PRE-SETTLED STATUS TO SETTLED STATUS AUTOMATION AND CURTAILMENT / CANCELLATION OF STATUS

Is the pre-settled status holder an EU/EEA/Swiss citizens who was resident in the UK by 31 December 2020?

YES

Does the pre-settled status holder have 5 years of tax and benefit data?(1)

NO

5 year pre-settled status extension is applied

Does the Home Office travel data and the tax and benefit data show 5 years of residence?(1)

NO

Does the travel data show significant absences from the UK?

YES

Minded to curtail notice sent requesting evidence within 28 days

Does the pre-settled status holder's evidence show 5 years of residence?(2)

NO

Does the pre-settled status holder's evidence show it would be disproportionate to remove their status?

YES

Granted settled status

YES

YES

YES

NO

NO

5 year pre-settled status extension is applied as persons in the following categories cannot be automatically upgraded to settled status:

- Sponsored family members of any nationality
- Those under the age of 18
- Retained rights of residence and 'derived rights' cases.
- Persons granted pre-settled status who have obtained another UK immigration status.

Eligibility for settled status met and a manual application made

Pre-settled status extension is maintained. The holder can apply for settled status once eligible.

Pre-settled status is curtailed/cancelled with a right of appeal

Notes:

(1) The residence assessment at this stage looks for 30 months of residence in the most recent 60 months.

(2) The evidence can either show 30 months of residence in the most recent 60 months or 6 months of residence in each 12 months over a continuous 5 year period at any point (as long as there is no subsequent absence of 5 continuous years).