the3million

A physical backup to digital status

Everyone wants to live in a society where there is **equal opportunity for all,** where anyone with the right skills for the job is able to have a shot at it, regardless of the colour of their passport.

The public, Government and Home Office alike want to see an immigration system that treats people **fairly and justly** – where people who have come to the UK and are living here lawfully are not denied work, housing, education, help, or healthcare through struggling to demonstrate that right, as happened during the Windrush scandal.

The problem

EU citizens are being given a new status to continue living lawfully in the UK. The Government has decided to make that status digital-only, **without a physical backup** for people and circumstances where digital does not yet work. This will create **barriers to opportunity and wellbeing** for many EU citizens – these barriers will start to trip them up from next year.

People need to prove their immigration status throughout life – when seeking a new job opportunity, finding a place to live, opening a bank account, getting treatment at a hospital, or returning home after a holiday abroad.

While the world inevitably becomes more digital, we need to make sure that those who struggle or face problems do not fall through the cracks in the meantime.

It is right to ensure access to opportunity, and freedom from discrimination, for all – young or old, irrespective of broadband connectivity or digital literacy.

The solution

To prevent problems with a digital only process we need **to give those who need it an alternative, backup, physical proof of their digital status.**

A simple solution already exists. The Government only needs to expand its existing system - a system that gives physical proof of status to non-EU people - to EU citizens.

The Government's own assessments

The evaluation of a **digital right to work trial** concluded that digital-only would cause serious issues for many, that a physical backup should be retained for now, and **"digital by default doesn't mean 100 % digital".**

A recent **'Digital Government' report** by the Science and Technology Committee explained that while the drive to digital is important, the Government must ensure that **those who are not digitally connected are given "alternate ways of accessing services".**
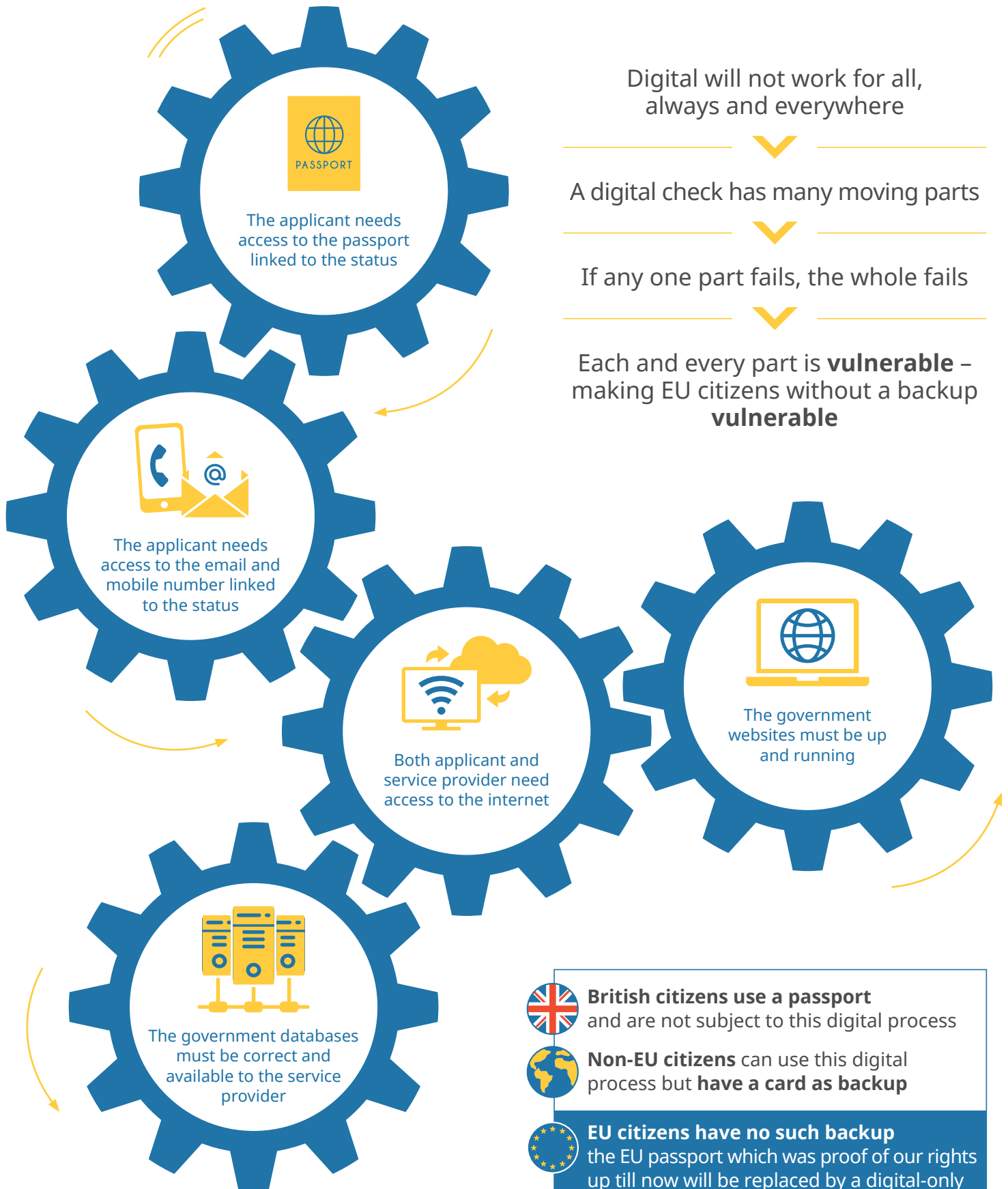
How have other countries done this?

Australia is the only country in the world to have a fully digital visa system. It was rolled out in 2004 on the basis of lengthy trials and pilots. Then, for the **first eight years, citizens could request physical proof of status as a backup at no cost,** followed by a further three years to 2015 during which they could do so for a fee.

New Zealand is also moving to a digital visa system, but citizens are still able to **request a physical document as backup.**

We all want the same – to create a society where everyone, British or migrant, is able to provide for their families, send their children off to a bright future, and feel secure - without fear of discrimination, loss of opportunity, or inability to prove immigration status.

Digital immigration status?
We want a backup!

The applicant needs access to the passport linked to the status

The applicant needs access to the email and mobile number linked to the status

Both applicant and service provider need access to the internet

The government websites must be up and running

The government databases must be correct and available to the service provider

Digital will not work for all, always and everywhere

A digital check has many moving parts

If any one part fails, the whole fails

Each and every part is **vulnerable** – making EU citizens without a backup **vulnerable**

British citizens use a passport and are not subject to this digital process

Non-EU citizens can use this digital process but **have a card as backup**

EU citizens have no such backup the EU passport which was proof of our rights up till now will be replaced by a digital-only status after July 2021

Digital immigration status?
Not without a backup!

Each and every part of a digital check is vulnerable

These illustrative examples are set in the future – currently EU passports / identity cards still suffice

The applicant needs access to the passport linked to the status

I'm 25, Spanish and living in Manchester. Last month I was hit by a car while cycling, and am in desperate need of Personal Independence Payment. **I'm struggling to prove my immigration status because my passport doesn't match my settled status.** *My dad got settled status for me when I was 18, I got a job at Sainsbury's after leaving school, and have been working there ever since. I renewed my passport last year and got rid of the old one. My dad passed away, he never told me I was supposed to update my settled status with a renewed passport.*

Passports can also be lost or stolen.

Both applicant and service provider need access to the internet

After losing my job last month, I've been desperately searching for work. I finally got an opportunity today– a gig for a delivery company – then lost it because **I had no 4G signal** *and the company said it had no Wi-Fi. They gave it to the next guy in line who had a physical card because he was Australian.* **I'm beside myself with anxiety keeping my family fed and warm.**

Many older people, and people without smartphones or digital literacy, struggle to access the internet. Many small employers and landlords are not willing or able to do digital checks.

### The applicant needs access to the email and mobile number linked to the status

Our landlord gave us two months' notice to leave the flat we've lived in for 60 years. We've been frantically looking for a new place to live. We finally found somewhere, but then our nightmare really started. We need proof of our settled status – this was set up for us by a solicitor at the time because we weren't comfortable with the internet; we didn't have email, or a mobile phone. He set it all up for us and though he printed out the details for us, we can't find those anymore, the solicitor's firm has closed down, and **we are in despair. We have immigration status, but we can't prove it!** *Our EU passports aren't enough, and* **we don't have any card as backup...**

The government websites must be up and running

I was trying to open a bank account, and had already struggled to explain settled status to the bank clerk who knew nothing about it. I had come prepared with my share code ready to save some time, and showed the clerk the website to use. However, on trying to access it, it said **"The service is currently unavailable due to maintenance, please try again later"!** *I could have screamed.* **Why can't I just have a card for when things go wrong?**
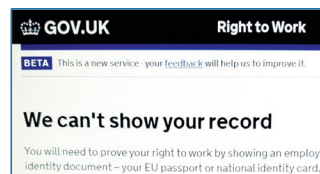
The government databases must be correct and available to the service provider

I'm a freelance actor, and have to prove my status several times a week on each project I work on. I can't tell you how frustrating it is to go through this time-consuming process every single time, whereas my British and non-EU counterparts can just show a passport or immigration status card. I'm sure I've lost out on many opportunities already, as the business owners also hate this process. It has happened several times that, after both of us having gone through the whole 10+ step process, the government's website has come back with **"We can't show your record".** *It's also come back with my record but said* **"Photo not available",** *so they weren't keen to give me the job!* **I really want a physical card to use when the digital process fails.**

Digital-only status will create **barriers for EU citizens** especially the most vulnerable

Government's own assessment of digital right to work

The digital right to work system was trialled for non-EU citizens who have the backup of a physical residence card. The government's internal assessment (July 2018)[1] stated:

*"There is a **clearly identified user need for the physical card at present,** and without strong evidence that this need can be mitigated for vulnerable, low-digital skill users, **it should be retained."***

*"This research raises concerns around BRP cards being retired in favour of digital only services, as the team has **very strong evidence that this would cause low digital users a lot of issues.** This is something that needs careful consideration with the drive to convert more services to digital and potentially remove their physical counterparts - that **digital by default doesn't mean 100 % digital."***

Rt Hon Michael Gove

In a recent House of Lords European Union Select Committee oral evidence session[2], when asked about providing EU citizens with physical proof of their status, the Rt Hon Michael Gove MP replied: *"the moral and social case for it remains as strong as ever".*

Proven evidence of discrimination

Research by the Residential Landlords Association[3] found: *"20 % [of landlords] are less likely to consider renting to EU or EEA nationals."*
JCWI have also shown via research[4] that:
*"**Out of 150** mystery shopping enquiries from prospective tenants who asked landlords to conduct an online check, 85 % received no response. **Only three responses explicitly stated that the landlord was willing to conduct an online check".***

Government's Science and Technology Committee

*The committee published a 'Digital Government' report (July 2019)[5] which concluded: "While we believe it is important for the Government to make its services end-to-end digital, it must do this in such a way that **it includes access to public services for those who are not digitally connected."***

*"The Government should also ensure that those who are not digitally connected have **alternative ways of accessing services"***

Policy Equality Statement (PES)

How will digital checks work for those with visual impairment? How will digital checks work for victims of domestic abuse or modern day slavery? How will digital checks work for the elderly, or those who are not digitally literate?

A **Policy Equality Statement exists** (this was confirmed in June 2019). It was promised for publication by spring 2020, yet it is **still not published**[6].

Largest survey of EU citizens

In the largest survey[7] to date of EU citizens' experience of the EU Settlement Scheme, **the vast majority (89 %) expressed unhappiness about the lack of physical proof of their status.**

> **Digital systems can work well in some circumstances.**
>
> **Our ask is simply that people have the right to a physical backup for when digital does not work.**

(1) https://www.gov.uk/service-standard-reports/prove-your-right-to-work-beta
(2) https://committees.parliament.uk/oralevidence/344/html/
(3) https://research.rla.org.uk/wp-content/uploads/right-to-rent-impact-private-renting-2018.pdf
(4) https://www.jcwi.org.uk/passport-please
(5) https://publications.parliament.uk/pa/cm201719/cmselect/cmsctech/1455/145502.htm
(6) https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2020-07-20/76759/
(7) http://t3m.org.uk/SettledStatusSurvey

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the3million is a non-partisan grassroots organisation of EU citizens in the UK, formed after the 2016 EU referendum to protect the rights of people who have made the UK their home.

For more detailed facts, references and briefings, contact us at *advocacy@the3million.org.uk* or see our website **www.the3million.org.uk**