

Supporting documents not available

Version 13.0

This guidance tells His Majesty's Passport Office staff how to deal with an application if a customer cannot send us the supporting documents, we need to prove their identity, entitlement, and British nationality.

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About: Supporting documents not available

This guidance tells His Majesty's Passport Office staff how to deal with an application if a customer cannot supply us with the supporting documents we need, including:

- how to contact customers who cannot send us their supporting nationality or identity documents
- what documents or evidence you can accept in place of supporting documents
- what other things you can do to prove identity (for example, an identity interview or DNA evidence)

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email the Guidance team.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance team.

Publication

Below is information on when this version of the guidance was published:

- version 13.0
- published for Home Office staff on 1 October 2024

Changes from last version of this guidance

This guidance has been updated to:

- explain when operational team leaders must refer an application to QuESt (Quality, Examination Support team) if the customer cannot provide the necessary documents to confirm their identity or nationality (v13.0)
- make minor terminology changes (v12.0)
- reflect a change in name and role for the Guidance team (v11.0)
- explain that you may consider allowing customers to <u>keep their current British</u>
 <u>passport</u> if they need to keep it for an exceptional compassionate reason
 during the renewal process (v10.0)
- allow operational team leaders to assess applications from the Chagos Islands without referring to QuESt (unless advice is needed) (v9.0)

Related content

Why we need supporting documents

This section tells His Majesty's Passport Office operational staff about why we need to request supporting documents from the customer to process their passport application.

Before we can issue them a passport, a customer must send us their supporting documents so we can check:

- their identity, nationality, and entitlement
- if there are any vulnerability or safeguarding (protection) issues we must be aware of

A customer's supporting documents, must:

- link them to an event (for example, their birth)
- show they are the holder of the identity on the document (for example, a marriage or change of name certificate)
- show a link to their parents or grandparents (if the claim is by descent)

What documents a customer must send us

Guidance on <u>GOV.UK</u> and our paper guidance booklet (included in a paper application pack) tells customers what documents they must send with their passport application. What they must send will depend on:

- the type of application (for example, first time or renewal)
- where they send the application from

If a customer is applying online, the Digital Customer Services system will tell the customer what documents they need to send based on how they have completed the application.

When to ask for more evidence

You, the examiner, can ask a customer for more evidence to support documents:

- that are not original
- in place of core supporting documents (for example, birth certificates)
- if you need more information to make a decision

If the customer sends in a National Archives certificate, and you have any fraud concerns, you must send a guidance query to the Quality, Examination Support team, (QuESt) who will contact National Archives by email to confirm the details.

When a customer cannot send us the usual supporting documents

If a customer cannot send us their supporting documents, you must not immediately refuse or withdraw their application. You must consider what else we can do to support the customer. The evidence you ask for must be related to the application type and the country the customer is applying from.

You must:

- ask the customer for other documents or evidence to support their claim to British nationality and identity
- consider why a customer cannot get the documents (for example, if they are at risk by a country in crisis)

You must refer the case to an Enhanced Application Checking (EAC) examiner (if processing on AMS) or complete additional checks (if processing on DAP), if you have any fraud concerns.

When a customer cannot send in their passport

You may allow a customer to keep their current British passport during the renewal process, if they:

- are eligible for an additional passport as a frequent (overlap) traveller
- need to keep it for an exceptional compassionate reason (these cases must be referred to QuESt using the query referral route so they can consider with Passport Policy, if the customer can have an overlap passport)
- apply using a Local Service overseas

In all cases the customer must supply a colour copy of every page of their current passport. They must return their old passport to HM Passport Office to have it cancelled or it must be cancelled by staff working in the Local Service office when the new one is received.

Documents unavailable: Windrush, Hong Kong

If the customer has links to Windrush, or Hong Kong, you (the OTL) must use other resources to help you check a customer's claim, such as:

- training modules
- Windrush operational guidance
- British national overseas guidance

Documents unavailable: Windrush

HM Passport Office guidance on Windrush applications covers applications from citizens of the UK and colonies by virtue of a connection to a commonwealth country or territory listed in the Windrush guidance.

This includes applications from customers with a link to the Chagos Islands whose parent or grandparent was in the UK at the relevant dates for Windrush.

Documents unavailable: Chagos Islands

Customers whose claim to British nationality is through a connection to the Chagos Islands may have difficulty providing documents if their parent or grandparent was moved from the island in the late 1960's.

Residents of the island were moved to Mauritius or the Seychelles and documents may have been lost or the event not registered. This is because the registrar was not open during the relocation period.

Chagos Islands: dealing with these applications

Customers born in the Chagos Islands or born elsewhere to a parent born in the Chagos Islands may have a claim to British overseas territory citizenship and British citizenship. However, the customer may not be able to provide the usual documents to prove their claim. This could be because the:

- evidence needed is from a long time ago
- documents are now unavailable and this is outside of the customer's control
- customer cannot be reasonably expected to get the original document or a replacement (from the Chagos Islands)

If the customer cannot provide the usual documents to support their claim to British nationality you may need to ask for additional documents. They may be able to send:

- evidence of life in the Chagos Islands, for example family photos, school certificates, baptism certificates
- evidence of registration with the Mauritius authorities following their relocation

You must ask for these <u>additional documents</u> to help you assess their nationality claim where needed. We must not refuse these applications without advice from an appropriately trained staff member.

If a decision on the customer's claim to British nationality can only be made using a balance of probability you must refer the application to your operational team leader (OTL).

You, the OTL, must

- make sure all affected applications are reviewed by at least two people one of which must have experience in complex nationality and can make a balance of probability decision
- contact Quality & Examination Support team (QuESt) for advice if you cannot make a decision using a balance of probability decision

Related content

His Majesty's Forces service records

This section tells you how to deal with HM Forces customers who are unable to send in the documents we need.

If the customer's parent was in HM Forces at the time of their birth overseas but they are unable to get the necessary birth or marriage certificate, you may consider alternative evidence such as British Army Records. Each application should be treated on its merits and you must consider the reason the documents are unavailable.

To confirm a serving parent's birth or marriage details you can advise the customer to contact the Royal Airforce, at:

Department PMSN 4A2B RAF Innsworth Gloucestershire GL3 1HW

Or the Army at:

The Ministry Defence Government Buildings Bourne Avenue Hayes Middlesex UB3 1RF

When the customer asks for a check of the service record, they will need to give the records office their:

- full name
- serving parent's full name
- · details of where the parent enlisted

Other details such as the parent's service number, regiment, rank on discharge and final year of discharge will also be useful.

Related content

If a customer cannot supply the supporting documents we need

This section tells HM Passport Office staff what to do if a customer cannot send us the supporting documents we need.

If a customer cannot provide the usual supporting documents to confirm their identity and nationality (for example, birth or marriage certificates), you, the examiner, must not automatically refuse to issue them a passport.

You must consider the case and the reasons why they cannot provide the documents we need for example:

- they are refugees
- they are asylum seekers
- they fled a war zone
- they are not in contact with their parents (or grandparents) but they give us evidence to show they have made every effort to get the documents, evidence or information we need
- the documents are unobtainable
- parent refuses to help with the passport application
- the child is in care of Social Services and they are unable to provide all the documents we need (see <u>Making a decision</u>: if you do not have enough <u>evidence</u>)

This list is not exhaustive and other reasons may be considered (see vulnerability considerations for passports).

If it is a legal requirement to register an event, you may need to insist the customer provides the standard documents or ask for more evidence (see Birth Certificates guidance and Knowledge Base for more information).

If a customer is unable to send supporting documents, you must:

- contact the customer to discuss their situation
- ask them to send duplicates of documents (if they can)
- ask them to send supporting documents, even when they are not easy to get, as:
 - a document may take a long time to arrive (for example, a vault birth certificate from South Africa can take over 9 months)
 - o a customer may have to travel to another country to get documents
 - o documents may cost the customer a lot of money to get
- ask for evidence they applied for certified copies from an issuing authority (for example, from National Archives)

- ask for other documents that support their claim to British nationality and identity
- check the details they have given, using other government department records to show nationality or settlement
- consider other sources to verify their information (for example, our records)
- consider a referral to the Counter Fraud team (CFT) if you have fraud,
 vulnerability or safeguarding (child protection) concerns, as CFT may be able to do other checks
- decide if the evidence they sent confirms identity, entitlement and nationality or if you must refer the application to your operational team leader (OTL) for a balance of probability assessment
- check if there is anything we can do to help with the application (for example, an identity interview or suggesting they voluntarily consider supplying DNA evidence)
- send the customer a letter confirming the evidence you asked for
- case note the actions you have taken

For exceptions, see: Names: aligning names on foreign documents.

Dealing with customer documents

See Dealing with customer documents for information about dealing with:

- copies of original documents
- photocopies of original documents
- · certified copies of documents

Customer is unable to get replacement documents

If the customer is unable to get replacement documents you must ask them why; they may have a reasonable explanation. For example:

- the issuing authority no longer exists
- it is impossible to get a replacement due to amount of time that's passed
- the documents are lost and the relatives they relate to died some time ago
- the issuing authority told the customer there will be a long delay in issuing the documents (this does not in itself indicate a fraud concern)
- they are an asylum seeker, refugee or have fled a war zone
- a parent refuses to help with the passport application
- the documents are unobtainable
- the customer is a child in care of Social Services and has no contact with their parent

If the customer's explanation why they cannot get or send replacement documents appears reasonable, but they give you enough documents or information that allows you to find a record in Home Office databases to confirm their claim, you must not automatically refuse the application. Instead, you must:

- check what documents are missing
- ask the customer to send in other documents if they can (for example, you may suggest they send other documents or evidence we can accept)
- ask the customer to explain why they cannot send other documents or evidence
- check (in cases where the customer is or has been in social services care) if the social worker or foster carer can provide both of the following:
 - a statement from the customer's relatives that confirms when the customer was born, who their parents are, when and where their parents were born
 - a statutory declaration that confirms the details they have for the customer and their parents (and grandparents if needed) and the attempts they have made to get the parents birth certificates from the registration authority
- confirm the documents or information by checking other sources or doing other checks with:
 - UK Visas and Immigration records
 - HM Passport Office records for the customer and their relatives
 - o Home Office record
 - o Foreign, Commonwealth & Development Office (FCDO) records
 - General Record Office (GRO) records
 - UK government departmental information from the Department for Work and Pensions (DWP), His Majesty's Revenue and Customs (HMRC), Border Force, police, prison, UK courts and social services
- consider what else may help with the application, for example:
 - the CFT doing an identity interview
 - o offering DNA (this must only be on a voluntary basis)

We must only accept other evidence using a balance of probability, if the customer cannot provide the usual supporting documents and their explanation was reasonable.

If the customer's documents do not exist

There may be special cases where documents may not exist at all (see vulnerability guidance). For example, if a customer tells us that their birth was not registered.

If a customer says the type of document we need is not available in their country (or the country where it was issued) you must check Knowledge Base.

Examples on Knowledge Base may include, if a fire has destroyed a stock of original files or where it is uncommon to record marriages. If there are no details in Knowledge Base, you must send a guidance query to the Quality, Examination Support team (QuESt).

Unable to send replacements: vulnerable customer

You must deal with the case in line with the Vulnerability Indicators: undocumented customers guidance, if a customer cannot provide replacement documents and:

they are vulnerable

- you have safeguarding concerns
- there are public protection issues

Where the customer is a child in care of Social Services, you must refer the application to QuESt to assess the application and provide advice.

Unable to send replacements: explanation is not reasonable

If the customer cannot provide a replacement and their explanation is not reasonable, you must ask for other documents. If the customer cannot provide them, you must refer the case to your operational team leader (OTL).

Before the OTL decides to withdraw or refuse an application, they must:

- check the application on the evidence the customer sends us
- ask QuESt for advice on what to do with the application

If you decide to refuse (or withdraw) an application, you, the OTL must provide a full response to the customer and include the reasons why.

When a customer provides missing documents, duplicates or extra information

If a customer tells you they can supply the missing documents, will get duplicates, or will send alternative documents and information you must pigeonhole their application while you wait for them to send them.

When you receive the documents, you must check them against the application and decide if they match the information, they have given us. You must also:

- check the documents with other sources (for example, Knowledge Base) to see if we can accept them
- confirm the information with other sources (for example, UK Visas and Immigration (UKVI) records)
- case note the documents you receive
- check for fraud indicators

You must not search for missing information the customer cannot provide.

Documents not available: checking a customer's information

As well as documents and evidence the customer (or related third parties) sends, you must also consider what information you can check on systems available to you.

If a customer cannot provide supporting documents, you must:

• check if you can confirm their details and other information, they have provided using other sources (for example, passport records, Home Office files, index

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- cards and UK Visas and Immigration records) see Searches and checks: passport application records guidance
- look at other applications the customer may have made, to confirm signatures, case notes and previous details (you must only search for information when it's necessary, in line with Searches and checks guidance)

You must refer the application to an Enhanced Application Checking (EAC) examiner (if processing on AMS) or complete additional checks (if processing on DAP), if you have any fraud concerns.

Documents not available: checking alternative documents

We validate (check) the customer's documents when they send them to make sure they:

- appear genuine
- are not counterfeit (fake)
- have not been forged or tampered with

The Document Management Service and Document Handling Units do this for applications processed in Digital Application Processing (DAP). Examiners working on the Application Management System (AMS) must validate the customer's documents using the Knowledge Base examples. If there is no example to compare to, we may be able to check with the issuing authorities.

If the customer sends in other types of evidence, you must use our records, to:

- check if you can accept them
- confirm they are genuine (or if you need to verify them)
- consider the application as a whole
- consider how important the documents are to your decision making, as well as your general feeling about the application
- continue to deal with the application (in line with current guidance)

You may also have to contact:

- employers
- banks and building societies
- universities
- professional bodies
- a relevant embassy or high commission
- other government departments (in the UK and overseas)
- religious organisations

You may need to check how genuine a customer's documents are by checking them against the details held on previous related passport records. These can be checked against passport and application records, in line with Searches and checks guidance.

In some instances we verify the information held on the document is genuine and is held on record. Some authorities who produced documents may no longer exist, so we will not be able to check these. If we cannot verify or validate documents, as they are too old or an authority cannot verify the information or no longer exists, you must:

- ask the customer to send extra evidence to confirm the event
- consider the application as a whole, using the evidence you have

You must refer the application to the Counter Fraud team (CFT), if you send a document to an authority for verification and they tell you:

- they cannot confirm it
- the customer's details do not match the event in their records

Making a decision: if you do not have enough evidence

If you cannot confirm the customer's identity or nationality from the documents they provided, you must ask for more evidence or refer the case to:

- your OTL for a balance of probabilities decision; or,
- QuESt if the application is for a child in care and Social Services have been unable to provide some documents to confirm nationality and you intend to refer them to UKVI to register the child

You, the OTL, must only consider an application for a balance of probabilities decision, if there is a good reason why the customer cannot send standard supporting documents or other evidence. You can ask QuESt for advice.

If a customer can send the supporting documents we need or other evidence, they must do so.

Related content