

By email: Seema Malhotra MP, Parliamentary Under-Secretary of State for Migration and Citizenship and Parliamentary Under-Secretary of State for Equalities

Cc: Rt Hon Dame Karen Bradley MP, Chair of Home Affairs Select Committee (for current inquiry into ‘Harnessing the potential of new digital forms of identification’)

Sir Chris Bryant MP, Minister of State for Data Protection and Telecoms

Feryal Clark MP, Parliamentary Under-Secretary of State for AI and Digital Government

Digital Status Services Stakeholder Forum

Independent Monitoring Authority

6 August 2025

Dear Minister,

eVisa bug downgrading settled status to pre-settled status under the EU Settlement Scheme

We write following multiple recent reports from people who contacted us after discovering their eVisa incorrectly displayed that they have pre-settled status, having previously been granted settled status.

We understand from the Home Office that this might be as a result of a fault in the July run of a Home Office algorithm designed to grant extensions to pre-settled status holders. While we have had incidental reports of the extension programme overwriting someone’s settled status in previous extension runs, this time we have had a larger number of reports. We are very concerned that this is another example of insufficient quality assurance around software updates that operate on large numbers of accounts, following on from the issue we corresponded on in March this year.¹

Whereas you assured us that the March incident did not impact the underlying data or the ‘view and prove’ service, we consider this downgrading of settled status to pre-settled status a far more serious error. We are aware that the ‘view and prove’ service is only able to display the most recent grant of status, and therefore a change from settled to pre-settled status on the ‘view and prove’ status obviously puts the previous grant of settled status into doubt.

eVisa is the only proof of status available to individuals

You will of course be aware that the eVisa is an individual’s only way of asserting their status and its associated rights to a multitude of stakeholders who are required to check their status. Even though impacted individuals will be in possession of an email from the Home Office with an attached decision letter granting them settled status, this letter explicitly emphasises it is something the holder

¹ Correspondence with Home Office about large-scale incident whereby incorrect identity document details are displayed on UKVI accounts, available at <https://the3million.org.uk/publication/2025030601>.

*“may wish to keep for your personal records, but it is **not proof of your status** and cannot be used to prove your status to others.”*

Instead it directs the status holder to:

“view your status online, via the ‘view and prove your immigration status’ service. This only service provides a secure record of your immigration status which is held digitally by the Home Office and which is available to you at all times.”

I hope you will also understand that people who find themselves in the situation where their settled status reverts to pre-settled status overnight will struggle with the Home Office’s oft-repeated slogan that digital status *“cannot be lost, stolen or tampered with”*.

We also want to emphasise that it is generally only **at the time-critical point of needing to prove status** that an eVisa error is discovered. Such an error then inevitably results in a concrete impact not least because the checker becomes more suspicious of the individual’s status, and the individual has to deal with double stress of having to find out how to get the problem resolved at all, then dealing with the delay in the Home Office resolving the problem.

This also means that many more people may have been impacted by this software bug than those who have noticed, since generally people do not check their status every day rather only when they need to.

Consequences of eVisa display pre-settled rather than settled status

Where an eVisa erroneously displays a limited leave to remain rather than indefinite leave to remain, this can have far-reaching consequences to the individual on top of adding to their sense of anxiety and insecurity over their proof of status. We list a few examples below:

- Some employers insist on knowing that an individual has indefinite leave to remain before offering a permanent rather than a temporary contract (i.e. they want proof beyond the Right to Work share code proof which we acknowledge since June 2024 does not show an end-date for someone with pre-settled status).
- Similarly, banks offering mortgages and loans frequently offer less favourable terms to those with limited leave to remain (and we remind you that share codes that are given to status checkers other than employers and landlords do distinguish between pre-settled and settled status, so the fact that status is time limited is visible to checkers such as financial institutions).
- It is much more difficult to prove entitlement to welfare benefits for someone with pre-settled status rather than settled status, as they are asked by local authorities / the Department for Work and Pensions to pass an additional right to reside test.
- In some circumstances, for example for Swiss citizens, it is more difficult to obtain Student Finance with pre-settled status rather than settled status.
- Applications for naturalisation require proof of settled status, or proof of a Withdrawal Agreement Right of Permanent Residence which is much more difficult to evidence. Furthermore, it is essential for Home Office systems to retain the correct original grant date of settled status, since many individuals will need to have held settled status for a year before becoming eligible to apply for naturalisation.

Correction of individual bugs, and communication by Home Office

People who told us that they contacted the Home Office Resolution Centre said they were asked to use the error reporting form.² When people do this, they generally receive an email stating (our emphasis):

“Thank you for contacting UKVI to report an error with your eVisa. This message is to let you know that we have received your request. We will contact you if there is an error on your eVisa and confirm when it has been resolved.

We are currently receiving a very high volume of enquiries and as a result, we are not able to respond within our published timeframes. Please do not send repeat requests as this slows down our response times. All our emails are answered in a strict date/time order.”

Despite the statement that all emails are answered in a strict date/time order, at least one person told us their pre-settled status had been corrected back to settled status within one day. This could be as a result of certain eVisa error reports being prioritised over others, or errors being identified and fixed behind the scenes without reference to the eVisa error reports.

We have not seen any public acknowledgement of this error, or heard any reports of impacted people being contacted by the Home Office to inform them of the error.

Examples of people impacted

We would like to take this opportunity to share (anonymously) some of the reports we have received from people whose status was changed from settled status back to pre-settled.

We hope that these accounts will also give you a sense of the insecurity felt by many eVisa holders, in having to rely on repeated online access to Home Office dataset that may give different results, or error messages, at different times.

1. *“I am an EU citizen with settled status in the UK (I had submitted my application to switch from pre-settled status in September 2024, and it was confirmed in December 2024). When I got my confirmation letter in December, my eVisa account also displayed my settled status correctly. However, today I received an email from the Home Office saying that they ‘will consider if [I am] eligible for settled status, without the need for [me] to apply again to the EU Settlement Scheme’. I thought this was just an automated message that I could ignore, but when I checked my eVisa account just to make sure, my status on there had been switched from settled back to pre-settled.*

So far I haven't had to prove my status, but I have ongoing job applications for which I might need to prove my settled status soon. I reported the problem through the eVisa site, but apparently it can take several weeks to get a response. While this is likely just a technical glitch that will hopefully get resolved soon, it is still very stressful and frustrating that you cannot seem to rely on the eVisa site to display the status correctly - especially given the number of people reporting problems.

² <https://www.gov.uk/evisa/report-error-evisa>

The fact that there is currently no way to prove my settled status with a physical document (and that the Home Office database can seemingly just switch it back to pre-settled at random) makes it very difficult to trust the reliability of this status altogether.”

- 2. “Today I received this email: “You are receiving this notification to inform you that we will consider if you are eligible for settled status, without the need for you to apply again to the EU Settlement Scheme”. I have been granted the settled status in March 2025, after I applied for it. I called the home office and they told me to ignore it. However, I find this very distressing. It makes me wonder if they have made any mistake with my application, even the ref number is wrong. I double checked my status online and it looks fine by now.*

It's all online based, and it comes all from them. I don't have a way to proof my status if anything goes wrong with the website. It says the same in the email and file they send me when the settled status was granted. I find this scary, because if all of a sudden my status disappears from the website any email or file I hold don't count as proof of my status. I can become illegal overnight. if they make a mistake, or if their website has issues or if they want to just take it away from me for any reason at this point.”

- 3. “In January this year I got granted settled status after my application got accepted. On 21st July I got an email from “Home Office Atlas” (never received this email before) saying I have been granted presettled after the automatic system has seen my case. I go to verify and yes, now after 6 months of being granted settled I go back to presettled. I was told by the resolution centre that this could be an IT problem. I slept badly because of the status change.”*
- 4. “I applied for settled status in October 2024, which was approved in February 2025. However, yesterday, completely out of the blue, I received an email stating that my request for settled status was being considered. When I checked my status online, it had reverted back to pre-settled.*

I contacted the Resolution Centre, and they believe that my account was given an automatic extension twice: once in January 2024 (just before my pre-settled status expired) and then again last night. Unfortunately, it seems this second extension has overwritten or removed my settled status. I've reported it as an error, but I'm really concerned that I'll just get lost in the system.

I'd really appreciate any help or advice you can offer, as I'm hoping to resolve this as soon as possible. I'd like to move forward with applying for a British passport, especially to prevent issues like this from happening again, even if this is “just” an error.”

- 5. “Back in December 2024 me and my husband made an application for settled status and we received confirmation that it was successful in April this year.*

However, earlier today, I received an unexpected automated email from the UK Home Office stating that they had automatically considered my status and were unable to grant me settled status.

I haven't submitted any new applications, so this came as a surprise. I checked the gov.uk website, and my status now appears as “pre-settled,” even though it previously showed “settled.” I still have the approval documentation confirming my settled status, but I'm

uncertain about what steps to take next. I need to clarify this situation urgently for my current job application process.”

Home Office transparency and accountability

We consider Home Office transparency about the eVisa system to be of paramount importance to build trust in the eVisa system. We note however that the Home Office is not willing or able to disclose how many errors have been reported via the Home Office eVisa reporting tool (<https://www.gov.uk/evisa/report-error-evisa>).

One FOI (reference 2025 07433) that requested “*Total number of reports that have been made using the <https://www.gov.uk/report-error-evisa> form between 17 April 2024 and 5 June 2025, broken down by month*” received the following response on 17 July 2025 (our emphasis): “*I can confirm that the Home Office holds the information you have requested. However, after careful consideration, I can confirm that the information is exempt from disclosure, under Section 22 of the Freedom of Information Act. This exemption provides that information can be withheld if it is intended for future publication.*”

A House of Lords Parliamentary Question³ asking a very similar question: “*how many reports have been made through the "Report an error with your eVisa" Gov.uk online form in each of the past 12 months*” received a very different response however, on 30 July 2025: “*The information requested is not currently available from published data and could only be collated and verified for the purposes of answering this question at disproportionate cost.*”

We cannot accept that it is plausible for the Home Office not to have internal statistics on the number of errors being reported via this error form, as such statistics must be essential for the smooth operation and monitoring of the eVisa scheme and the Resolution Centre.

On the other hand, we also cannot accept the withholding of such data on the basis that it is intended for future publication. We have already seen for example that requests for the publication of the eVisa Data Protection Impact Assessment have been repeatedly rejected on this same ground of ‘intended for future publication’ between 2021 and 2025.⁴

Questions to the Home Office

Given the above, we have the following questions that we would appreciate answers to, given the gravity of these errors.

- Q1. What was the cause of the software error in the July run of the EUSS automation system?
- Q2. Was the automation software used in July different to the automation software used in previous months where the EUSS extension/upgrade process was operational? If so, were these software changes adequately tested in a test environment before being implemented for users? We ask this specifically in reference to our correspondence in March and April this

³ <https://questions-statements.parliament.uk/written-questions/detail/2025-07-22/hl9775>

⁴ FOI response November 2021

https://www.whatdotheyknow.com/request/information_collected_through_th, and FOI submitted March 2024, finally responded in June 2025

https://www.whatdotheyknow.com/request/data_protection_impact_assessmen_91

year⁵, where you assured us that measures had been implemented including *“further quality assurance reviews before going live with changes that impact the way data is displayed to users.”*

- Q3. How many grants of settled status were overwritten to display pre-settled status as a result of this software error in the July run of the EUSS automation system? If you are not able to identify how many accounts were affected, please explain in detail why this is the case.
- Q4. How many individuals have contacted the Resolution Centre over the last month, reporting that their grant of settled status has been overwritten to display pre-settled status?
- Q5. Is the Home Office intending to automatically correct each impacted status to revert it to settled status? If so, how long has this correction process taken, or how long is it expected to take?
- Q6. Has the Home Office communicated with each individual impacted by the error, to explain what has happened and to re-assure them that their status has been or will be returned to correctly display settled status? If not, please set out why you decided not to write to each affected individual.
- Q7. If you are not automatically correcting each impacted status, and do not plan to contact each affected individual, please confirm that you are putting the responsibility on individuals to identify that they are impacted and to contact the Resolution Centre or to fill in the Home Office error reporting form in order to have their status corrected. For context, we note that in the March incident, your response stated *“anyone who contacted the UKVI Resolution Centre or other support services as a result of this issue was then contacted to confirm the issue had been resolved.”* Furthermore, in previous correspondence between the3million and the Home Office, the Home Office has frequently put the responsibility on individuals. For example, in a response to a the3million letter about missing photographs in eVisas, we were told *“We rely on users of our services (whether people who hold an eVisa, or people required to check the eVisas of others) reporting any facial image quality issues they experience.”*⁶
- Q8. Has the Home Office reported this incident to the Home Office Data Protection Officer (ODPO)? If so, did the ODPO determine that this incident meets the threshold for referral to the Information Commissioner’s Office (ICO)? If not, please explain the reasoning for concluding that the threshold for reporting to the ICO was not met.
- Q9. Who has access to, and authority to change, an individual’s immigration status on their eVisa? We understand that an eVisa must be capable of being updated to reflect a change of immigration status in the following scenarios: a) where a Home Office caseworker makes a decision to grant status; b) where a Home Office caseworker makes a decision to remove status; c) where the automated system extends an extant pre-settled status; d) where the automated system grants settled status to a pre-settled status holder; e) where an IT incident has been logged for one individual, and that individual’s incorrect status needs correcting;

⁵ <https://the3million.org.uk/publication/2025030601>

⁶ <https://the3million.org.uk/publication/2022112102>

and f) where a software error has systemically affected multiple individuals' statuses and those statuses all need correcting.

Separately, for each of these six cases:

- a. Which organisation is responsible for the change, is it the Home Office, or a sub-contracted party? If a sub-contracted party, which organisation is it, and under what contract?
- b. What seniority of personnel has the authority to make the change?
- c. What level of quality assurance or sign-off is required for the change?
- d. What logs are maintained and stored of the change? How long are these change logs stored?

Q10. How many reports have been made through the "Report an error with your eVisa" online form⁷ in each of the past 12 months? What is the current backlog of unresolved errors that have been reported through the "Report an error with your eVisa" online form? What is the current average response time for resolving errors that have been reported through this online form?

Q11. Further to the response to FOI (reference 2025 07433), when will the number of reports that have been made using the <https://www.gov.uk/report-error-evisa> form be published? Will this data be published on a regular basis going forward?

Yours sincerely,

Monique Hawkins, Head of Policy and Advocacy, the3million

Zoe Bantleman, Legal Director, Immigration Law Practitioners' Association (ILPA)

⁷ <https://www.gov.uk/evisa/report-error-evisa>