

# What the possible removal of Pre-Settled Status means for EU Citizens – Q&A

## **Why is the Home Office writing to some citizens about their pre-settled status?**

The Home Office has announced plans which could lead to some EU and EEA EFTA citizens who have broken their continuity of residence in the UK being asked to provide evidence of their ongoing eligibility for their pre-settled status (PSS).

The Home Office may remove PSS from individuals who no longer meet the continuous residence requirements, starting with citizens who have been absent from the UK for the longest periods.

Removal of PSS is lawful under the EU Withdrawal Agreement and the EEA EFTA Separation Agreement (the Agreements) subject to certain safeguards, including a proportionality assessment and a right of appeal.

## **Will people lose their pre-settled status as soon as the policy comes into force on 9 April?**

No. Where the Home Office considers that an individual may not have maintained the necessary continuity of residence in the UK, they will be contacted and given the opportunity to provide evidence of their eligibility and any other reasons why they should keep their PSS.

For this reason, it is very important that citizens ensure that their contact details are up to date on their UKVI account.

A caseworker must review all available evidence and conduct a proportionality assessment before a decision to remove PSS is made. If, on or after 11pm on 31 January 2020, where a decision is made to remove someone's PSS, there is a right of appeal.

## **What should citizens do if they receive a 'Minded to Curtail' notification?**

Citizens should ensure that they take the letter seriously and respond by the requested deadline. If more time is needed to obtain relevant evidence, citizens should contact the Resolution Centre to request this before the deadline passes.

Citizens will be invited to provide evidence of their UK residence or other relevant circumstances which explain the reasons for their absence. The Home Office must consider any further information before making a decision. Relevant evidence can be found [here](#). The Home Office will consider if it is proportionate to remove PSS before proceeding with a decision to do so. Further details can be found [here](#).

## **What has the IMA been doing as the Home Office developed its new policy?**

The IMA has been monitoring the development of this policy since the Home Office first signalled its intention to use this power. We have reviewed draft policy, operational processes, proportionality guidance, and data use proposals, and have engaged closely with the Home Office to provide feedback, seek clarity, and influence safeguards.

## **Has the IMA been able to influence the Home Office's approach?**

Yes. Through early engagement with the Home Office, the IMA has reviewed policy drafts. We meet regularly with Home Office officials and have raised concerns about data reliability, proportionality tests, communications, and treatment of vulnerable citizens. The IMA has helped strengthen operational safeguards designed to protect citizens' rights.

## **How will the IMA monitor the implementation of the loss of status going forward?**

We will continue monitoring through a structured programme of evidence gathering, regular engagement with the Home Office, analysis of emerging data, and liaison with stakeholders. Our monitoring will focus on the effectiveness of safeguards, consistency of decision making, and outcomes for citizens, in the context of the Agreements.

## What issues has the IMA raised with the Home Office?

Some of the key areas we have sought clarification and received assurances from the Home Office include:

- the reliability of border data
- how absences will be calculated
- the consistency and lawfulness of proportionality assessments
- the need for clear communication with citizens
- the protection of vulnerable groups
- access to an effective right of appeal/redress as required by the Agreements

## How will vulnerable citizens be protected?

We have asked the Home Office to demonstrate how it will identify and support vulnerable individuals - such as those without digital access, those experiencing homelessness, or those with health or literacy barriers - to ensure they are not disadvantaged by the process.

The Home Office has made some changes to the process to support vulnerable citizens following our engagement and this will remain a priority in our ongoing monitoring activity and through engagement with stakeholders.

## Keep your details up to date

If any of your identity documents or personal details change, you will need to make sure you update your UKVI account.

**If you need further advice or information about issues you may be facing, you can find details of various organisations including charities, citizens' rights groups and public bodies that may be able to help you [here](#).**

**If you have experienced any issues, please contact the IMA through our [complaints portal](#). If you have any concerns about absences from the UK and retaining EUSS status, you can share your experience on our [your story](#) page.**