

Home Affairs Committee

Committee Office House of Commons London SW1A 0AA
Tel +44 (0)20 7219 2049 Email homeaffcom@parliament.uk
Website www.parliament.uk/homeaffcom

From the Committee Chair

Rt Hon Priti Patel MP
Home Secretary
Home Office
2 Marsham Street
London
SW1P 4DF

3 March 2020

Dear Home Secretary,

You will be aware that the Home Affairs Committee in the previous Parliament published a report on the EU Settlement Scheme. The new Committee intends to continue monitoring the functioning of the Scheme and related issues regarding citizens' rights post-Brexit in the current session.

While it is to be welcomed that, as of 31 January 2020, 2.7 million people have gained status under the Settlement Scheme, the Government failed to answer a number of questions our predecessor Committee asked in its report last year; further issues have also since emerged which require information or clarity from the Government.

We would therefore appreciate your responses to the following points:

Supporting applicants

- How does the Government intend to ensure that the estimated one million individuals who are yet to apply to the Settlement Scheme do so before 31 June 2021?
- What research or analysis has the Government done to determine which groups of people or areas of the country have seen disproportionately low numbers of applications?
 - Which areas, nationalities or groups of people have seen disproportionately low numbers of applications?
 - What work is being done to address these gaps?
- Will the Government be extending the funding provided to groups supporting vulnerable applicants, so that they can continue to provide valuable services to EU citizens beyond April 2020?

- If so, when will this be announced, and for how long will the funding last?
- If not, why not?
- What additional support is the Government providing to local authorities and care providers to ensure that children and young people in care who are eligible to apply under the Settlement Scheme are assisted in doing so?
- What is the Government's response to the recent report published by the3million and Northumbria University, *Experiences and impact of the EU Settlement Scheme*, which found that nearly 90% of EU citizens surveyed were unhappy with receiving only a digital status and wished to have a physical document as well?

The application deadline

- What will happen to EU citizens who, for whatever reason, fail to apply to the Settlement Scheme before the deadline?
 - In October 2019 Brandon Lewis MP said that citizens who fail to confirm their status through the Settlement Scheme by the deadline may be subject to deportation, but in January 2020 Guy Verhofstadt reported being told by the Government that there would be no automatic deportation. Could you clarify the situation: will EU citizens who have failed to confirm their status through the Settlement Scheme by the end of June 2021 be subject to deportation from the UK?
- Will there be any facility to apply for status under the Scheme beyond the deadline?
 - How will this be done?
 - What will be considered reasonable grounds for a late submission?
 - Will people who apply under the Scheme beyond the deadline be disadvantaged in any way compared to those who apply before the deadline?
- Can you please clarify the process by which EU citizens with pre-settled status will be able to upgrade to settled status once they have accrued five years' continuous residence?

Functioning of the EU Settlement Scheme

- The monthly and quarterly statistical releases published by the Home Office provide limited information on how well the EU Settlement Scheme is functioning in practice. Further information which is essential for assessing the functioning of the Scheme includes:
 - The number of applications received which have been repeats/duplicates, and the number which have been from the same individual applying for pre-settled status and then applying for settled status (having qualified in the interim);
 - The number and percentage of applications in which the applicant has supplied additional information or documentation during the application process, and the number and percentage of applications which resulted in the applicant being

offered a different status following the submission of additional information or documentation;

- The average length of time taken to conclude applications for cases resulting in both settled and pre-settled status, broken down by the percentage of applications concluded in three days, five days, seven days, fourteen days, and more than fourteen days;
- The number of administrative reviews which have been requested and conducted, and their results;
- The number of applications from derivative rights holders (e.g. Zambrano carers);
- The number of applications submitted using paper forms, rather than through the online application process.

Does the Government hold this information? If so, will you provide us with this information (by month and in total) for all applications received up to 31 January 2020, and will the Government commit to include this information in future statistical releases?

- The information requested above on the number of applicants who have provided further information to gain the status to which they are properly entitled was initially provided by the Home Office in its reports on the private and public test phases of the Settlement Scheme. However, statistical releases since the public launch of the Scheme have not included this measure. Why did the Home Office stop reporting this information?
- Is the Home Office concerned by the notable rise in rates of grants of pre-settled, rather than settled, status during 2019 (which saw monthly increases from 34% in April 2019 to 47% in November 2019, before a slight drop to 44% in December 2019)?
 - Why does the Home Office believe this happened?
 - What percentage of applicants did the Government expect to receive pre-settled, as opposed to settled, status over the duration of the Scheme? What analysis or evidence underpinned this expectation?
- What representation will EU citizens have on the board of the Independent Monitoring Authority?

I would be grateful for your response by 17 March.

Yours sincerely



Yvette Cooper MP