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HOCS Reference: MIN/0004262/20

19 May 2020

Dear Mr Hatton,

Thank you for your letters of 11 February and 26 February on behalf of the3million about travel to the UK from abroad, and the EU Settlement Scheme. I am sorry for the considerable delay in responding to your letters.

Travel to the UK

Airline carriers need to establish a passenger requiring leave to enter has a valid travel document establishing their nationality and identity as well as a valid visa (if required) before they board a flight to the UK. A carrier can be fined £2,000 for every person it brings to the UK incorrectly documented. You are right in quoting guidance stating this does not apply to those who are UK, EEA or Swiss nationals as under free movement legislation they do not require leave to enter. Once free movement ends, nationals from the EEA (excluding Ireland) and Switzerland will require leave to enter and, if carried incorrectly documented to the UK, could result in the carrier incurring a fine.

The UK is not, however, expecting carriers to complete any additional checks immediately to the ones they currently undertake. EEA and Swiss nationals will not see any difference to how they are dealt with by carriers. The Home Office will use all channels of communication to ensure this information is widely known and understood. We will work closely with carriers and border officials globally through our overseas liaison network to ensure the messages are understood and errors made by commercial staff and / or international border authorities are kept to a minimum.

After 31 December 2020, determination of whether an EEA or Swiss national holds status under the EU Settlement Scheme or requires some other entry permission will be made at the UK Border. We will not be expecting carriers to make this decision and provided an EEA or Swiss national holds a valid document which establishes their nationality, (identity card or passport) they will be able to travel to the UK.

We are developing the UK's future border and immigration system in partnership with a wide range of stakeholders, including carriers. Their key role in facilitating travel to the UK for genuine passengers will be unchanged and over time they will be expected to ensure all passengers boarding services have the necessary document required for entry to the UK.

The EU Settlement Scheme

The scheme continues to provide EU citizens living here with certainty and makes it easy for them and their family members to get the UK immigration status they need and guarantee their rights here in UK law. The latest published figures, to 31 March 2020, show more than 3.5 million applications have been received and 3.1 million applications have been concluded. While applications continue to be processed, during this challenging time they will take longer than usual. A range of support continues to be available for those who have questions or need help applying. More information about what support is currently available can be found here: <https://www.gov.uk/help-eu-settlement-scheme>.

You may have seen the Independent Chief Inspector of Immigration and Borders (ICIBI) recently praised the operation of the EU Settlement Scheme in his further report on it and recognised the wide range of support available to applicants. The ICIBI report can be found here:

<https://www.gov.uk/government/collections/inspection-reports-by-the-independent-chief-inspector-of-borders-and-immigration#2020>.

We have always been clear, in line with the Withdrawal Agreement, where a person has reasonable grounds for missing the deadline for making an application to the EU Settlement Scheme of 30 June 2021 (for those resident here by the end of the transition period on 31 December 2020), they will be allowed a further period in which to apply. We have also continued to encourage eligible EU citizens to apply to the scheme as soon as possible. The Home Office ran a £4 million marketing campaign in 2019 to encourage EU citizens to apply and a new £1 million campaign of advertising ran recently to encourage those who have not yet applied to do so.

The Home Office will take a flexible and pragmatic approach to ensuring individuals with reasonable grounds for missing the deadline can still get a lawful status in the UK. Examples will include children whose parent or guardian fails to apply on their behalf; people in abusive or controlling relationships who were prevented from applying or from obtaining the documents they need in order to do so; and those who lack the physical or mental capacity to apply. We will publish clear guidance at a later stage, but for now the focus remains on communicating information about the scheme and helping people to apply.

On 6 March the Home Office announced a further £8 million of funding for 2020-21 to help vulnerable and at-risk EU citizens apply to the EU Settlement Scheme. This is on top of the £9 million of funding awarded in 2019-20 to 57 voluntary and community organisations across the UK to provide such assistance. Local authorities as well as voluntary and community organisations will be able to bid for this further funding, to provide support to vulnerable and at-risk people across the UK and help to ensure no one is left behind. Funding to the existing service providers will be maintained while the bidding process proceeds for the further funding to ensure no break in service.

I am grateful to the3million for raising these important issues with me and for your continued involvement in the UK Visas and Immigration user group on the EU Settlement Scheme. The user group continues to play an important role in advising the Home Office on the operation of the scheme and on how we can make further improvements.

With my very best wishes.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Foster', with a large flourish at the end.

Kevin Foster MP
Minister for Future Borders and Immigration