



Home Office

# Withdrawing passports and passport facilities

Version 6.0

His Majesty's Passport Office guidance on withdrawing passports and passport facilities (services)

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# About: Withdrawing passports and passport facilities

This guidance tells His Majesty's Passport Office operational staff about withdrawing passports and passport facilities (services) including:

- what it means to withdraw passports and passport facilities
- when we may withdraw passports or passport facilities
- what you must consider before withdrawing passports or passport facilities
- options that may allow a customer to keep, renew (or replace) their passport
- what to do if withdrawing a passport will cause problems for the customer
- how to withdraw a passport

You must use this guidance when you need to:

- refuse an application to renew (or replace) a passport
- withdraw a live passport

## 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 Guidance & Quality, Operating Standards.

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 Guidance & Quality, Operating Standards.

## Publication

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

- version **6.0**
- published for Home Office staff on **26 September 2022**

## Changes from last version of this guidance

This guidance has been updated to reflect the change in our sovereign from Her Majesty Queen Elizabeth II to His Majesty King Charles III.

The guidance has also been updated to:

- make some formatting changes
- show which parts are restricted
- explain what the Counter Fraud team must do if they are aware of a passport we issued in error but there is no sign the customer committed an offence or

acted dishonestly (in the When CFT are aware of a passport issued in error section)

- explain what Guidance and Quality, Operating Standards will do if we need to withdraw the customer's passport (that we issued in error) but it would significantly affect their life in the UK (in the Asking UKVI if a customer can be granted ILR section)
- include links to the Additional checks guidance, if you are processing an application on Digital Application Processing (in the Withdrawing passports: if there's fraud or identity concerns section)

## **Related content**

[Contents](#)

# Withdrawing passports and passport facilities: considerations

This section tells HM Passport Office operational staff why we withdraw passports and passport facilities (services) and what may happen if we incorrectly withdraw passports or passport facilities. It includes information about refund and compensation requests (when we withdraw passports or passport facilities).

We issue, refuse and withdraw passports at the discretion of the Secretary of State for the Home Department, in line with the [issuing, withdrawal or refusal of passports written ministerial statement](#) and the Royal Prerogative guidance. We will only renew (or replace) a customer's passport or allow them to keep it, when they meet all the following criteria:

- we are satisfied with their identity
- we are satisfied they are a British national (in line with [nationality legislation](#))
- there are no other reasons why we must not issue them with a passport (for example, safeguarding (protection) or vulnerability concerns)

We may refuse an application to renew (or replace) a passport or withdraw a live passport:

- on [identity grounds](#)
- on [nationality grounds](#)
- on [entitlement grounds](#)

In some cases, we will make decisions using a balance of probability (for example, when a customer cannot provide us with the standard documents we need).

You must not confuse withdrawing passports and passport facilities (services) with withdrawing passport applications:

- withdrawing passports and passport facilities is when we withdraw a passport we issued to the customer (or refuse to renew or replace their passport) because we issued it in error (for example, because they do not have a nationality claim)
- withdrawing passport applications is when we withdraw an application (for example, because the customer could not provide the documents we need)

If you need to refuse an application for a first British passport, you must refer to refusing passports and passport facilities.

## Withdrawing passports and passport facilities incorrectly

If we incorrectly withdraw a passport or passport facilities, customers may:

- make a complaint, for example, through:
  - the Customer Services Management team
  - their MP
  - an ombudsman
- take legal action, for example, through a Judicial Review

The case 'R v the Secretary of State for Foreign and Commonwealth Affairs ex parte Everett (1998)' explains the Secretary of State must have a general policy for withdrawing passports and passport facilities. We must:

- have reasonable grounds to withdraw passports or passport facilities
- withdraw passports and passport facilities fairly
- give customers enough information about why we decided to withdraw their passport or passport facilities so they can challenge our decision (for example, if it was based on wrong information)
- consider exceptional circumstances that allows the customer to keep, renew (or replace) their passport

Before deciding to withdraw a passport or passport facilities, we must:

- consider each case on its own merits
- take care to correctly apply the guidance
- make sure the reason we need to withdraw a passport or passport facilities is:
  - correct
  - reasonable
  - fair
- be able to clearly show why we are withdrawing a passport or passport facilities

HM Passport Office Litigation team will work with the Government Legal Department to deal with legal challenges from customers who had their passport or passport facilities withdrawn. If they need more information to deal with the legal challenge, they may contact the person (or team) who dealt with the application.

## Withdrawing passports: refunds and compensation

You must refer to passport fees and compensation guidance for when we will consider refunds and compensation, when we withdraw passports or passport facilities.

## When CFT are aware of a passport issued in error

There may be times when the Counter Fraud team (CFT) receive:

- information that a British passport was issued for a customer who does not have a claim to British nationality
- an application from an examiner who has fraud concerns about the nationality claim for a customer who supplied their British passport as part of an application

If the Counter Fraud officer have no suspicions or evidence the customer committed an offence or was dishonest and are satisfied they made their original passport application in good faith, they must:

1. Not withdraw (or revoke) the customer's passport.
2. Refer the case to an operational team leader (OTL), who will deal with the customer in line with this guidance.

You, the OTL, must deal with the customer in line with this guidance.

### **Related content**

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# Withdrawing passports and passport facilities: identity

This section tells HM Passport Office operational staff how to deal with withdrawing passports and passport facilities (services) on identity grounds and applies to passports we already issued to the customer. If you need to refuse an application for a first passport, you must refer to refusing passport applications and passport facilities.

We must be satisfied with the customer's identity (see Royal Prerogative guidance) and may refuse an application to renew (or replace) a passport or withdraw a live passport, when we:

- suspect the customer applied fraudulently or have doubts about their identity
- do not have fraud concerns or doubts but we cannot confirm the customer's identity, for example, using:
  - the documents they gave us
  - other evidence to support their identity (for example, countersignatories)

## Withdrawing passports: if there's fraud or identity concerns

You may suspect a customer fraudulently obtained their passport, when:

- they send it as part of their own renewal or replacement application
- they send it as part of another application (for example, their child's passport application)
- you check their passport record when dealing with another application (for example, when checking a child's parent's or sibling's passport record)

If you suspect a customer fraudulently obtained their passport, you must:

- check:
  - the details of any previous passports we issued, to see if there are identity concerns
  - how the customer has a nationality claim (as the nationality claim will be in doubt if the customer's identity is in doubt)
  - if there is evidence someone else's entitlement to a British passport relies on the customer having their passport (that you have concerns with)
- refer the application to your operational team leader (OTL) to see if they agree there's fraud or identity concerns
- not withdraw the customer's passport if the OTL agrees there's fraud or identity concerns and instead:
  - refer the application to Enhanced Application Checking (for applications on AMS)

- complete additional checks and decide if you need to **Refer for investigation** (for applications on DAP)

The CFT deal with customers who got their passport fraudulently, in line with their own guidance.

#### **Related content**

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# Withdrawing passports and passport facilities: nationality

This section tells HM Passport Office operational staff about withdrawing passports or passport facilities (services) on nationality grounds. It applies to passports we already issued to the customer. If you need to refuse an application for a first passport, you must refer to refusing passport applications and passport facilities.

We must be satisfied with the customer's claim to British nationality (see Royal Prerogative guidance). If we are not, we will not renew (or replace) a customer's passport or allow them to keep it.

We may find we, Immigration Departments in British overseas territories or the Foreign, Commonwealth & Development Office (who dealt with overseas passport applications before 1 April 2014) issued the customer a passport in error, because a customer does not have a nationality claim, when:

- we get the passport as part of:
  - an application to renew or replace it (so there will be a live application on the system)
  - another application, for example, when a parent sends it with their child's application (so there will not be a live application on the system)
- UK Visas and Immigration (UKVI) tell us we issued it in error, for example, when they:
  - refuse an application for the Right of Abode
  - ask the Quality and Examination Support team (QuEST) to confirm on what basis we issued a passport and they tell us the customer's mother was married to someone other than their biological (natural) father
- the Counter Fraud team (CFT) are told about it

If UKVI tell QuEST about a passport we issued in error, QuEST will contact the office that issued it and ask them to deal with it in line with this guidance.

## What to consider before withdrawing a passport

Before we withdraw a live passport or refuse an application to renew (or replace) it, we must carefully consider:

- [how to handle the case](#) (if you suspect the customer got their passport fraudulently, you must refer the application to the CFT)
- [options that may allow the customer to keep, renew or replace their passport](#)
- [the effect on the customer](#), if we withdraw their passport or refuse an application to renew (or replace) it
- [what we can do to help the customer](#), if the reason we issued the passport in error was our fault

## Handling the case

When dealing with a passport that we issued in error because a customer does not have a nationality claim, we must:

- be satisfied the customer did not get their passport fraudulently (if you suspect they did, you must refer the application to the CFT)
- consider all the facts about the case
- check previous passport records to see if there is evidence the customer does not have a nationality claim (for example, if they were granted Indefinite Leave to Remain (ILR) after their child was born)
- consider if the customer meets the Windrush scheme criteria
- check UKVI systems to see if any decisions made by them are different to the decisions we made
- check what evidence we need to confirm the nationality claim
- consider if we can make decisions using a balance of probabilities
- make sure we have English translations of foreign documents
- not send letters to customers to tell them we may need to withdraw their passport or refuse their application to renew (or replace) it, without speaking to them first, as:
  - they may be upset
  - we can explain the situation to them
  - we need to check how it may affect them if we withdraw their passport, or refuse their application to renew (or replace) it
  - consider what to tell them when we contact them
- make sure any letters we send to the customer:
  - clearly and correctly explains why we issued their passport in error
  - are scanned on the system (if there is a live application)
  - are clearly recorded in the case notes (or passport notes if there's no live application)
- make sure all case notes and passport notes clearly show:
  - why we issued a passport in error
  - the actions and decisions we made (with reasons)
  - what we considered when making a decision
  - when we sent a letter to the customer, what it was about and the delivery reference number
  - when we tried to contact the customer by phone
- check if the customer gave information or evidence to suggest a family member has a passport that relies on them having a passport we issued in error - the person who identified the error will deal with all affected cases, as we must:
  - use this guidance for each family member who we issued a passport in error to
  - deal with each case together (so we contact each customer in the same period of time)
  - only reveal information to the person who has the correct consent
- consider contacting Guidance & Quality, Operating Standards (using the QuEST referral process) if you have concerns about reputational damage to HM Passport Office, for example, when:

- the customer had their passport several years or we renewed it several times, before we found the error
- we issued a passport that the customer used to build a life for themselves (for example, they moved to the United Kingdom)

## Options that may allow a customer to keep their passport

Providing we're satisfied the customer did not get the passport fraudulently, we must consider options that may allow them to keep it or renew (or replace) it. For example:

- can they provide other evidence to confirm their nationality claim
- can we make a decision using a balance of probabilities
- can they naturalise or register as a British national with UKVI – if there's no route to naturalise or register now but there was at the time the error was made, UKVI:
  - may accept an application to register or naturalise
  - will still assess if the customer met the good character test using their current circumstances
- do they have a claim:
  - through any other means (for example, through their other parent or because of where the parent is domiciled (see legitimation and domicile))
  - to another type of British nationality (for example, British national (overseas))

## Effect on the customer if we withdraw their passport

We must consider the effect on the customer (and anyone else who we issued a passport to based on the customer having their passport) if we withdraw their passport or refuse an application to renew (or replace) it, for example:

- if they:
  - are in the UK or overseas
  - are renewing their passport because they made travel arrangements (for example, a family holiday)
  - have urgent or compassionate travel arrangements (as we may consider a restricted validity passport)
  - are currently using their passport for travel or they need it to return to the country where they live
- do the laws (or regulations) in the country where they live mean they need to keep their passport on them at all times
- do they qualify for another country's citizenship or can they get a travel document elsewhere
- will they become stateless (not considered a national by any country under its laws, as defined by the 1954 United Nations Conventions relating to the status of a stateless person)
- will it take time for them to get (or regain) another nationality
- will it affect their:
  - residency status in the UK
  - employment
  - access to other services (for example, public funds, health care or housing)

- will they be put at risk (for example, not being able to prove who they are or will it leave them stranded)
- do they have family members who may be affected (for example, is their residency or nationality status dependent on the customer having a British passport)

## Supporting the customer

If we need to withdraw a passport or refuse an application to renew (or replace) it because we issued the customer a passport in error (and not because they got it fraudulently), we must consider what we can do to help them. For example, if they need a passport for urgent government business or compassionate reasons, we may be able to issue a:

- restricted validity passport
- Emergency Travel Document

## If you find a passport issued in error

If you, the examiner, find we issued a customer a passport in error because they do not have a nationality claim, you must discuss the case with an operational team leader (OTL) to see if they agree.

You, the OTL, must:

- check if we issued the passport in error (and how the error happened), by looking at the:
  - application record
  - case notes and passports notes
  - customer's evidence and supporting documents (if there are any)
- check UKVI systems to see if:
  - there is evidence to show the customer does not have a claim (for example, if they were granted ILR after their child was born)
  - any decisions made by them that affect the customer's entitlement to a passport (for example, if a customer has retrospectively been granted ILR)
- check if there is evidence to confirm the customer has a claim by another means, for example, do they have a claim:
  - through their other parent
  - to another type of British passport (for example, a British national (overseas) passport)
  - because they have registered or naturalised (if they have you must follow the guidance in Customer has evidence of British nationality)
- if the customer meets the Windrush criteria (if they do, you must deal with the case using the Windrush guidance)
- consider if there are any fraud concerns (if there is, you must refer the application to the CFT)

You must also consider if there are any family members who are no longer entitled to a British passport because their nationality was dependent on the passport we issued in error. This is because we must deal with all of the cases at the same time.

When you have gathered all the information you need, you must discuss the case with the QuEST to check if they agree we issued the passport in error.

If QuEST agree we issued the passport in error, you (the OTL) must keep (and deal with) the application in line with this guidance (see Dealing with a passport issued in error, below).

If QuEST agree we did not issue the passport in error, you, the OTL, must:

1. Add a case note (or passport note if it's not a live application) to explain the actions and decisions you made.
2. Tell the examiner why we did not issue the passport in error and:
  - to deal with the application, in line with current guidance
  - not to withdraw passport facilities from the customer

## Dealing with a passport issued in error

Before we contact the customer to tell them about the error and ask for more documents or information, we must find out if they would be able to apply to register or naturalise. We must contact UKVI to ask if the customer would be eligible.

The customer may not need to register or naturalise if they can provide evidence to confirm their nationality claim but checking before we contact them, means:

- we know what options they have before we contact them
- customers will not make an unnecessary application to register or naturalise

UKVI will confirm if the customer can apply to register or naturalise as British national (for example, as a British citizen or British overseas territories citizen) but cannot confirm if they will be successful with their application. This can only be done when the customer submits a citizenship application with the correct documents and evidence.

In all cases if the customer does not appear to have a claim to British nationality and you have confirmed (as far as you are able) the passport was issued in error, you, the OTL, must:

1. Add a case note (or passport note if it's not a live application) to say:

Passport issued in error as the customer does not have a British nationality claim because [include reason why]. Before we contact the customer about the error, we are checking to see if they can register or naturalise.

2. Complete section 1 of the UK Visa & Immigration: registration or naturalisation assessment form.

3. Send it to your local QuEST team and ask them to send it to UKVI using their QuEST mailbox.

When QuEST send the UK Visa & Immigration registration or naturalisation assessment form by email, they must permanently delete it from Outlook.

UKVI will:

1. Consider if there is a route for the customer to register or naturalise, including if:
  - there is no route for them to register or naturalise now but there was at the time the error was made (in such cases, UKVI will still carry out the good character test on the customer's current circumstances)
  - they qualify for discretionary registration as a British citizen under section 4L of the British Nationality Act 1981 or as a British overseas territory citizen under section 17I of the British Nationality Act 1981
2. Respond to the QuEST mailbox, to let them know:
  - if the customer can apply to register or naturalise
  - if they need more information to help them decide if the customer can apply to register or naturalise
  - how the customer can apply and what they must pay (if they can apply)
  - why the customer cannot apply (if they cannot apply)

When UKVI sends a response to the QuEST mailbox, you (the QuEST officer) must check it. If UKVI confirms:

- the customer can (or cannot) make an application to register or naturalise you must:
  - send the response to the OTL dealing with the case
  - permanently delete the response you got from UKVI and sent to the OTL from Outlook
- they need more information to help decide if the customer can apply to register or naturalise, you must:
  - ask the OTL dealing with the case for the information
  - update 'UK Visa & Immigration: registration or naturalisation assessment' form with the information and return it to UKVI (using your QuEST mailbox)

When you, the OTL, received the response from QuEST to tell you if the customer can (or cannot) apply to register or naturalise, you must refer to When UKVI respond (below).

## When UKVI respond

When you, the OTL, get confirmation the customer can (or cannot) apply to register or naturalise from UKVI or Guidance & Quality, you must

1. Add a case note (or passport note, if it's not a live application) to show if they confirmed the customer can (or cannot) apply to register or naturalise.



2. Securely store the response. This is because you may need to update and return it if the customer later decides to apply to register or naturalise (for example, if they cannot provide evidence to confirm their nationality claim).
3. Contact the customer by phone. If they do not answer, use the Application Management System (AMS) to send them letter 001 and ask them to contact you. If it's not a live application, you must create the letter using the letter 001 template.
4. Tell the customer we issued their passport in error and apologise. Explain why they do not have a claim.
5. Ask the customer if they can send you evidence that confirms they have a claim, in the next 28 days. If they tell you they cannot, ask them why.
6. Tell the customer they can apply to register or naturalise if they cannot provide evidence to confirm their claim (only if you've already had confirmation from UKVI. Tell them if their application is successful, they must send you their naturalisation or registration certificate and they will be able to keep, renew or replace the passport.
7. Tell the customer you may need to withdraw their passport (or refuse to renew or replace it) if they:
  - cannot send evidence that confirms their claim
  - decide not to register or naturalise or are not eligible to (unless you did not need to ask them to apply to register (or naturalise))
8. Ask the customer:
  - how it would affect them, if you were to withdraw their passport (or refuse to renew or replace it) (see [considerations: effect on the customer if we withdraw their passport](#) )
  - if they are a citizen of another country or have any foreign passports
9. Tell the customer you will send them a letter to explain the situation.
10. Use AMS to create letter 605 (if there is a live application) or create it using the letter 605 template (if there is no live application). Do not include phrase 605O, 605P or 605R if you did not need to ask the customer to apply register (or naturalise). Ask a senior executive officer to sign it.
11. Update the letter with the name of the registration application form the customer must fill in (if the customer tells you they cannot provide evidence to confirm the claim and you've received confirmation from UKVI that the customer can apply to register or naturalise.
12. Send AMS letter 605.
13. Scan letter 605 on to the system (if it's a live application).
14. Add a case note (or passport note if it's not a live application) to show:
  - what you told the customer
  - what letter you sent, the date you sent it and the delivery reference number
  - all the actions and decisions you made
  - how it will affect the customer if we were to withdraw their passport (or refuse to renew or replace it)

If the customer tells you, they:

- already naturalised or registered or can provide evidence to confirm their claim, you must refer to [customer has evidence of British nationality](#)

- cannot provide evidence to confirm their claim and has not already registered or naturalised, you must refer to [customer cannot provide evidence to confirm their claim](#)
- want to register or naturalise you must refer to [customer wants to register \(or naturalise\)](#) (if you've asked UKVI if a customer can apply to register or naturalise and they confirmed they can)
- cannot provide evidence to confirm their claim and you've asked them if they want to apply to register or naturalise but they do not want to, you must refer [how to withdraw a passport](#)

## **Related content**

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# Customer has evidence of British nationality

This section tells HM Passport Office operational staff how to deal with customers who we issued a passport to in error (as they do not have a nationality claim) and who tell us they can provide evidence to confirm their claim or have registered (or naturalised).

If a customer tells us they have evidence to confirm their claim, we will give them 28 days to provide it (from the date we sent letter 605). If we do not receive it after 14 days, we will try to contact the customer to remind them to send it.

You, the operational team leader (OTL) must:

1. Not withdraw the customer's passport (or refuse their application to renew or replace it).
2. Add a case note (or passport note if it's not a live application) to explain that:
  - we previously issued the customer with a passport in error
  - the customer is sending evidence to confirm their claim (or their registration or naturalisation certificate)
3. Electronically and physically store the application in your team if it is a live application (or create a reminder if it's not) while you wait for the evidence (or registration or naturalisation certificate).
4. Contact the customer if you do not receive the evidence (or naturalisation or registration) certificate after 14 days from the date you sent letter 605. Tell them to send it in the next 14 days.

If you do not get the evidence or naturalisation (or registration) certificate after 28 days of sending letter 605, you must refer to Customer does not send evidence or registration certificate.

## When the customer sends evidence of British nationality

When you receive the customer's evidence of British nationality (for example, descent claim documents or registration (or naturalisation) certificates, you must check if the customer now has a claim.

### Customer has a claim: live application

If the customer has a claim to British nationality and it's a live application, you must:

1. Add a case note to the live application and a passport note to the record for the first passport we issued, to explain the customer:
  - provided evidence to confirm their claim (or registered or naturalised)
  - is entitled to a passport
2. Issue the passport (in line with current guidance).

3. Permanently delete the UK Visa & Immigration: registration or naturalisation assessment form from Outlook (if you have it).

## Customer has a claim: no live application

If the customer has a claim and it's not a live application, you must:

1. Tell the customer they can keep their passport.
2. Add a passport note to explain, the customer:
  - o has provided evidence to confirm their claim (or has registered or naturalised)
  - o is entitled to keep the passport
3. Return the passport to the customer (if you have it).
4. Permanently delete the UK Visa & Immigration: registration or naturalisation assessment form from Outlook (if you have it).

## Customer cannot send evidence to confirm their claim

If a customer tells you they cannot provide evidence to confirm their claim or the evidence they give does not confirm it, you must refer to [customer cannot provide evidence to confirm their claim](#).

## Customer does not send evidence or registration certificate

If a customer does not send you the evidence of their British nationality within 28 days of when you sent AMS letter 605, you must send reminders (in line with the timescales in the passport applications withdrawal guidance).

If the customer still does not respond, you must take action to withdraw their passport (see [how to withdraw a passport](#)).

### Related content

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# Customer cannot provide evidence to confirm their claim

This section tells HM Passport Office operational staff what to do if we issued a passport in error because the customer does not have a nationality claim and they cannot provide evidence to confirm the claim or have not registered (or naturalised)

Providing there is no evidence the customer definitely does not have a claim and there's no evidence to suggest they got their passport fraudulently, you, the operational team leader (OTL) must refer to supporting documents not available guidance, to consider:

- what alternative evidence the customer can provide (to confirm their claim)
- if we can decide their claim using a balance of probabilities (OTLs make decisions on a balance of probabilities)

## Claim using a balance of probabilities: live application

If you (the OTL) are satisfied the customer has a claim using a balance of probabilities and it's a live application, you must:

1. Tell the customer you will renew (or replace) their passport, because you are satisfied they have a claim.
2. Add a case note to the application to explain:
  - we previously issued the customer with a passport in error
  - you are satisfied the customer has a claim, including the reason why and the evidence you used
3. Issue the passport (in line with current guidance).
4. Permanently delete the UK Visa & Immigration: registration or naturalisation assessment form from Outlook (if you have it).

## Claim using a balance of probabilities: not a live application

If you (the OTL) are satisfied the customer has a claim using a balance of probabilities and it's not a live application, you must:

1. Tell the customer they can keep their passport because you are satisfied they have a claim.
2. Add a passport note to the record, to explain:
  - we previously issued the customer with a passport in error
  - you are satisfied the customer has a claim, including the reason why and the evidence you used
3. Return the passport to the customer (if you have it).
4. Permanently delete the UK Visa & Immigration: registration or naturalisation assessment form from Outlook (if you have it).

## Customer has no claim using a balance of probabilities

If you (the OTL) decide the customer does not have a claim using a balance of probabilities, you must:

1. Add a case note (or passport note if it's not a live passport application) to explain:
  - we previously issued the customer with a passport in error
  - you are satisfied the customer does not have a claim, including the reason why
2. Refer to:
  - [customer registering \(or naturalising\)](#), if you've asked UK Visa and Immigration (UKVI) if the customer can apply to register (or naturalise) and they told you they can
  - [how to withdraw a passport](#), if you did not need to ask UKVI if a customer can apply to register (or naturalise) or you've asked them and they told you they cannot

### Related content

[Contents](#)

# Customer wants to register or naturalise

This section tells HM Passport Office operational staff what to do when we issued the customer with a passport in error (as they do not have a nationality claim) and they want to register or naturalise.

Customers may apply to register (or naturalise) to keep their passport (or renew or replace it) when all the following apply:

- the customer has not already registered (or naturalised)
- we issued the passport in error, as the customer does not have a nationality claim
- we considered other options that may allow the customer to keep their passport (or renew or replace it), for example:
  - we asked the customer for evidence to confirm their claim
  - we considered the customer's claim using a balance of probabilities (only in cases when they could not provide enough evidence to confirm their claim and there is no evidence to suggest they do not have a claim)
- we have already checked with UK Visas and Immigration if the customer can apply to register (or naturalise)

If UKVI confirmed the customer cannot apply to register (or naturalise), you must refer to [how to withdraw a passport](#).

When the customer applies to register (or naturalise) and are waiting for the outcome of their application, we will:

- keep the passport application open (if it's a live application)
- allow the customer to keep the passport (if it's not a live application)

## When the customer wants to register or naturalise

If UKVI previously confirmed the customer can apply to register (or naturalise), you (the operational team leader) must:

1. Tell the customer:
  - the letter we previously sent them included the application form they must complete and what fee they must pay
  - they must include a copy of the letter you previously sent with their registration (or naturalisation) application
  - we can send the letter again and the registration (or naturalisation) application form (if they do not have it)
  - they must send us their naturalisation (or registration) certificate, when they get it

- to let you know if they apply to register (or naturalise) but UKVI tells them they are not eligible
  - they can keep their passport (if it is not a live application) or you will keep their renewal or replacement application open (if it is a live application) while we wait for the outcome of their registration (or naturalisation) application
  - we will withdraw their passport and cancel it if they do not register (or naturalise) do not qualify or do not send us the registration (or naturalisation) certificate
2. Send the customer:
    - Application Management System letter 605, if it's a live application and they need a copy (if it's not a live application, you must create letter 605 using the letter 605 template)
    - the correct application form they need to complete to register or naturalise (if they need it)
  3. Update section 3 the UK Visa & Immigration: registration or naturalisation assessment form.
  4. Send the form to your local Quality and Examination Support team (QuEST) and ask them to send it to UKVI from their team mailbox (to let UKVI know the customer is making an application to register (or naturalise)).

When an OTL or QuEST sends the UK Visa & Immigration registration or naturalisation assessment form by email, they must permanently delete it from Outlook.

If it is a live application, you must then:

1. Add a case note to the application, to explain:
  - we issued the customer with a passport in error
  - the customer is applying to register (or naturalise)
  - you will keep the application open while you wait for the outcome of the naturalisation (or registration) application
2. Electronically and physically store application in your team while you wait for the outcome of the naturalisation (or registration) process.
3. Keep in regular contact with the customer to check the progress of their registration (or naturalisation application). If you lose contact with the customer, you must refer to [how to withdraw a passport: when a customer does not respond, or you lost contact with them.](#)

If it is not a live application, you must:

1. Add a passport note to the record to explain:
  - we issued the customer with a passport in error
  - the customer is keeping their passport while we wait for the outcome of their registration (or naturalisation) application
2. Return the passport to the customer (if you have it)
3. Keep in regular contact with the customer to check the progress of their registration (or naturalisation) application. If you lose contact with the customer, you must refer to [how to withdraw a passport: when a customer does not respond, or you lost contact with them.](#)



## Outcome of the registration (or naturalisation) application

When a customer applies to register or naturalise, UKVI may accept or reject their application.

### When the customer has registered or naturalised

When the customer has registered or naturalised they must send us their certificate.

If it's a live application, you must:

1. Check the UKVI system if you suspect the registration (or naturalisation) certificate is not genuine. If it's not genuine, you must refer the application to the Counter Fraud team (CFT).
2. Add a case note to the live application and a passport note to the first passport record to:
  - explain the customer has registered (or naturalised) and sent you their certificate
  - record the customer's British nationality status shown on their certificate
  - show you can renew (or replace) their passport
3. Renew (or replace) the passport (in line with current guidance).
4. Return the customer's supporting documents (if you have any).

If it is not a live application, you must:

1. Check the UKVI system if you suspect the registration (or naturalisation) certificate is not genuine. If it's not genuine, you must refer the application to CFT.
2. Add a passport note to the record to:
  - explain the customer registered (or naturalised) and sent you their certificate
  - record the customer's British nationality status as shown on their certificate
  - show the customer can keep their passport
3. Return the passport to the customer (if you have it).
4. Return the customer's supporting documents (if you have any).

### If UKVI reject the registration (or naturalisation) application

If the customer applies to register or naturalise but UKVI (or an overseas territory) reject their application (for example, because they are not eligible) we will take action to [withdraw their passport](#).

### Prioritising the registration or naturalisation process

If the customer has applied to register (or naturalise) because we issued their passport in error and they ask us to speed up their application, we can ask UKVI if they can prioritise it. You must:

1. Tell the customer, you:

- will make enquiries with the relevant department to see if we can speed up their application
  - cannot guarantee the relevant department will be able to prioritise their registration or naturalisation application
2. Raise a guidance query with Guidance & Quality, Operating Standards to tell them:
- the customer has applied to register (or naturalise) because we issued them with a passport in error
  - the customer has asked us if their registration or (naturalisation) application can be prioritised and the reason why

Guidance & Quality, Operating Standards will ask UKVI if they can prioritise the application.

### **Related content**

[Contents](#)

# How to withdraw a passport

This section tells HM Passport Office operational staff how to withdraw a passport (or refuse an application to renew or replace it) when we issued the customer with a passport in error as they do not have a nationality claim (and not because there's evidence to suggest they got their passport fraudulently).

You, the operational team leader (OTL) must only withdraw a passport (or refuse to renew or replace it) when all the following apply:

- we issued the customer with a passport in error, as they do not have a nationality claim
- you have considered the full facts about the case
- you have discussed the case with the Quality and Examination Support team (QuEST)
- you checked the customer does not have a claim through other means, for example:
  - through their other parent
  - a claim to another type of British passport (for example, a British national (overseas) passport)
- you have spoken to the customer and sent them a letter to explain the situation
- you asked the customer for evidence to confirm their claim, but they could not provide it
- you considered the claim using a balance of probabilities (only in cases when there was no evidence to confirm the customer does not have a claim)
- the customer has not naturalised (or registered) or they do not qualify to, or do not want to
- you have carefully considered how withdrawing the passport (or refusing an application to renew or replace it) will affect the customer
- you have checked with QuEST and they agree we need to withdraw a passport (or refuse to renew or replace it)

Before you take any action to withdraw a passport, or refuse to renew or replace it, you must consider:

- the effect it may have on them (you will have already done this when you first contacted the customer to tell them we issued their passport in error)
- if a customer had a genuine expectation that we would renew their passport (for example, as they have a family holiday planned)
- how long a customer had their passport and how many times we renewed it

## How to withdraw a passport: when it will affect the customer

There may be times when we issued the customer a passport in error but:

- they had a genuine expectation that we would renew it (for example, they had applied in good faith and were unaware of the error)
- they had it for several years (or we renewed it several times) before we found we issued it in error
- withdrawing it could have a significant impact on them

You must not withdraw the passport (or refuse to replace it), if the customer:

- has had their passport for several years (or we renewed it several times) before we found we issued it in error
- tells you any of the following:
  - they had a genuine expectation we would renew or replace their passport (for example, they applied in good faith and were unaware of the error)
  - they do not have a foreign passport or the citizenship of another country and are unable to claim another country's citizenship
- they will become stateless
- they are using the passport for travel (for example, they have already booked travel)
- they are out of the country and need their passport to return to their home country
- have urgent or compassionate travel
- it will affect their residency status, employment or access to other services (for example, health care, public funds or housing)
- need to keep their passport on them at all times (for example, because of the laws or regulations in the country where they live or they need it to prove their identity)

Instead, you must:

- not withdraw the passport (or refuse to renew or replace it)
- raise a guidance query with Guidance & Quality, Operating Standards to ask for advice
- include all supporting evidence with your referral

Guidance & Quality will:

- consider if the customer can have a restricted validity passport (or Emergency Travel Document if they are overseas) if they give us evidence they:
  - need a travel document to allow them to return home
  - need the passport for urgent government business or compassionate reasons
- contact the Passport Policy team, to consider if the customer can keep their passport (or renew or replace it) because of:
  - legitimate expectation (when a customer has a genuine expectation that we will renew their passport)
  - administrative recognition (when we made the error and the customer has no other claim to British nationality, but they had their passport for a long time and used it to build a life for themselves)

- discuss the case with a senior leader within their team, to see if it's appropriate to ask UK Visas and Immigration (UKVI) to consider granting the customer indefinite leave to remain (legally settled status) in the UK. We will do this when both of the following apply:
  - we cannot allow the customer to keep their passport
  - the customer is living in the UK but does not have any immigration permission that allows them to stay

## How to withdraw a passport: no effect on the customer

How we withdraw a passport will depend on, if:

- a customer sent it as part of:
  - their own renewal or replacement application (so they have a live application)
  - another application, for example, with their child's application (so they do not have a live application)
- we lost contact with them

## In contact with customer: application is not live

When you must withdraw a passport but you do not have a live application for it (for example, if you have identified the passport was issued incorrectly when examining a siblings application) you must contact the customer by phone to:

- tell them you need to withdraw their passport because we issued it to them in error (as they do not have a claim) and they:
  - could not provide evidence to confirm their claim
  - have not registered (or naturalised) do not qualify to or decided not to
- tell them:
  - to return the passport in the next 28 days so you can cancel it and if they do not, you will cancel it on ours and UKVI's records (if you do not already have the passport)
  - you will cancel the passport on ours and UKVI's records (if you already have the passport)
- tell them you will send them a letter to explain the situation

If the customer:

- tells you they want to make a complaint you must refer to the complaints handling guidance
- mentions withdrawing their passport will cause them problems, you must refer to how to withdraw the passport: when it will affect the customer

If the customer did not mention withdrawing their passport will cause them problems, you must:

1. Create letter 606 using the 606 letter template to tell the customer:
  - you recently wrote to them to tell them we issued them a passport in error

- you have considered options that may allow them to keep their passport
  - you need to withdraw their passport (because they do not have a claim)
  - you apologise for any inconvenience it may cause
  - the details of our complaints process
  - to return the passport in the next 28 days and that you will cancel it on our and UKVI's systems when you get it (if you do not already have the passport)
  - if they do not send the passport within the next 28 days, you will cancel it on ours and UKVI's records so they will not be able to use it for travel (if you do not already have the passport)
  - you have cancelled their passport and they can no longer use it for travel (if you already have it)
2. Ask a senior executive officer to sign the letter and send it to the customer by Royal Mail Signed For delivery.
  3. Add a passport note to the record, to:
    - explain all the actions you have taken and decisions you made (with reasons)
    - show what letter you sent, when and how you sent it, including the delivery reference number
  4. Return any support documents to the customer (if there are any).

## Cancelling the passport on the system

We will cancel the passport on the system:

- if we already have it (and told the customer we will cancel it)
- as soon as we get it (if the customer had it and sends it to us within 28 days)
- 28 days after we asked the customer to return it to us (if the customer has it and does not return it)

If you already have the passport, you must:

1. Cancel the passport using 'revoke' on the system.
2. Add a passport note to the record to explain the actions and decisions you made.
3. Cut up the passport and send it to confidential waste.

If you do not already have the passport, you must:

1. Wait 28 days for the customer to return the passport to you.
2. Cancel the passport using 'revoke' on the system:
  - when you get it (if the customer sends it within 28 days)
  - after 28 days (if the customer does not return it)
3. Send the passport to confidential waste (when you get it).
4. Add a passport note to the record to explain the actions taken and decisions you made with reasons.

## In contact with the customer: application is live

You must contact the customer by phone to tell them, you will:

- not renew (or replace) their passport, because we issued the previous one in error (as they do not have a claim) and they could not provide evidence to confirm their claim, have not registered (or naturalised), do not qualify or decided not to
- send them a letter to explain the situation
- return their supporting documents (if there are any)
- keep the fee for administering the application
- cancel their old passport

If the customer:

- tells you they want to make a complaint you must refer to the complaints handling guidance
- mentions refusing to renew (or replace) their passport will cause them problems you must refer to how to withdraw the passport: when it will affect the customer

If the customer does not mention refusing to renew (or replace) their passport will cause them problems, you must:

1. Use the Application Management System (AMS) to send letter 606 to the customer, to tell them:
  - you recently wrote to them to tell them we issued them a passport in error
  - you have considered options that may allow them to renew (or replace) their passport
  - you need to refuse the application because they do not have a claim
  - you apologise for any inconvenience it may cause them
  - you have cancelled their old passport
  - details of our complaints process
2. Ask a senior executive officer to sign the letter and send it to the customer by Royal Mail Signed For delivery.
3. Scan the letter on the system (so you have a permanent record of it).
4. Add a case note to show:
  - the actions you have taken and decisions you made (with reasons)
  - what letter you sent, when and how you sent it, including the delivery reference number
5. Refuse the renewal (or replacement) application on the system.
6. Cancel the old passport using 'revoke' on the system and send it to confidential waste.
7. Return any supporting documents to the customer.

## How to withdraw a passport: not in contact with the customer

If you tried to contact a customer but they did not respond (or you lost contact with them) and they did not previously mention withdrawing their passport will cause them problems, you must:

1. Create letter 607 using AMS (if it's a live application) or use letter 607 template (if it's not a live application) to tell the customer:
  - you recently wrote to them to tell them we issued them a passport in error
  - you asked for information to confirm their claim, but they did not respond
  - you will cancel their passport on ours and UKVIs records
  - refuse their renewal (or replacement) application (if they sent a renewal or replacement application)
  - their passport is no longer valid and they cannot use it for travel
  - you apologise for any inconvenience it may cause
  - details of our complaints process
2. Ask a senior executive officer to sign the letter and send it to the customer by Royal Mail Signed For delivery.
3. Scan the letter on the system (if it's a live passport application).
4. Cancel the passport using 'revoke' on the system.
5. Refuse the renewal (or replacement) application (if the customer sent a renewal or replacement application).
6. Send the old passport (if you have it) to confidential waste.
7. Send any supporting documents to archive.
8. Add a case note (or passport note if it's not a live application) to:
  - explain the actions you have taken and decisions you made (with reasons)
  - show what letter you sent, when and how you sent it, including the delivery reference number

If the customer previously mentioned that withdrawing their passport will cause them problems, you must follow the guidance in How to withdraw a passport: when it will affect the customer.

This is because you must refer the application to Guidance and Quality, Operating standards who will decide what to do after discussing the case with:

- Passport policy to decide what action to take
- a senior leader within their team

## Asking UKVI if a customer can be granted ILR

If we issued a customer with a passport in error but we cannot allow them to keep it, we may be able to ask UK Visas and Immigration (UKVI) if it's appropriate to grant the customer indefinite leave to remain (ILR) in the UK.

We will usually do this when the customer is living in the UK and they've had the passport (that we issued in error) for such a period of time that it will significantly affect their life in the UK if we withdraw it.

The Guidance & Quality, Operating Standards team will discuss these cases with a senior leader on their team to decide if this is applicable. If it's agreed it is appropriate to contact UKVI, Guidance & Quality will refer the customer's details to a dedicated contact in UKVI to ask them:



- if it's appropriate to grant the customer ILR
- what the customer must do (if UKVI tell us they can grant them ILR)

The customer must pay the correct fee for their ILR application. However, they will be able to claim the cost back from HM Passport Office. Any reimbursements must be agreed by the grade 7 officer in Guidance & Quality, Operating standards.

If the customer tells us they cannot afford to pay for their ILR application, Guidance & Quality will discuss possible solutions with a senior leader on their team and the dedicated contact in UKVI.

### **Related content**

[Contents](#)

# Withdrawing passports facilities: other reasons

This section tells HM Passport Office operational staff how to deal with withdrawing passports and passport facilities (services) for reasons other than identity or nationality. It applies to passports we already issued to the customer. If you need to refuse an application for a first passport, you must refer to refusing passport applications and passport facilities.

We must be satisfied there are no reasons (other than identity or nationality):

- not to renew (or replace) a passport
- to withdraw a live passport

The Royal Prerogative guidance provides a list of specific reasons why someone may not be able to hold a passport.

## **Related content**

[Contents](#)