Status Letter for ISD

- If replacing a lost or stolen status letter for an ISD, cross through the file copy and write on it "Lost/Stolen - minute dated '*date*'". The officer should refer to the detailed consideration minute that agrees that the loss/theft has occurred;
- Record on the Notes field of CID that the status letter has been lost or stolen and is therefore cancelled and a summary of consideration minute;

- Details of the original document should be notified to the UKRP Central Co-ordination Team.

5.3.1 Paperwork to be prepared

- One ISD - Select the appropriate ISD from:
 - **ASL.2150** 'Immigration Status Document' If replacing a grant of exceptional leave to remain or enter;
 - **ASL.2151** 'Immigration Status Document – Refugee Status';
 - **ASL.2152** 'Immigration Status Document – Humanitarian Protection';
 - **ASL.2373** 'Immigration Status Document – Discretionary Leave'.
- Two **ASL.2579** 'Replacement Documents Covering Letter';
- Photocopy of Police Report or Crime Reference Number (where there is one) and any other documents submitted in support of loss/theft;
- One ASL.2957 'Issue of Immigration Status Documents Minute Sheet';
- Officers should follow the Actions for Issuing Documents.

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5.4 Replacing lost or Stolen ISDs

- If replacing ISD, cross through the file copy and write on it "Lost/Stolen - see minute dated '*date*'". The officer should refer to the detailed consideration minute that agrees that the loss has occurred;
- Record on the Notes field of CID that the ISD has been lost/stolen and is therefore cancelled and a summary of consideration minute;
- Details of the original document should be notified to the UKRP Central Co-ordination Team.

5.4.1 Paperwork to be prepared

- One ISD - Select the appropriate ISD from:
 - **ASL.2150** 'Immigration Status Document' If replacing a grant of exceptional leave to remain or enter;
 - **ASL.2151** 'Immigration Status Document – Refugee Status';
 - **ASL.2152** 'Immigration Status Document – Humanitarian Protection';
 - **ASL.2373** 'Immigration Status Document – Discretionary Leave'.
- Two **ASL.2579** 'Replacement Documents Covering Letter';
- Photocopy of Police Report or Crime Reference Number (where there is one) and any other documents submitted in support of loss/theft;
- One ASL.2957 'Issue of Immigration Status Documents Minute Sheet';
- Officers should follow the Actions for Issuing Documents, below.

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5.5 Action for Issuing Documents

- Arrange for a new UKRP to be produced by sending the relevant documents to Secure Handling Unit and if appropriate, arrange for the old version to be spoiled, include a copy of a Police Report or Crime Reference Number (where there is one);
- When UKRP is returned, photocopy the ISD/Vignette and place on file;
- Ensure that the following documents are prepared for issue:
 - **ASL.2579** 'Replacement Documents Covering Letter' covering letter;
 - **Endorsed ASL.2150** or **ASL.2151** or **ASL.2152** or **ASL.2373** Immigration Status Document.
- If issuing by post, dispatch to the representative or applicant at the last known address by recorded delivery. Attach recorded delivery label on the ASL.2957 Issue of Immigration Status Documents Minute Sheet;
- If issuing in person, ensure that all documents for issue are retained securely on file in preparation for the service event;
- Follow remainder of instructions on ASL.2957.

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6. Glossary

Term	Meaning
ASL.2579	Replacement Documents Covering Letter
ASL.2680	Request to Amend Documents
ASL.2365	Photograph proforma
ASL.2150	Immigration Status Document
ASL.2151	Immigration Status Document – Refugee Status
ASL.2152	Immigration Status Document – Humanitarian Protection
ASL.2373	Immigration Status Document – Discretionary Leave
ASL.2957	Issue of Immigration Status Documents Minute Sheet

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