



Home Office

Withdrawing further submissions

Version 1.0

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About this guidance

This guidance explains the circumstances in which further submissions can be withdrawn in accordance with paragraph 353AD and 353AE of the Immigration Rules. It also explains how a claim is considered for withdrawal under each withdrawal category, including adults and both accompanied and unaccompanied children.

The ability to withdraw further submissions enables the Home Office to promptly and efficiently conclude claims without further consideration where claimants have failed to engage with the Home Office and are non-compliant. However, this policy does not preclude decision-makers from considering the merits of further submissions substantively, if it is considered appropriate to swiftly progress the claim and, if relevant, affect any removals in accordance with the relevant guidance.

This instruction must be read in conjunction with the policy instructions:

- Further submissions
- Withdrawing asylum claims
- Family asylum claims
- Dependants and former dependants

Relevant legislation

Paragraph 353AD of the Immigration Rules sets out the circumstances in which further submissions will be treated as explicitly withdrawn.

Paragraph 353AE of the Immigration Rules sets out the circumstances in which further submissions may be treated as implicitly withdrawn.

Contacts

If you have any questions about this guidance and your line manager or Senior Caseworker cannot help you or you think that the guidance has factual errors, then you can email Asylum Policy.

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

Publication

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

- version **1.0**
- published for Home Office staff on **8 April 2026**

Changes from last version of this guidance

This is a new piece of guidance.

Related content

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Withdrawal of further submissions: overview

When a person raises further submissions in the UK, they are responsible for complying with the further submissions process until their claim is concluded. Their responsibilities include (but are not limited to), providing correct and up to date contact details and notifying the Home Office of any changes of these or personal circumstances generally, attending reporting events, attending interviews where required and providing additional information when requested. These responsibilities are in place to ensure further submissions can be considered efficiently and enable the effective conclusion of application. If claimants fail to comply with the process their further submissions may be implicitly withdrawn. Claimants may also choose to withdraw their further submissions. This is referred to as an explicit withdrawal. The further submissions process for children, including the withdrawal process, is different to that of adults. Please see section Children's further submissions claims.

If a further submission is withdrawn either explicitly or implicitly, it will not be considered further. The claimant's record (such as the caseworking system Atlas) will be updated to reflect that their further submissions has been withdrawn. There will be no further substantive consideration of the merits of the further submission, unless the further submissions are reinstated. See section [Cancelling withdrawals](#).

Explicit withdrawal

A claimant may decide they no longer wish to pursue their further submissions because either:

- they wish to leave the UK
- they have lodged an application for permission to stay on another immigration route

These reasons are indicative, but not exclusive.

Under paragraph 353AD of the Immigration Rules, a claimant can withdraw their application. This is known as an explicit withdrawal of further submissions.

Further submissions may be withdrawn explicitly when either the person:

- signs the relevant withdrawal form provided by, or on behalf of the Secretary of State
- otherwise explicitly declares a desire to withdraw their further submissions

If the claimant, following the explicit withdrawal of their claim, decides to lodge further submissions, and this is within 28 days of the withdrawal notice, their further submission will not be accepted, instead their original further submissions will be reinstated.

Implicit withdrawal

Where a claimant does not comply with the requirements within the further submissions process, their claim can be withdrawn by the Home Office under paragraph 353AE of the Immigration Rules. This is known as an implicit withdrawal.

Further submissions may be treated as implicitly withdrawn if the person either:

- fails to maintain contact with the Home Office or provide up to date contact details
- leaves the United Kingdom at any time before the conclusion of their decision
- fails to attend any reporting events, unless the applicant demonstrates within reasonable time that the failure was due to circumstances beyond their control
- fails to attend a personal interview for the purpose of assessing their further submissions, unless the person demonstrates within reasonable time that the failure was due to circumstances beyond their control
- fails to respond to requests for information in the relevant time period as requested unless the person demonstrates within reasonable time that the failure was due to circumstances beyond their control

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Explicit withdrawal

There are 2 ways in which a claimant can explicitly withdraw their further submissions:

- by signing the relevant withdrawal form provided by or on behalf of the Secretary of State
- otherwise explicitly declares a desire to withdraw their further submissions this includes contacting the Home Office and expressing this in writing

The relevant forms include but are not limited to:

Declaration of withdrawal of further submissions

The claimant can send the relevant form or contact the Home Office to withdraw their further submissions, either via email or post.

By email: CSUEC@homeoffice.gov.uk.

By post:

Further submissions unit (FSU)
The Capital building.
Level 0,
Liverpool
L3 3PP

If by email, they must use (where possible) the email address they have provided to the Home Office and was used as part of their further submissions. In correspondence, the claimant must include their full name, date of birth, nationality, Port / Home Office reference.

Individuals who apply for Assisted or Voluntary Departures from the UK are required to explicitly agree to withdraw any outstanding applications or appeals. The required form (IS.101) can either be completed online – if support was requested in that way or sent by post if the claimant made contact by phone or letter. The Voluntary Returns Service (VRS) will discuss with the individual what level of support can be offered in accordance with the Voluntary and assisted departure guidance.

Where a claimant has decided to withdraw their further submissions to pursue a Voluntary Return and the application is approved by the VRS the caseworker should then await confirmation that the individual has departed from the UK before proceeding to withdraw the application or appeal to conclude the process.

If on the planned return date after (a) seeking support from the VRS, and (b) providing their consent to withdraw their outstanding further submissions, the claimant fails to depart, the Home Office will contact the claimant asking them to confirm whether they still wish to withdraw their further submissions or continue

pursuing it. Claimants are generally provided 7 days to respond. This can be extended if required:

- if the claimant confirms they wish to continue to pursue their further submissions, the claim will continue and must not be withdrawn, as they have chosen not to voluntarily return and confirmed explicitly, they no longer want to withdraw their claim
- if the claimant fails to respond, the further submissions can be withdrawn 28 days after the planned return date to align with the explicit written confirmation
- if the claimant responds and confirms they still want to withdraw their further submissions, despite not departing, the further submissions will be withdrawn

All explicit withdrawals

When considering any explicit withdrawal, you **must** consider the claimant's mental capacity and ensure they are able to make the decision to withdraw their further submissions. Please see [Mental capacity](#) for further information.

When considering any explicit withdrawal for a child, you **must** refer to the [Children's further submissions](#) section.

Where you are satisfied that the claimant has requested the explicit withdrawal of their further submissions, and they hold mental capacity, you should proceed with withdrawing the claim.

If you are satisfied that it is appropriate to withdraw the further submissions, you must issue a letter confirming that the claim has been withdrawn and send it to the claimant (and their immigration adviser if applicable) and update the caseworking system.

See [Recording a withdrawal outcome on the casework system](#) for the relevant casework category the case should be withdrawn under.

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Implicit withdrawals

This section outlines how a case is considered for implicit withdrawal under each category of the Immigration Rules.

Failure to maintain or provide up to date contact with the Home Office

As part of the further submissions process, claimants are required to provide and maintain their up-to-date contact details without delay. This is needed to enable the Home Office to send important information and ensure the claimant is aware of any requirements for example, an invitation to attend a personal interview or a request for further information. If there are not known, up to date contact details to pursue a claimant's further submission, then their claim may be implicitly withdrawn under Paragraph 353AE (a).

Where a claimant has registered their further submissions, they are required to provide all of the following:

- a residential address (and correspondence address, if different)
- email address (if available)
- phone number (if available)
- where relevant, the contact details of their immigration adviser (if available)

On some occasions, the claimant may not be able to provide their contact details or contact details of their immigration adviser.

Claimants should provide their contact details, at the earliest opportunity and **within 28 days** following the SSC appointment. If they are unable to do this, they should contact the Home Office on CSUEC@homeoffice.gov.uk and explain why not.

Claimants must also notify the Home Office **within 28 days** of any change in their contact details, for example a change in residence address, email, phone number, immigration adviser.

For change of address, claimants are required to provide proof of their address. The following documents can be submitted. One must contain the applicant's name and new address:

- Asylum Registration Card (ARC) card; Biometric Residence Permit (BRP) card; European Economic Area (EEA) Identity card; Travel document; Birth Certificate
- Utility Bill (Gas, electric, water or fixed telephone line / Internet); Council Tax bill
- Tenancy agreement; Bank statement; Mortgage statement
- GP letter; Letter from hotel reception; Asylum Support letter
- UK Valid Driving License or Provisional License (Card only)

- HMRC letter; Benefit letter (including housing benefit, tax credits, state pension, letter from DWP); Payslip (including P45 and P60)

If a claimant is living with friends or relatives and cannot provide proof of address evidence and they are not in a Home Office accommodation, they must provide **all** of the following evidence:

- the applicant's photographic ID (including ARC, BAIL 201 and ILL)
- the relative or friend's photographic ID
- the relative or friend's proof of address document (dated within the last 3 months)
- a signed and dated (within the last 3 months) letter from the relative or friend stating that they are providing the claimant with accommodation at the given address

If a claimant has moved to a new address but is not able to provide the relevant documents, they can still notify the Home Office of the new address. However, they need to submit the required documents at the earliest opportunity.

Claimants can submit their contact details or a change of address or any other contact details either:

- online by visiting www.visa-address-update.service.gov.uk,
- or via post:

Further submissions unit (FSU)
The Capital building.
Level 0,
Liverpool
L3 3PP

Correspondence may be returned to the Home Office where the claimant has moved to another residency. If there is no further update from the claimant within 28 days, then their claim may be withdrawn.

Where the claimant is detained, you must not withdraw the claim as they are not considered to have no contact details.

Claimants who are receiving asylum support do not need to notify a change in address if they have moved from one Home Office accommodation property to another Home Office accommodation property, providing this move has been approved by the Home Office. However, **claimants must notify the Home Office immediately if they have left, or are planning to leave, their Home Office provided accommodation to move into private accommodation.** This can be done by submitting a change of circumstances request to **Migrant Help**.

Migrant Help can be contacted in the following ways:

Telephone: 0808 8010 503
Email: CoC@migranthelpuk.org

Webchat: <https://www.timeforstorm.com/CustomChat/MigrantHelp/1/>

Website: <https://www.migranthehelpuk.org>

Claimants who are receiving asylum support still need to notify the Home Office of change in their other contact details, such as phone number or email address and change in immigration adviser's details.

Claimants are informed of the requirement to maintain up-to-date contact details with the Home Office in the following documents issued to the claimant usually as part of the further submissions process:

- Registration of Further Submissions 4096 form
- Bail 201 form

The above documents contain warnings to claimants, explaining their claim may be withdrawn if they fail to comply with the requirement to maintain contact with the Home Office. This warning must be recorded on the caseworking system.

If the claimant has an immigration adviser, you must contact them in order to obtain the claimant's contact details. If the immigration adviser confirms the claimant's contact details, you must update the case-working system and proceed with progressing the further submissions substantively. If the immigration adviser confirms they do not have the claimant's contact details or fails to respond in 14 days, you may consider withdrawing the claim.

If the claimant is currently residing in Home Office accommodation, you must check the most up to date address details provided by Asylum Support teams before looking to withdraw the claim.

If information is received that the claimant has left Home Office accommodation, or their provided address, and not provided their immigration adviser's details or any onward contact details within a 28-day period, then withdrawal must be considered. The person should only be considered as an absconder if they meet the specified guidance. For details see: absconder process.

If the claimant does not have an immigration adviser, you must attempt to contact the claimant on any known contact details held. This includes phone numbers or email addresses that are on record including ones which may have been obtained during the asylum process unless it is specifically confirmed they are no longer in use.

If a telephone number has been provided, you should make several attempts to contact the claimant, a minimum of 2 phone call attempts, over a minimum of 3 days and at different times of the day in order to try and contact the claimant to find out their up-to-date address and inform them of upcoming appointments such as reporting events. A check should also be made using the TransUnion service to try to identify any new contact information such as a new address, email or telephone number for the person. A search is conducted by accessing the system using [TransUnion](#). If new contact information is identified as part of this check, attempts must be made to contact the person.

You must record details of your attempts to contact the claimant on the case-working system, outlining the result of the contact. If the claimant provides their contact details to enable progression of their case, such as their up-to-date address, you should continue to progress their further submissions.

If you are not able to contact the claimant to pursue their further submissions, and if you are satisfied that is appropriate to withdraw the further submissions, you should issue the Further submissions withdrawal notification letter to file and update the case-working systems. If the claimant has an immigration adviser, who confirmed they do not have the claimant's contact details or have failed to respond to the request for this information in 14 days, you must send a copy of the Further submissions withdrawal notification letter to them for their records.

See [Recording a withdrawal outcome on the casework system](#) for the relevant casework category the case should be withdrawn under.

If the claimant re-engages with the Home Office at a later date and provides their contact details, then you must send the Further submissions withdrawal notification letter informing them that their claim has been withdrawn.

Official – sensitive: start of section

The information in this section has been removed as it is restricted for internal Home Office use.

Official – sensitive: end of section

Leaving the UK prior to conclusion of the further submissions

Claimants whose further submissions have not been decided, in general, are not permitted to leave the UK until their claim is concluded. If they leave the UK, there will be a presumption they can no longer continue with the further submission process and pursue this claim in the UK. As a result, where you have evidence to support this (both legal and illegal exit from the UK and regardless of the length of time outside of the UK) their further submissions may be treated as implicitly withdrawn under paragraph 353AE (b).

Further submissions may also be considered for withdrawal in line with Paragraph 353AE (b) of the Immigration Rules when the claimant either:

- requests that their passport is sent back to them for travel outside the UK
- embarks for any destination outside the UK

Where the claimant has not provided their passport or travel document, the Home Office will not issue a Home Office Travel Document in order to facilitate travel.

Where a claimant leaves the UK, the Home Office does not facilitate their return to continue their further submissions and their claim will be treated as implicitly withdrawn.

Where a claimant has left the UK, and you have evidence to support this, you must consider withdrawing their further submissions.

If you have evidence which indicates claimant is outside of the UK, you must issue the Further submissions withdrawal notification letter to file and update the case-working systems.

If the claimant has an immigration adviser, you must send them a copy of the Further submissions withdrawal notification letter.

If the claimant has since returned to the UK, and their claim has not been withdrawn yet, you must still consider withdrawing their claim. If you have their contact details, you should issue the Further submissions withdrawal notification letter to their last known contact details and update case-working systems.

Please see Further submissions guidance, for further information about individuals who have returned to the UK, who previously had a further submission claim and wish to seek protection. If the claimant returns to the UK and wishes to remain in the UK on protection grounds, it is open to them to lodge further submissions.

See [Recording a withdrawal outcome on the casework system](#) for the relevant casework category the case should be withdrawn under.

Travelling abroad and passport release

Should a claimant leave the UK before the conclusion of their further submissions, there will be a presumption they no longer wish to continue with the further submissions process and pursue this claim for international protection in the UK.

There may be exceptional circumstances in which a claimant wishes to leave the UK temporarily. To do so, they must submit written information before they leave the UK.

Examples of exceptional circumstances include:

- serious illness or death of a close family member
- access to medical treatment abroad that is not available in the UK

Before a claimant leaves the UK, they **must** explain in writing to the Home Office outlining why they are leaving the UK, any exceptional circumstances as well as the duration and destination of travel required outside the UK. Supporting evidence should also be included in the correspondence to support the reason for travel.

If the claimant does not inform the Home Office before leaving the UK, all circumstances will be taken into account before proceeding to make a decision on whether to withdraw the further submissions or not.

Where the claimant has not provided their passport or travel document, the Home Office will not issue a Home Office Travel Document in order to facilitate travel.

Should a claimant decide to leave the UK, the Home Office will not facilitate their return.

It should be noted that travel for the purpose of tourism is not viewed as exceptional and a reason not to withdraw the claim.

The Common Travel Area (CTA) rights and privileges do not apply to further submissions claimants who are not British or Irish citizens.

All communication must be sent:

By email: CSUEC@homeoffice.gov.uk or,

By post:

Further submissions unit (FSU)
The Capital building.
Level 0,
Liverpool
L3 3PP

When information is received before a decision is made on the further submissions, for the return of a passport for the purpose of travel outside the UK, you must notify the claimant, warning them that the return of the passport may constitute withdrawal of their further submissions.

Where a claimant informs you, they are leaving the UK prior to the conclusion of their claim, you must consider the individual circumstances and whether it is appropriate to withdraw the claim. The length of time that the claimant spends away from the UK must be consistent with the purpose of the travel. For example, an explanation for the return of a passport to visit friends would be rejected but an explanation to travel to a third country to visit a seriously ill close relative may be accepted.

Where a claimant informs you they are leaving the UK prior to the conclusion of their further submissions and it is considered there are exceptional circumstances which mean withdrawal of this claim is not appropriate, you **must** update all relevant Home Office systems and files to ensure that anyone who encounters the claimant is aware that they are intending to leave the UK for exceptional circumstances and their further submissions have not been withdrawn. If the claimant exceeds the amount of time they intended to be outside of the UK, then re-entry may be refused. Consideration will be afforded to any explanations.

Explanations will only be accepted in truly exceptional circumstances, and the length of time must be consistent with the purpose of the travel. If the delay is outside of the individual's control and for a relevant period of time, for example flight delays or cancellation, attendance at a funeral of a relative they visited for medical reasons, then discretion is more likely to be afforded.

Failure to attend a reporting event

Reporting events are scheduled to maintain contact with claimants and ensure the Home Office has up to date details. Claimants are expected to engage with reporting events to ensure their compliance with the immigration system. As part of the further submissions process, a claimant may be required by the Home Office to attend a one-off reporting event or series of scheduled reporting events. Failure to attend a reporting event, may lead to a claim being withdrawn in line with Paragraph 353AE (c) of the Immigration Rules.

Claimants must be warned that failure to attend any reporting events may lead to the withdrawal of their further submissions. You must ensure that the warning has been given before withdrawing the claim. If you identify that warnings were not given correctly, you should not withdraw the claim. Instead, you should ensure the warning is given and arrange time for another reporting event to be scheduled.

Where a claimant fails to attend a scheduled **one-off reporting event**, they are given 7 days to provide their reasons for failing to attend. Where there is a reasonable explanation for the inability to attend, normally due to circumstances beyond the claimant's control (this may include but is not limited to, unavoidable medical or maternity appointment that could not be rearranged, ill-health or severe travel disruption, non-attendance due to issues relating to domestic abuse), the claim would not be suitable for withdrawal.

You must ensure the claimant was aware of the details of the reporting event. You should not proceed with the withdrawal of the claim if the letter was not sent to the most up to date address, or if the claimant provides sufficient evidence that they did not receive the letter. Instead, you should organise the re-sending of the invitation to attend a reporting event letter, to the correct address / contact details.

You must also ensure all relevant failure to report actions have taken place, as outlined in the Reporting and offender management guidance, before withdrawing the claim.

If you are satisfied that the claimant failed to attend a reporting event, without reasonable explanation, you should proceed with withdrawing the claim.

You should issue the Further submissions withdrawal notification letter to the claimant (and their immigration adviser if applicable) selecting the appropriate option and update the caseworking system. If necessary, you must explain why any reason for failure to attend the reporting event provided was not accepted.

See [Recording a withdrawal outcome on the caseworking system](#) for the relevant casework category the case should be withdrawn under.

Failure to attend an interview

As part of the further submissions process, claimants may be invited to attend a personal interview. The further submissions interview is an important part of the

process. It gives the claimant the opportunity to present their claim to the Interviewing Officer. Failure to attend an interview, may lead to a claim being withdrawn in line with Paragraph 353AE(d) of the Immigration Rules. Where there is sufficient information available, it may be more appropriate to determine the claim based on the information held in order to aid resolution of the claim.

Claimants are sent an Invitation to interview letter either via email (if available) to both claimant and immigration adviser (if applicable) or by post where an email address is not available, prior to the interview. This letter explains that failure to attend the interview may lead to the withdrawal of their claim. On the day of the interview, if the claimant does not attend at the scheduled time, you must attempt to contact the claimant (and their immigration adviser, if applicable) to find out if they are due to attend their interview and if there are any reasons for the delay. You must note all communications on case-working systems.

Failure to attend first scheduled interview

Claimants are informed as part of their Invite to interview letter that they should inform the Home Office of their reasons for non-attendance. Where the claimant fails to attend their first scheduled interview the claimant or their immigration adviser should inform the Home Office for their reasons for non-attendance either before or within 7 days of the interview.

This policy applies to any rebooked (cancelled) interviews, as well as supplementary interviews that may be required.

When considering withdrawal of a claim on the basis of failure to attend an interview, there are several steps you must follow.

Where a claimant has been sent a letter inviting them to attend a further submissions interview, you should check whether the letter was sent to their most up-to-date address. You can do so by checking records on the caseworking system and ensuring the address of the invitation letter matches the most up-to-date address. You should also check whether any correspondence details change requests have been actioned correctly and the caseworking system is updated accordingly. For example, if the claimant is in supported accommodation provided by the Home Office, then you must check the most up to date address details provided by Asylum Support teams and attempt to contact the claimant prior to withdrawing the claim.

Where you find that the most up-to-date correspondence address does not match the address the invitation to attend a further submissions interview was sent to, you should not proceed with the withdrawal of the claim. Instead, you should organise the re-sending of invitation to attend a further submissions interview letter to the correct address.

Where you are satisfied that the invitation to attend a further submissions interview is sent to the claimant correctly, and where applicable their immigration adviser, you should proceed with the next step.

You should check whether, following failure to attend their further submissions interview whether the claimant has contacted the Home Office and the claimant has provided an explanation for this.

If an explanation is received within the deadline, you must consider whether there is sufficient evidence to show that failure to attend was due to circumstances beyond the claimant's control and decide whether to rebook the interview or treat the claim as implicitly withdrawn. The onus is on the claimant to provide an acceptable explanation for non-attendance, this may include but is not limited to, circumstances beyond their control such as unavoidable medical or maternity appointment that could not be rearranged, ill-health, severe travel disruption, reliable evidence of confirmation of their current address to explain why they did not receive the letter or issues relating to domestic abuse.

If you are satisfied that the claimant failed to attend the interview for reasons beyond their control, you must reschedule their interview, taking account of their personal circumstances, for example any known medical appointments and do not withdraw the claim. For failure to attend a further submissions interview for medical reasons, you should aim to organise the re-scheduling of the further submissions interview that takes into account the medical illness of the claimant, for example, allowing reasonable time for recovery. If you require further evidence, you should send 'Further submissions request for further information' letter, outlining the types of evidence / information you require to make a decision and the timeframe the information should be submitted by, for example, hospital / GP letter.

Where no explanation is received by the deadline or the explanation is insufficient and does not demonstrate that they failed to attend for reasons beyond their control, the further submissions may be treated as implicitly withdrawn.

You should issue the Further submissions withdrawal notification letter to claimant (and their immigration adviser if applicable), selecting the appropriate option and update the caseworking system. If necessary, you must explain why any reason provided for failure to attend the asylum interview was not accepted.

See [Recording a withdrawal outcome on the caseworking system](#) for the relevant casework category the case should be withdrawn under.

Second and subsequent failures to attend an interview

There may be occasions where a claimant fails to attend multiple scheduled appointments to undertake their further submissions interview.

Whilst we understand there may be genuine reasons why an individual is unable to attend an interview, it is considered vital that all claimants inform us ahead of time if they are unable to attend. It is not considered reasonable for claimants to continually delay or avoid attending their further submissions interview. The interview is an important opportunity to provide information about the reasons they are seeking protection.

Once an interview is rebooked after a previous incidence of non-attendance, the subsequent invite to interview letter will explain to the claimant that if they fail to attend their next scheduled interview appointment, their claim will be withdrawn if they fail to inform the Home Office ahead of their interview, or on the day of.

If a claimant cannot attend their interview for circumstances beyond their control, they (or their immigration adviser) must contact the relevant team using the contact details on the interview invite letter **before or on the day of the interview**.

If a notification is not received prior to or is only received on the day of the scheduled interview, the caseworker should contact the claimant and / or their immigration adviser and enquire about the reason for not attending the scheduled further submission interview.

If the claimant (or their immigration adviser) provides any information (including documentary evidence, where relevant, regarding non-attendance before or on the day of the interview), a caseworker will review the communication and assess whether the reasons for non-attendance are a reasonable explanation and beyond the claimant's control.

Where the caseworker is satisfied that the explanation and / or evidence shows that there is a reasonable explanation for inability to attend a further submissions interview, as outlined in the failure to attend the first scheduled interview section above, the claim should not be withdrawn. Instead, the claimant should be rescheduled for another appointment.

You must ensure that you review all communication with the claimant (and their immigration adviser). If the claimant fails to attend the appointment, then you must attempt to contact the claimant (or their immigration adviser) on the day of the interview via telephone or email (if details are known) to obtain reasons for non-attendance. You must record all communication on case-working systems.

All correspondence and contact with the claimant, and where relevant immigration adviser, should be recorded on the caseworking system.

You should avoid scheduling interviews, where there are known reasons why the claimant would not be able to attend a further submissions interview (for example, if the claimant is currently an in-patient receiving medical treatment in hospital or is detained in prison and alternative arrangements need to be made). If there are long-term reasons why a claimant is unable to attend an interview, you must discuss the next steps on how to progress their further submissions with a Senior Caseworker (SCW).

If there is no contact at all, you must withdraw the claim, no sooner than 2 working days after the scheduled appointment. You must send the Further submissions withdrawal notification letter to the claimant (and their immigration adviser if applicable) informing them that their claim has been withdrawn. See [Recording a withdrawal outcome on the caseworking system](#) for the relevant casework category the case should be withdrawn under.

Alternatively, a substantive decision may be made, where for example, if the claimant has failed to attend their interview, but has provided written information and it is considered that there is sufficient evidence for a substantive decision to be assessed.

Reporting events and interviews

There may be occasions where a claimant has a reporting event scheduled as well as a further submissions interview booked in. Where an individual does not attend a reporting event, but a further submissions interview is scheduled, the claim must not be withdrawn until it is known whether the claimant has attended the further submissions interview. If they attend their further submissions interview, then the claim must not be withdrawn based on the previous non-attendance at a reporting event.

Where an individual does not attend their further submissions interview, then their further submissions claim can be withdrawn in line with paragraph 353AE (d). No further reporting events are required in order to evidence non-compliance.

Where you are satisfied that the failure to report is as a result of the claimant exiting the UK, you should proceed with withdrawing the claim under paragraph 353AE (d).

You should issue a Further submissions withdrawal notification letter selecting the applicable option and serve it the claimant or to file (if contact details not held) and update the caseworking system. If the claimant has an active immigration adviser, you should send a copy of this letter to them.

See [Recording a withdrawal outcome on the caseworking system](#) for the relevant casework category the case should be withdrawn under.

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Failure to respond to requests for information

As part of the further submissions process, claimants may be required to provide further information to support their claim. This is required to enable the Home Office to make an informed decision.

Failure to respond to requests for further information could lead to their further submissions being implicitly withdrawn under paragraph 353AE (e) unless the claimant demonstrates within a reasonable time that the failure was due to circumstances beyond their control. Alternatively, a substantive decision may be made after consideration of the information available even if limited in some circumstances. For example, when the claimant is detained, is subject to a deportation order and / or has had removal directions issued and has had requisite opportunity to provide any evidence in support of their further submission but has failed to provide anything further.

All relevant information about the request for further information must be recorded on Home Office casework systems. There must be evidence that the Further submissions request for further information was sent to the correct address and the need to complete it and the timeframe was communicated to the claimant. When requesting further information, you must confirm the relevant period of time which it must be submitted. This will vary based on the individual circumstances of the case.

Before withdrawing on the basis of not responding to the request for information, you must attempt to contact them at least once to remind them of the request on all possible contact methods available, for example via their immigration adviser or via phone / email. All attempts to contact the claimant must be recorded on the Home Office casework systems. If there are no known contact details available, then you must investigate whether there are other ways to communicate with the claimant. For example, if the claimant is in supported accommodation provided by the Home Office, then you must check the most up to date address details provided by Asylum Support teams and attempt to contact the claimant prior to withdrawing the claim. A check should also be made using the TransUnion service to try to identify any new contact information such as a new address, email or telephone number for the person. A search is conducted by accessing the system using [TransUnion](#). If new contact information is identified as part of this check, attempts must be made to contact the person.

Where a claimant requests an extension of the deadline in order to provide the requested information, you must consider the request for an extension on a case-by-case basis. It will normally be appropriate to accept such requests as long as the requested extension is proportionate for the task of obtaining the required information for example if the claimant requires support to respond as they are illiterate or suffer from ill-health that requires additional time to respond due to medical treatment or appointments. If the request is reasonable and proportionate to the reasons for the request, you must confirm that an extension has been granted. If

the request is not reasonable and proportionate, you must confirm that the further submissions may be withdrawn if it is not returned the timescale provided. If the claim is to be withdrawn, you must send Further submissions withdrawal notification letter to the claimant and (Immigration adviser if applicable) informing them that their claim has been withdrawn. If their contact details are not known, then you must serve the letter to file.

See [Recording a withdrawal outcome on the casework system](#) for the relevant casework category the case should be withdrawn under.

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Children's further submissions claims

[Section 55 of the Borders, Citizenship and Immigration Act 2009](#) requires the Home Office to make arrangements which ensure its existing functions have regard to the need to safeguard and promote the welfare of children in the UK.

The process of withdrawing a further submissions claim operates alongside existing child safety procedures and considerations so it is unlikely that a decision to treat further submissions as withdrawn would adversely impact a child, as well as their best interests (which must be a primary but not the only consideration). However, you must be alert to any child protection issues that may arise in this context.

Unaccompanied asylum-seeking children

The circumstances where a further submission can be withdrawn, as outlined in Section 353AE of the Immigration Rules apply to unaccompanied asylum-seeking children (UASC).

It is important that you exercise discretion when handling non-attendance at interviews or any incidences of possible non-compliance or absconding from children.

You must use greater sensitivity and if an acceptable explanation for non-attendance is not received then you must take steps to establish all relevant facts. This may include (but is not limited to) contacting the child's responsible adult, immigration adviser, social services, local authority, or accommodation provider for information on the reasons for non-attendance.

If there are any safeguarding issues or any concerns that a child may be missing, and this is the possible reason for lack of contact, non-attendance, or failure to engage with the further submissions process then you must take the appropriate safeguarding action and refer to the Safeguarding Hub, who will contact the relevant agencies and make the necessary enquiries. The claim must not be withdrawn whilst these actions are being undertaken.

See: Processing children's asylum claims guidance.

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Where an unaccompanied asylum-seeking child, who is aged between 12 and 17-years old, expresses a written desire or has submitted the relevant withdrawal form stating they wish to withdraw their further submissions you must ensure they are signed by the child and their immigration advisers.

If the claimant is under 12 years of age, they will not be expected to sign the form; it must be signed on the child's behalf by their immigration adviser.

Where the relevant forms are not signed by the immigration adviser you must contact the immigration adviser and request the relevant form or the written desire to withdraw the claim is resubmitted with the inclusion of immigration adviser's signature.

Once you are satisfied that relevant forms / written expression to withdraw the claim are completed correctly, you can proceed with withdrawing the claim.

Child dependants

Where a child is named as a dependant on their parent's claim it is expected that parents or their guardians will be acting in the best interests of their children if they seek to explicitly withdraw the claim. However, you must be alert to the possibility that there may be reasons that the parents or guardians may not be acting in the child's best interests. In which case, you must follow the safeguarding procedures.

You must still consider the impact on children and whether there is evidence to suggest that they may have a claim in their own right. If the parent or guardian explicitly or implicitly withdraws their further submission, then any child dependant on the further submission will be considered to have made further submissions in their own right in cases where the representations also apply to the child, and the child has had a previous asylum or human rights claim treated as withdrawn or refused and there is no appeal pending. In such cases, the child must be treated as having made a further submission in their own right, and this further submission must continue to be considered unless or until the child's further submissions are also treated as withdrawn. Explicit withdrawals for children who have made further submissions must be done through a responsible adult or immigration adviser.

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Further submissions: Claims that include dependants

Withdrawal consideration of further submissions where a lead applicant has an adult dependant

Where further submissions are lodged by a family unit which comprises of a lead claimant with adult only dependant, withdrawal of the claim will apply to all adult dependants included in that claim. Dependent adults are allowed to lodge a further submission claim independently in their own right, provided they meet the validity requirements to raise further submissions. Or if they have not had their own protection claim registered before, they may be eligible to claim asylum in their own right. If the dependant also has an initial claim already pending in their own right, their claim will continue, unless there are grounds for their claim to be withdrawn where they are the lead claimant.

Withdrawal consideration of further submissions that includes children

Where a further submission includes a dependent child or children, the withdrawal of the further submission will also generally apply to children included as dependants on the claim.

In all cases where you are considering withdrawing a further submission that includes a dependant child, you must consider the best interests of the child. See [Children's further submission claims](#). Where it is considered that it is in the best interests of the child for their parent's further submission to continue to be considered, the further submission must only be withdrawn if there are factors which outweigh what you have identified as being in the child's best interest.

You must also consider whether based on all available evidence, the dependant child can be understood as having made further submissions in their own right. This may occur, for example, in cases where a child is included as a dependant on their parent's protection-based further submissions, the child has had an initial protection claim withdrawn or refused and there is no appeal pending, and the new evidence provided by their parent also relates to the child's risk of persecution or serious harm on return to their country. Where this is the case, the child must be treated as having made further submissions in their own right, and their further submissions must continue to be considered unless they are treated as withdrawn in their own right. See [Child dependants](#).

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Recording a withdrawal outcome on the caseworking system

The table outlines the reasons for withdrawing further submissions and the corresponding outcome category recorded in the caseworking systems (CID and Atlas).

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After further submissions are withdrawn

Outstanding non-protection based human rights claim

When further submissions are withdrawn all other issues relating to that claim are also considered to be withdrawn and are not considered.

Claimants who wish to make an application for permission to stay on the basis of their family or private life in the UK or for any other non-protection based reason, including an European Convention on Human Rights (ECHR) Article 3 (medical) claim, must make an appropriate application on the correct form available on the [GOV.UK](https://www.gov.uk) website.

Immigration status

Following the withdrawal of further submissions, the claimant will be liable for removal as they would not have permission to stay in the UK. This would not apply if a claimant had permission to stay on another immigration route or is awaiting a decision on a separate application they have already submitted.

For further guidance see Enforcement instructions and guidance.

Appeal rights

The decision to implicitly withdraw further submissions is a non-appealable decision under section 82 of the [Nationality, Immigration and Asylum Act 2002](#) (as amended).

A claimant can challenge the withdrawal decision by requesting the Home Office to review it. For details see the section on [Cancelling withdrawals](#).

Discontinuing asylum support

Where a further submission is withdrawn both explicitly and implicitly, the claimant, where supported under Section 4 support will no longer be eligible for support on the basis that they have an outstanding protection or human rights claim. However, they may continue to qualify for Section 4 support if they meet the criteria.

For further information, see Ceasing section 95 support guidance and Section 4 policy and process guidance

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Cancelling withdrawals

Where you identify a further submission has been incorrectly withdrawn, the withdrawal must be cancelled, and the further submissions will be reinstated and considered substantively.

A claimant can also contact the Home Office requesting the Home Office to review a withdrawal if there are reasons to suggest the further submissions should not have been withdrawn.

A caseworker will review the case and where appropriate will cancel the withdrawal decision and reinstate the claim. The original date of the further submissions will remain after a claim is reinstated following a decision that the withdrawal was incorrect. The claim will then be considered substantively.

If the further submissions are reinstated, and the claimant was previously residing in Home Office accommodation and / or in receipt of asylum support, the asylum support may be reinstated by the Home Office where appropriate. Any entitlement calculations for back payments will be carried out and awarded to the claimant if appropriate.

In each case, a letter must be sent to the claimant and their immigration adviser (if applicable) confirming that the withdrawal has been cancelled and the claim will be considered substantively. Home Office records must be updated accordingly.

Copies of all correspondence must be placed on case-working systems (Atlas) or other relevant Home Office IT system and notes must be updated to reflect the actions taken and the status of the claim. A further submission must continue to be processed when the claim has been reinstated.

Individuals whose claims are withdrawn (either implicitly or explicitly) by the Home Office can request a review of the withdrawal decision, if they believe that the claim was withdrawn incorrectly. They must do so **within 60 days of the date of the Notice to withdraw letter**. If requests are received after this time, unless there are very exceptional circumstances, it is unlikely to be appropriate to review.

There is no time limitation for challenges of a withdrawal decision for individuals who are victims of domestic abuse or modern slavery.

Individuals can request a review by contacting the relevant team who have withdrawn their case.

The individual must provide their name, address, contact details (telephone and email) and Home Office reference number. They should also provide a brief explanation as to why they believe their claim was withdrawn incorrectly and attach all relevant documentary evidence.

It will normally be appropriate to cancel a withdrawal and reinstate the further submissions in the following non-exhaustive list of circumstances, where a claimant:

- was being cared for in hospital and correspondence was sent to their home address
- has not been issued the warning or served the relevant paperwork that confirms their claim will be withdrawn if they fail to maintain contact with the Home Office
- has been bailed to no fixed abode and never been informed verbally or in correspondence or paperwork that they must update the Home Office with their residential and correspondence address in order for the Home Office to progress their claim
- did not receive the relevant paperwork as it was sent to the incorrect address by the Home Office due to an administrative or IT error - this would not include a situation where someone failed to receive paperwork or correspondence because they moved address and failed to inform the Home Office within a reasonable period of time (usually 28 days)
- has provided reasons and mitigating circumstances for why they did not receive the correspondence, but these were not taken into account - this could include circumstances relating to fleeing domestic violence or having to move addresses frequently and not had chance to update the Home Office of their most up to date address and contact details
- new evidence comes to light that the claimant did not have the mental capacity to explicitly withdraw their claim

The above list is not exhaustive, and there may be other circumstances which would warrant the withdrawal to be cancelled, and the further submissions to be reinstated. If you need any further advice, contact a Senior Caseworker.

Medical reasons

A claimant may be unable to comply with the further submissions process, for example, attend an interview, attend their reporting event, etc. for medical reasons through no fault of their own.

When a withdrawal is challenged on medical grounds, you should carefully review representations and evidence provided. If the evidence shows the claimant was admitted to hospital at the time of events, such as a further submissions interview or a reporting event, you should consider reinstating their claim.

You need to ensure that the hospital admission and / or the effect of their treatment had a prolonged timeframe that also covered the time between the service of Further submissions request information for failure to attend interview or Reporting Event letter (add ref) and the final Further submissions notice of withdrawal letter. For example, a medical letter showing a day long admission to hospital around the interview, for a relatively minor medical intervention, would not be sufficient. This is because the claimant had the opportunity to respond to the Request information for failure to attend further submissions interview or Reporting Event letter, outlining their reason for non-compliance and have their interview rescheduled.

If you are unsure whether the medical evidence shows that a claimant could not comply with the asylum process for medical reasons, you should consult with your Senior Caseworker.

Where the medical evidence shows that a claimant was in a prolonged hospital admission, you should **reinstate their claim**.

In some cases, a claimant may suffer from a serious and debilitating condition. Medical evidence related to the conditions should be considered carefully. If you are satisfied that the claimant's condition is more likely than not to have prevented them from complying with the process, you should **reinstate the claim**.

If you are unsure whether the medical evidence shows that more likely than not, the claimant could not comply with the process for medical reasons, you should consult with your Senior Caseworker.

If further submissions have been explicitly withdrawn and the claimant did not have the mental capacity to make this decision at the time of withdrawal, you should **reinstate their claim**.

Victim of Modern Slavery

A claimant may be unable to comply with the further submissions process, for example, attend an interview, attend their reporting event, because they were victims of modern slavery, which prevents them from complying with the further submissions process through no fault of their own.

There are several reasons as to why victims of modern slavery may not be able to comply with the further submissions process. They may:

- have not been able to access their correspondence from the Home Office whilst / if cohabiting with the perpetrator, as the perpetrator has omitted such access as part of coercion
- be being held captive and / or away from the last known address or with restricted ability to move freely

You should review the case working system. Normally there would be a record of a National Referral Mechanism (NRM) on the system, either triggered in the past or recently.

If the NRM was triggered in the past you need to check whether there are any conclusive grounds decisions on claimant's case, and where positive (claimant found to be a victim of modern slavery in the UK), you should **reinstate the claim**.

If the NRM had been triggered recently, and there is no reasonable grounds decision, you should await an outcome relating to circumstances alleging exploitation in the UK, during the time they have been progressing their further submissions, before deciding whether the claim should be reinstated. You should notify the claimant (and their immigration adviser, if applicable) of this, outlining that the decision on the withdrawal review is pending the outcome of the NRM. You should

note this on the caseworking system. Once the outcome is updated, you should then inform the claimant (and their immigration adviser, if applicable).

Victim of domestic abuse

A claimant may be unable to comply with the further submissions process, for example, attend an interview, attend their reporting event, because of domestic abuse, restricting their ability to comply with the asylum process through no fault of their own.

There are several reasons as to why victims of domestic abuse may not be able to comply with the further submissions process. They may have:

- not been able to access their correspondence from the Home Office whilst cohabiting with the abuser, as the abuser may have omitted such access as part of the abuse
- relocated to a shelter, thus unable to receive correspondence
- had their movement restricted by the abuser

You should carefully consider the representation and all available evidence provided. Evidence showing relocation into a shelter on the basis of domestic abuse would normally be sufficient to demonstrate that claimant suffered domestic abuse.

Evidence from supporting organisations or medical professionals, for example letter from a charity supporting victims of domestic abuse, are also considered as strong and conclusive evidence. There may also be evidence enclosed of police reports which are also strong and conclusive evidence of abuse.

You should also review the caseworking system, including safeguarding related notes, to check whether there are any past or recent records of abuse.

Where based on the evidence received, it is more likely than not that the claimant did not comply with the further submissions process because of domestic abuse, the withdrawal should be cancelled, **and the claim reinstated**.

There may however be cases where the claimant may not be able to provide physical evidence that they were subjected to domestic abuse and there is no record on the caseworking system related to any abuse. However, this does not essentially mean the claimant did not suffer domestic abuse. In some instances, the victim of domestic abuse may not have reported abuse to the authorities or sought help from charities. It could be the claimant is in the process of seeking out help but requires additional time to provide evidence.

It is important to carefully consider any written representations and where relevant allow time for a submission of any evidence. Such cases should be discussed with a Senior Caseworker before deciding to maintain the withdrawal.

For further information, see the Asylum Support domestic abuse guidance.

Maintaining a withdrawal

Where the Home Office determines that further submissions have been correctly withdrawn, those submissions will **not** be reinstated.

If an individual wishes to provide additional protection-based information at a later date, they must do so by lodging new further submissions, which will be considered in accordance with paragraph 353 of the Immigration Rules and Further submissions guidance.

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Mental capacity

Possessing mental capacity means that the individual can make decisions for themselves. This includes the ability to make a decision that affects daily life as well as significant decisions, including those that may have legal consequences, such as the withdrawal of a protection claim.

Individuals who lack mental capacity may have mental health conditions or are considered disabled under the [Equality Act 2010](#) definition by reason of a mental impairment.

The principles of the UK Mental Capacity legislation apply to all persons, including asylum seekers. These include the principle that individuals should be assumed to possess capacity unless it is established otherwise on the balance of probabilities. Simply because an individual makes a decision (or decisions) that appear unwise, this does not necessarily mean they lack the capacity to make that decision.

An individual may lack capacity to make a decision for a broad range of reasons. The following are examples of potential causes of mental incapacity:

- a stroke, head or brain injury
- a mental health condition or symptom such as delusional belief
- dementia or other neurological conditions
- a learning disability
- confusion, drowsiness or unconsciousness because of an illness or because of treatment for that illness
- substance or alcohol misuse

Evidence of a mental health condition does not necessarily mean that an individual has a mental impairment or lacks decision-making capacity. A lack of capacity is not a medical condition. An individual's mental capacity relates to their ability to make a particular decision or take a particular action at the time at which the decision or action needs to be taken. This means that a person can lack capacity to make a particular decision but retain capacity to make other decisions. Equally, a person can lack capacity for a time but subsequently regain capacity.

Assessing whether a claimant holds mental capacity

When considering explicit withdrawals, you should assess whether the claimant holds the mental capacity to make an informed decision to withdraw their claim. You should follow the steps below:

You must check all available caseworking systems to gather information about a claimant's health. You should review for any safeguarding referrals and evidence of any physical and mental conditions; alongside any past or current treatment the claimant has received.

You must also check any available documentary evidence to determine whether there is evidence to suggest the claimant may lack mental capacity.

If there is no evidence to suggest that the claimant lacks mental capacity, you should proceed with the steps outlined in the [Explicit withdrawal section](#).

If you find evidence that suggest the claimant may lack mental capacity, before accepting the withdrawal, you must advise the claimant to seek legal advice to assist them and direct the claimant to any other relevant support services depending on the circumstances.

You must send the claimant the Declaration of withdrawal of further submissions form accompanied with a cover letter stating 'we acknowledge that you wish to withdraw your further submissions however, we advise you to seek legal representation. This is to ensure that you fully understand the implications of your decision to withdraw your further submissions'.

If the claimant has an immigration adviser, you must also send the above letter to them.

If you receive the completed Declaration of withdrawal of further submissions form signed by the claimant and their immigration adviser, you can proceed with withdrawing the claim. You must refer the case to your Senior Caseworker and raise a safeguarding referral. You must update case notes to ensure there are clear concerns with regards to the withdrawal and note the actions you have taken.

If you receive the completed form but the form is only signed by the claimant, you must discuss the case with your senior manager (HEO or above). You should agree as to whether you should proceed with the withdrawal of the claim where a mental capacity issue has been identified.

Depending on the nature of the safeguarding concerns, your senior manager may request you contact the claimant again, making reasonable adjustment to enable the claimant to understand, communicate and make their decision. This may include paraphrasing, using simple language to explain the documents, options and the consequences of decisions. If required, you should use interpretation services if the person is not fluent in English.

Following all possible relevant steps, you can proceed with the next steps in the withdrawal consideration.

You must record all actions you have taken in the withdrawal process clearly in the caseworking system.

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