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20 December 2021

Your reference: MIN/0179801/21

This letter is sent jointly from the Scottish Government's Minister for Culture, Europe and International Development, the Welsh Government's Minister for Social Justice, and the Northern Ireland Executive's First and Deputy First Ministers.

Dear Kevin

We write in reply to your letter of 12 October 2021 about physical proof of status for EU citizens.

We remain extremely concerned that digital-only status, for EUSS applicants indirectly discriminates against a range of groups that share protected characteristics including disability, age and race.

Stakeholders in Wales, Northern Ireland and Scotland continue to highlight difficulties for citizens and employers in accessing digital proof. They also report problems in accessing the Resolution Centre when they require support. We have gathered a range of case studies which highlight these issues and include them in the **Annex** below.

As you can see from the examples, the current system has led to a number of unacceptable situations, including;

- A citizen being out of work for two and half months
- Another being denied a crisis grant
- A citizen being threatened with being removed from temporary emergency accommodation
- A citizen losing out on a number of job openings
- Citizens having to rely on support organisations to access their proof of status, causing stress and anxiety as well as the potential to lose access when this support is no longer available.

As evidenced by the above examples, relying on digital-only status can cause a myriad of problems including losing access to critical support. We know that people are struggling to

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access their status because they do not have the knowledge or resources required to use the online service. Moreover, we continue to receive reports of people having issues in accessing their status, or the system showing an incorrect status or no status at all, even if they are able to use the system.

The UK Government's ambition for a fully digital system, must not compromise or make life more difficult for certain cohorts. To maximise accessibility we are asking that physical proof of status be made available to those who request it.

A dual system would seem a logical approach, removing many of the barriers faced by vulnerable citizens whilst also providing the convenience of a digital system to those who are able to navigate it. You mention that feedback on that system has been positive so far and users find it simple and easy to use; the user group appears to have included only those who have a level of digital literacy and who can access the system.

We again urge you to provide EU citizens making their home here with the option to request physical proof of their status and so end this exclusionary approach.

We look forward to your response.

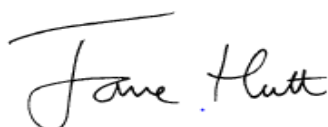
Yours sincerely



**PAUL GIVAN MLA
FIRST MINISTER**



**MICHELLE O'NEILL MLA
DEPUTY FIRST MINISTER**



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**JANE HUTT MS
MINISTER FOR SOCIAL JUSTICE**



**JENNY GILRUTH MSP
MINISTER FOR CULTURE, EUROPE AND INTERNATIONAL DEVELOPMENT**

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Examples of issues with digital-only proof of status

Case Study 1

Citizen A submitted an application to the EU Settlement Scheme in May 2021 and received a certificate of application. In July 2021, citizen A's employment contract ended and his employer asked for proof of status before offering him a new temporary contract. Citizen A showed his employer the certificate of application and his employer then asked for a share code. A support organisation supported citizen A to log in to the view and prove your status service but citizen A received an error message saying 'we cannot find your status'. Citizen A's employer was unable to offer him a new contract. When citizen A tried again in August they received the same message. The support organisation contacted the Resolution Centre and were first advised that people with certificates of application do not get share codes, on a second call they were advised that it was probably because his identity had not yet been verified. The support organisation continued to raise the issue with the Resolution Centre throughout August, September October, when citizen A was awarded pre-settled status. Citizen A's employer was then able to offer him a new contract, and after 2.5 months out of work he was finally able to work again in October.

Case study 2

Citizen B was awarded pre-settled status in 2020. In 2021 he became homeless and lost access to the phone and email needed to access his application. He had a printed copy of his status outcome letter that had been emailed to him by the Home Office. Citizen B was attempting to find work with various recruitment agencies and showed the status outcome letter as part of his right to work checks, however the recruitment agencies wanted a share code. Citizen B had to contact the EU Resolution Centre to reset the contact details on his account before he could log in and get the share code. Due to high call volumes it took citizen B a couple of days to get through to the EU Resolution Centre. Citizen B missed out on a number of job placements while he attempted to get through to the Home Office to reset the contact details on his online account.

Case study 3

Citizen C is in the UK with various other family members who are also homeless and have no income at the moment. Due to lack of income they cannot all afford their own smartphones and do not have wifi in their temporary accommodation unit so they are sharing a phone. The owner of the smartphone has all family members' email addresses on their phone and this phone was the phone used in the application. Citizen C was applying for a crisis grant and was asked to provide proof of status. Citizen C was unable to do this as they did not have access to the email or phone used in their application because the owner of the phone was not with them. They were unable to provide proof of status in time and were refused a crisis grant.

Case study 4

Citizen D has made a homeless application with the local authority and was asked to provide proof of status as part of this process. Citizen D logged on, generated a share code and provided this to the housing officer. The housing officer stated that this was not sufficient evidence of status and told Citizen D that if they did not provide proof of status then they would be ineligible for homeless assistance and have to leave their temporary accommodation. A support organisation wrote a letter to the housing officer explaining that

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the EU Settlement Scheme is a digital only status and provided them with instructions on how to verify someone's status. Citizen D was able to remain in temporary accommodation.

Case study 5

Citizen E has severe mental health issues and does not have access to a computer or a modern mobile phone. When a support organisation met citizen E, she was very distressed because she knew someone helped her with submitting an application to the EUSS, but she didn't remember who it was. After a long and time-consuming search the support organisation managed to locate that 'friend' and received a verification code. It turned out that the application was never finished and submitted. The support organisation set up an email account for citizen E and gave her the credentials, but she has never been able to access her account as she is IT illiterate. After citizen E received her settled status the support organisation contacted her social workers, but they could not guarantee that they would be able to assist citizen E in accessing her profile. The support organisation therefore issued a letter addressed 'to whom it may concern' stating that they assisted citizen E and to confirm that she was granted the status on xx date. If anyone requires proof of her status, they can contact the support worker. However, they may not be available in the future and then citizen E will be unable to access her status.

Case study 6

Citizen F only has an old top-up phone with no access to internet, no computer and no access to his email account. Citizen F does not speak any English, has serious health issues and lacks mobility, therefore he is unable to go to a library to use a computer there. His only outings are to see the doctor. As he is not able to access his digital profile, a support organisation issued a letter with an explanation of his case. He has had to use this on occasions where he has to prove his status, and the support organisation has for example received a call from his local council asking for assistance. Citizen F relies on the support organisation's help, but it is likely that they will not be able to assist him in the future.

Case study 7

Citizen G is elderly and lives in a care home. She does not speak good English, has a phone but does not really use it apart from making calls. She has no access to internet and is IT illiterate. A support organisation assisted her with applying to the EUSS, and also had a long meeting with the care home manager to explain the issues that may arise when the client is asked to prove her status. The manager agreed that the care home staff will assist the client as much as possible but they lack training and may not be available all the time. Citizen G relies on other people when accessing her digital profile, putting her in a vulnerable position.

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