



David Rees MS
Chair of the External Affairs and Additional Legislation Committee
Welsh Parliament
Cardiff Bay
Cardiff
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16.03.2021

Dear Chair,

Thank you for your letter of 17 February regarding the end of free movement to the UK at the end of the transition period.

We have repeatedly emphasised EU citizens living in the UK are our friends, family and neighbours and we want them to stay. The EU Settlement Scheme (EUSS) makes it easy for EU citizens and their family members to obtain the UK immigration status they need in order to remain here permanently, with the same rights to work, study and access benefits and services as they had before we left the EU.

We have continued to receive and process many thousands of applications a day throughout the COVID-19 pandemic. The latest published statistics to 31 January 2021 show more than 5 million applications to the EUSS have been received, including 83,800 from Wales, and more than 4.5 million grants of status have been made. Given this we will not be altering the 30 June 2021 deadline for the EUSS.

The latest published statistics for the EUSS are available at:

<https://www.gov.uk/government/collections/eu-settlement-scheme-statistics>.

Published guidance for EUSS applicants on the impact of COVID-19 is available at:

<https://www.gov.uk/guidance/coronavirus-covid-19-eu-settlement-scheme-guidance-for-applicants>.

In line with the Withdrawal Agreement, the UK Government has made clear, where a person has reasonable grounds for missing the 30 June 2021 deadline for applications to the EUSS by EU citizens and their family members resident in the UK by the end of the transition period, they will be given a further opportunity to apply.

Examples of such reasonable grounds will include children whose parent, guardian or local authority fails to apply on their behalf, those in abusive or controlling relationships who are prevented from applying and those who lack the physical or mental capacity to apply. This will ensure individuals who miss the deadline through no fault of their own can still obtain status.

Non-exhaustive guidance will be published in the near future on what constitutes such reasonable grounds. This will underpin a flexible and pragmatic approach to considering late applications under the scheme, considering the circumstances of each case, rather than looking to match a set criterion. For now, our focus remains on encouraging those eligible for the EUSS to apply by 30 June 2021 and on highlighting the support available for those who need this, including in Welsh and other common European Languages.

We have worked extensively to promote awareness of the EUSS. The Home Office has already spent £4.6 million on marketing campaigns to encourage those EU citizens and their family members who have not yet applied, to do so. We have now launched a new £1.5 million wave of UK-wide advertising to ensure EU citizens and their family members are aware of the deadline and know they need to apply. We are also working closely with employers, local authorities and charities to raise awareness.

We have already awarded £17 million of funding to a current network of 72 organisations across the UK. This has been used to ensure important information and assistance gets through to those who are the hardest to reach and no one is left behind. These organisations have already helped more than 250,000 vulnerable people to apply to the EUSS.

In addition, on 11 February, we announced a further £4.5 million for the Grant Funded Network so it can continue to provide a wide range of invaluable support across the UK, including after the 30 June deadline, ensuring those most at-risk continue to get the help they need. A list of the organisations, including those in Wales, is available at:

www.gov.uk/government/publications/eu-settlement-scheme-community-support-for-vulnerable-citizens/list-of-organisations.

Unlike the Windrush generation, whose immigration status was automatically conferred on them by an Act of Parliament but with no record taken of it, successful applicants under the EUSS will have secure evidence of their status. They receive a written notification setting out their immigration status, which they can retain for their own records, but their status is granted in a secure digital form. This means it cannot be lost, stolen or tampered with and EU citizens can allow a third party, such as an employer or a landlord, to have secure, time-limited access to their digital status to confirm relevant information about their entitlements.

This approach is part of a wider process of developing a border and immigration system which is 'digital by default'. Physical and paper-based products will increasingly be replaced with accessible, easy-to-use online and digital services, so we have no plans to alter it by providing EU citizens with physical proof of their EUSS status.

We acknowledge the move away from physical documents to digital status represents a change which individuals and service providers may take time to get used to. This is why it is being rolled out incrementally and with support available to help individuals use their new status. We are also learning from the experience of countries like Australia where fully digital systems are already working successfully.

A digital status also allows key public services to undertake automatic status checks, making it easier for people to access the services they are entitled to. We look forward to working with the Welsh Government on this in relation to areas of devolved responsibility.

As a transition measure, EU citizens can continue to use their passport or national identity card as evidence of status in accessing benefits and services until 30 June 2021.

With my very best wishes.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Foster", followed by a period. The signature is written in a cursive style with a large initial 'F'.

Kevin Foster MP
Minister for Future Borders and Immigration