



Home Office

Prepare appeal

This guidance is based on the Immigration Rules

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Prepare appeal

About this guidance

About this guidance	This guidance gives information for preparing a case after an appeal is lodged.	In this section Changes to this guidance Contact Information owner Related links Links to staff intranet removed
Workflow team (WFT)	The guidance is for use by all presenting staff, including staff working in appeals and asylum administrative areas, immigration compliance and engagement (ICE) teams (formerly known as local immigration teams (LITs)) and asylum caseworkers.	
Appeals notification unit (ANU)	Changes to this guidance – This page tells you what has changed since the previous version of this guidance.	
Appeals processing team (APT)	Contacts – This page tells you who to contact for help if your senior caseworker or line manager can't answer your question.	
Appeal notification	Information owner – This page tells you about this version of the guidance and who owns it.	
Appeal bundles	Safeguard and promote child welfare – This page explains your duty to safeguard and promote the welfare of children and tells you where to find more information.	
Entry clearance appeals		

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Changes to this guidance

<p>About this guidance</p> <p>Workflow team (WFT)</p> <p>Appeals notification unit (ANU)</p> <p>Appeals processing team (APT)</p> <p>Appeal notification</p> <p>Appeal bundles</p> <p>Entry clearance appeals</p>	<p>This page lists changes to the prepare appeal guidance, with the most recent at the top.</p> <table border="1"><thead><tr><th data-bbox="490 400 831 443">Date of the change</th><th data-bbox="831 400 1532 443">Details of the change</th></tr></thead><tbody><tr><td data-bbox="490 443 831 632">5 July 2013</td><td data-bbox="831 443 1532 632"><p>Six month review by the modernised guidance team:</p><ul style="list-style-type: none">• Minor housekeeping changes.</td></tr><tr><td data-bbox="490 632 831 1082">29 January 2013</td><td data-bbox="831 632 1532 1082"><p>Six month review by the modernised guidance team:</p><ul style="list-style-type: none">• Submitting the appeal bundle:<ul style="list-style-type: none">○ sub-heading 'for all appeals lodged in the UK (in-country appeals), the address and telephone number of Her Majesty's Courts and Tribunal Service (HMCTS) copy of the bundle has changed• Minor housekeeping changes.</td></tr><tr><td data-bbox="490 1082 831 1230"></td><td data-bbox="831 1082 1532 1230"><p>For previous changes to this guidance you will find all earlier versions in the archive. See related link: Unified tribunal appeals system - archive.</p></td></tr></tbody></table>	Date of the change	Details of the change	5 July 2013	<p>Six month review by the modernised guidance team:</p> <ul style="list-style-type: none">• Minor housekeeping changes.	29 January 2013	<p>Six month review by the modernised guidance team:</p> <ul style="list-style-type: none">• Submitting the appeal bundle:<ul style="list-style-type: none">○ sub-heading 'for all appeals lodged in the UK (in-country appeals), the address and telephone number of Her Majesty's Courts and Tribunal Service (HMCTS) copy of the bundle has changed• Minor housekeeping changes.		<p>For previous changes to this guidance you will find all earlier versions in the archive. See related link: Unified tribunal appeals system - archive.</p>	<p>Related links</p> <p>See also</p> <p>Contact</p> <p>Information owner</p> <p>Links to staff intranet removed</p>
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Workflow team (WFT)

<p>About this guidance</p> <p>Workflow team (WFT)</p> <p>Appeals notification unit (ANU)</p> <p>Appeals processing team (APT)</p> <p>Appeal notification</p> <p>Appeal bundles</p> <p>Entry clearance appeals</p>	<p>This page gives an overview of the function of the appeals processing centre (APC) which acts as the interface between the decision maker and the appeals process.</p> <p>The instructions are for appeals processing centre staff.</p> <p>Send the Home Office (HO) files to the APC workflow team (WFT) to await a possible appeal.</p> <p>On receipt of incoming files:</p> <ul style="list-style-type: none">• Sift all files within six hours of receipt to make sure an appealable decision has been made on the case and send any files received without an appealable decision back to their original location within 24 hours.• Check the daily CID report to identify and request files which should have been sent to APC, but have not. Give priority to cases where an appeal hearing is imminent.• Store the file in hold 19 until notification is received that an appeal has been lodged. <p>Hard copy appeals received from appeals notification unit (ANU):</p> <ul style="list-style-type: none">• On receipt of the hard copy, check the location of the HO file.• If the file is already in the APC, link the hard copy appeal to the file and place in Hold 21 (in strict hearing date order).• If the file is not in APC, make an immediate request for the file to be sent to APC. Keep hard copy appeals awaiting a file in hearing date order, making any necessary repeat requests until the file is received. Once received, link the hard copy appeal to the file and place in hold 25 (in strict hearing date order).• Where the file cannot be retrieved, pass hard copy appeal to the appeals processing team (APT), eight days before the hearing date.	<p>Related links:</p> <p>Links to staff intranet removed</p>
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	<p>Cases where appeal has been lodged but no bundle dispatched:</p> <ul style="list-style-type: none">• Check the daily CID reports to identify and request files which should have been sent to APC, but have not. Give priority to cases where an appeal hearing is imminent. <p>If no appeal is lodged 28 days after the file was received in WFT, send the files to the relevant unit for removal action:</p> <ul style="list-style-type: none">• return case resolution directorate (CRD) cases to the CRD case owner• return criminal casework (CC) cases to the CC caseworker• forward temporary migration (TM) cases to the relevant unit or hold depending on the harm rating applied to the case. <p>For further information, refer to the 'harm matrix assessment guidance'. See related link: Appeal outcome.</p> <p>If appeal related correspondence is received:</p> <ul style="list-style-type: none">• Prepare draft replies to written correspondence from appellants and representatives within 15 working days.• Acknowledge requests for change of representatives and change of addresses within two working days.	
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Appeals notification unit (ANU)

<p>About this guidance</p> <p>Workflow team (WFT)</p> <p>Appeals notification unit (ANU)</p> <p>Appeals processing team (APT)</p> <p>Appeal notification</p> <p>Appeal bundles</p> <p>Entry clearance appeals</p>	<p>This page tells appeals processing centre (APC) staff how the Home Office is notified that an appeal has been lodged with Her Majesty's Courts and Tribunals Service (HMCTS).</p> <p>Appeals notices are sent by a data list from HMCTS database ARIA, and by hard copy. The appeals notification unit (ANU) receives these notices.</p> <p>Data lists</p> <p>Data list one and three are received five times a day at 8am, 10am, 12noon, 2pm and 4pm.</p> <p>Data list one contains appeal lodged information and data list three contains details of the appeal hearing. You must download the data list onto CID within half an hour of receipt, or by 3pm for the 2pm data list.</p> <p>Error reports are produced for each of the data lists. The reports contain details of all the information that was not successfully transferred through the automatic upload.</p> <p>You must manually input into CID all the information not successfully transferred through the data exchange. Update CID with information from data list one within four hours of receiving the error report and within four hours of producing the error report for data list three.</p> <p>Case ownership</p> <p>For temporary migration (TM) cases, asylum, deportation and port appeals, record the relevant line manager depending on the Home Office (HO) reference of the case, as the sub owner of the appeal on the ownership tab on CID.</p> <p>For:</p> <ul style="list-style-type: none">• Asylum team appeals, end sub ownership immediately and enter the relevant asylum team in the 'request to unit' field.	
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- All other appeals, complete the 'dealing with' field and request the appeals processing team (APT) take ownership.

Hard copy appeals

On receipt of the hard copy of the appeal:

- Sort the appeals into different case types: criminal casework, asylum and non asylum.
- Update CID with the appeal received date and the admin event 'hard copy passed to appeals process team (APT) or workflow team (WFT)'.
- Forward the appeal to the unit responsible for the case within four hours of receipt.
- Forward any appeals received in error for asylum team cases to the relevant asylum team by the inter-dispatch service (IDS) or fax within 24 hours of receipt.

You must contact the relevant hearing centre if a hard copy appeal has not been received either:

- ten days before the hearing for non asylum appeals, or
- five days before the case management review hearing for asylum appeals.

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Appeals processing team (APT)

<p>About this guidance</p> <p>Workflow team (WFT)</p> <p>Appeals notification unit (ANU)</p> <p>Appeals processing team (APT)</p> <p>Appeal notification</p> <p>Appeal bundles</p> <p>Entry clearance appeals</p>	<p>This page tells staff in the appeals processing team (APT) what to do with files received in their unit.</p> <p>The instructions apply to all migration cases and some historical asylum cases, not owned by an asylum team.</p> <p>If an asylum team owns the case, see the link on the left: Appeal bundles.</p> <p>A refused migration or legacy case where an appeal right exists is tracked and forwarded to APT by the workflow team (WFT).</p> <p>On receipt of the file, the APT executive officer (EO) manager will file-track the file to individual administrative officers (AOs) within APT.</p> <p>If you are the AO receiving the case:</p> <ul style="list-style-type: none">• file-track the case yourself• update the CID case admin events 'File received by bundler', 'Hard copy appeal received by single tier bundling process' and update the right of appeal category• once the appeal bundle has been prepared, send bundle to the reprographic unit for copying• when copies are received, file-track to hold 5 and leave bundles with file in hold 5. <p>If you are the administrative assistant (AA) receiving the case with three copies of the bundle:</p> <ul style="list-style-type: none">• file-track the file yourself• collate bundles and despatch them to Her Majesty's Courts and Tribunals Service (HMCTS), representative and the presenting officers' unit (POU)	
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| | <ul style="list-style-type: none">• on CID, update the CID admin event 'case sent to POU', bundle sent date and sub-ownership details. | |
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Appeal notification

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Appeals case sub ownership

<p>About this guidance</p> <p>Workflow team (WFT)</p> <p>Appeals notification unit (ANU)</p> <p>Appeals processing team (APT)</p> <p>Appeal notification</p> <p>Appeal bundles</p> <p>Entry clearance appeals</p>	<p>This page explains the process of appeals units accepting and transferring sub-ownership of temporary migration appeals.</p> <p>This guidance is for the appeals processing centre (APC) and appeals administration teams within presenting officers' units (POUs) and immigration compliance and engagement (ICE) teams (formerly known as local immigration teams (LITs)).</p> <p>The process is as follows:</p> <ul style="list-style-type: none">• When an appeal is received, APC register their interest as a sub-owner of the case.• When APC action is complete, the file is sent to the relevant POU or ICE team. APC will ask the POU or ICE administration team to take sub-ownership using the 'Request to Unit' field which can be found on the ownership tab in CID.• When the file is received by POU or the ICE team, the administration team will need to accept the request to take sub-ownership.• Where a request to take sub-ownership has not been made by APC, the POU or ICE appeals administration team update the case ownership tab to show the POU or ICE team as the new sub-owner of the appeal.• Administration managers within the appeals teams must identify one member of staff as being the named sub-owner of appeals on behalf of the unit, who will deal with any enquiries.	<p>In this section</p> <p>Appeal notification</p> <p>Port case appeal notification</p> <p>Asylum appeal notification</p>
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Port case appeal notification

<p>About this guidance</p> <p>Workflow team (WFT)</p> <p>Appeals notification unit (ANU)</p> <p>Appeals processing team (APT)</p> <p>Appeal notification</p> <p>Appeal bundles</p> <p>Entry clearance appeals</p>	<p>This page explains the process the appeals processing centre (APC) follow for preparing port case appeals.</p> <p>The process is as follows:</p> <ul style="list-style-type: none">• The port fax a copy of the notice of refusal to grant leave on the day the notice is served to the passenger.• The workflow team (WFT) hold the notice of refusal for 28 days from the date of refusal.• After 28 days, if an appeal is not lodged, WFT will destroy the refusal notice.• When an appeal is lodged, the appeals notification unit (ANU) receive the hard copy of the appeal and pass to WFT who raise a Home Office (HO) sub-file.• WFT fax a copy to the relevant port and pass the hard copy appeal and sub-file to the appeals processing team (APT).• The port considers the grounds of appeal and decides whether to overturn the decision.• If the appeal is to proceed, the port sends their port file or a copy of the file (a dummy file) to WFT.• When the port file or dummy file is received by WFT, it is linked to the sub-file and sent to APT.• APT create an appeal bundle and serve copies on the Tribunals Service, the appellant or representative, and keep a copy for the file. APT forward the file to the appropriate presenting officers' unit (POU).• If the port file or a copy of it has not been received six days before the hearing, APT send the hard copy of the appeal to the relevant POU and update 'notes' on CID. <p>Port cases from Heathrow caseworking unit</p> <p>Heathrow central caseworking unit have adopted an amended process. Dummy port files are not routinely created, where an appeal has been lodged.</p>	<p>In this section</p> <p>Appeal notification</p> <p>Appeals case sub ownership</p> <p>Asylum appeal notification</p>
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| | <ul style="list-style-type: none">• If the appeal is to proceed, the port send their dummy port file to WFT:<ul style="list-style-type: none">○ reprographic function – APT manage a reprographic unit at Lunar House who are responsible for copying appeal bundles○ casework errors – if a major error is discovered, for example, the PF1 or annexes are missing, the team leader in APT will send the file back to the caseworker, if there is sufficient time before the hearing date.• Dummy port files contain relevant documents and information required by the presenting officer (PO). If the POU need further documents from the file, they will contact the port directly.• When the hard copy appeal is received by the WFT, a HO file is created and sent to APT to be forwarded to POU. APT update 'notes' on CID. | |
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Asylum appeal notification

<p>About this guidance</p> <p>Workflow team (WFT)</p> <p>Appeals notification unit (ANU)</p> <p>Appeals processing team (APT)</p> <p>Appeal notification</p> <p>Appeal bundles</p> <p>Entry clearance appeals</p>	<p>This page explains how to check if an appeal has been lodged.</p> <p>These instructions are for all presenting staff including asylum appeals administration teams and asylum caseworkers.</p> <p>Her Majesty's Courts and Tribunals Service (HMCTS) notify the appeals processing centre (APC) electronically when an appeal is lodged. The appeals notification unit (ANU) record details of the appeal in the appeals maintenance screen on CID. When you have served a decision to refuse leave, you must monitor CID on a daily basis to check if an appeal has been lodged.</p> <p>For more information see link on left: Appeals notification unit (ANU).</p> <p>Workflow managers and asylum teams receive a daily report, which lists by asylum team, any appeals logged on CID the day before. This report is the 'daily appeal notification report'.</p> <div style="border: 2px solid red; padding: 5px;"><p style="text-align: center;">Restricted - not for disclosure - start of section</p><p>The information in this page has been removed as it is restricted for internal Home Office use only.</p><p style="text-align: center;">Restricted - not for disclosure - end of section</p></div> <p>HMCTS send the hard copy of the appeal to the asylum team responsible for the case. If you don't receive the hard copy within 48 hours of the appeal being lodged, you must contact HMCTS to ask for it to be forwarded immediately.</p> <p>Once the hard copy appeal has been received from HMCTS, update the appeal</p>	<p>In this section</p> <p>Appeal notification</p> <p>Appeals case sub ownership</p> <p>Port case appeal notification</p>
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	maintenance screen on CID to show 'appeal received in asylum team'.	
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Appeal bundles

<p>About this guidance</p> <p>Workflow team (WFT)</p> <p>Appeals notification unit (ANU)</p> <p>Appeals processing team (APT)</p> <p>Appeal notification</p> <p>Appeal bundles</p> <p>Entry clearance appeals</p>	<p>This section explains the appeals bundling process.</p> <p>The instructions are for all presenting staff including appeals administration teams and asylum caseworkers.</p> <p>The papers relied upon by the Home Office at an appeal hearing are called the respondents' bundle.</p> <p>The bundle is submitted to Her Majesty's Courts and Tribunals Service (HMCTS) and the appellant's representative, if they have one.</p> <p>In asylum cases, HMCTS must receive the bundle six days after the appeal is lodged.</p> <p>For other in the UK (in-country) cases, HMCTS must receive the bundle five days before the hearing date.</p> <p>See also the related links:</p> <ul style="list-style-type: none">• Preparing the appeal bundle• Submitting the appeal bundle.	<p>In this section</p> <p>Preparing the appeal bundle</p> <p>Submitting the appeal bundle</p>
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Preparing the appeal bundle

<p>About this guidance</p> <p>Workflow team (WFT)</p> <p>Appeals notification unit (ANU)</p> <p>Appeals processing team (APT)</p> <p>Appeal notification</p> <p>Appeal bundles</p> <p>Entry clearance appeals</p>	<p>This page explains how to prepare an appeal bundle.</p> <p>The instructions are for all presenting staff including asylum caseworkers, appeals administration teams and the appeals processing team (APT).</p> <p>When it is confirmed that an appeal has been lodged, you will need to prepare the appeal bundle.</p> <p>A PF1 appeals proforma will have been prepared when the claim was refused, you will now need to add the following details:</p> <ul style="list-style-type: none">• date the appeal was lodged (this will be the date on CID)• a list of any supporting documents submitted with the appeal, and• the date on which the PF1 is to be posted. <p>You must check that all the details on the PF1 proforma, reasons for refusal letter and decision notices are correct. Correct any errors before the full appeal bundle is prepared. You can start to do this as soon as you are aware of the appeal and before receiving the hard copy of the appeal.</p> <p>Use the checklist (available at the related link: Appeals process maps and guidance) to make sure all the correct documents are in the bundle. A complete bundle must contain:</p> <ul style="list-style-type: none">• PF1 proforma• photocopies of all marked annexes• reasons for refusal letter• notice of decision• grounds of appeal• statement of additional grounds (if any)	<p>In this section</p> <p>Appeal bundles</p> <p>Submitting the appeal bundle</p> <p>Related links</p> <p>Links to staff intranet removed</p>
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| | <ul style="list-style-type: none">• grant letter regarding humanitarian protection or discretionary leave (if any)• completed Her Majesty's Courts and Tribunals Service (HMCTS) appeal form• supporting documents submitted with the appeal. | |
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Submitting the appeal bundle

<p>About this guidance</p> <p>Workflow team (WFT)</p> <p>Appeals notification unit (ANU)</p> <p>Appeals processing team (APT)</p> <p>Appeal notification</p> <p>Appeal bundles</p> <p>Entry clearance appeals</p>	<p>This page explains how to submit an asylum appeal bundle.</p> <p>These instructions are for all presenting staff including appeals administration teams within presenting officers' units (POUs), asylum teams or immigration compliance and engagement (ICE) teams (formerly known as local immigration teams (LITs)) and presenting officers (POs).</p> <p>Once the bundle has been prepared, make a final quality check that all the letters are correctly signed and dated, and any original annexes are left on the file. You will need to make three copies of the appeal bundle.</p> <p>For asylum appeals</p> <p>Objective country information such as Country of Origin Information Service (COIS) reports and US Department of State reports are no longer routinely included in asylum appeal bundles. Instead you will need to check that the reasons for refusal letter (RFRL) includes reference to the objective evidence and caselaw which was relied on in making the decision or may be relied upon at the appeal hearing. The RFRL must contain the web address of the website where country reports can be accessed externally. See related links:</p> <ul style="list-style-type: none">• Country of Origin Information Service• US Department of State reports. <p>The appeal bundle should be dispatched as soon as possible to the:</p> <ul style="list-style-type: none">• Representative or appellant by recorded delivery.• Tribunals Service by recorded delivery or where possible by inter-dispatch service (IDS).• POU (attached to the Home Office file) by IDS.	<p>In this section</p> <p>Appeal bundles</p> <p>Preparing the appeal bundle</p> <p>Related links</p> <p>Links to staff intranet removed</p> <p>External links</p> <p>Country of Origin Information Service</p> <p>US Department of State reports</p>
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Asylum appeals bundles must arrive with Her Majesty's Courts and Tribunals Service (HMCTS) by 2pm on day six after the appeal is lodged, with an appropriate covering letter (available on doc gen). You will need to check that the documents are served in accordance with any directions issued for the case management review or pre-hearing review.

For all appeals lodged in the UK (in-country appeals)

The HMCTS copy of the bundle is sent to:

Her Majesty's Courts and Tribunals Service
First-tier Tribunal
PO Box 6987
Leicester
LE1 6ZX

Or the information can be faxed to 0116 249 4232.

All telephone enquiries must use the following number:

0300 123 1711.

Alternatively, there may be local agreements where the bundles are sent to the local hearing centre.

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You should only create a file and CID record if the case has an oral hearing, and not if the appeal will be decided on the papers. This will be clear from the front page of the appeal bundle. For more information see related link: Paper cases.

For further information see related links:

- OA and VA case creation process
- Paper cases
- Creating a CID record
- obtaining a Home Office file
- Late ECO appeal bundles
- Requesting ECO appeal bundles from the entry clearance post
- Creating a CID record and file for ECO cases where there is no appeal bundle
- Creating a CID record and file for ECO cases post-hearing.

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OA and VA case creation process

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Paper cases

<p>About this guidance</p> <p>Workflow team (WFT)</p> <p>Appeals notification unit (ANU)</p> <p>Appeals processing team (APT)</p> <p>Appeal notification</p> <p>Appeal bundles</p> <p>Entry clearance appeals</p>	<p>This page explains the procedure for paper cases.</p> <p>The instructions apply to all presenting staff including appeals administration teams within presenting officers' units (POUs) or immigration compliance and engagement (ICE) teams (formerly known as local immigration teams (LITs)) and presenting officers (POs).</p> <p>Rule 15(2)(b) of the Asylum and Immigration Tribunal (Procedure) Rules 2005 (see related link) allows Her Majesty's Courts and Tribunals Service (HMCTS) to determine an appeal without a hearing where the claimant is both outside the UK and is unrepresented.</p> <p>You should not receive hearing notices or appeal bundles for paper entry clearance officer (ECO) cases. HMCTS will send the hearing notice containing the submission date directly to the ECO post.</p> <p>If you receive a hearing notice or appeal bundle for a paper ECO case, you will need to return it to HMCTS at:</p> <p>Her Majesty's Courts and Tribunals Service First-tier Tribunal PO Box 6987 Leicester LE1 6ZX</p> <p>You must send an email to the Home Office (HO) requests mailbox (see related link), listing the appeal references for the returned bundles or notices to notify them of the problem.</p> <p>If a paper appeal later turns into an oral hearing, HMCTS will supply a copy of the appeal bundle to the POU responsible for the case. You will receive the bundle with the amended hearing notice attached.</p>	<p>In this section</p> <p>Entry clearance appeals</p> <p>OA and VA case creation process</p> <p>Creating a CID record</p> <p>Obtaining a Home Office file</p> <p>Late ECO appeal bundles</p> <p>Requesting ECO appeal bundles from the entry clearance post</p> <p>Creating a CID record and file for ECO cases where there is no appeal bundle</p> <p>Creating a CID record and file for ECO cases post-hearing</p> <p>External links</p>
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This guidance is based on the Immigration Rules

		Links to staff intranet removed The Asylum and Immigration Tribunal (Procedure) Rules 2005
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Prepare appeal

Creating a CID record

<p>About this guidance</p> <p>Workflow team (WFT)</p> <p>Appeals notification unit (ANU)</p> <p>Appeals processing team (APT)</p> <p>Appeal notification</p> <p>Appeal bundles</p> <p>Entry clearance appeals</p>	<p>This page explains how to create a CID record for an entry clearance officer (ECO) case appeal. It applies to both other entry clearance (OA) and family visit visa (VA) case types.</p> <p>The instructions apply to all presenting staff including appeals administration teams within presenting officers' units (POUs) or immigration compliance and engagement (ICE) teams (formerly known as local immigration teams (LITs)).</p> <p>You must check if a CID record already exists for the appellant. To check, enter the appellant's name, date of birth and nationality into the search screen on CID.</p> <p>Create new CID record</p> <p>If you are satisfied that a record does not already exist for the appellant, create a new CID record. You can create a CID record using the information available in the ECO bundle and using the information found on the central referencing system (CRS).</p> <p>You can create the CID record while you are waiting for the Home Office (HO) file to arrive. If you choose to do this, you will need to update CID when the file arrives with the:</p> <ul style="list-style-type: none">• HO reference, and• admin event 'file received in POU'. <p>If you create a record before the file arrives make a note in pencil on the front of the bundle to inform the presenting officer (PO) that the CID record has been created.</p> <p>If you are not able to access the CRS database, contact your PO liaison officer or the senior caseworker in your unit.</p> <p>CID record exists</p> <p>If a CID record already exists, check to make sure it relates to the same appellant. If the</p>	<p>In this section</p> <p>Entry clearance appeals</p> <p>OA and VA case creation process</p> <p>Paper cases</p> <p>Obtaining a Home Office file</p> <p>Late ECO appeal bundles</p> <p>Requesting ECO appeal bundles from the entry clearance post</p> <p>Creating a CID record and file for ECO cases where there is no appeal bundle</p> <p>Creating a CID record and file for ECO cases post-hearing</p>
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	record does relate to the same appellant, you will need to update CID to show the new appeal details and attach the bundle and hearing paperwork to the file.	
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Prepare appeal

Obtaining a Home Office file

<p>About this guidance</p> <p>Workflow team (WFT)</p> <p>Appeals notification unit (ANU)</p> <p>Appeals processing team (APT)</p> <p>Appeal notification</p> <p>Appeal bundles</p> <p>Entry clearance appeals</p>	<p>This page tells you how to obtain a Home Office (HO) file for an appeal.</p> <p>The guidance is for all presenting staff including appeals administration teams within presenting officers' units (POUs) or immigration compliance and engagement (ICE) teams (formerly known as local immigration teams (LITs), and the appeals processing centre (APC).</p> <p>Check CID and Warehouse, using the appellant's name, date of birth and nationality, to see if there is already a file for the appellant. This can happen where the appellant has previously made an in the UK application or had a previous appeal.</p> <p>Existing file</p> <p>If a HO file exists for the appellant, use the record management system (RMS) to locate and request it from its current location. When the file arrives, make further checks to verify the file is for the same appellant. You will need to confirm that the full name, date of birth and nationality match your records.</p> <p>If the file matches the appellant, you may add the bundle to it and minute the file to indicate this. If the file relates to a different person, you will need to create a new HO file.</p> <p>Create new file</p> <p>If you work at the APC, you can create your own HO file. If you work at a POU you must complete and email a request to the file creation unit (FCU) using the file creation request form. FCU will create a file and return it to you, usually within four working days. When you receive the HO file attach the bundle to the file and write a minute to record when the bundle was attached.</p> <p>Imminent hearings</p> <p>If the hearing date is soon and the HO file has not been received from FCU or another location chase the file. If the file has not been received 48 hours before the hearing, pass</p>	<p>In this section</p> <p>Entry clearance appeals</p> <p>OA and VA case creation process</p> <p>Paper cases</p> <p>Creating a CID record</p> <p>Late ECO appeal bundles</p> <p>Requesting ECO appeal bundles from the entry clearance post</p> <p>Creating a CID record and file for ECO cases where there is no appeal bundle</p> <p>Creating a CID record and file for ECO cases post-hearing</p>
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	<p>the appeal bundle to the presenting officer (PO) without the file.</p> <p>If the hearing is more than a week away, store the file in the hearing hold under the hearing date. If the hearing is less than a week away you may need to hand the file to the PO.</p>	
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Prepare appeal

Late ECO appeal bundles

<p>About this guidance</p> <p>Workflow team (WFT)</p> <p>Appeals notification unit (ANU)</p> <p>Appeals processing team (APT)</p> <p>Appeal notification</p> <p>Appeal bundles</p> <p>Entry clearance appeals</p>	<p>This page tells you what to do if an appeal bundle is received late. A bundle is considered late if it is received less than 10 days before the hearing.</p> <p>This guidance is for all presenting staff, including appeals administration teams within presenting officers' units (POUs) or immigration compliance and engagement (ICE) teams (formerly known as local immigration teams (LITs)).</p> <p>The appeal bundle should be received from Her Majesty's Courts and Tribunals Service (HMCTS) with a hearing notice attached.</p> <p>If HMCTS have not received the bundle from the entry clearance post by the time the appeal is listed for hearing, the hearing notice is sent separately to the POU responsible for the case.</p> <p>If the appeal bundle is not received 10 days before the appeal hearing, create the CID record and raise a Home Office (HO) file using the details from the notice of hearing, before the hearing takes place, if possible. This will allow the presenting officer (PO) to update the file and CID with the hearing details. Alternatively, the record may be created after the hearing, and at the very latest, if reconsideration is granted.</p> <p>If HMCTS receive appeal bundles on the day before the hearing, all three copies of the bundle are sent directly to the hearing centre responsible for the case. The PO and legal representative can pick up their copy of the bundle at the hearing. If this happens on a no PO list, you will need to arrange to collect the Home Office copy of the bundle from the tribunal.</p>	<p>In this section</p> <p>Entry clearance appeals</p> <p>OA and VA case creation process</p> <p>Paper cases</p> <p>Creating a CID record</p> <p>Obtaining a Home Office file</p> <p>Requesting ECO appeal bundles from the entry clearance post</p> <p>Creating a CID record and file for ECO cases where there is no appeal bundle</p> <p>Creating a CID record and file for ECO cases post-hearing</p>
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Prepare appeal

Requesting ECO appeal bundles from the entry clearance post

<p>About this guidance</p> <p>Workflow team (WFT)</p> <p>Appeals notification unit (ANU)</p> <p>Appeals processing team (APT)</p> <p>Appeal notification</p> <p>Appeal bundles</p> <p>Entry clearance appeals</p>	<p>This page tells you the process for requesting appeal bundles from entry clearance posts where a bundle is not received in time.</p> <p>This guidance is for all presenting staff including appeals administration teams within presenting officers' units (POUs) or immigration compliance and engagement (ICE) teams (formerly known as local immigration teams (LITs), and presenting officers (POs).</p> <p>Requesting bundles from post</p> <p>If the appeal bundle has not arrived in time for the hearing, you might be asked (by a PO or immigration judge) to request a bundle from the entry clearance post.</p> <p>Before you do this, check central referencing system (CRS) to see whether the entry clearance officer (ECO) has already dispatched a bundle. If a bundle has already been dispatched, do not request another copy. It can take three weeks for a bundle to reach Her Majesty's Courts and Tribunals Service (HMCTS). Wait until three weeks have passed and check with HMCTS to see if they have received the bundle.</p> <p>Requesting bundles following an adjournment</p> <p>In cases where there is no appeal bundle, POs must follow the operational policy guidance in the PO Manual. Page 9 contains the template for use when an adjournment is granted to obtain the bundle.</p> <p>You might be asked to fax or email the entry clearance post to request a bundle on behalf of the PO. You will need to be aware of the guidelines in the Home Office fax policy. For more information, see the related link: Fax communications policy.</p> <p>You may choose to send a request by email. Please note you must only make requests for bundles once CRS has confirmed that a bundle has not been dispatched.</p>	<p>In this section</p> <p>Entry clearance appeals</p> <p>OA and VA case creation process</p> <p>Paper cases</p> <p>Creating a CID record</p> <p>Obtaining a Home Office file</p> <p>Late ECO appeal bundles</p> <p>Creating a CID record and file for ECO cases where there is no appeal bundle</p> <p>Creating a CID record and file for ECO cases post-hearing</p> <p>Related links</p> <p>Links to staff intranet removed</p>
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Prepare appeal

Creating a CID record and file for ECO cases where there is no appeal bundle

<p>About this guidance</p> <p>Workflow team (WFT)</p> <p>Appeals notification unit (ANU)</p> <p>Appeals processing team (APT)</p> <p>Appeal notification</p> <p>Appeal bundles</p> <p>Entry clearance appeals</p>	<p>This page tells you how to obtain a file and create a CID record if you do not have an appeal bundle.</p> <p>You may need to do this if the bundle has not been received in time for the hearing, or following the hearing, if you have not been able to create the record before the hearing.</p> <p>This guidance is for all presenting staff including appeals administration teams within presenting officers' units (POUs) and immigration compliance and engagement (ICE) teams (formerly known as local immigration teams (LITs)).</p> <p>Creating a CID record and Home Office (HO) file</p> <p>You can create a CID record if you do not have a bundle for the appeal using the information held on the central referencing system (CRS). You may also be able to get copies of documents for the bundle including:</p> <ul style="list-style-type: none">• the notice of decision• interview record• explanatory statement. <p>If copies of these documents are available, make copies for the presenting officer (PO) to use at the hearing.</p> <p>If there is enough information or enough time before the hearing, create the record on CID and request a HO file. See related link: Creating a CID record.</p> <p>If the HO file arrives before the hearing, attach the hearing notice and representatives bundle, if there is one, to the file. You will need to alert the PO if an appeal bundle has not been received in time for the hearing and that a CID record exists, so they can complete the hearing details on CID after the hearing has taken place.</p>	<p>In this section</p> <p>Entry clearance appeals</p> <p>OA and VA case creation process</p> <p>Paper cases</p> <p>Creating a CID record</p> <p>Obtaining a Home Office file</p> <p>Late ECO appeal bundles</p> <p>Requesting ECO appeal bundles from the entry clearance post</p> <p>Creating a CID record and file for ECO cases post-hearing</p> <p>Related links</p> <p>Links to staff intranet removed</p>
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	<p>Obtaining information from Her Majesty's Courts and Tribunals Service (HMCTS) As a last resort if CRS cannot provide enough information to create a record, you may approach HMCTS for the missing information. Email the request to HMCTS (see related link: Email: Tribunals Service). Please limit the number of queries to no more than 10 in each email. When you have received all the information, complete the case creation form.</p>	
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Prepare appeal

Creating a CID record and file for ECO cases post-hearing

<p>About this guidance</p> <p>Workflow team (WFT)</p> <p>Appeals notification unit (ANU)</p> <p>Appeals processing team (APT)</p> <p>Appeal notification</p> <p>Appeal bundles</p> <p>Entry clearance appeals</p>	<p>This page tells you how to manage appeal paperwork for other entry clearance (OA) and family visit visa (VA) cases if there is no file and CID record when the hearing takes place.</p> <p>This guidance is for all presenting staff including appeals administration teams within presenting officers' units (POUs) and immigration compliance and engagement (ICE) teams (formerly known as local immigration teams (LITs)).</p> <p>If the file is not ready when the hearing takes place, any bundles or papers received by the presenting officer (PO) at the hearing are passed to the administration team.</p> <p>POs attach a case creation form to post hearing bundles or papers to help the administration team create the file and CID record. The bundle and notice of hearing along with central referencing system (CRS) contains all the information to complete the form.</p> <p>If a file and CID record cannot be created, the papers are stored by hearing date and linked to the determination when it is received.</p> <p>Post hearing case creation</p> <p>If a file and CID record are not created before the hearing takes place, you may create the case after the hearing. The appeals processing centre (APC) no longer create post-hearing cases so this will always be done in the POU responsible for the case. See related links:</p> <ul style="list-style-type: none">• Creating a CID record• Obtaining a Home Office file. <p>If you have created a Home Office (HO) file and CID record after the hearing has taken place, store the file in the 'awaiting determination hold' under the hearing date. If the file has not been created, the appeal papers are stored in hearing date order in the awaiting determination hold.</p>	<p>In this section</p> <p>Entry clearance appeals</p> <p>OA and VA case creation process</p> <p>Paper cases</p> <p>Creating a CID record</p> <p>Obtaining a Home Office file</p> <p>Late ECO appeal bundles</p> <p>Requesting ECO appeal bundles from the entry clearance post</p> <p>Creating a CID record and file for ECO cases where there is no appeal bundle</p>
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	If a CID record has not been created by the time the appeal determination is received, create the record from the information on the determination.	
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Prepare appeal

Contact

<p>About this guidance</p> <p>Workflow team (WFT)</p> <p>Appeals notification unit (ANU)</p> <p>Appeals processing team (APT)</p> <p>Appeal notification</p> <p>Appeal bundles</p> <p>Entry clearance appeals</p>	<p>This page explains who to contact for more help with a specific case in the prepare appeal category.</p> <p>If you have read the relevant Immigration Rules and this guidance and still need more help with this category, you must first ask your senior caseworker or line manager.</p> <p>If the question cannot be answered at that level, you may email the operational policy and rules unit, using related link: Email: Appeals operational policy, for guidance on the policy.</p> <p>Changes to this guidance can only be made by the modernised guidance team (MGT). If you think the policy content needs amending you must contact the operational policy and rules unit, who will ask the MGT to update the guidance, if appropriate.</p> <p>The MGT will accept direct feedback on broken links, missing information or the format, style and navigability of this guidance. You can send these using the link: Email: Modernised guidance team.</p>	<p>Related links</p> <p>Changes to this guidance</p> <p>Information owner</p> <p>Links to staff intranet removed</p>
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Prepare appeal

Information owner

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[Appeals notification unit \(ANU\)](#)

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This page tells you about this version of the prepare appeal guidance and who owns it.

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Valid from date	5 July 2013
Policy owner	Appeals operational policy
Cleared by director	Keith Lambert
Director's role	Central operations
Clearance date	5 January 2010
This version approved for publication by	Mark Voce
Approver's role	Deputy director, Rules and guidance unit
Approval date	14 June 2013

Changes to this guidance can only be made by the modernised guidance team (MGT). If you think the policy content needs amending you must contact the operational policy and rules unit using related link: Email: Appeals operational policy, who will ask the MGT to update the guidance, if appropriate.

The MGT will accept direct feedback on broken links, missing information or the format, style and navigability of this guidance. You can send these using the link: Email: Modernised guidance team.

Related links

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[Contact](#)

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