

Following the UK's departure from the European Union, citizens of the EU, EEA and Switzerland and their families are now required to apply for the government Settled Status Scheme (EUSS) to continue living legally in the country. This is the biggest citizenship registration in British history and will **affect over 5% of the population who were born in the EU¹**.

Although [significant numbers](#) have successfully applied to the scheme, there remain many individuals from hard to reach groups who are at risk of losing their right to reside. Systemic inequalities, an ongoing public health crisis and the refusal of the government to extend the application deadline risks exposing thousands of people to a level of discrimination on a par with the Windrush scandal. These individuals have built their lives in the UK, contribute crucial roles across key sectors of the economy and should be supported to remain in the country in which they have settled.

Whilst in the West Midlands, applications for the scheme have been comparable to other parts of the UK², there remain significant disparities between local authorities areas and the nationalities of those applying. A lack of awareness of the scheme amongst those affected remains troubling. [Research](#) carried out by the Joint Council for the Welfare of Immigrants (JCWI) suggests that people in vulnerable or marginalised groups are at significant risk of failing to meet the deadline. It concludes that there are worryingly low levels of awareness of the scheme, and worryingly low levels of support for those who need it.

Government awareness campaigns have clearly had limited success in reaching certain groups, neglecting traditional media or outreach in other languages. Council-led approaches have recently started throughout the region and will have limited time before the application deadline to be effective. For maximum impact, Councils should not only **engage directly with migrant community groups**, but also direct resources **at a ward-level** to ensure that those areas with the highest populations of unregistered citizens are briefed.

Process issues also present significant problems. Applications must be made online in the first instance. [Levels of digital exclusion are higher amongst migrant groups](#) than in other parts of society and are particularly prevalent in those who still need to access the scheme. Those in marginalised groups often lack the equipment and resources to access digital platforms, making an online process difficult. Whilst paper-based applications can be requested, this increases the time needed to complete the process and prolongs uncertainty. The current lack of awareness about the scheme and processes mean that many are currently unaware of this option.

The ongoing public health crisis caused by the COVID pandemic has also caused difficulties in applying for the scheme, particularly for those with complex work and residency histories. Many of these cases require specialist advice to progress, which if coupled with a lack of digital access, means a need for face to face services. This has not been possible during lockdown and with provision only starting to resume now, risks creating a back log of those requiring support.

Further difficulties have been observed when individuals are not in possession of current documentation to confirm their nationality. These must be obtained directly from the relevant government, usually by appointment at an embassy, further delaying completion of the settlement process.

The approaching deadline, which the government has stated will not be changed, appears increasingly unworkable. Measures should therefore be taken to extend timescales and minimise disruption for those still required to submit applications.

¹ [EU Migration to and from the UK - Migration Observatory - The Migration Observatory \(ox.ac.uk\)](#)

² Home Office figures show that 353,340 individuals had successfully applied for the scheme as of 31st December 2020

Post Deadline Uncertainty

Once the deadline for applications of the 30th June has passed significant issues will still remain, most obviously for the large numbers yet to register with the scheme. At this point they will lose their legal status, rights to access services and could deportation. The government indicated that it will consider exceptional circumstances for late applications, which is an acknowledgement that many will miss the deadline but does not address the loss of rights that will occur at this point.

Although this is welcome for those such as children in care or those with complex needs who require someone to apply on their behalf, it will still mean that individuals will lose all rights until confirmation of status. If government policy were to change and **allow a grant of interim status until cases are resolved**, this would remove uncertainty and encourage further uptake of the scheme.

Wider Societal Impact

Current estimates are that the foreign born make up approximately 16% of the working population of the UK³, with a large number of these affected by the scheme. Certain areas of the economy stand to be adversely affected, with migrant workers over represented in the hospitality sector (30%), transport and storage (28%), information, communication and IT (24%) and health and social work (20%)⁴. Even small numbers of those employed in these areas losing their right to work could damage an economy already suffering a severe downturn.

For those who have applied to the scheme successfully, concerns have also been raised over the lack of physical documentation issued to those granted status. This can leave individuals in a vulnerable position with regards to dealing with private landlords or employers who are unfamiliar with this significant change to the immigration system, causing delays in the verification of the right to reside and work in the UK. The reliance on online methods reinforces the sense of difference. Differing documentation and standards indicates separation, rather than the inclusive environment promised by the government.

Ongoing Support

The government should commit to not only ensuring a comprehensive and fair application system for all who need it, but also engagement with wider society to explain rights and responsibilities in the post-settlement phase. In circumstances where individuals feel that they are being put at risk, then avenues should exist for these to be reported and swiftly resolved. Recent government announcements regarding late applications is a tacit admission that many of the issues identified by campaigners will not be resolved by the end of June.

Problems relate not just to the process itself, but wider societal issues and the discrimination felt by many of those required to use the scheme. The government should ensure that support continues for those who have successfully applied, addressing the underlying inequalities that have hampered the process for many.

Through resolving outstanding issues with the EUSS and a commitment to addressing inequalities, the government can go some way to displaying the positive case for settlement promised upon departure from the European Union.

³ [Migrants in the UK Labour Market: An Overview - Migration Observatory - The Migration Observatory \(ox.ac.uk\)](#)

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