



National Council Members
European Movement UK

By email: info@europeanmovement.co.uk

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Thank you for your recent campaign and the associated letters I have received about the EU Settlement Scheme (EUSS). I appreciate you and many others taking the time to write to me about the scheme for EU citizens and their family members to apply to and secure their Withdrawal Agreement rights.

The Government has repeatedly emphasised EU citizens are our friends, family and neighbours and we want them to stay. The EUSS makes it easy for EU citizens resident in the UK by the end of the transition period, 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. This status is underpinned in UK law by the European Union (Withdrawal Agreement) Act 2020, which protects the rights here of EU citizens in line with the Withdrawal Agreement.

The EUSS has been open since 30 March 2019, longer than any scheme for UK nationals living in the EU, meaning EU citizens had 27 months to apply by the deadline of 30 June 2021. Most EU countries have an application window for UK nationals of 12 months or less. We have continued to receive and process thousands of applications a day throughout the COVID-19 pandemic. The latest published statistics to 30 June 2021 show there have been more than 6 million applications received, more than 5.4 million applications concluded and more than 5.1 million grants of status.

Under the Citizens' Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020, those who applied before the 30 June 2021 deadline, but whose application is not decided until after it, have their existing rights protected pending the outcome of their application, including any appeal. Those who submitted their application by 30 June 2021 are able to use their Certificate of Application, which is issued automatically once a valid application has been made, as proof of these rights, pending the outcome of the application. Since 1 July 2021, a person with a pending application has been able to rely on their Certificate of Application to access their right to work or rent using the online service. The Home Office employer/landlord checking service can also confirm where an in-time application was made. Updated guidance for employers and landlords is available here:

www.gov.uk/government/publications/right-to-work-checks-employers-guide.

www.gov.uk/government/publications/landlords-guide-to-right-to-rent-checks.

The Department of Health and Social Care has also set out that, where a late application to the EUSS has been made (as evidenced by a Certificate of Application), the individual will be non-chargeable for NHS healthcare from the date of that application until its final outcome. Urgent treatment is never withheld regardless of immigration status.

Those currently receiving benefits who have not applied to the EUSS will not see their payments stop immediately from 1 July 2021. However, it is important anyone eligible who has not yet applied to the EUSS does so quickly and a process is in place to prioritise resolution for highly vulnerable applicants. The Home Office is also working with the Department for Work and Pensions and HM Revenue & Customs to identify existing benefit claimants who have yet to apply for status under the EUSS and contact them to encourage them to do so.

Guidance on how to apply and the types of evidence applicants can provide, and details of the support available to them (as it has been throughout the pandemic), including from the EU Settlement Resolution Centre which is open seven days a week to provide assistance over the telephone and by email, can be found here:

www.gov.uk/government/collections/eu-settlement-scheme-applicant-information.

Additional support is also available through Assisted Digital for those who do not have the appropriate access, skills or confidence to apply online. This support is offered over the telephone. More information can be found at:

www.gov.uk/assisted-digital-help-online-applications.

The Government has worked extensively to promote awareness of the EUSS. The Home Office has invested nearly £8 million in marketing campaigns to encourage EU citizens and their family members to apply to the scheme. We recently ran a further wave of UK-wide advertising to help ensure they were aware of the 30 June 2021 deadline, and more than 400,000 applications to the EUSS were received in June 2021 alone. We are also working closely with employers, local authorities and charities to continue to raise awareness.

The Home Office has awarded £22 million of grant funding, through to 30 September 2021, to a network of now 72 organisations across the UK. This has been used to ensure important information and assistance gets through to those who are hardest to reach and no one is left behind. These organisations have helped more than 310,000 vulnerable people to apply to the EUSS already. A list of the organisations is available to view at:

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

It usually takes around five working days for complete applications to the EUSS to be processed if no further information is required, but it can take up to a month. Most outstanding applications are less than three months old, but of those over 12 months old, the vast majority – around 5,000 – are being held at the suitability stage, usually because they have pending prosecutions or have been referred for consideration of deportation action.

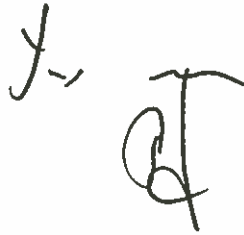
Our overall approach now is to encourage all those eligible for the EUSS who are yet to apply to do so to secure their rights, using the support available if they need it. We have been clear EU citizens and their family members may apply after the 30 June 2021 deadline where they have reasonable grounds for having missed it. We have published guidance for caseworkers on reasonable grounds for making a late-EUSS application, but the guidance is not exhaustive, and all cases will be considered on a flexible and pragmatic basis in light of their particular circumstances. A process is in place to prioritise resolution for highly vulnerable applicants, working with charities, the network of grant-funded organisations, local authorities and others to identify and expedite such cases.

Further information on how we will handle late applications can be found under 'Making an application: deadline' in 'EU Settlement Scheme: EU, other EEA and Swiss citizens and their family members' available at:

www.gov.uk/government/publications/eu-settlement-scheme-caseworker-guidance.

I look forward to seeing remaining EU citizens and their family members eligible for the EUSS apply and secure their rights in the UK.

Thank you, once again, for taking the time to write to me.

A handwritten signature in black ink, appearing to be 'P. Patel', written in a cursive style.

Rt Hon Priti Patel MP